

ICAO Universal Safety Oversight Audit Programme

**FINAL REPORT
ON THE SAFETY OVERSIGHT AUDIT
OF THE
CIVIL AVIATION SYSTEM
OF
CANADA**

(12 to 22 April 2005)



International Civil Aviation Organization

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ICAO UNIVERSAL SAFETY OVERSIGHT AUDIT PROGRAMME

Final Report on the Safety Oversight Audit of the Civil Aviation System of Canada

(12 to 22 April 2005)

1. INTRODUCTION

1.1 Background

1.1.1 The 32nd Session of the ICAO Assembly (Assembly Resolution A32-11 refers) resolved the establishment of the ICAO Universal Safety Oversight Audit Programme (USOAP), comprising regular, mandatory, systematic and harmonized safety audits of all Contracting States. The mandate for regular audits foresaw the continuation of the Programme, and the term “safety audits” suggested that all safety-related areas should be audited. The expansion of the Programme “at the appropriate time”, as recommended by the 1997 Directors General of Civil Aviation Conference on a Global Strategy for Safety Oversight, had thus been accepted as an integral part of the future of the Programme.

1.1.2 The 35th Session of the ICAO Assembly considered a proposal of the Council for the continuation and expansion of the USOAP as of 2005 and resolved that the Programme be expanded to cover all safety-related Annexes (Assembly Resolution A35-6 refers). The Assembly also requested the Secretary General to adopt a comprehensive systems approach for the conduct of safety oversight audits.

1.1.3 Assembly Resolution A35-6 further directed the Secretary General to ensure that the comprehensive systems approach maintain as core elements the safety provisions contained in Annex 1 – *Personnel Licensing*, Annex 6 – *Operation of Aircraft*, Annex 8 – *Airworthiness of Aircraft*, Annex 11 – *Air Traffic Services*, Annex 13 – *Aircraft Accident and Incident Investigation* and Annex 14 – *Aerodromes*; to make all aspects of the auditing process visible to Contracting States; to make the final safety oversight audit reports available; and to provide access to all relevant information derived from the Audit Findings and Differences Database (AFDD) through the secure website of ICAO to all Contracting States.

1.1.4 In accordance with Assembly Resolution A35-6, safety oversight audit reports have been restructured to reflect the critical elements of a safety oversight system, as presented in ICAO Doc 9734 – *Safety Oversight Manual*, Part A – *The Establishment and Management of a State’s Safety Oversight System*. ICAO Contracting States, in their effort to establish and implement an effective safety oversight system, need to consider these critical elements.

1.2 ICAO audit team composition

1.2.1 The safety oversight audit team was composed of: Mr. Haile Belai, team leader; Mr. Henry Gourdjji, facilitator; Mr. César Castillo, audit coordinator, operations (OPS); Mr. Mostafa Hoummady, team member, personnel licensing (PEL); Mrs. Elizabeth Gnehm, team member, airworthiness (AIR); Mr. Richard C. Benbough, team member, AIR; Mr. Vincent Galotti, team member, air navigation services (ANS); Mrs. Ardyth Williams, team member, ANS/on-the-job training (OJT); Ms. Katherine Rooney, team member, OPS/dangerous goods/OJT; Mr. Arun Rao, team member, aerodromes

(AGA); Mr. Rennie Van Zyl, team member, accident investigation and prevention (AIG) and ANS; and Mr. Nicolas Rallo, team member, AIG.

1.3 Acknowledgements

1.3.1 ICAO expresses its sincere appreciation for the assistance provided to the audit team during the preparation and conduct of the audit. The professionalism and enthusiasm of all personnel who interacted with the audit team greatly contributed to the success of the audit mission.

2. OBJECTIVES AND ACTIVITIES OF THE AUDIT MISSION

2.1 The comprehensive systems approach for the conduct of safety oversight audits consists of three phases. In the first phase, the level of implementation of Annex provisions is assessed and differences from ICAO Standards and Recommended Practices (SARPs) are identified for each Contracting State through a review of a duly completed State Aviation Activity Questionnaire (SAAQ) and Compliance Checklists (CCs) for all safety-related Annexes, as well as through a review of documents developed by the State to assist it in implementing SARPs and in maintaining an effective safety oversight system. In the second phase, the State being audited is visited by an ICAO audit team to validate the information provided by the State and to conduct an on-site audit of the State's overall capability for safety oversight. The third phase of the audit process consists of the activities following the completion of the on-site audit.

2.2 The safety oversight audit of Canada was carried out from 12 to 22 April 2005 in accordance with the standard auditing procedures provided for in ICAO Doc 9735 — *Safety Oversight Audit Manual* and the Memorandum of Understanding (MOU) agreed to on 26 November 2004 between Canada and ICAO. The audit was carried out with the objective of fulfilling the mandate given which requires ICAO to conduct a safety oversight audit of all Contracting States (Assembly Resolutions A32-11 and A35-6 refer), reviewing a State's compliance with ICAO SARPs set out in all safety-related Annexes and their associated guidance material, as well as with related Procedures for Air Navigation Services (PANS). Furthermore, the objective was also to offer advice, as applicable, to Canada in implementing these provisions.

2.3 The audit team reviewed the SAAQ and the CCs submitted by Canada prior to the on-site audit in order to have a preliminary understanding of the civil aviation system established in the State, to determine its various functions as well as to assess the status of implementation of relevant Annex provisions. Information provided and assessed prior to the conduct of the audit was validated during the on-site audit phase. In this regard, particular attention was given to the presence of an adequate organization, processes, procedures and programmes established and maintained by Canada to assist it in fulfilling its safety oversight obligations.

2.4 The audit results including the findings and recommendations contained in this report reflect the capabilities and limitations of the civil aviation system of Canada as assessed by the audit team. They are thus based on evidence gathered during interviews conducted by the audit team with Canada's technical experts and background information provided by such personnel, review and analysis of civil aviation legislation, specific regulations, related documentation and file records. Considering the time that was available to conduct the audit and the fact that the safety oversight audit team members could only review and analyse information and documentation made available by the State, it is possible that some safety concerns may not have been identified during the audit. The findings and recommendations related to each audit area are found in Appendix 1 to this report. The acronyms listed in the document reference box of each finding and recommendation form are defined as follows: **A** = Annex; **AR** = Assembly Resolution; **CC** = Chicago Convention; **CE** = Critical element; **CIR** = Circular; **GM** = Guidance material; **PANS** = Procedures for Air

Navigation Services; **RP** = Recommended Practice; **STD** = Standard; and **SUPPS** = Regional Supplementary Procedures.

3. AUDIT RESULTS

3.1 Critical element 1 — Primary aviation legislation

“The provision of a comprehensive and effective aviation law consistent with the environment and complexity of the State’s aviation activity, and compliant with the requirements contained in the *Convention on International Civil Aviation*.”

3.1.1 The Canadian Government has developed and promulgated a comprehensive legal framework applicable to the various civil aviation authorities established to manage the civil aviation system of Canada. The legal framework in place consists of the *Department of Transport Act* (1936), the *Aeronautics Act* (1985), the *Canadian Transportation Accident Investigation and Safety Board Act* (1990), the *Transportation of Dangerous Goods Act* (1992) and the *Civil Air Navigation Services Commercialization Act* (1996).

3.1.2 The *Aeronautics Act* clearly establishes the authority for the control of the aviation system within the Canadian Government and identifies its relationship with other governmental Acts and authorities including other Canadian aviation legislative documentation as well as with legislation originating outside of Canada. The *Aeronautics Act* contains appropriate enforcement provisions for contraventions of the Act and the Canadian Aviation Regulations (CARs). A bill to amend the *Aeronautics Act* is expected to be introduced in Parliament within the next few months. The proposed amendments will reflect the current needs of the aviation community and take into consideration current government direction.

3.1.3 The *Canadian Transportation Accident Investigation and Safety Board Act*, which came into force on 29 March 1990, establishes the Transportation Safety Board (TSB) of Canada as Canada’s independent multimodal government agency to investigate inter alia aircraft accidents and incidents. This Act provides the TSB and its investigators with the proper authority and legal tools to conduct investigations effectively in compliance with Annex 13.

3.1.4 Multimodal legislation relating to dangerous goods is contained in the *Transportation of Dangerous Goods Act* (1992). Article 27 of the Act gives the authority to the Governor in Council to make regulations respecting the application of the Act. A memorandum of agreement details the relationships between the Transport of Dangerous Goods Directorate and the precursor to Transport Canada (Canadian Air Transportation Administration) responsible for administering the legislation.

3.1.5 The *Civil Air Navigation Services Commercialization Act*, which became effective on 1 November 1996, transferred the rights, title and interests of the Government of Canada for designated civil air navigation services (ANS) to the corporation of NAV CANADA, establishing a clear distinction between the service provider and the regulator. Furthermore, Transport Canada indicated that it is committed to adhere to all relevant ICAO Annex provisions and apply the provisions of Annex 2 over high seas airspace, without exception, wherein Canada is responsible for the provision of ANS.

3.1.6 With respect to search and rescue (SAR), no legislation specifically addresses the provision of assistance to aircraft in distress. The responsibility for the provision of SAR services, both for the air and maritime transportation modes, has been tasked to the Department of National Defence by a Cabinet Directive dated 26 September 1950, authorizing the Minister of National Defence as the lead Minister responsible. SAR agreements have been entered into with neighbouring States at different levels of commitment.

3.2 Critical element 2 — Specific operating regulations

“The provision of adequate regulations to address, at a minimum, national requirements emanating from the primary aviation legislation and providing for standardized operational procedures, equipment and infrastructures (including safety management and training systems), in conformance with the Standards and Recommended Practices (SARPs) contained in the Annexes to the *Convention on International Civil Aviation*.

Note.— The term ‘regulations’ is used in a generic sense to include instructions, rules, edicts, directives, sets of laws, requirements, policies, orders, etc.”

3.2.1 The authority to make regulations rests with the Governor in Council under paragraph 4.9(w) of the *Aeronautics Act*. The CARs, developed through a properly structured consultation process, and complemented by an implementation policy and adequate enforcement measures in place are comprehensive and up to date and, in general, comply with all international requirements necessary for the control, supervision and enforcement of civil aviation activities.

3.2.2 Transport Canada has established a comprehensive civil aviation regulatory system consisting of four main components: the development of CARs, the Canadian Aviation Regulation Advisory Council (CARAC), the enforcement programme, and the Transportation Appeal Tribunal of Canada. The CARs are a compilation of regulatory requirements designed to enhance safety and the competitiveness of the Canadian aviation industry. These were developed through a consultative process established by CARAC and became law on 10 October 1996. They correspond to the broad areas of aviation which Transport Canada Civil Aviation (TCCA) is mandated to regulate and they ensure that sufficient legal authority has been delegated to technical staff to carry out their regulatory function. The CARs are complemented by standards which are incorporated by reference into the regulations. These standards provide detailed requirements in the various areas of civil aviation.

3.2.3 Each amendment to the CARs and related standards is submitted for consultation to CARAC, an informal body that has a key role in the rule-making process. Its major components are the Plenary, the Civil Aviation Regulatory Committee (CARC), which is made up of senior management staff of Transport Canada, various Technical Committees, consisting of representatives of Transport Canada, the aviation community, other interested parties and the Secretariat, whose role and responsibilities are to provide support and management of CARAC on behalf of CARC. As a matter of policy, Transport Canada uses CARAC for consultation on all aspects of its rule-making process, including amendments to the regulations.

3.2.4 Transport Canada’s enforcement programme complies with Article 12 of the Chicago Convention by ensuring that every aircraft complies with the regulations and by providing for the prosecution of persons violating the regulations. Every Transport Canada Branch has the power to enforce a set of provisions. To meet or not meet a standard is not an offence; however, to operate in breach of that standard is a violation of an Offence Creating Provision (OCP).

3.2.5 Each Transport Canada Branch has developed specific procedures to be followed to review Annex amendments and to generate a Notice of Proposed Amendment (NPA) as an initial step for the incorporation of new regulations. The International Branch of Transport Canada has established a system to receive all amendments to ICAO Annexes and coordinate their review with the appropriate divisions within and outside of Transport Canada.

3.2.6 Specific operating regulations relating to personnel licensing are contained in the CARs, Part IV — *Personnel Licensing and Training*. These regulations are complemented by Personnel Licensing and Training Standards which contain the basic specifications that apply to the issuance of flight crew permits, licences and ratings in compliance with the CARs. Both the CARs and standards are amended on a regular basis and mostly conform to ICAO Annex 1 provisions. Flight crew licences issued by Canada are of a continuing type, and regulations governing personnel licensing require flight crew members to have and be able to produce their licences, ratings and a valid and appropriate medical certificate.

3.2.7 Adequate aircraft operation regulations have been established in the CARs, Part VII — *Commercial Air Services* (CARs 700 to 706) which contains seven subparts: General, Foreign Air Operators, Aerial Work, Air Taxi Operations, Commuter Operations, Airline Operations, and Aircraft Maintenance Requirements for Air Operators. A set of Commercial Air Services Standards (CASS 720 to 726) complement the CARs, which are incorporated by reference into the regulations. These standards provide the detailed requirements in the various areas of aircraft operations. The CARs and CAS are kept up to date on a quarterly basis. The regulatory structure is complemented by policy letters and guidance material such as policies, procedures, circulars and manuals.

3.2.8 The Transportation of Dangerous Goods Regulations are developed by the Governor in Council pursuant to Article 27 of the *Transportation of Dangerous Goods Act* (1992). Part 12 of the regulations contains all the provisions pertinent to the transportation of dangerous goods by air. The regulations incorporate by reference ICAO *Technical Instructions for the Safe Transport of Dangerous Goods by Air* which establish the rules for the safe transport of dangerous goods by air both within Canada and internationally.

3.2.9 Part V of the CARs has been promulgated to enable the State to implement the provisions of Annex 7 — *Aircraft Nationality and Registration Marks*, Annex 8 and Annex 16 — *Environmental Protection*. Canada is in the process of promulgating new regulations to require manufacturers of aircraft and aircraft products to be certificated. The Regulatory Standards Division in the Aircraft Certification Branch and the Standards and Procedures Division in the Aircraft Maintenance and Manufacturing Branch are responsible for the technical evaluation of the ICAO Annex amendments and deciding whether an amendment will be incorporated or if a difference should be notified.

3.2.10 Part VIII of the CARs addresses matters related to the provision of ANS and contains regulations on, among other things, services to be provided and requirements for operations certificates, site manuals, licensing, training and competency. The legislation and the regulation of ANS in Canada clearly prescribe the responsibilities and lines of authority within civil aviation. Subpart 5 of Part VIII requires the holder of an air traffic service (ATS) operations certificate to establish a safety management programme that provides for an internal system of oversight to ensure the safe provision of ANS. This includes a requirement for the conduct of risk assessments of current and proposed operational policies, plans and procedures as well as coordination of the collection and analysis of operational risk-related data. This is a significant effort by Transport Canada to improve safety throughout its air navigation system and improve aviation oversight. It also aligns Transport Canada with the safety management provisions of Annexes 11 and 14. In addition to the regulatory provisions, Transport Canada maintains significant guidance material on civil air navigation regulations, including the safety oversight of their air navigation system.

