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Ref.: AN 15/12-04/97

31 December 2004

Subject: Proposed amendments to Annex 6, Parts I, II and III concerning a delay of the applicability date for the mandatory carriage of automatic emergency locator transmitters operating simultaneously on 406 MHz and 121.5 MHz

Action required: Comments to reach Montreal by 15 March 2005

Sir/Madam,

1. I have the honour to inform you that the Air Navigation Commission, at the eleventh meeting of its 167th Session, held on 7 December 2004, discussed a proposal by the International Air Transport Association (IATA) for an amendment to Annex 6 — *Operation of Aircraft, Part I — International Commercial Air Transport — Aeroplanes*, to amend the applicability date of 1 January 2005 of Standards concerning the mandatory carriage, by aeroplanes operated on long-range over water flights and over designated land areas, of automatic emergency locator transmitters (ELTs) operating simultaneously on 406 MHz and 121.5 MHz. The proposal for a new applicability date of 1 January 2007 was made with the objective to give aircraft operators more time to equip their fleets in an orderly and economical manner. The International Business Aviation Council (IBAC) supported, in principle, the proposal by IATA and requested that account also be taken of operations conducted in accordance with Annex 6, Part II — *International General Aviation — Aeroplanes*. In this connection the Commission also considered the applicability date of the provisions in Annex 6, Part III — *International Operations — Helicopters*.

2. Standards relating to the mandatory carriage of automatic ELTs operating simultaneously on 406 MHz and on 121.5 MHz by aeroplanes operated on long-range over-water flights and over designated land areas were adopted by the Council on 15 March 1999 with an applicability date of 1 January 2002 for all new aircraft (for which the certificate of airworthiness was first issued after that date) and 1 January 2005 for all aircraft. It is noted that before these Standards became applicable, the carriage of an automatically activated ELT, operating simultaneously on 406 MHz and 121.5 MHz, had been recommended since 1994.

Recommended Practice 6.17.7 in Annex 6, Part I and corresponding provisions in Parts II (6.12.4) and III (4.7.7 and 4.10.7) also apply.

3. State letter AN 11/1.3.13-99/39, dated 9 April 1999, advised States that new Standards relating to ELT carriage had been adopted by the Council, and requested that any differences that were to exist between the national regulations and practices of State governments and the provisions of Annex 6 in regard to carriage requirements for ELTs should be notified to ICAO pursuant to Article 38 of the *Convention on International Civil Aviation* (Doc 7300) not later than one month before the applicability date of the relevant amendments.

4. With little time remaining until the applicability date of the new Standards, IATA and IBAC expressed concern that a number of their members would not be able to comply by 1 January 2005. The Air Navigation Commission recognized that several States had designated their entire territories to be “designated land areas” as described in Annex 6 in which the requirements concerning ELTs would have to be met and some States had also implemented corresponding requirements for long-range over-water flights; however, a number of States had not yet fully implemented the ELT requirements in their national regulations. It was also recognized that while some regulators may have developed specific national requirements and, in some cases, had notified ICAO of differences to the ICAO Standards concerned, their operators must still meet the requirements of other States for flights operating into these other States’ airspace.

5. It was noted by IATA that the installation of automatic ELTs would only be economically viable when aircraft would be taken out of service for major maintenance (C or D checks), and that it would not be possible to schedule such maintenance for the majority of the aircraft prior to the applicability date; a minimum of two additional years would be required to complete installation of automatic ELTs in their entire fleets.

6. The Air Navigation Commission decided that States be asked whether it would be advisable to change the applicability date for mandatory carriage of the automatic ELTs operating on 406/121.5 MHz, from 1 January 2005 to 1 January 2007. In so doing, it was noted that the relevant Standards would become applicable on 1 January 2005 and that, even if such an amendment were to be effected, States that had implemented a requirement in accordance with the Standards would not necessarily revise their national requirements.

7. The Air Navigation Commission asked me to draw your specific attention to, and invite your comments on, the proposal by IATA that the applicability date of the provisions in Annex 6, Part I related to the mandatory carriage of automatic ELTs operating simultaneously on 406 MHz and 121.5 MHz be amended from 1 January 2005 to 1 January 2007, as indicated in the attachment to this letter. For reasons of consistency, the proposal in the attachment includes proposed amendments to corresponding provisions in Annex 6, Parts II and III. Any comments you may have on the applicability date will be appreciated.

8. In examining the proposed amendments, you should not feel obliged to comment on editorial aspects as such matters will be addressed by the Air Navigation Commission during the final review of the draft amendment.

9. May I request that any comments you may wish to make on the proposed amendments and related matters be dispatched to reach me not later than 15 March 2005. The Air Navigation Commission has asked me to specifically indicate that comments received after the due date may not be considered by the Commission and the Council. In this connection, should you anticipate a delay in the receipt of your reply, please let me know in advance of the due date.

10. The subsequent work of the Air Navigation Commission and the Council would be greatly facilitated by specific statements on the acceptability or otherwise of the proposals. Please note that, for the review of your comments by the Air Navigation Commission and Council, replies are normally classified as “agreement with or without comments”, “disagreement with or without comments” or “no indication of position”. If in your reply the expressions “no objections” or “no comments” should be used, they will be taken to mean “agreement without comment” and “no indication of position”, respectively.

