

43<sup>RD</sup> CONFERENCE OF  
DIRECTORS GENERAL OF CIVIL AVIATION  
ASIA AND PACIFIC REGIONS

*Bali, Indonesia*  
*4 - 8 December 2006*

AGENDA ITEM 1:           THEME TOPIC

*Sustainable Practices for Enhanced Safety Oversight and Security*

**MODERNIZING ANNEX 6 PART II –  
STANDARDS AND RECOMMENDED PRACTICES FOR  
INTERNATIONAL GENERAL AVIATION - AEROPLANES**

(Presented by International Business Aviation Council)

**SUMMARY**

ICAO and the business aviation industry have long recognized the need to amend Annex 6 Part II to make it current with the realities of modern aviation operations and general aviation aircraft size and complexity. Over the past two years the ICAO Secretariat, the Air Navigation Commission (ANC) and the industry have worked together to develop a proposal for modernizing the Annex. The ANC recently completed a review of the proposal, which will shortly be circulated to States and International Organizations for comments. The business aviation community encourages States to support the proposal and to implement the provisions, when adopted, with the objective of improving harmonization of rules applicable to general aviation operations.

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**1. INTRODUCTION**

1.1 The International Civil Aviation Organization (ICAO) and the business aviation operating industry have both recognized for some time that the International Standards and Recommended Practices (SARPs) for General Aviation - Aeroplanes (Annex 6 Part II) are outdated and in need of modernization. The SARP was first introduced in the 1960s when general aviation operations were primarily conducted with small, uncomplicated aircraft, in domestic operations.

1.2 Over the past 30 years, the use of aircraft by corporations for non-commercial operations for the purposes of conducting business has grown significantly, as have the number of business aircraft operating in the upper level airspace and on international routes. There are now over 24,000 turbine powered business aircraft operating worldwide.

1.3 Over the past two years the business aviation industry has worked with the ICAO Secretariat and the Air Navigation Commission (ANC) in the development of a proposal for modernizing the Annex with the intent of making the rules correspond to current operational practices.

**2. DISCUSSION**

2.1 The need to modernize Annex 6 Part II was recognized by the industry and the ICAO Secretariat as a number of States around the world have been assessing the options for new rules to govern corporate aviation. Corporate aviation is that sector of non-commercial (general aviation) operations that use aircraft for business purposes, flown by professional pilots that are employed specifically to operate the aircraft. Corporate aircraft are typically advanced technology turbo jet aircraft weighing between 12,500 lbs and 100,000 lbs, although smaller aircraft and some airline size aircraft are used in more limited numbers.

2.2 The intent of some States to introduce new rules was generally driven by the increased visibility and predominance of the industry and the increasing sense that this growing industry should be subject to specific rulemaking. Given that the safety record of this sector of the industry is equal to that of scheduled operators operating turbojet aircraft in accordance with rules developed pursuant to Annex 6 Part I, States generally recognized that the new rules could be established in accordance with industry 'codes of practice' that have historically produced the exemplary safety record.

2.3 Since ICAO's objective is international rule harmonization, the ICAO DGCAs' Safety Conference concluded that there was urgent need to modernize the Annex governing international general aviation operations to better reflect the reality of current operations and modern business aviation aircraft. An effective and current SARP would lead to common rules and harmonized operations. The Secretariat requested the assistance of the International Business Aviation Council (IBAC) to develop a modernization proposal. IBAC is a Council of business aviation associations from around the world representing the interests of the industry since 1981.

2.4 IBAC initiated a Task Force (TF) that included the International Aircraft Owners and Pilots Association (IAOPA) and the TF worked over a year in cooperation with the Secretariat to develop a comprehensive proposal for updating the Annex. The proposal was presented to the Secretariat last year and since that time the ICAO Secretariat and Air Navigation Commission have been working to finalize a proposed amendment to the Annex. It is expected that the amendment proposal will be sent to States in November or December 2006.

2.5 The proposed amendment separates the Annex into three sections as follows:

- a. General Section for Definitions and Applicability;
- b. Basic Operations;
- c. Large and Turbo-Jet Aircraft Operations.

Section 2 contains provisions for all non-commercial aircraft operations. The substance is similar to the current Annex 6 Part II, although the wording and structure have been modified to be more consistent with Annex 6 Part I and to modernize the wording. Section 3 includes additional provisions that supplement those of Section 2, applying to all non-commercial operations of large aircraft (over 12,500 lbs) and to turbojet aircraft.

2.6 New provisions for large and turbojet aircraft introduce the requirement to have a Safety Management System and Operations Manual. The Section also contains increased training and qualification standards compared to the current provisions. Industry safety standards serve as the basis for the new provisions.

2.7 The proposed new ICAO provisions recognize that the industry that will be governed by the new Section 3 already has an exemplary safety record; hence the objective was to codify existing practices. Thus, no operating certificate requirements need be imposed. It is intended that State regulations made pursuant to the new provisions require large and turbojet operations to be conducted in accordance with the standards, but State approvals for operations manuals, SMS and other provisions are not required.

2.8 The modern approach to aviation rules, with more responsibility given to the industry and operator, relieves the demand on the limited resources of the regulator and obviates the need for the regulator to approve documents for a sector of the industry that heretofore has not been specifically regulated beyond basic provisions. The new approach builds on the strong safety results of the industry and, at the same time, serves to encourage harmonized rules internationally.

### 3. **ACTION BY THE CONFERENCE**

3.1 The Conference is invited to:

- a) Note the content of the Paper;
- b) Encourage States to review the proposals of the Air Navigation Commission for the modernization of Annex 6 Part II;
- c) Encourage States to harmonize rules for international general aviation pursuant to the new SARP.

— END —