3.2.11 With respect to aerodromes, Transport Canada has established comprehensive regulations and technical requirements for carrying out its regulatory functions in the field of aerodrome planning, design and operational safety. These are: Parts 3 and 6 of the CARs and the Canadian Technical Publication TP 312. TP 312 is similar in scope, content and presentation to Annex 14 in that it contains all the technical requirements concerning the facilities and services to be provided at an aerodrome. Most of these requirements are standards although they include many recommendations. Although the Recommended Practices in Annex 14 are included in Canada's regulations and procedures, they are not enforced by Transport Canada unless they have been upgraded to a standard (by Canada) or airport operators include them in their Aerodrome Operator Manual (AOM). Where any Annex 14 amendment of significant safety benefit is identified, Canada has a system of a "fast-track" process of implementing such SARPs through a national exemption process, pending the finalization of the Transport Canada rule-making process.

3.2.12 The *Canadian Transportation Accident Investigation and Safety Board Act* authorizes the Board to make, subject to the approval of the Governor in Council, regulations as applicable to the investigation of aircraft accidents. These regulations are cited as the *Transportation Safety Board Regulations* dated 25 June 1992. The regulations define which accidents and incidents shall be reported to the TSB and also provide for the TSB to establish a confidential reporting unit which shall have exclusive authority to receive and examine, in confidence, any verbal or written report.

3.2.13 A consultative process is in place between the Department of National Defence and other Canadian Ministries with the TCCA to ensure knowledge and compliance with the provisions relating to SAR obligations and procedures as contained in Annex 12 to the Convention. No specific regulations have been included in the Canadian CARs and activities are carried out in terms of defence force requirements and procedures.

3.2.14 The results of the audit indicate that Canada has developed appropriate specific operating regulations to enable it to effectively meet the regulatory requirements for safety oversight. The TCCA has developed the requisite regulatory functions, objectives and safety policies to implement its mandate to carry out safety oversight responsibilities. The TCCA has introduced regulatory changes to further improve the safety performance of Canadian air operators and increase accountability. The proposed changes would require air operators to implement safety management systems in their organizations, which could lead to the early identification and resolution of potential problems and safety risks. The expected result of this initiative would be the improvement of safety practices fostering stronger safety cultures within the civil aviation industry.

3.3 **Critical element 3 — State civil aviation system and safety oversight functions**

"The establishment of a civil aviation authority (CAA) and/or other relevant authorities or government agencies, headed by a Chief Executive Officer, supported by the appropriate and adequate technical and non-technical staff and provided with adequate financial resources. The State authority must have stated safety regulatory functions, objectives and safety policies.

Note.— The term 'State civil aviation system' is used in a generic sense to include all aviation-related authorities with aviation safety oversight responsibility which may be established by the State as separate entities, such as: CAA, airport authorities, air traffic service authorities, accident investigation authority, meteorological authority, etc."

3.3.1 The responsibility for civil aviation safety oversight in Canada is vested in the Civil Aviation Directorate within the multimodal Department of Transport of Canada, the TCCA. The latter is headed by the Director General of Civil Aviation (DGCA) with Headquarters in Ottawa. The DGCA reports to the Assistant Deputy Minister, Safety and Security.

3.3.2 Five regional civil aviation offices have been established under five multi model Regional Directors General to serve more effectively the interests of aviation users in the region. The Regional Directors of Civil Aviation of the five regional offices report to their Regional Director General. The five Regional Directors General report to the Assistant Minister; therefore, there is no hierarchal relationship between Headquarters and the regional offices. However, a functional line of coordination and reporting is in place and the necessary coordination is carried out through several formal and informal mechanisms.

3.3.3 The civil aviation organizational components of the TCCA include the following twelve branches: Aerodromes and Air Navigation, Aircraft Certification, Aircraft Maintenance and Manufacturing, Aviation and Marine Medicine, Commercial and Business Aviation, General Aviation, International Aviation and Technical Programmes, Aviation Learning Services, Quality and Resource Management, Regulatory Services, Strategic Issues and Communications, and System Safety.

3.3.4 Additional authorities dealing with and supporting civil aviation activities have also been established. These are:

- a) the Canadian Air Transport Security Authority (CATSA) with the main goal of establishing an effective screening programme to ensure air transport security;
- b) the Canadian Transportation Agency (CTA) with a mandate to administer the economic regulatory provisions affecting all modes of transport under federal jurisdiction;
- c) the Transportation Appeal Tribunal of Canada (TATC) which is a multimodal tribunal that provides a recourse mechanism to the air, rail and marine sectors for administrative decisions and enforcement actions taken in terms of federal transportation legislation;
- d) NAV CANADA which is a private non-share capital corporation which owns and operates Canada's civil ANS;
- e) the Department of National Defence, as the State-designated authority to provide SAR services for air navigation;
- f) Environment Canada which is the authority for all federal meteorological matters in Canada;
- g) various airport authorities which are responsible for control and management of their respective airports;
- h) the TSB which is an independent government agency tasked to advance transportation safety through the investigation of aircraft accidents and other occurrences; and
- i) the Transport of Dangerous Goods Directorate which is the focal point for the national program to promote public safety during the transportation of dangerous goods and serves as the major source of regulatory development, information and guidance on dangerous goods transport for the public, industry and government employees.

3.3.5 Transport Canada has established an adequate system for meeting its personnel licensing responsibilities which includes sufficient and well-qualified technical personnel at Headquarters and the regional offices. The responsibilities for all personnel licensing processes are established and appropriately documented. The standardization functions are the responsibilities of Headquarters which also controls most of the tasks carried out by the regional offices staff. The functional tasks are the responsibilities of either the relevant regional office or a delegated examiner or authorized person, with additional coordination and surveillance of the appropriate staff from the regional office.

3.3.6 The Commercial and Business Aviation (C&BA) Branch is responsible for the safety regulation, inspection and monitoring of all Canadian business and commercial air operators, as well as foreign air operators operating in Canadian airspace. Branch inspectors conduct inspections, audits and evaluations in the areas of flight operations, cabin safety, transportation of dangerous goods, and occupational health and safety on board commercial and business aircraft. This monitoring includes training programmes and facilities as well as technical performance evaluations on simulators and other training devices. At Headquarters, the branch also develops policies, standards, guidance and regulations pertinent to its area of responsibility.

3.3.7 The Director of the C&BA Branch at Headquarters is responsible for eight divisions pertaining to issues management and administration, operational standards, certification standards, airline inspection, dangerous goods standards, cabin safety standards, aviation occupational health and safety, and foreign inspection. Each division is headed by a Chief who reports to the Director of the C&BA Branch. At regional offices, the C&BA Branch is responsible for cabin safety, transportation of dangerous goods, air operator certification, air operations, aviation occupational safety and health, and business aviation.

3.3.8 The Dangerous Goods Standards Division of the C&BA Branch is responsible for providing technical advice on the maintenance and development of the Transportation of Dangerous Goods Regulations as it pertains to the transport of dangerous goods by air.

3.3.9 The Aircraft Maintenance and Manufacturing Branch at Headquarters is responsible for aircraft maintenance engineering, licensing and training, aircraft evaluation, policy development, standards and procedures, recreational aircraft, and managing the National Audit Programme. Regional offices are responsible for continuing airworthiness, approved maintenance organization (AMO) approval, training school approval, aircraft maintenance engineer (AME) licensing, distributor approval, flight authorities, audit, inspection and surveillance, flight training unit approval, private operator approval, and the approval and monitoring of the Minister's delegates.

3.3.10 The Aircraft Certification Branch at Headquarters is responsible for developing policies, standards and regulations pertinent to aircraft certification, providing functional direction to regional offices, reviewing and approving the type designs of domestic and foreign aeronautical products resulting in the issuance of Transport Canada's type certificates, reviewing and approving domestic and foreign design changes (modifications and repairs) made to aeronautical products, approving and overseeing design approval delegates and, in conjunction with the Aircraft Maintenance and Manufacturing Branch, ensuring the continuing airworthiness of aeronautical products and issuance of airworthiness directives. Regional aircraft certification offices are responsible for input into the development of policies, standards and regulations pertinent to aircraft certification, the review and approval of domestic and foreign design changes (modifications and repairs) made to aeronautical products i.e. supplemental type certificates (STCs), the issuance of appliance type certificates for products intended to be installed on aircraft, the approval and oversight of design approval delegates and, in conjunction with the Aircraft Maintenance and Manufacturing Branch, the oversight of the continuing airworthiness of aircraft operated in the region.

3.3.11 The *Civil Air Navigation Services Commercialization Act* transferred the rights, title and interests of the Government of Canada for designated civil ANS to the corporation of NAV CANADA and designates NAV CANADA as the first authority to be assigned responsibility for the Chicago Convention with respect to aeronautical information (Annexes 4 and 15) distribution. The Director, Aerodromes and Air Navigation Branch is responsible for: overseeing the safe provision of all ANS in Canada, directing the formulation and ongoing development of air navigation and airspace standards and practices, directing the conduct of national ANS safety oversight and risk management processes, and contributing to the

development of international air navigation standards, policies and practices. The Aerodromes and Air Navigation Branch consists of five sections including the Audits, Inspections and Monitoring Section responsible for the conduct of audits, inspections, evaluations and reviews of facilities within Canada's air navigation system. At the regional level, ANS specialists provide advice, guidance, monitoring and evaluation and act as a regional focal point for all ANS public interest matters.

3.3.12 A recent restructuring has integrated the previous Air Navigation and Aerodrome Divisions into one branch and the Aerodrome Department is one of the five sections of the newly restructured branch. The restructuring has led to the reassignment of staff from the old division to other sections as well as to the new area of development, introducing the risk assessment-based approach or the transition to the Integrated Management System (IMS). The restructuring and preparation for a transition has led to the reduction of staff working directly under the section at Headquarters. The Aerodrome Department does not have qualified airport engineers directly under its structure although support in this regard is available from other departments and sections. At the regional level (Quebec region), the section responsible for aerodrome safety is appropriately established and adequately equipped to effectively undertake its responsibilities.

3.3.13 The TSB is an appropriately established, properly organized and adequately funded organization capable of accomplishing its functions and responsibilities effectively and efficiently. The Head Office is located in Gatineau, Quebec with most investigation staff located in various regional and field offices across Canada to better respond to transportation occurrences anywhere in the country. A centralized TSB Engineering Branch is located in Ottawa to provide specialized support services, including flight recorder read-out, to TSB investigations.

3.3.14 The National Search and Rescue Secretariat (NSS) is an independent agency of government, reporting to the Lead Minister for Search and Rescue (the Minister of National Defence). The NSS was established in 1986 to support and promote the activities of the National SAR Programme as a means to achieve highly effective and economically responsible SAR programmes throughout Canada. The NSS coordinates central activities for the federal element of SAR which includes the federal SAR delivery departments: Department of National Defence, Department of Fisheries and Oceans (Canadian Coast Guard), Royal Canadian Mounted Police (RCMP), Transport Canada, Environment Canada, Meteorological Service of Canada, and Parks Canada.

3.3.15 The results of the audit indicate that Canada's civil aviation system and safety oversight functions are appropriately established and implemented.

3.4 **Critical element 4 — Technical personnel qualification and training**

“The establishment of minimum requirements for knowledge and experience of the technical personnel performing safety oversight functions and the provision of appropriate training to maintain and enhance their competence at the desired level. The training should include initial and recurrent (periodic) training.”

3.4.1 The TCCA has developed minimum qualification requirements for each technical position. The minimum qualifications vary depending on the specific degree of technical expertise and experience required for certain specializations. All position descriptions and qualification requirements are posted on the Transport Canada public website.

3.4.2 The TCCA has developed a comprehensive training policy which establishes the requisite training for all staff who are required to obtain and maintain their delegation of authority (Civil Aviation

Directives [CADs] No. 7 and No. 10 refer). The training policy identifies four phases of learning for employees exercising their delegation of authority as follows:

- a) Phase 1: initial training — the planned process to acquire common competencies for job performance;
- b) Phase 2: supplementary training — the planned process to develop further job specific competencies;
- c) Phase 3: recurrent training — the planned process to maintain competencies in order to exercise delegation of authority; and
- d) Phase 4: career development training.

3.4.3 On an annual basis all employees holding a delegation are required to review their own training requirements in accordance with the CAD and identify their training needs. Once approved, training needs are placed in the employee's personal file. Training is provided to all employees holding a delegation, including recurrent training.

3.4.4 The Aviation Learning Services Branch is responsible for the design, development and delivery of basic, advanced and recurrent training for employees. The branch is also responsible for the maintenance of the Civil Aviation Training Information System (CATIS), a computerized record-keeping system which maintains records of training provided to all employees holding a delegation. The CATIS maintains records only of the training provided by the Aviation Learning Services Branch and does not contain, in all cases, the supplementary training necessary to develop further job-specific competencies or career development training (specialized training). The current civil aviation training policy is limited to employees holding a delegation and does not include all other technical and managerial employees of the TCCA. The additional records are addressed through the Learning Activity Reporting System (LARS) just introduced in April 2005.

3.4.5 Structured OJT is provided to all staff expected to attain a fully-delegated authority. Each branch is responsible to record this training and records are kept in the individual's personal file. Structured OJT has yet to be developed for air navigation employees.

3.4.6 The Transport Canada's Executive Management Committee (TMX) has approved a Continuous Learning Policy on 30 March 2004 to provide a continuous learning environment within Transport Canada. As of 1 April 2005, Transport Canada's Senior Management has committed three per cent of the Department's salary (operating budget) and an average of three days per employee per year in learning activities.

3.4.7 The Department of National Defence sets the standards and training requirements for all SAR coordinators. This includes initial certification and currency requirements. All coordinators are proficient in English and every shift has at least one coordinator proficient in French. The department has signed a memorandum, including training requirements, with the Civilian Air Search and Rescue Association to supplement its assets. If a unit or person has not participated in an actual mission in a year, a SAR exercise mission is planned and executed to ensure deployment capabilities, competency and currency.

3.4.8 The TSB has established adequate qualification criteria for the recruitment of its investigators and has full control over the recruitment of its personnel. Investigators are provided with the appropriate initial, recurrent and specialized training as may be deemed necessary to acquire and maintain the level of expertise required.

3.4.9 Delegated authority to dangerous goods inspectors is given only after the completion of a specified training course as prescribed in CAD No. 7 and as specified in the *Dangerous Goods Inspector's Manual* (TP 385) and OJT.

3.4.10 The results of the audit indicate that Canada has established an adequate process for the recruitment of qualified technical personnel which is supported by a comprehensive training policy and training programme, allowing it to accomplish its safety oversight functions and responsibilities under the Convention. Delegated authority to inspect is given only after the completion of training courses and OJT. Transport Canada delegates some of its safety oversight responsibilities to approved check pilots. Internal procedures have been established for the designation of inspectors and for monitoring their performance.