Accept, Sir/Madam, the assurances of my highest consideration.

Taïeb Chérif
Secretary General

Enclosure:

Amendment to Annex 6, Parts I, II and III

**NOTES ON THE PRESENTATION OF THE PROPOSED AMENDMENT
TO ANNEX 6**

The text of the amendment is arranged to show deleted text with a line through it and new text highlighted with grey shading, as shown below:

1. ~~Text to be deleted is shown with a line through it.~~ text to be deleted
2. **New text to be inserted is highlighted with grey shading.** new text to be inserted
3. ~~Text to be deleted is shown with a line through it~~ followed by the replacement text which is highlighted with grey shading. new text to replace existing text

ANNEX 6 – OPERATION OF AIRCRAFT

PART I

INTERNATIONAL COMMERCIAL AIR TRANSPORT – AEROPLANES

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CHAPTER 6. AEROPLANE INSTRUMENTS, EQUIPMENT AND FLIGHT DOCUMENTS

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6.17 Emergency locator transmitter (ELT)

6.17.1 Except as provided for in 6.17.2, until 1 January 2005-2007 all aeroplanes operated on long-range over-water flights as described in 6.5.3 shall be equipped with at least two ELT(S).

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6.17.3 From 1 January 2005, 2007, all aeroplanes operated on long-range over-water flights as described in 6.5.3 shall be equipped with at least two ELTs, one of which shall be automatic.

6.17.4 Except as provided for in 6.17.5, until 1 January 2005-2007 aeroplanes on flights over designated land areas as described in 6.6 shall be equipped with at least one ELT(S).

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6.17.6 From 1 January 2005, 2007, aeroplanes on flights over designated land areas as described in 6.6 shall be equipped with at least one automatic ELT.

6.17.7 **Recommendation.**— *All aeroplanes should carry an automatic ELT.*

PART II

INTERNATIONAL GENERAL AVIATION – AEROPLANES

CHAPTER 6. AEROPLANE INSTRUMENTS AND EQUIPMENT

6.12 Emergency locator transmitter (ELT)

6.12.1 Except as provided for in 6.12.2, until 1 January 2005-2007 all aeroplanes operated on extended flights over water as described in 6.3.3 b) and when operated on flights over designated land areas as described in 6.4 shall be equipped with one ELT.

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6.12.3 From 1 January 2005, 2007, all aeroplanes operated on extended flights over water as described in 6.3.3 b) and when operated on flights over designated land areas as described in 6.4 shall be equipped with one automatic ELT.

6.12.4 **Recommendation.**— *All aeroplanes should carry an automatic ELT.*

PART III
INTERNATIONAL OPERATIONS – HELICOPTERS

Section II
International Commercial Air Transport

**CHAPTER 4. HELICOPTER INSTRUMENTS, EQUIPMENT,
AND FLIGHT DOCUMENTS**

4.7 Emergency locator transmitter (ELT)

4.7.1 Except as provided for in 4.7.2, until 1 January 2005-2007 all Performance Class 1 and 2 helicopters operating on flights over water as described in 4.5.1 a) and Performance Class 3 helicopters operating as described in 4.5.1 b) shall be equipped with a least one ELT(S) per raft carried but not more than a total of two ELTs are required.

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4.7.3 From 1 January 2005-2007, all Performance Class 1 and 2 helicopters operating on flights over water as described in 4.5.1 a) and Performance Class 3 helicopters operating as described in 4.5.1 b) shall be equipped with at least one automatic ELT and at least one ELT(S) in a raft.

4.7.4 Except as provided for in 4.7.5, until 1 January 2005-2007 helicopters on flights over designated land areas as described in 4.6 shall be equipped with at least one ELT.

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4.7.6 From 1 January 2005-2007, helicopters on flights over designated land areas as described in 4.6 shall be equipped with at least one automatic ELT.

4.7.7 **Recommendation.**— *All helicopters should carry an automatic ELT.*

PART III
INTERNATIONAL OPERATIONS – HELICOPTERS

Section III
International General Aviation

**CHAPTER 4. HELICOPTER INSTRUMENTS, EQUIPMENT,
AND FLIGHT DOCUMENTS**

4.10 Emergency locator transmitter (ELT)

4.10.1 Except as provided for in 4.10.2, until 1 January 2005-2007 all Performance Class 1 and 2 helicopters operating on flights over water as described in 4.3.1 a) and Performance Class 3 helicopters operating as described in 4.3.1 b) shall be equipped with at least one ELT(S) per raft carried but not more than a total of two ELTs are required.

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4.10.3 From 1 January 2005, 2007, all Performance Class 1 and 2 helicopters operating on flights over water as described in 4.3.1 a) and Performance Class 3 helicopters operating as described in 4.3.1 b) shall be equipped with at least one automatic ELT and one ELT(S) in a raft.

4.10.4 Except as provided for in 4.10.5, until 1 January 2005-2007 helicopters on flights over designated land areas as described in 4.4. shall be equipped with at least one ELT.

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4.10.6 From 1 January 2005, 2007, helicopters on flights over designated land areas as described in 4.4 shall be equipped with at least one automatic ELT.

4.10.7 **Recommendation.**— *All helicopters should carry an automatic ELT.*

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