3.5 **Critical element 5 — Technical guidance, tools and the provision of safety critical information**

“The provision of technical guidance (including processes and procedures), tools (including facilities and equipment) and safety critical information, as applicable, to the technical personnel to enable them to perform their safety oversight functions in accordance with established requirements and in a standardized manner. In addition, this includes the provision of technical guidance by the oversight authority to the aviation industry on the implementation of applicable regulations and instructions.”

3.5.1 Transport Canada maintains an adequate and current supply of required civil aviation documentation and publications to effectively accomplish its functions and responsibilities. Technical staff has access to a database containing essential information such as technical documents, standards and procedures and is able to access the necessary information from wherever modem-equipped notebooks can be used. All relevant ICAO documents are readily available to staff members and Transport Canada also maintains subscriptions to almost all available aviation industry publications in addition to producing its own aviation publications.

3.5.2 In the area of personnel licensing, Transport Canada has very well documented all its personnel licensing system. Forms used for various applications are developed and published on the website. Transport Canada issues all licences outlined in Annex 1 with the exception of the flight navigator and flight operations officer/flight dispatcher licences. Transport Canada also uses several electronic databases which are interconnected and which allow staff to have access to updated information on individuals and organizations. This enables Headquarters to review application forms assessed by the regional offices or by delegated or authorized persons.

3.5.3 With regard to aircraft operations, a comprehensive set of civil aviation publications, technical manuals, procedures, advisory circulars and guidance covering general and specific matters is available to all inspectors, either in hard copy or electronic format, to effectively accomplish their functions and responsibilities.

3.5.4 Concerning airworthiness, Transport Canada has established a Technical Reference Centre at Headquarters which is available to all inspectors and engineers and is appropriately maintained and kept current. The Technical Reference Centre serves as a repository for engineering technical material, ICAO Annexes, airworthiness directives, type certificate data sheets, service bulletins, manufacturer technical material, illustrated parts catalogues, and structural repair manuals. Each regional office has a technical library and a system in place to coordinate movement of publications from one region to another when necessary. The CARs and standards supplemented by the Staff Instructions, Airworthiness Maintenance Advisories and Policy Letters are readily available on the Intranet as well as the Internet. In addition, Regional Division Managers develop policies and detailed procedures to supplement those established at the

national level. Regional Division Managers developing additional procedures have the option to propose that the policy and procedures be adopted at the national level during periodic management meetings.

3.5.5 The Air Navigation Services and Airspace *Policies and Procedures Manual*, issued and maintained under the authority of the Director, Air Navigation Services and Airspace, establishes the policies and procedures for the delivery of ANS and airspace programmes. The manual provides detailed guidance on the conduct of ANS and airspace inspections and audits, monitoring of the air navigation system, ANS and airspace audit and inspection planning and ANS and airspace frequency of inspection.

3.5.6 The production of guidance and safety critical information such as aeronautical information services (AIS), aeronautical charts, notices to airmen (NOTAMs) and the Canadian Aeronautical Information Publication (AIP) is the responsibility of NAV CANADA. Transport Canada continues examining ways of improving how aeronautical information is being provided. The current AIP is to be replaced in October 2005 by an ICAO-compliant version produced and to be maintained by NAV CANADA. The TCCA website contains safety-related information and is aimed at the promotion of aviation safety through the timely distribution and up-to-date information through the Internet.

3.5.7 With respect to SAR, a national search and rescue manual has been compiled to provide information and instructions on the requirements and procedures to be followed during the conduct of SAR actions. The manual is intended for the use of the personnel of the three rescue coordination centres and thus ensures standardization. In addition, Volumes 1 and 2 of the ICAO *International Aeronautical and Maritime Search and Rescue Manual* (IAMSAR) are also used by SAR personnel to ensure standardization.

3.5.8 Transport Canada has established guidance material to support its comprehensive regulations and technical requirements in the field of aerodrome planning, design and operational safety. In addition, some advisories (circulars) have also been issued and guidance to Canadian aerodrome inspectors is provided by the CADs. The mandate for Canada's aerodrome inspectors is given in the *Inspection and Guidance Manual* as well as in the document on frequency of inspections. Aerodrome inspectors have been provided with the necessary tools and equipment for carrying out their tasks during airport inspections. These include the necessary office equipment, communication facilities, clinometers, distance measuring equipment, etc. Furthermore, Transport Canada has the benefit of engineering expertise available with Public Works Canada for evaluating engineering design/evaluation submissions, e.g. the bearing capacity of airfield pavements, design of new pavements and drainage structures.

3.5.9 The TSB provides its staff with all the necessary facilities, equipment and documentation. The TSB has developed guidance material in the form of various controlled manuals. Additional procedures are found in various MOUs, in particular the MOU with the TCCA. The TSB receives notifications of Canadian aviation occurrences directly from individuals and organizations, as well as notifications from other States, and appropriate procedures have been established for this purpose. The procedures developed and implemented by the TSB for the various phases of investigations are comprehensive and comply with ICAO requirements.

3.5.10 The results of the audit indicate that Canada has established adequate technical guidance for the inspectors to conduct their certification and surveillance functions in all areas of the civil aviation activities, to include areas such as SAR, accident investigation and dangerous goods. Guidance material is also available to applicants and the general public through pamphlets, CD-ROMs or through the TCCA web page. The system established includes an adequate means for the dissemination of safety critical information to all concerned personnel.

3.6 **Critical element 6 — Licensing, certification, authorization and/or**

approval obligations

“The implementation of processes and procedures to ensure that personnel and organizations performing an aviation activity meet the established requirements before they are allowed to exercise the privileges of a licence, certificate, authorization and/or approval to conduct the relevant aviation activity.”

3.6.1 With respect to licensing of personnel, Transport Canada has established a comprehensive system for the issuance of licences and permits and for the certification of training units. The system also addresses the conditions of designation of instructors and the issuance of delegations to individuals such as flight examiners and aviation medical examiners. All corresponding requirements are contained in the CARS and standards, and the certification processes are mainly carried out by the regional offices. The process of certification of training units established by the Regional Office, Quebec was reviewed and found to be comprehensive and adequately documented. It provides for a document review of applicant manuals, a financial assessment and an inspection conducted by two regional licensing inspectors before issuing the certificate to the training unit. The inspection covers facilities, availability of instructors and a chief pilot for flying schools, availability of a procedures manual, and the assessment of training programmes.

3.6.2 The Certification Standards Division of the C&BA Branch provides support and functional guidance to certification specialists in the regional offices and other branches regarding regulations, standards, procedures and guidelines for the certification of Canadian air operators, foreign air operators operating in Canada, and Free Trade Agreement (FTA) operations in Canada by FTA partners.

3.6.3 In accordance with the CARs, all foreign air operators operating a commercial air transport service into or out of Canada are required to operate that service under the terms and conditions of a Canadian Foreign Air Operator Certificate (FAOC) issued by the Minister of Transport. Similarly, foreign air operators wishing to conduct Specialty Air Service (SAS) operations in Canada pursuant to the Free Trade Agreement are required to hold a Canadian FAOC – FTA. To fulfil these responsibilities, the Foreign Inspection Division employs flight operations, airworthiness and cabin safety civil aviation safety inspectors as well as over-flight and certification officers.

3.6.4 The transport of dangerous goods by air is conducted on the approval of the initial and recurrent training programmes of operators by Transport Canada and is administered by the regional offices. A document entitled *Guidelines and References for the Development and Standardization of Dangerous Goods Training Programmes for Air Transport in Canada* (TP 12208) provides guidance to operators on developing training programmes.

3.6.5 All Canadian registered aircraft or aircraft operated in Canadian airspace, other than ultralight and hang-gliders, are required to have a flight authorization. The issuance of a certificate of airworthiness is addressed in CAR 507. This CAR also addresses imported aircraft and validation of foreign certificates of airworthiness. A Canadian type certificate is required for an aircraft to be imported into Canada. Manufacturing and Maintenance Staff Instruction No. 14 – *Flight Authority* contains procedures for the issuance of a certificate of airworthiness including instructions on how to verify noise compliance, which are also indicated on the certificate of airworthiness.

3.6.6 AMO approval is covered in CAR 573. Transport Canada issues an AMO certificate on the basis of the approved maintenance control manual for commercial air transport operators with an AMO or a maintenance policy manual for stand-alone AMOs. AMO approvals for national organizations are issued without an expiration date, but for foreign AMOs, the certificate expires every year and must be reissued after a full approval process. Production approval certificates are issued in accordance with Chapter 561 of the

Airworthiness Manual.

3.6.7 In the area of ANS, Transport Canada retains the responsibility of issuing all air traffic control licences and ratings. However, in consultation with the industry, Transport Canada has developed the Authorized Person Programme which provides a process for issuing temporary air traffic controller licences and ratings by a small group of highly trained air traffic controllers. The temporary licence is valid until it is replaced by a licence/rating officially issued by Transport Canada. The authorized person is exercising authority on behalf of the Minister and must be satisfied that the person recommending an applicant has the proper qualifications. The air traffic licence is issued once with rating(s) added for the operations the controller is authorized to perform. However, to exercise the privileges of the licence, each controller must complete a proficiency check within the preceding twelve months. Air traffic ratings issued by Transport Canada for air traffic controllers include: airport, terminal, area, oceanic and location ratings.

3.6.8 The Aerodrome Safety Department, under the Aerodrome and Air Navigation Services Branch, has implemented a procedure for the certification of aerodromes as airports in accordance with CAR 302. Under the *Aeronautics Act*, the Minister is empowered to issue, suspend or transfer an aerodrome certificate provided all the specified conditions are met by the aerodrome operator. The Aerodrome Safety Department has the responsibility of overseeing the safety of civil aviation. Certification activities of aerodromes are comprehensive and they are shared between Headquarters and the regional offices of the TCCA.

3.6.9 The results of the audit indicate that Canada has established an appropriate system for the issuance of licences and certificates and for the approval of documents appropriately designed to guarantee that organizations performing an aviation activity in Canada meet the established requirements before they are allowed to exercise the privileges of a document and to conduct the relevant aviation activity.

3.7 **Critical element 7 — Surveillance obligations**

“The implementation of processes, such as inspections and audits, to proactively ensure that aviation licence, certificate, authorization and/or approval holders continue to meet the established requirements and function at the level of competency and safety required by the State to undertake an aviation-related activity for which they have been licensed, certified, authorized and/or approved to perform. This includes the surveillance of designated personnel who perform safety oversight functions on behalf of the CAA.”

3.7.1 The TCCA policy for structured oversight is defined by CAD No. 20 entitled *Frequency of Inspection Policy*. This is the single source authority for detailing the frequency to perform specified regulatory oversight tasks in accordance with Part 1, paragraph 4.2 of the *Aeronautics Act*. In addition to specifying frequency requirements, this policy makes provision to adjust the yearly planning requirements based on a formal risk management decision-making process involving formal decision documentation and oversight by senior management.

3.7.2 The Canadian system requires all licence holders to comply with established recency requirements as well as periodically fixed medical assessments. The oversight of instructors and examiners is done by the training unit which recruits them in addition to spot flight checks done by Transport Canada. The surveillance of medical examiners is done by the Regional Aviation Medicine Officer. With respect to training institutes, an established surveillance plan allows for the review of all items of the surveillance in three years, and a yearly programme provides for the items and activities to be introduced in the surveillance programme of a specific year. Various audits and inspections are carried out periodically, requiring training units to establish and submit corrective actions, and reports are appropriately documented.

3.7.3 The Airline Inspection Division is responsible for the certification, programme approvals and surveillance of Canada's major scheduled and charter airlines. The division's cabin safety, certification and operations specialists conduct their work out of five bases located in Ottawa, Montreal, Vancouver, Calgary and Toronto. Ottawa serves as the functional Headquarters for the division.

3.7.4 The Foreign Inspection Division is an operational division within the C&BA Branch. It is responsible for the certification and safety oversight of all foreign air operators conducting commercial air services into and out of Canada.

3.7.5 Dangerous goods inspectors carry out a surveillance programme and the frequency of inspections is related to a risk indicator for each operator, based on factors such as the type of operation, aircraft and dangerous goods being carried. For foreign registered carriers, ramp inspections are conducted to assess compliance. Data pertaining to all approvals and inspections is entered in the National Civil Aviation Database (NACIS II) and is available to all dangerous goods inspectors.

3.7.6 A continuous airworthiness surveillance of commercial aircraft is performed through the National Audit Programme, ramp checks and the assigned inspector to the air operator. The certificate of airworthiness remains valid as long as all airworthiness requirements are fulfilled and an annual airworthiness information report is completed and signed by the owner or an authorized delegated person and submitted to Transport Canada. The DGCA is responsible to the Minister for the conduct of the National Audit Programme. The audit is conducted within intervals of six to thirty-six months, covering all large commercial air transport operators and maintenance organizations and manufacturers as well as any approval holder who has been targeted as high risk. The National Audit Programme also includes a follow-up of the findings identified during the audit, which are required to be inspected in the following two years. The audit teams are composed of representatives from Headquarters and regional offices. In addition to the National Audit Programme, mandatory inspections are conducted by the principal inspectors in the regions.

3.7.7 The oversight of Minister's Delegate – Maintenance (MD-Ms) is performed when the designee approved import or export package is sent to the region for processing and storing. All MD-Ms are required to complete three packages a year to stay current. The oversight of Design Approval Representatives (DARs), Design Approval Organizations (DAOs) and Approved Engineering Organizations (AEOs) is accomplished either by the engineer having direct involvement in the project or, if the project is 100% delegated, by accomplishing a 20% review.

3.7.8 Section 4.2 of the *Aeronautics Act* identifies the Minister of Transport as responsible for the development, regulation and supervision of all matters related to aeronautics. Through delegated authority, the Aerodromes and Air Navigation Branch of Transport Canada holds these responsibilities on behalf of the Minister with respect to the Canadian civil air navigation system. On 1 November 1996, the Government of Canada transferred the responsibility for the operation of Canada's civil air navigation system to NAV CANADA. Serco Aviation Services also operates a control tower at Southport, Manitoba and

approximately 200 private companies or individuals operate radio navigation aids and other facilities. This structural change to the provision and regulation of ANS changed the role of Transport Canada from that of owner, operator and regulator to that of regulator alone. Part VIII of the CARs was developed to reflect the new regulatory structure.

3.7.9 Transport Canada's operational oversight activities consist of an administrative element to process applications for licences and certificates, a monitoring element to continuously assess the level of safety, a preventive element to reduce the likelihood of accidents and incidents, and a corrective element to discourage non-compliant behaviour or practices. Within the Air Navigation Services and Airspace Branch, the Office of Air Navigation Services and Airspace Safety Oversight is the focal point for the exchange of significant safety-related information with NAV CANADA, facilitating the development of risk indicators and management tools, developing annual operational oversight plans, and preparing quarterly and annual reviews of system performance.

3.7.10 NAV CANADA performs a variety of safety oversight activities which support the overall assessment of system safety performance. These consist of quality assurance type initiatives such as ATS unit and functional evaluations, fact finding boards and operational irregularity investigations. NAV CANADA and Transport Canada share information as well as the results of audits including follow-up activities. A Transport Canada/ NAV CANADA Safety Oversight Committee provides a focal point between both organizations for the exchange of information and resolution of safety matters relating to the safety performance of NAV CANADA.

3.7.11 Transport Canada has a programme for conducting periodic inspections of certified airports to ensure that the level of facilities and services provided are not different from those shown in the approved aerodrome operations manual, which is a binding safety assurance document. Inspections may also be carried out whenever the aerodrome operator requests any change or amendment to the aerodrome operations manual or carries out any modification to the facilities/services. The frequency of inspections of certified aerodromes has been established in a manual entitled *Frequency of Inspections Manual*. In addition, unscheduled inspections are conducted based on safety deficiencies which may be identified in TSB reports. Flight inspections may be conducted especially when a new navigational aid has been installed or an existing one is recalibrated.

3.7.12 Environment Canada is the authority for all federal meteorological matters in Canada which includes cyclic and ad hoc inspections of weather observation sites across Canada. Environment Canada provides the Air Navigation Services and Airspace Branch with information related to its oversight activities. Industry Canada is responsible for administering, in part, the *Radio-communications Act*. Industry Canada inspectors perform routine inspections of these facilities and investigate complaints that Industry Canada provides to the Air Navigation Services and Airspace Branch, with data on all radio licence holders.

3.7.13 The results of the audit indicate that Canada has established a system which ensures that all licences, certificates and approval holders in Canada continue to meet the established requirements and function at the same level of competency and safety as when the documents were first issued. Comprehensive surveillance activities are conducted towards licence holders, air operators and service providers through regular inspection plans and a National Audit Programme to establish full compliance with State regulations and requirements.

3.8 **Critical element 8 — Resolution of safety concerns**

“The implementation of processes and procedures to resolve identified deficiencies impacting aviation safety, which may have been residing in the aviation system and have

been detected by the regulatory authority or other appropriate bodies.

Note.— This would include the ability to analyse safety deficiencies, forward recommendations, support the resolution of identified deficiencies as well as take enforcement action, when appropriate.”

3.8.1 The *Aeronautics Act* gives the Minister the right to take action whenever safety is threatened. The Act contains appropriate enforcement provisions for contraventions of the Act and the CARs. The CARs contain approximately 900 OCPs. The majority of those OCPs are designated provisions, the contravention of which is dealt with by way of suspension or cancellation of a Canadian aviation document (Section 6.9 of the Act) or the assessment of a monetary penalty (Section 7.6 of the Act). A very small number of those OCPs are non-designated provisions, the contravention of which is also dealt with by way of suspension or cancellation of a Canadian aviation document or court prosecution (Subsection 7.3(3) of the Act). CAR 302 provides for suspension/revocation of an aerodrome certificate if the aerodrome operator is found guilty of violation of the agreed level of safety of operations or if there is any unauthorized deviation from the approved aerodrome operations manual. Findings resulting from the National Audit Programme are forwarded to the regions for proper follow-up and closure with the principal inspectors. As an example, several National Audit Programme findings for a large manufacturer were tracked at the regional level to confirm that appropriate follow-up was conducted to closure.

3.8.2 In the area of airworthiness, Transport Canada has developed a Web Service Difficulty Reporting System (WSDRS) for the reporting of faults, malfunctions, defects and suspected unapproved parts. These reports are then forwarded to the organization responsible for the type design. The CARs provide for Transport Canada to issue airworthiness directives on Canadian aircraft and for the direct adoption of mandatory continuing airworthiness information from the State of Design for Canadian registered aircraft. If upon review, Transport Canada does not believe the State of Design has taken appropriate action, it may issue additional mandatory action.

3.8.3 The Transport Canada/NAV CANADA Safety Oversight Committee is a forum in which safety issues involving the civil air navigation system could be exchanged, communicated and resolved. To facilitate the achievement of positive safety outcomes, multidisciplinary safety issues are brought to the attention of the Civil Aviation Management Committee for consideration and response. The objective is to continuously improve Transport Canada’s safety oversight of the aviation system by providing a forum for the exchange and sharing of information.

3.8.4 The Aerodromes and Air Navigation Branch has developed a safety management system regulation for CAR 805 and accompanying Standard CAR 825, which detail requirements specifically tailored to Canadian ANS providers. These contain a requirement for the holder of an ATS operations certificate to establish, maintain and adhere to a safety management system that is appropriate to the size, nature and complexity of the operations authorized to be conducted under the certificate and the safety hazards and risks related to the operations. Safety management systems require explicitly the implementation of mitigating activities as a critical follow-up activity to the monitoring process. Transport Canada also regulates levels of ANS to prevent the creation of an unacceptable increase in the level of risk to aviation or public safety resulting from a proposal to terminate or reduce an ANS. The responsibility for facilitating an aeronautical study review resides with the Levels of Service and Aviation Weather Standards Division. Headquarters divisions and regional components of the Aerodromes and Air Navigation Branch share the responsibility for the review of aeronautical studies.

3.8.5 The TSB has an obligation on completion of its investigations to notify forthwith in writing any Minister or person, who has a direct interest in the findings, of any safety deficiencies it has identified

and any recommendations resulting from its findings with the intent to prevent further occurrences. The TSB may make formal safety recommendations, in accordance with Annex 13 to the Convention, to draw attention to particular safety concerns. When safety deficiencies are confirmed or suspected, the TSB will advise the appropriate person, organization or authority as soon as possible, without waiting until publication of the final report. The TSB may also forward safety advisories and safety information letters to government and corporate officials.

3.8.6 All occurrences reported to the TSB are entered into an Aviation Safety Information System (ASIS) database. This system is not compatible with the ICAO Accident/Incident Data Reporting (ADREP) system/European Co-ordination Centre for Aviation Incident Reporting Systems (ECCAIRS) and as a result, the data reports do not form part of the ICAO database and are therefore not directly available to other authorities of Contracting States and ICAO. The TSB is empowered to establish a confidential reporting unit which has exclusive authority to receive and examine, in confidence, any verbal or written report made relating to potentially unsafe acts or conditions to the Canadian transportation system which would not normally be reported through other channels. The TSB has thus implemented SECURITAS, a confidential reporting programme. Data obtained is analysed and recommendations are made to the appropriate organizations, such as the TCCA, to implement prevention measures.

3.8.7 The results of the audit indicate that Canada has established in the *Aeronautics Act* appropriate enforcement provisions. Through the OCPs contained in the CARs, infringements or contraventions to the Act and regulations are identified and processed. Identified violations are sanctioned by way of suspension or cancellation of the Canadian aviation document or prosecution. Canada has also established an adequate system to resolve all identified safety deficiencies which may have an impact in the safety of the civil aviation activities in the State.

4. VISITS TO THE INDUSTRY/SERVICE PROVIDERS

4.1 Accompanied by staff members of the State's civil aviation system, the audit team visited aviation service providers, operations and maintenance departments of operators and maintenance organizations, aeronautical product/equipment manufacturers, aviation training institutes, etc. The objective of the visits was to validate the capability of the State to supervise the activities of these service providers, airlines and organizations. The audit team visited the following organizations: the TSB, the Department of National Defence, as the State-designated authority to provide SAR services for air navigation, First Air, Air Transat, Bombardier Training Centre, NAV CANADA, Ottawa International Airport and Montreal – Pierre Elliott Trudeau International Airport.

5. AUDIT FINDINGS AND DIFFERENCES DATABASE (AFDD)

5.1 The general objective of the AFDD is to assist States in identifying the elements that need attention in the implementation of the proposed corrective action plan. The information is also intended to assist States in establishing a priority of actions to be taken to resolve safety concerns identified by the audits. Appendix 2 to this report contains a graphic representation of the lack of effective implementation of the critical elements of the safety oversight system (ICAO Doc 9734, Part A refers) in Canada. The graphic representation enables the audited State to prioritize the necessary corrective actions and to identify assistance requirements based on its personnel, technical and financial capabilities in consideration of its safety oversight obligations.

6. STATE AVIATION ACTIVITY QUESTIONNAIRE (SAAQ)

6.1 The SAAQ is one of the major tools required for conducting a comprehensive systems approach-based safety oversight audit. As such, all Contracting States are required to complete the SAAQ and submit it to ICAO for proper evaluation and recording. The submitted information enables ICAO to maintain an up-to-date database on the State's activities. Canada has submitted its SAAQ to ICAO, which can be found at www.icao.int/soa.

7. COMPLIANCE CHECKLISTS (CCs)

7.1 The CCs are one of the main tools used in the conduct of safety oversight audits under the comprehensive systems approach. As such, all Contracting States are required to complete the CCs and submit them to ICAO for evaluation and recording. The submitted information will enable ICAO to maintain an up-to-date database on the State's level of compliance to the ICAO SARPs and assist in facilitating the conduct of a standardized audit of all Contracting States. As a result, States will be enabled to have a clear picture of the implementation status of the relevant SARPs. Canada has submitted its CCs to ICAO, which can be found at www.icao.int/soa.

8. FOLLOW-UP ACTION

8.1 In accordance with the MOU agreed to between Canada and ICAO, Canada submitted an action plan on 20 September 2005 and an update to the action plan on 28 November 2005 addressing all the findings and recommendations contained in this report. The action plan submitted was reviewed by the Safety Oversight Audit (SOA) Section and was found to be partially satisfactory. The proposed action plan, including comments and clarifications provided by the State, are attached as Appendix 3 to this report. Comments by ICAO on each corrective action are found in Appendix 1 to this report.

APPENDIX 1

APPENDIX 1-1-1
FINDINGS AND RECOMMENDATIONS RELATED TO
PRIMARY AVIATION LEGISLATION AND CIVIL AVIATION REGULATIONS

Auditee: CANADA Audit Period: 12/04/2005 to 22/04/2005	LEG/01 1.151; 4.385; 4.387; 5.347; 5.349;								
DOCUMENT REFERENCE: CC Art. 83 <i>bis</i> ; CIR 295; Doc 8335, C10									
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CE-1 X	CE-2	CE-3	CE-4	CE-5 X	CE-6 X	CE-7	CE-8		
FINDING: Canada ratified Article 83 <i>bis</i> to the Chicago Convention on 23 October 1985. Although it was indicated that legislation addressing Article 83 <i>bis</i> will be published in the Canada Gazette in Spring 2005, it has yet to be formally promulgated. No guidance or procedures have been developed to assist implementation once the legislation is amended.									
RECOMMENDATION: Canada should finalize the amendment to its legislation with respect to Article 83 <i>bis</i> . Furthermore, Transport Canada should develop adequate guidance and procedures to assist implementation once the legislation is amended.									
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3-1-1 of this report. <p style="text-align: right;">Estimated Implementation Date: 30/09/2007</p>									
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.									

APPENDIX 1-1-2
FINDINGS AND RECOMMENDATIONS RELATED TO
PRIMARY AVIATION LEGISLATION AND CIVIL AVIATION REGULATIONS

Auditee: CANADA Audit Period: 12/04/2005 to 22/04/2005	LEG/02 1.205; 3.011; 4.011;								
DOCUMENT REFERENCE: CC Art. 38 & STD A15, 4.1.2, 4.1.2 c)									
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CE-1	CE-2 X	CE-3	CE-4	CE-5	CE-6	CE-7	CE-8		
FINDING: Transport Canada has developed a comprehensive AIP which is sent free of charge to all pilot licence holders in Canada and is available in a downloadable (PDF) format on the Transport Canada website. Although the AIP is currently not in the ICAO format, a new State AIP, called the AIP Canada (ICAO), is expected to be released shortly which will be ICAO-compliant and intended to primarily satisfy international requirements.									
RECOMMENDATION: Transport Canada should ensure that its current AIP and the new <i>Aeronautical Information Manual</i> including the AIP Canada (ICAO) include all Canada's significant differences to SARPs and procedures.									
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3-1-2 of this report.									
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.									

APPENDIX 1-2-1
FINDINGS AND RECOMMENDATIONS RELATED TO
CIVIL AVIATION ORGANIZATION

Auditee: CANADA Audit Period: 12/04/2005 to 22/04/2005	ORG/01 2.015;								
DOCUMENT REFERENCE: Doc 9734, Part A, 3.4									
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CE-1	CE-2	CE-3 X	CE-4	CE-5	CE-6	CE-7	CE-8		
FINDING: CAD No. 8 entitled <i>Quality Assurance Review</i> was established to ensure standardization of activities at every level of the organization, including among regional offices. However, CAD No. 8 has been under review since 1998 and no formal process is yet in place to ensure an equivalent level of standardization.									
RECOMMENDATION: The TCCA should implement a formal process to ensure standardization and coordination of activities at every level of the organization.									
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3-2-1 of this report. <div style="text-align: right;">Estimated Implementation Date: 31/03/2006</div>									
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.									

APPENDIX 1-2-2
FINDINGS AND RECOMMENDATIONS RELATED TO
CIVIL AVIATION ORGANIZATION

<p>Auditee: CANADA</p> <p>Audit Period: 12/04/2005 to 22/04/2005</p>	<p>ORG/02 4.055; 5.051; 7.062; 7.416;</p>								
<p>DOCUMENT REFERENCE:</p> <p>Doc 9734, Part A, 3.5, 3.6; Doc 8335, C9</p>									
<hr/> <table style="width: 100%; border: none;"><tr><td style="width: 12.5%;">CE-1</td><td style="width: 12.5%;">CE-2</td><td style="width: 12.5%;">CE-3</td><td style="width: 12.5%;">CE-4 X</td><td style="width: 12.5%;">CE-5</td><td style="width: 12.5%;">CE-6</td><td style="width: 12.5%;">CE-7</td><td style="width: 12.5%;">CE-8</td></tr></table> <hr/>		CE-1	CE-2	CE-3	CE-4 X	CE-5	CE-6	CE-7	CE-8
CE-1	CE-2	CE-3	CE-4 X	CE-5	CE-6	CE-7	CE-8		
<p>FINDING:</p> <p>Transport Canada has developed a comprehensive training policy which establishes the requisite training for all staff required to obtain and maintain a delegation of authority. A computerized record-keeping system has been established to maintain records of training provided to all employees holding a delegation. The training system maintains records only of the training provided by the Aviation Learning Services Branch. However, the following concerns have been identified:</p> <ul style="list-style-type: none">a) Recurrent specialty courses are not provided by some functional branches; andb) A structured OJT programme has not been developed for ANS.									
<p>RECOMMENDATION:</p> <p>Transport Canada should record all specialized training which was deemed necessary for staff to perform their oversight responsibilities. Recurrent specialty courses should be developed in order to meet the requirements of CAD No. 7. In addition, there is still a need to develop a structured OJT programme for ANS employees.</p>									
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3-2-2 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 31/12/2007</p>									
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>									

APPENDIX 1-3-1
FINDINGS AND RECOMMENDATIONS RELATED TO
PERSONNEL LICENSING AND TRAINING

Auditee: CANADA Audit Period: 12/04/2005 to 22/04/2005	PEL/01 3.001;
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DOCUMENT REFERENCE:

CC Art. 12; Doc 9734, Part A

CE-1	CE-2 X	CE-3	CE-4	CE-5	CE-6	CE-7	CE-8
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FINDING:

Transport Canada does not endorse or attach to licences a complete enumeration of the particulars in which the holder does not satisfy international conditions. For example, the ATPL licence currently issued by Canada does not meet the skill requirements stipulated in Annex 1, paragraph 2.5.1.5. In addition, there is no requirement for such licence holders to obtain prior permission from States whose airspace would be entered.

RECOMMENDATION:

Transport Canada should endorse licences which do not satisfy international standards established by ICAO as required by Article 39 of the Chicago Convention. The TCCA should also require holders of endorsed licences to obtain permission from States whose airspace would be entered, in accordance with Article 40 of the Chicago Convention.

CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:

Corrective action plan and comments submitted by the State are found at Appendix 3-3-1 of this report.

Estimated Implementation Date: 30/06/2006

COMMENTS BY ICAO:

The corrective action plan submitted by the State fully addresses the ICAO finding and recommendation.

APPENDIX 1-3-2
FINDINGS AND RECOMMENDATIONS RELATED TO
PERSONNEL LICENSING AND TRAINING

Auditee: CANADA Audit Period: 12/04/2005 to 22/04/2005	PEL/02 3.307; 3.309;								
DOCUMENT REFERENCE: Doc 9379, C7 & CC Art. 33									
<hr/> <table border="0" style="width: 100%;"><tr><td style="text-align: center;">CE-1</td><td style="text-align: center;">CE-2</td><td style="text-align: center;">CE-3</td><td style="text-align: center;">CE-4</td><td style="text-align: center;">CE-5</td><td style="text-align: center;">CE-6 X</td><td style="text-align: center;">CE-7</td><td style="text-align: center;">CE-8</td></tr></table> <hr/>		CE-1	CE-2	CE-3	CE-4	CE-5	CE-6 X	CE-7	CE-8
CE-1	CE-2	CE-3	CE-4	CE-5	CE-6 X	CE-7	CE-8		
FINDING: Transport Canada has not established a system to validate foreign licences and type ratings prior to issuing a Canadian type rating on the basis of foreign endorsement.									
RECOMMENDATION: Transport Canada should develop procedures to validate foreign licences and type ratings prior to issuing a Canadian type rating on the basis of foreign endorsement.									
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Comments submitted by the State are found at Appendix 3-3-2 of this report.									
COMMENTS BY ICAO: The State has indicated that it will not take any corrective action to address this ICAO finding and recommendation.									

APPENDIX 1-4-1
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION

<p>Auditee: CANADA</p> <p>Audit Period: 12/04/2005 to 22/04/2005</p>	<p>OPS/01 4.145; 4.147; 4.251;</p>
<p>DOCUMENT REFERENCE:</p> <p>STD A6, Part I, 4.2.10.2 & Doc 9376, C5</p>	
<p>CE-1 CE-2 X CE-3 CE-4 CE-5 CE-6 X CE-7 CE-8</p>	
<p>FINDING:</p> <p>The TCCA has not specified in the CARs the limitations applicable to flight time, flight duty periods and rest periods for cabin crews. The Cabin Safety Standards Division of the C&BA Branch at Headquarters has drafted a set of regulations specifying the above-mentioned limitations. However, the approval and further promulgation process of the drafted regulations has not yet been initiated.</p>	
<p>RECOMMENDATION:</p> <p>The TCCA should initiate the approval process of the drafted regulations concerning the limitations applicable to flight time, flight duty periods and rest periods for cabin crews, as provided for in Annex 6, Part I, paragraphs 4.2.10 and 12.5 and Appendix 2, paragraph 2.1.2.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3-4-1 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 30/09/2006</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses the ICAO finding and recommendation.</p>	

APPENDIX 1-4-2
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION

Auditee: CANADA Audit Period: 12/04/2005 to 22/04/2005	OPS/02 4.001;								
DOCUMENT REFERENCE: Doc 8335, 1.2.1 & 2.1.2; Doc 9734, Part A									
<table style="width: 100%; border-collapse: collapse;"><tr><td style="width: 12.5%; border-top: 1px solid black; border-bottom: 1px solid black;">CE-1</td><td style="width: 12.5%; border-top: 1px solid black; border-bottom: 1px solid black;">CE-2 X</td><td style="width: 12.5%; border-top: 1px solid black; border-bottom: 1px solid black;">CE-3</td><td style="width: 12.5%; border-top: 1px solid black; border-bottom: 1px solid black;">CE-4</td><td style="width: 12.5%; border-top: 1px solid black; border-bottom: 1px solid black;">CE-5</td><td style="width: 12.5%; border-top: 1px solid black; border-bottom: 1px solid black;">CE-6</td><td style="width: 12.5%; border-top: 1px solid black; border-bottom: 1px solid black;">CE-7</td><td style="width: 12.5%; border-top: 1px solid black; border-bottom: 1px solid black;">CE-8</td></tr></table>		CE-1	CE-2 X	CE-3	CE-4	CE-5	CE-6	CE-7	CE-8
CE-1	CE-2 X	CE-3	CE-4	CE-5	CE-6	CE-7	CE-8		
FINDING: Transport Canada permits a two-year pilot proficiency check under exemption to existing regulatory requirements contained in CARs 703 and 704 which call for a one-year pilot proficiency check and which do not meet the international standard of six months. In addition, Transport Canada intends to further amend the regulations to reflect the exemption.									
RECOMMENDATION: Transport Canada should require that international operations conducted by operators under CARs 703 and 704 meet international standards regarding pilot proficiency checks.									
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Comments submitted by the State are found at Appendix 3-4-2 of this report.									
COMMENTS BY ICAO: No action plan was submitted by the State to address this ICAO finding and recommendation.									

APPENDIX 1-4-3
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION

Auditee: CANADA Audit Period: 12/04/2005 to 22/04/2005	OPS/03 4.365;
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DOCUMENT REFERENCE:

STD A6, 9.3, 12.4 & App. 2

CE-1	CE-2	CE-3	CE-4	CE-5	CE-6 X	CE-7	CE-8
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FINDING:

Commercial air transport operators which are not involved in the safe transport of dangerous goods by air are currently not required by the CARs or the Transportation of Dangerous Goods Regulations to develop the appropriate level of training and to incorporate it in the operator's training programme as provided for in Annex 6, Part I, paragraphs 3.4, 9.3.1 and 12.4(e).

RECOMMENDATION:

The Governor in Council should establish appropriate regulations in order for all air transport operators that are not involved in the safe transport of dangerous goods by air to develop the appropriate level of training to be incorporated in their training programme in order for them to recognize dangerous goods.

CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:

Corrective action plan and comments submitted by the State are found at Appendix 3-4-3 of this report.

Estimated Implementation Date: 30/09/2006

COMMENTS BY ICAO:

The corrective action plan submitted by the State fully addresses the ICAO finding and recommendation.

APPENDIX 1-4-4
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION

Auditee: CANADA Audit Period: 12/04/2005 to 22/04/2005	OPS/04 3.651; 4.149; 4.151; 4.155; 4.203; 4.223; 4.273;
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DOCUMENT REFERENCE:

STD A6, Part I, 3.3, 4.2.2 & App. 2, 2.1.17, 2, 2.1.22 & 2, 2.1.31; A6, Part I, 3.2.3; A3, 5.10.1; PANS Doc 8168, Part VIII, C3, Att. A; Doc 9376, C8 & C9; STD & RP, A1, 1.2.9

CE-1	CE-2 X	CE-3	CE-4	CE-5	CE-6 X	CE-7	CE-8
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FINDING:

Canada has not established requirements for the contents of the operations manual to include:

- a) provisions concerning airborne collision avoidance system (ACAS);
- b) language proficiency requirements;
- c) a flight data analysis programme as part of the flight safety programme;
- d) departure contingency procedures;
- e) instructions on the clarification and acceptance of air traffic control clearances, particularly where terrain clearance is involved;
- f) limitation on high rates of descent near the surface; and
- g) a policy and procedures for flight crew to record and report on volcanic activity.

RECOMMENDATION:

Transport Canada should establish requirements for the contents of the operations manual to fully comply with Annex 6 requirements.

CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:

Corrective action plan and comments submitted by the State are found at Appendix 3-4-4 of this report.

Estimated Implementation Date: 31/12/2007

COMMENTS BY ICAO:

The corrective action plan submitted by the State fully addresses the ICAO finding and recommendation.

APPENDIX 1-5-1
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRWORTHINESS OF AIRCRAFT

<p>Auditee: CANADA</p> <p>Audit Period: 12/04/2005 to 22/04/2005</p>	<p>AIR/01 5.305; 5.307;</p>								
<p>DOCUMENT REFERENCE:</p> <p>STD A6, Part I, 11.3.3; Doc 9760, Vol. I, 6.6</p>									
<hr/> <table style="width: 100%; border: none;"><tr><td style="width: 12.5%;">CE-1</td><td style="width: 12.5%;">CE-2</td><td style="width: 12.5%;">CE-3</td><td style="width: 12.5%;">CE-4</td><td style="width: 12.5%;">CE-5 X</td><td style="width: 12.5%;">CE-6 X</td><td style="width: 12.5%;">CE-7</td><td style="width: 12.5%;">CE-8</td></tr></table> <hr/>		CE-1	CE-2	CE-3	CE-4	CE-5 X	CE-6 X	CE-7	CE-8
CE-1	CE-2	CE-3	CE-4	CE-5 X	CE-6 X	CE-7	CE-8		
<p>FINDING:</p> <p>Canada has not developed procedures for the escalation of maintenance programmes. In lieu of this programme, Canada is using Airworthiness Manual Advisory (AMA) 571.101/1 — <i>Reliability Monitoring Programs</i>. This document provides only reliable control methods to monitor aircraft maintenance programmes and not procedures for the escalation of maintenance programmes.</p>									
<p>RECOMMENDATION:</p> <p>Transport Canada should develop procedures for maintenance programme escalation.</p>									
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3-5-1 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 31/08/2006</p>									
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses the ICAO finding and recommendation.</p>									

APPENDIX 1-5-2
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRWORTHINESS OF AIRCRAFT

Auditee: CANADA Audit Period: 12/04/2005 to 22/04/2005	AIR/02 5.215;
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DOCUMENT REFERENCE:

STD A8, Part II, 4.3.4; Doc 9760, Vol. II, Part B, 8.2.3

CE-1	CE-2	CE-3	CE-4	CE-5 X	CE-6	CE-7	CE-8
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FINDING:

The CARs provide for the direct adoption of mandatory continuing airworthiness information from the State of Design for Canadian registered aircraft. In addition, if upon review Transport Canada does not believe the State of Design has taken appropriate action, it may issue additional mandatory action. Although in practice Transport Canada coordinates with the State of Design prior to taking additional action and always informs the State of Design when a Canadian airworthiness directive is issued against a foreign product, the procedures currently in place do not outline these steps to ensure proper communication and coordination with the State of Design.

RECOMMENDATION:

Transport Canada should formalize its existing practice to outline the steps to ensure proper communication and coordination with the State of Design in respect of additional mandatory airworthiness action taken on a product for which Canada is not the State of Design.

CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:

Corrective action plan and comments submitted by the State are found at Appendix 3-5-2 of this report.

Estimated Implementation Date: 28/04/2006

COMMENTS BY ICAO:

The corrective action plan submitted by the State fully addresses the ICAO finding and recommendation.

APPENDIX 1-6-1
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION

Auditee: CANADA Audit Period: 12/04/2005 to 22/04/2005	AIG/01 6.103;
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DOCUMENT REFERENCE:

Doc 9756, Part I, C2

CE-1	CE-2	CE-3 X	CE-4	CE-5	CE-6	CE-7	CE-8
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FINDING:

Parts of TSB's investigation process carried out by regional offices, such as the classification of occurrences, are closely coordinated with and reviewed by the Ottawa TSB head office. However, some tasks performed by regional offices, such as the handling of aircraft parts examination, are not sufficiently controlled by the head office and its Engineering Branch. Other responsibilities of regional offices, such as the maintenance of training records (or copies of such), are not reviewed by the head office to ensure standardization.

RECOMMENDATION:

The TSB should establish a system for the control and standardization of tasks performed by regional offices such as the handling of aircraft parts examination. The TSB should also ensure the maintenance of training records for standardization.

CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:

Corrective action plan and comments submitted by the State are found at Appendix 3-6-1 of this report.

Estimated Implementation Date: 31/03/2006

COMMENTS BY ICAO:

The corrective action plan submitted by the State fully addresses the ICAO finding and recommendation.

APPENDIX 1-6-2
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION

Auditee: CANADA Audit Period: 12/04/2005 to 22/04/2005	AIG/02 6.361; 6.379;
DOCUMENT REFERENCE: STD A13, 5.7 & Doc 9756, Part I, 5.7	
CE-1 CE-2 CE-3 CE-4 CE-5 X CE-6 CE-7 CE-8	
FINDING: The TSB Engineering Branch has been developing a <i>Standards and Procedures Manual</i> for a considerable period of time; however, the manual has not been finalized.	
RECOMMENDATION: The TSB should finalize the Engineering Branch <i>Standards and Procedures Manual</i> and make it a fully-controlled document.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3-6-2 of this report. <div style="text-align: right; margin-top: 10px;">Estimated Implementation Date: 31/12/2005</div>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses the ICAO finding and recommendation.	

APPENDIX 1-6-3
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION

Auditee: CANADA Audit Period: 12/04/2005 to 22/04/2005	AIG/03 6.407;
DOCUMENT REFERENCE: STD A13, 6.3; Doc 9756, Part IV, 1.4	
CE-1 CE-2 CE-3 CE-4 CE-5 X CE-6 CE-7 CE-8	
FINDING: The TSB has established procedures and guidelines for consultation with all States which participated in an investigation. In inviting their substantiated comments on the draft final report, the expected response period given is thirty days, which differs from the sixty-day period as provided for in the associated ICAO standard.	
RECOMMENDATION: The TSB should review its procedures to allow for a participating State to respond to the draft final report within a sixty-day period, as provided for in the associated ICAO standard.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Comments submitted by the State are found at Appendix 3-6-3 of this report.	
COMMENTS BY ICAO: The action plan submitted by the State to address this ICAO finding and recommendation does not fully meet the intent of the ICAO standard.	

APPENDIX 1-6-4
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION

Auditee: CANADA Audit Period: 12/04/2005 to 22/04/2005	AIG/04 6.431; 6.435; 6.437; 6.509;
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DOCUMENT REFERENCE:

STD A13, 7.1, 7.5 & 7.7; Doc 9156 & RP A13, 8.5

CE-1	CE-2	CE-3	CE-4	CE-5	CE-6	CE-7	CE-8 X
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FINDING:

The TSB has established a process of forwarding daily notifications of reported accident and incidents to defined stakeholders including ICAO. However, these notifications lack some elements required in the ADREP forms to be used when forwarding preliminary reports and subsequent accident/incident data reports to ICAO. While these occurrences are also entered into an Aviation Safety Information System (ASIS) database, the TSB has indicated that this system is not compatible with the ICAO ADREP/ECCAIRS. As a result, the data reports are not made available to ICAO and do not form part of the ICAO database. Therefore, no analysis could be performed by ICAO and exchange of information cannot be facilitated.

RECOMMENDATION:

The TSB should ensure that its occurrence reporting databases allow the exchange of occurrence data with the ADREP/ECCAIRS and the sharing of occurrence data with other States.

CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:

Corrective action plan and comments submitted by the State are found at Appendix 3-6-4 of this report.

Estimated Implementation Date: 31/08/2006

COMMENTS BY ICAO:

The corrective action plan submitted by the State fully addresses the ICAO finding and recommendation.

APPENDIX 1-7-1
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES

Auditee: CANADA Audit Period: 12/04/2005 to 22/04/2005	ANS/01 7.017;
DOCUMENT REFERENCE: Doc 9734, Part A, 3.6	
<hr/> CE-1 CE-2 CE-3 CE-4 CE-5 X CE-6 CE-7 CE-8 <hr/>	
FINDING: The Air Navigation Services and Airspace <i>Policies and Procedures Manual</i> has not been updated since the current structure was established. In addition, the manual does not provide sufficient details regarding internal Branch documentation for its audit and inspection activity.	
RECOMMENDATION: The Air Navigation Services and Airspace Branch should update the manual to reflect the current policies, procedures and structure. In addition, the manual should also be updated to provide direction on the internal Branch documentation for its audit and inspection activity.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3-7-1 of this report. <div style="text-align: right;">Estimated Implementation Date: 31/12/2006</div>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses the ICAO finding and recommendation.	

APPENDIX 1-7-2
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES

Auditee: CANADA Audit Period: 12/04/2005 to 22/04/2005	ANS/02 7.109;
DOCUMENT REFERENCE: STD A11, 2.7 Note; Doc 9613, C6	
<hr/> CE-1 CE-2 CE-3 CE-4 CE-5 CE-6 CE-7 X CE-8 <hr/>	
FINDING: The ANS provider has established and identified a system for implementation of ATS routes in accordance with ICAO Annex 11; however, in domestic airspace, required navigation performance (RNP) implemented does not conform to Annex 11, the Procedures for Air Navigation Services – Air Traffic Management (PANS-ATM) and the guidance material contained in the <i>Manual on Required Navigation Performance</i> (Doc 9613).	
RECOMMENDATION: Transport Canada should establish a requirement for the ANS provider to harmonize the implementation of RNP in domestic airspace to ICAO standards using the appropriate ICAO nomenclature (e.g. RNP 10), adhering to appropriate separation minima associated with such airspace and aligning the aircraft approval process accordingly.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3-7-2 of this report. <div style="text-align: right; margin-top: 10px;">Estimated Implementation Date: 31/12/2006</div>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

APPENDIX 1-7-3
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES

Auditee: CANADA Audit Period: 12/04/2005 to 22/04/2005	ANS/03 7.159;								
DOCUMENT REFERENCE: PANS Doc 4444, 15.5 & 15.6									
<hr/> <table style="width: 100%; text-align: center;"><tr><td style="width: 12.5%;">CE-1</td><td style="width: 12.5%;">CE-2 X</td><td style="width: 12.5%;">CE-3</td><td style="width: 12.5%;">CE-4</td><td style="width: 12.5%;">CE-5</td><td style="width: 12.5%;">CE-6</td><td style="width: 12.5%;">CE-7</td><td style="width: 12.5%;">CE-8</td></tr></table> <hr/>		CE-1	CE-2 X	CE-3	CE-4	CE-5	CE-6	CE-7	CE-8
CE-1	CE-2 X	CE-3	CE-4	CE-5	CE-6	CE-7	CE-8		
FINDING: Transport Canada requires ATS service providers to establish procedures and implement short-term conflict alert and airborne collision avoidance systems. However, Transport Canada does not require NAV CANADA to develop procedures or implement the minimum safe altitude warning portion of Canada's safety-related alerts and warning system for the air traffic controllers radar display.									
RECOMMENDATION: Transport Canada should require ATS service providers to provide their air traffic controllers with the minimum safe altitude warning function integrated into their primary radar display.									
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Comments submitted by the State are found at Appendix 3-7-3 of this report.									
COMMENTS BY ICAO: The State has indicated that it will not take any corrective action to address this ICAO finding and recommendation.									

APPENDIX 1-7-4
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES

Auditee: CANADA Audit Period: 12/04/2005 to 22/04/2005	ANS/04 7.153;
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DOCUMENT REFERENCE:

STD A11, 2.28, Att. D

CE-1	CE-2	CE-3	CE-4	CE-5 X	CE-6	CE-7	CE-8
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FINDING:

Annex 11 requires that the ATS authority develop and promulgate contingency plans for implementation in the event of disruption or potential disruption of ATS and related supporting services in the airspace for which they are responsible. While ATS units have evacuation plans to be effected in the event of closure of a unit, Transport Canada does not require ATS units to develop contingency plans.

RECOMMENDATION:

Transport Canada should require ANS providers to develop comprehensive contingency plans for each ATS unit in accordance with Annex 11. These should include planning for, among other things, precipitous shortfalls of staff, evacuation of facilities, closure of airspace and loss of communications, navigation and surveillance.

CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:

Corrective action plan and comments submitted by the State are found at Appendix 3-7-4 of this report.

Estimated Implementation Date: 31/12/2006

COMMENTS BY ICAO:

The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.

APPENDIX 1-7-5
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES

Auditee: CANADA Audit Period: 12/04/2005 to 22/04/2005	ANS/05 7.229;
DOCUMENT REFERENCE: Doc 9734, Part A, 3.7	
CE-1 CE-2 CE-3 CE-4 CE-5 CE-6 X CE-7 CE-8	
FINDING: CAR 803.02 requires all specialists in flight procedure design to successfully complete a training course acceptable to the Minister. In addition, Advisory Circular 843 sets the basic requirements of the training. However, Transport Canada has not established specific minimum qualification requirements, including OJT and recurrent training for all flight procedure design specialists.	
RECOMMENDATION: Transport Canada should develop minimum qualification requirements and standards, including OJT and recurrent training for flight procedure design specialists whether they are governmental, service provider or third party personnel.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3-7-5 of this report. <div style="text-align: right; margin-top: 10px;">Estimated Implementation Date: 30/09/2006</div>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

APPENDIX 1-7-6
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES

Auditee: CANADA Audit Period: 12/04/2005 to 22/04/2005	ANS/06 7.133;
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DOCUMENT REFERENCE:

STD A11, C6; A10, Vol. II; Doc 4444 C12

CE-1	CE-2 X	CE-3	CE-4	CE-5	CE-6	CE-7	CE-8
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FINDING:

A review of the Air Traffic Manual of Operations used by one of Canada's ANS providers indicates that to a large extent, the ICAO phraseologies are used in the provision of ATS in accordance with Volume II of Annex 10 and with the PANS-ATM (Doc 4444). However, differences from ICAO PANS-ATM phraseology remain, such as:

- a) Taxi to Position Runway (number);
- b) Taxi to Position and wait; and
- c) Taxi to Position....advise when ready.

RECOMMENDATION:

Transport Canada should require ATS providers to use ICAO phraseologies in their entirety in the provision of ATS.

CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:

Comments submitted by the State are found at Appendix 3-7-6 of this report.

COMMENTS BY ICAO:

The State has indicated that it will not take any corrective action to address this ICAO finding and recommendation.

APPENDIX 1-7-7
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES

Auditee: CANADA Audit Period: 12/04/2005 to 22/04/2005	ANS/07 7.469; 7.475;
DOCUMENT REFERENCE: STD A3, 4.1.3, 4.3.1, 4.3.2, 4.4.2, 4.5.1 & 11.1.9, App. 3, 2.1.1, 2.1.2 & 3.1, App. 5, 1.1 & 1.6, App. 6, 1.1.1 & 1.2, App. 9	
CE-1 CE-2 CE-3 CE-4 CE-5 CE-6 X CE-7 CE-8	
FINDING: Annex 3 requires that meteorological offices issue local routine and special reports. Although providers of meteorological services in Canada comply with most Annex 3 requirements, there is no requirement for the issuance of local and routine and special reports. Aerodrome routine meteorological reports (<i>in meteorological code</i>) (METAR) and aerodrome special meteorological reports (<i>in meteorological code</i>) (SPECI) are considered to be sufficient in this respect.	
RECOMMENDATION: Transport Canada should require providers of meteorological information to issue local routine and special reports in accordance with Annex 3 provisions concerning their format and dissemination to other ATS units.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Comments submitted by the State are found at Appendix 3-7-7 of this report.	
COMMENTS BY ICAO: No action plan was submitted by the State to address this ICAO finding and recommendation.	

APPENDIX 1-8-1
FINDINGS AND RECOMMENDATIONS RELATED TO
AERODROMES

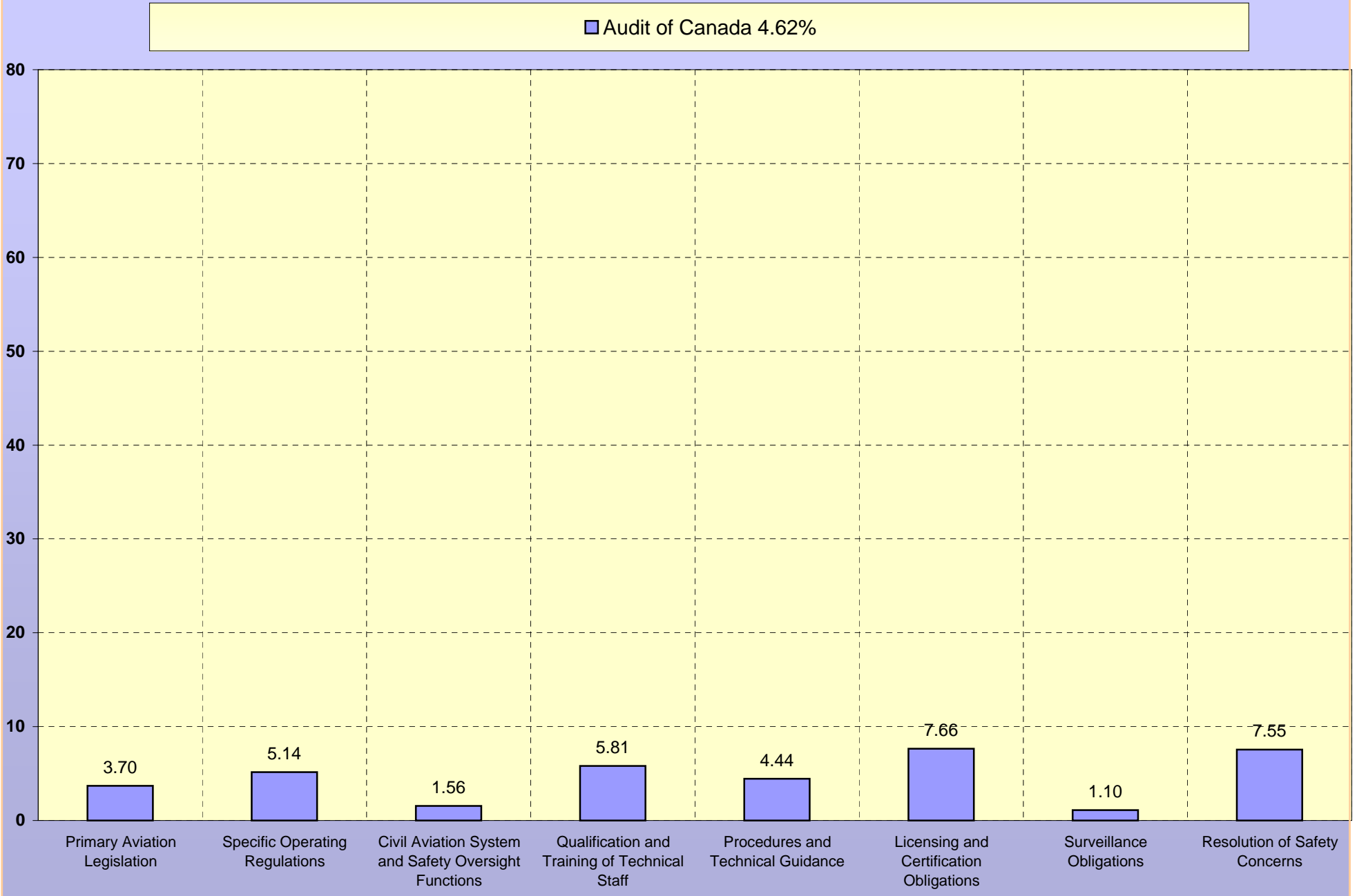
Auditee: CANADA Audit Period: 12/04/2005 to 22/04/2005	AGA/01 8.087;								
DOCUMENT REFERENCE: Doc 9774, 3D.2									
<hr/> <table style="width: 100%; border: none;"><tr><td style="width: 12.5%;">CE-1</td><td style="width: 12.5%;">CE-2</td><td style="width: 12.5%;">CE-3</td><td style="width: 12.5%;">CE-4</td><td style="width: 12.5%;">CE-5</td><td style="width: 12.5%;">CE-6 X</td><td style="width: 12.5%;">CE-7</td><td style="width: 12.5%;">CE-8</td></tr></table> <hr/>		CE-1	CE-2	CE-3	CE-4	CE-5	CE-6 X	CE-7	CE-8
CE-1	CE-2	CE-3	CE-4	CE-5	CE-6 X	CE-7	CE-8		
FINDING: Transport Canada does not have a procedure, as part of the aerodrome certification process, for ensuring that an aerodrome operator has adequately trained and skilled staff to perform all critical activities for aerodrome operations and maintenance.									
RECOMMENDATION: Transport Canada should, as part of its aerodrome certification process, ensure the adequacy of the skills and training of the aerodrome operator's staff responsible for performing all critical activities.									
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Comments submitted by the State are found at Appendix 3-8-1 of this report.									
COMMENTS BY ICAO: The State has indicated that it will not take any corrective action to address this ICAO finding and recommendation.									

APPENDIX 1-8-2
FINDINGS AND RECOMMENDATIONS RELATED TO
AERODROMES

Auditee: CANADA Audit Period: 12/04/2005 to 22/04/2005	AGA/02 8.135;								
DOCUMENT REFERENCE: STD A14, Vol. I, 2.1.1, 2.3 & 2.5; A15, 3.2.1									
<table style="width: 100%; border-collapse: collapse;"><tr><td style="width: 12.5%; border-top: 1px solid black; border-bottom: 1px solid black;">CE-1</td><td style="width: 12.5%; border-top: 1px solid black; border-bottom: 1px solid black;">CE-2</td><td style="width: 12.5%; border-top: 1px solid black; border-bottom: 1px solid black;">CE-3</td><td style="width: 12.5%; border-top: 1px solid black; border-bottom: 1px solid black;">CE-4</td><td style="width: 12.5%; border-top: 1px solid black; border-bottom: 1px solid black;">CE-5 X</td><td style="width: 12.5%; border-top: 1px solid black; border-bottom: 1px solid black;">CE-6</td><td style="width: 12.5%; border-top: 1px solid black; border-bottom: 1px solid black;">CE-7</td><td style="width: 12.5%; border-top: 1px solid black; border-bottom: 1px solid black;">CE-8</td></tr></table>		CE-1	CE-2	CE-3	CE-4	CE-5 X	CE-6	CE-7	CE-8
CE-1	CE-2	CE-3	CE-4	CE-5 X	CE-6	CE-7	CE-8		
FINDING: Transport Canada does not have a system for ensuring the accuracy, integrity and protection of aeronautical data; it was stated that this is in the process of development.									
RECOMMENDATION: Transport Canada should develop and implement the quality assurance system for ensuring the accuracy, integrity and protection of aeronautical data.									
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3-8-2 of this report. <p style="text-align: right;">Estimated Implementation Date: 31/12/2008</p>									
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses the ICAO finding and recommendation.									

APPENDIX 2

CRITICAL ELEMENTS OF A SAFETY OVERSIGHT SYSTEM LACK OF EFFECTIVE IMPLEMENTATION (%)



APPENDIX 3

APPENDIX 3-1-1

CORRECTIVE ACTION PLAN PROPOSED BY CANADA

AUDIT FINDING LEG/01		
<p>Canada ratified Article 83 <i>bis</i> to the Chicago Convention on 23 October 1985. Although it was indicated that legislation addressing Article 83 <i>bis</i> will be published in the Canada Gazette in Spring 2005, it has yet to be formally promulgated. No guidance or procedures have been developed to assist implementation once the legislation is amended.</p>		
STATE'S COMMENTS AND OBSERVATIONS*		
<p>TCCA agrees with the finding and recommendation of the ICAO audit team, but would like to clarify that TCCA had not informed ICAO that the regulations addressing 83 <i>bis</i> would be in force in the Spring of 2005 but rather would be published in the <i>Canada Gazette</i>, Part I in the Spring of 2005 as a notification to interested persons of the Governor in Council's intent to make the proposed regulations.</p>		
CORRECTIVE ACTION (S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The proposed regulations addressing 83 <i>bis</i> were published in the <i>Canada Gazette</i> , Part I on July 9, 2005.		Completed
Interested persons have 75 days from the date of publication in the <i>Canada Gazette</i> , Part I (July 9, 2005) to make representations concerning the proposed regulations to the Minister of Transport. The consultation period following publication in the <i>Canada Gazette</i> , Part I ends on September 16, 2005.		Completed
Final publication and coming into force of the regulations is expected in the Fall of 2005.		Completed
Reconvene the internal Transport Canada Civil Aviation Working Group to develop guidance material which will address such issues as the departmental procedures to follow when Canada is asked by another State to be a party to an Article 83 <i>bis</i> agreement or when Canada requests that another State become a party to an Article 83 <i>bis</i> agreement. Other procedural issues would be addressed by the guidance material such as the registration of an agreement with ICAO, the communication of an agreement to third-party States that have ratified Article 83 <i>bis</i> of the Convention, etc.		As with the development of an Article 83 <i>bis</i> agreement, the development of guidance material will require extensive coordination between three different federal government departments (i.e. Department of Transport, Department of Justice and the Department of Foreign Affairs and International Trade). It is therefore anticipated that a period of two years would be required to develop such guidance material. September 2007

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APPENDIX 3-1-2

CORRECTIVE ACTION PLAN PROPOSED BY CANADA

AUDIT FINDING LEG/02		
Transport Canada has developed a comprehensive AIP which is sent free of charge to all pilot licence holders in Canada and is available in a downloadable (PDF) format on the Transport Canada website. Although the AIP is currently not in the ICAO format, a new State AIP, called the AIP Canada (ICAO), is expected to be released shortly which will be ICAO-compliant and intended to primarily satisfy international requirements.		
STATE'S COMMENTS AND OBSERVATIONS*		
Transport Canada agrees with the finding that Canada does not currently list all of its significant differences to SARPs and procedures in accordance with Annex 15 in its AIP. However, the current AIP Canada indicates under GEN 1.3 Differences with ICAO Standards, Recommended Practices and Procedures that <i>Differences with ICAO Standards and Recommended Practices are listed in the appropriate ICAO annexes</i> . The new AIP Canada ICAO compliant should list all differences. Transport Canada as a safety regulator will monitor and ensure compliance with annex 15.		
CORRECTIVE ACTION (S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
AIP Canada ICAO	AARN	Completed

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APPENDIX 3-2-1

CORRECTIVE ACTION PLAN PROPOSED BY CANADA

AUDIT FINDING ORG/01		
<p>CAD No. 8 entitled <i>Quality Assurance Review</i> was established to ensure standardization of activities at every level of the organization, including among regional offices. However, CAD No. 8 has been under review since 1998 and no formal process is yet in place to ensure an equivalent level of standardization.</p>		
STATE'S COMMENTS AND OBSERVATIONS*		
<p>Transport Canada Civil Aviation acknowledges that completion of the review of Civil Aviation Directive No 8 entitled Quality Assurance Review is outstanding. However, its re-issue has been delayed so as to permit the development and establishment of a comprehensive management system designed to ensure an enhanced level of standardization of all activities across Civil Aviation. As part of the implementation process, a quality management review of the entire program is underway that will permit the development of a comprehensive integrated action plan of all activities in Civil Aviation.</p> <p>On April 1, 2003, Transport Canada Civil Aviation officially started implementing its new management system, which is designed to ensure standardization and accountability of all activities at every level of the organization in accordance with its Civil Aviation Directive Number 37 titled Integrated Management System (IMS).</p> <p>It is noted that these standardization activities are also being conducted in accordance with the Government of Canada's Management Accountability Framework and with the systems approach found in the International Organization for Standardization (ISO) Quality Management System standard series.</p> <p>Through the IMS, Transport Canada Civil Aviation has set the foundation to promote an organizational culture whereby all personnel have a measure of responsibility and accountability for ensuring that key processes fulfill their intended purpose.</p>		
CORRECTIVE ACTION (S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Revise Civil Aviation Directive No 8 to reflect that levels of standardization of all activities across Civil Aviation are being conducted.	CAA	March 2006
Develop a comprehensive integrated action plan to track action plan resulting from standardization of all activities across Civil Aviation.	CAA	March 2006

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APPENDIX 3-2-2

CORRECTIVE ACTION PLAN PROPOSED BY CANADA

AUDIT FINDING ORG/02		
<p>Transport Canada has developed a comprehensive training policy which establishes the requisite training for all staff required to obtain and maintain a delegation of authority. A computerized record-keeping system has been established to maintain records of training provided to all employees holding a delegation. The training system maintains records only of the training provided by the Aviation Learning Services Branch. However, the following concerns have been identified:</p> <p>a) Recurrent specialty courses are not provided by some functional branches; and b) A structured OJT programme has not been developed for ANS.</p>		
STATE'S COMMENTS AND OBSERVATIONS*		
<p>.....</p> <p>a) Functional Learning Committees (steering groups within each functional area) continue to assess learning needs in order to develop, up date and implement recurrent training for all functions required in Civil Aviation Directive 10. CAD 10 will be amended as directed by each Functional Learning Committee to promulgate recurrent specialty training on an ongoing basis. Competency focused recurrent training, i.e. enforcement/risk management has been implemented supporting core business activities engaged by all functional areas.</p> <p>b) TCCA accepts Part B of the findings as valid.</p>		
CORRECTIVE ACTION (S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Each Functional Learning Committee to promulgate recurrent specialty training on an ongoing basis.	Related Functional Branch	Ongoing development as requirements are refined.
ANS is currently developing a structured OJT consistent with Civil Aviation Directive 7; it is forecast for implementation in fiscal year 2006/07. The newly formed Aerodromes and Air Navigation Branch is currently reviewing the Aerodrome SOJT with a view to establishing one common SOJT for the Branch.	Aerodromes and ANS	2006/07

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APPENDIX 3-3-1

CORRECTIVE ACTION PLAN PROPOSED BY CANADA

AUDIT FINDING PEL/01		
Transport Canada does not endorse or attach to licences a complete enumeration of the particulars in which the holder does not satisfy international conditions. For example, the ATPL licence currently issued by Canada does not meet the skill requirements stipulated in Annex 1, paragraph 2.5.1.5. In addition, there is no requirement for such licence holders to obtain prior permission from States whose airspace would be entered.		
STATE'S COMMENTS AND OBSERVATIONS*		
Canada's differences are filed with ICAO; the majority of these differences involve standards that are more exigent than those of ICAO or standards that are different from those of ICAO in a manner that is considered to provide an equivalent level of safety. Canada, as well as the majority of other Contracting States, do not include an enumeration of all differences as listed in ICAO's supplement to Annex 1; this is due to the extensive number of differences. However, Canada does indicate exceptional differences such as the exception to the 'age 60 rule' (ICAO Annex 1 2.1.10) and the longer validity medical validity period for Private Pilots (ICAO Annex 1 1.2.5.2); we also indicate on the licence the requirement to obtain prior permission. Canada will publish our filed differences in the new Canadian AIP and will also reference this publication on the Canadian licence.		
CORRECTIVE ACTION (S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Publish the Canadian differences filed with ICAO in the new AIP	AARRB	Completed
Modify the statements on the licence to reference the AIP publication.	AARRB	Before June 2006

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APPENDIX 3-3-2

CORRECTIVE ACTION PLAN PROPOSED BY CANADA

AUDIT FINDING PEL/02		
Transport Canada has not established a system to validate foreign licences and type ratings prior to issuing a Canadian type rating on the basis of foreign endorsement.		
STATE'S COMMENTS AND OBSERVATIONS*		
Transport Canada has a system in place for the validation of foreign licences; Chapter 12 of the Personnel Licensing Procedures Manual covers the topic. Canada does not request a 'validation' (i.e. verification) from foreign civil aviation authorities in all cases. Rather a flexible approach is employed dependent on the applicant's ability to provide the documentation and also dependent on the intended use of the Canadian Licence or Licence Validation. ICAO Annex 1 does not contain specific standards in this regard.		
CORRECTIVE ACTION (S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
No action required		

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APPENDIX 3-4-1

CORRECTIVE ACTION PLAN PROPOSED BY CANADA

AUDIT FINDING OPS/01		
<p>The TCCA has not specified in the CARs the limitations applicable to flight time, flight duty periods and rest periods for cabin crews. The Cabin Safety Standards Division of the C&BA Branch at Headquarters has drafted a set of regulations specifying the above-mentioned limitations. However, the approval and further promulgation process of the drafted regulations has not yet been initiated.</p>		
<p>STATE'S COMMENTS AND OBSERVATIONS*</p>		
<p>Be advised the Cabin Safety Standards is in the process of drafting a Notice of Proposed Amendment (NPA) to be presented at the special purpose Commercial Air Service Operations Technical Committee (CASO) meeting on November 29,30 and December 1, 2005. We are unable to provide an anticipated implementation date at this time.</p>		
CORRECTIVE ACTION (S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Proposed Amendment being developed and presented at meetings being held Nov Dec 2005	CAA	30 September 2006

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APPENDIX 3-4-2

CORRECTIVE ACTION PLAN PROPOSED BY CANADA

AUDIT FINDING OPS/02		
<p>Transport Canada permits a two-year pilot proficiency check under exemption to existing regulatory requirements contained in CARs 703 and 704 which call for a one-year pilot proficiency check and which do not meet the international standard of six months. In addition, Transport Canada intends to further amend the regulations to reflect the exemption.</p>		
STATE'S COMMENTS AND OBSERVATIONS*		
<p>The Canadian Aeronautics Act requires persons operating in a foreign state, must to adhere to the regulations of that state. The two-year PPC is only a requirement within Canada.</p> <p>The Canadian Aeronautics Act Application of Part (2) & (3) states. Application of foreign law (2) Every person exercising the privileges accorded by a Canadian aviation document in a foreign state and every Canadian aircraft operated in a foreign state shall comply with or be operated in accordance with the applicable aeronautics laws of that state.</p> <p>Conflicts (3) Nothing in this Part shall be construed as requiring a person or aircraft to contravene or be operated in contravention of a law of a foreign state that applies to or in respect of the person or aircraft</p>		
CORRECTIVE ACTION (S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Canada will file a difference with ICAO.	CAA	Spring 2006

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APPENDIX 3-4-3

CORRECTIVE ACTION PLAN PROPOSED BY CANADA

AUDIT FINDING OPS/03		
Commercial air transport operators which are not involved in the safe transport of dangerous goods by air are currently not required by the CARs or the Transportation of Dangerous Goods Regulations to develop the appropriate level of training and to incorporate it in the operator's training programme as provided for in Annex 6, Part I, paragraphs 3.4, 9.3.1 and 12.4(e).		
STATE'S COMMENTS AND OBSERVATIONS*		
<p>The Civil Aviation Directorate is seeking legal advice as to whether the Canadian Aviation Regulation's (CARs) Air Operator Certification provision, which requires air operators to be able to demonstrate to the Minister they can conduct their operation safely, provides a sufficient basis to require those air operators not involved in the safe transport of dangerous goods by air to develop the appropriate level of training in the recognition of dangerous goods for their employees.</p> <p>If the legal opinion supports this interpretation a Commercial and Business Aviation Advisory Circular will be disseminated to all air operators and Regional implementation initiated.</p> <p>If the legal opinion does not support this interpretation the development of a regulatory change will be initiated.</p>		
CORRECTIVE ACTION (S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Depending on the legal interpretations implementations changes will be initiated in 2006.	CAA	30 September 2006

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APPENDIX 3-4-4

CORRECTIVE ACTION PLAN PROPOSED BY CANADA

AUDIT FINDING OPS/04
<p>Canada has not established requirements for the contents of the operations manual to include:</p> <ul style="list-style-type: none">a) provisions concerning airborne collision avoidance system (ACAS);b) language proficiency requirements;c) a flight data analysis programme as part of the flight safety programme;d) departure contingency procedures;e) instructions on the clarification and acceptance of air traffic control clearances, particularly where terrain clearance is involved;f) limitation on high rates of descent near the surface; andg) a policy and procedures for flight crew to record and report on volcanic activity.
STATE'S COMMENTS AND OBSERVATIONS*
<p>Canada is in the process of making changes to the requirements for the contents of the operations manual. Some changes have already been implemented others will be addressed later in 2005 and 2006. A summary of the items is listed below:</p> <ul style="list-style-type: none">a) A Notice of Proposed Amendment (NPA) addressing ACAS has been completed and is now with the Department of Justice for final promulgation. All aeroplanes will have to be in compliance two years after the date of regulations are promulgated.b) The issue is under study at this time.c) Canada is leaving the regulatory option to address this issue as a last resort if voluntary compliance is not provided by industry.d) On Aug 11, 2005 a request to produce a Notice of Proposed Amendment was issued. The request is to require air operators to include departure contingency procedures in their operations manuals the process of implementing one.e) A Notice of Proposed Amendment addressing controlled Flight Into Terrain (CFIT) and Terrain Awareness Systems (TAWS) has been completed and is now with the Department of Justice for final promulgation. TAWS will have a variable implementation dates. All newly manufactured aircraft will be subject to the new regulation on the date of promulgation. All other aircraft will be given two years from the promulgation date to comply with the new regulations.f) It is felt this item is covered by CASS 725.135 (l) and (p) indicating air operators must provide in there operating manuals the following information;<ul style="list-style-type: none">• instrument approach procedures (including company approaches), and alternate aerodrome requirements; and aeroplane performance limitations; It is expected that these two items will include any limitations and the affects of high rates of decent near the surface.g) On Aug 8, 2005 a request to produce a Notice of Proposed Amendment was issued. The request is to require air operators include reporting of volcanic activity in their operation manuals.

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CORRECTIVE ACTION PLAN PROPOSED BY CANADA

CORRECTIVE ACTION (S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Item (a) ACAS	CAA	Spring 2006
Item (b) Language		Fall 2007
Item (c) Safety System Programs filing a difference with ICAO		Spring 2006
Item (d) Long-term action and compliance		Fall 2007
Item (e) In process of amendment		Spring 2006
Item (f) No change required		*****
Item (g) Long-term action and compliance		Fall 2007

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APPENDIX 3-5-1

CORRECTIVE ACTION PLAN PROPOSED BY CANADA

AUDIT FINDING AIR/01		
Canada has not developed procedures for the escalation of maintenance programmes. In lieu of this programme, Canada is using Airworthiness Manual Advisory (AMA) 571.101/1 – <i>Reliability Monitoring Programs</i> . This document provides only reliable control methods to monitor aircraft maintenance programmes and not procedures for the escalation of maintenance programmes.		
STATE’S COMMENTS AND OBSERVATIONS*		
Transport Canada Aircraft Maintenance & Manufacturing, Standards & Procedure Division (AARPE) agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION (S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Develop an Airworthiness Notice to provide information to industry, which will contain procedures on how to use Reliability Monitoring Programs for the escalation of maintenance schedule/ task intervals.	AARPE	Before August 2006
Develop a Maintenance & Manufacturing Staff Instruction (MSI) to provide information to all Transport Canada Civil Aviation Safety Inspectors (CASI’s), which will contain procedures on how to use Reliability Monitoring Programs for the escalation of maintenance schedule/ task intervals.	AARPE	Before August 2006

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APPENDIX 3-5-2

CORRECTIVE ACTION PLAN PROPOSED BY CANADA

AUDIT FINDING AIR/02		
<p>The CARs provide for the direct adoption of mandatory continuing airworthiness information from the State of Design for Canadian registered aircraft. In addition, if upon review Transport Canada does not believe the State of Design has taken appropriate action, it may issue additional mandatory action. Although in practice Transport Canada coordinates with the State of Design prior to taking additional action and always informs the State of Design when a Canadian airworthiness directive is issued against a foreign product, the procedures currently in place do not outline these steps to ensure proper communication and coordination with the State of Design.</p>		
STATE'S COMMENTS AND OBSERVATIONS*		
<p>In view of the intent to apply risk management to airworthiness directive-issuance, Transport Canada had to cancel the old Staff Instructions on Airworthiness Directives and transition to a new policy that reflects current practice. Unfortunately, the audit is also being conducted at a time we are transitioning to the new procedures and only draft instructions are in place. The final staff instruction will be finalized in the short future, and will address communication protocol between Canada and the State of Design.</p>		
CORRECTIVE ACTION (S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Develop a formal policy document (Staff Instruction) that outlines current Transport Canada practices for the issuance of airworthiness directives against a foreign product.	AARDG	Before October 31, 2005
Conduct internal Aircraft Certification Branch consultation on the draft Staff Instruction.	AARDH	Before December 30, 2005
Review comments and incorporate them in the draft Staff Instruction, as appropriate.	AARDH	Before February 13, 2006
Issue final Staff Instruction.	AARDH	Before March 31, 2006
<u>Additional follow-up actions:</u> Inform appropriate offices about the issuance of the new Staff Instruction, so that the information is properly disseminated (Internet/Intranet, training materials, etc.).	AARDH	Before April 28, 2006

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APPENDIX 3-6-1

CORRECTIVE ACTION PLAN PROPOSED BY CANADA

AUDIT FINDING AIG/01		
<p>Parts of TSB's investigation process carried out by regional offices, such as the classification of occurrences, are closely coordinated with and reviewed by the Ottawa TSB head office. However, some tasks performed by regional offices, such as the handling of aircraft parts examination, are not sufficiently controlled by the head office and its Engineering Branch. Other responsibilities of regional offices, such as the maintenance of training records (or copies of such), are not reviewed by the head office to ensure standardization.</p>		
STATE'S COMMENTS AND OBSERVATIONS*		
<p>The TSB does have Manual of Investigations directives that govern the handling and preserving of evidence, including the control and handling of aircraft parts by the Air Branch Regional Offices. The Engineering Branch's control and handling of aircraft parts examination will be addressed in the Engineering Branch Standards and Procedures Manual due for completion in December 2005 (see comments from AIG/02).</p> <p>The TSB holds training records for all investigators and their training can be verified. The TSB Head Office and Regional oversight of the training records for standardization could be enhanced. A new Access database for training records has been completed, and all the training records are now being entered. The new system will facilitate Air Branch monitoring of the training files of its personnel, both from Head Office and Regional offices.</p>		
CORRECTIVE ACTION (S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Complete the Access electronic central repository for all the Regional Office and Head Office training records. This repository is available to all Head Office and Regional Managers.	TSB	Before March 2006

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APPENDIX 3-6-2

CORRECTIVE ACTION PLAN PROPOSED BY CANADA

AUDIT FINDING AIG/02		
The TSB Engineering Branch has been developing a <i>Standards and Procedures Manual</i> for a considerable period of time; however, the manual has not been finalized.		
STATE'S COMMENTS AND OBSERVATIONS*		
Agreed – The English version of this manual is 90% completed. Editing and translation will commence shortly.		
CORRECTIVE ACTION (S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Complete the creation of the Engineering Branch Standards and Procedures Manual in both Official Languages	TSB	Before December 2005

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APPENDIX 3-6-3

CORRECTIVE ACTION PLAN PROPOSED BY CANADA

AUDIT FINDING AIG/03		
<p>The TSB has established procedures and guidelines for consultation with all States which participated in an investigation. In inviting their substantiated comments on the draft final report, the expected response period given is thirty days, which differs from the sixty-day period as provided for in the associated ICAO standard.</p>		
STATE'S COMMENTS AND OBSERVATIONS*		
<p>Section 24 (2) of the Canadian Transportation Accident Investigation and Safety Board Act, "Representations on draft report" states that:</p> <p style="padding-left: 40px;">"Before making public a report under subsection (1), the Board shall, on a confidential basis, send a copy of the draft report on its findings and any safety deficiencies that it has identified to each Minister and any other person who, in the opinion of the Board, has a direct interest in the findings of the Board, and shall give that Minister or other person a reasonable opportunity to make representations to the Board with respect to the draft report before the final report is prepared."</p> <p>TSB Manual of Investigations Volume 1 Section 3.14.6, "Time Allowed for Representations" states that:</p> <p style="padding-left: 40px;">"DRs are normally allowed 30 days to comment. An additional 5-day grace period is added before final staff action on the reports is commenced. If staff believe that the time allowed for CDR review of a specific report should be more or less than the normal 30 days, the proposal should be routed to the Board along with rationale for the variation."</p> <p>Approval for extensions beyond the stipulated response date for representations may only be authorized by the Board or its delegate. Staff should advise CDR Reviewers who indicate a desire for an extension that requests should be routed to Board Report Services and, if for more than a few days, the request must be in writing."</p> <p>TSB's position is that:</p> <ul style="list-style-type: none"> • the normal 30 days provides adequate time for responses for most reports; • adequate provisions exist to permit variations to this 30-day limit; and • a documented process exists to handle requests for extensions. 		
CORRECTIVE ACTION (S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
TSB plans to file a difference to this Annex 13 standard.	TSB	Before January 2006

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APPENDIX 3-6-4

CORRECTIVE ACTION PLAN PROPOSED BY CANADA

AUDIT FINDING AIG/04		
<p>The TSB has established a process of forwarding daily notifications of reported accident and incidents to defined stakeholders including ICAO. However, these notifications lack some elements required in the ADREP forms to be used when forwarding preliminary reports and subsequent accident/incident data reports to ICAO. While these occurrences are also entered into an Aviation Safety Information System (ASIS) database, the TSB has indicated that this system is not compatible with the ICAO ADREP/ECCAIRS. As a result, the data reports are not made available to ICAO and do not form part of the ICAO database. Therefore, no analysis could be performed by ICAO and exchange of information cannot be facilitated.</p>		
STATE'S COMMENTS AND OBSERVATIONS*		
<p>Although not required by ICAO Annex 13, a method of exchanging TSB safety data electronically had been established with ICAO, but due to the ICAO AIG move to ECCAIRS, the existing data exchange method could not be used. I January 2005, the TSB, in coordination with ICAO AIG, has initiated changes to re-design the electronic safety data output. Consultations will continue with ICAO AIG to develop compatible electronic data exchange methods.</p>		
CORRECTIVE ACTION (S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Develop a interim data exchange method to facilitate safety information exchange from Canada (TSB) to ICAO	TSB	Before December 2005
Continue dialogue with ICAO AIG to develop ICAO-TSB compatible safety data exchange.	TSB	

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APPENDIX 3-7-1

CORRECTIVE ACTION PLAN PROPOSED BY CANADA

AUDIT FINDING ANS/01		
<p>The Air Navigation Services and Airspace <i>Policies and Procedures Manual</i> has not been updated since the current structure was established. In addition, the manual does not provide sufficient details to the relevant sections on recording audit and inspection results in a consistent manner.</p>		
STATE'S COMMENTS AND OBSERVATIONS*		
<p>Transport Canada accepts the finding and will be addressing it during the amalgamation of the Air Navigation Services and Airspace Policies and Procedures Manual and the Aerodromes Inspection and Audit Manual.</p>		
CORRECTIVE ACTION (S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>Creation of an Aerodromes and Air Navigation Policies and Procedures Manual that reflects the newly amalgamated organization. Such work is predicated on the completion of the Branch re-organization staffing.</p>	AARNC	31 December 2006

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APPENDIX 3-7-2

CORRECTIVE ACTION PLAN PROPOSED BY CANADA

AUDIT FINDING ANS/02		
<p>The ANS provider has established and identified a system for implementation of ATS routes in accordance with ICAO Annex 11; however, in domestic airspace, required navigation performance (RNP) implemented does not conform to Annex 11, the Procedures for Air Navigation Services – Air Traffic Management (PANS-ATM) and the guidance material contained in the <i>Manual on Required Navigation Performance</i> (Doc 9613).</p>		
STATE’S COMMENTS AND OBSERVATIONS*		
<p>This finding only applies RNP (Canadian RNP) which was established before any ICAO guidelines on RNP. Any future RNP implementation will follow the ICAO nomenclature. Modifying the nomenclature and possibly its application could have significant impacts in regards to re-certification for the users. Before a decision can be made on this, coordination will have to be made with the service provider (Nav Canada) and the aircraft certification Branch of Transport Canada to evaluate the impacts if any.</p>		
CORRECTIVE ACTION (S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Determine possible impact to users in reference to aircraft certification.	AARNB	31 March 2006
Determine possible impacts of application change to the ICAO nomenclature and determine RNP type	AARNB	31 March 2006
Decide whether or not to change to the ICAO nomenclature	AARNB	31 March 2006
If decision is not to change, advise ICAO and provide justification	AARNB	Before end February 2006
If decision is to change, prepare NPA for change in Standard 821 and coordinate with Nav Canada	AARNB	Before end December 2006

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APPENDIX 3-7-3

CORRECTIVE ACTION PLAN PROPOSED BY CANADA

AUDIT FINDING ANS/03		
Transport Canada requires ATS service providers to establish procedures and implement short-term conflict alert and airborne collision avoidance systems. However, Transport Canada does not require NAV CANADA to develop procedures or implement the minimum safe altitude warning portion of Canada's safety-related alerts and warning system for the air traffic controllers radar display.		
STATE'S COMMENTS AND OBSERVATIONS*		
At the present time, Canada is satisfied with the degree of compliance that we are providing in regards to this finding."		
CORRECTIVE ACTION (S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
No action plan required.		

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APPENDIX 3-7-4

CORRECTIVE ACTION PLAN PROPOSED BY CANADA

AUDIT FINDING ANS/04		
Annex 11 requires that the ATS authority develop and promulgate contingency plans for implementation in the event of disruption or potential disruption of ATS and related supporting services in the airspace for which they are responsible. While ATS units have evacuation plans to be effected in the event of closure of a unit, Transport Canada does not require ATS units to develop contingency plans.		
STATE'S COMMENTS AND OBSERVATIONS*		
TC will inquire to Nav Canada as to the status of any contingency plans already in place either as contingency plans, ATSAMM and/or MANOPS articles. TC will coordinate with Nav Canada to correct this finding .		
CORRECTIVE ACTION (S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Coordinate with Nav Canada in regards to the status of any contingency planning in reference to ICAO Annex 11, 2.28.	AARNB	31 March 2006
Prepare NPAs for addition to the CARs on the subject	AARNB	Before end of December 2006

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APPENDIX 3-7-5

CORRECTIVE ACTION PLAN PROPOSED BY CANADA

AUDIT FINDING ANS/05		
CAR 803.02 requires all specialists in flight procedure design to successfully complete a training course acceptable to the Minister. In addition, Advisory Circular 843 sets the basic requirements of the training. However, Transport Canada has not established specific minimum qualification requirements, including OJT and recurrent training for all flight procedure design specialists.		
STATE'S COMMENTS AND OBSERVATIONS*		
Transport Canada agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION (S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Develop Regulations that establish Certification and Performance Standards for instrument procedure design specialists.	AARN	Before September 2006
Develop Standards specifying OJT and recurrent training requirements.	AARN	Before September 2006

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APPENDIX 3-7-6

CORRECTIVE ACTION PLAN PROPOSED BY CANADA

AUDIT FINDING ANS/06		
<p>A review of the Air Traffic Manual of Operations used by one of Canada's ANS providers indicates that to a large extent, the ICAO phraseologies are used in the provision of ATS in accordance with Volume II of Annex 10 and with the PANS-ATM (Doc 4444). However, differences from ICAO PANS-ATM phraseology remain, such as:</p> <ul style="list-style-type: none">a) Taxi to Position Runway (number);b) Taxi to Position and wait; andc) Taxi to Position....advise when ready.		
STATE'S COMMENTS AND OBSERVATIONS*		
<p>TC has already answered this particular subject where a change to the ICAO recommended phraseology could bring about a potential safety problem in Canada due to the large amount of non-international flights taking place. For this safety reason, Canada does not plan to change this phraseology.</p>		
CORRECTIVE ACTION (S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
No corrective plan required		

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APPENDIX 3-7-7

CORRECTIVE ACTION PLAN PROPOSED BY CANADA

AUDIT FINDING ANS/07		
Annex 3 requires that meteorological offices issue local routine and special reports. Although providers of meteorological services in Canada comply with most Annex 3 requirements, there is no requirement for the issuance of local and routine and special reports. Aerodrome routine meteorological reports (<i>in meteorological code</i>) (METAR) and aerodrome special meteorological reports (<i>in meteorological code</i>) (SPECI) are considered to be sufficient in this respect.		
STATE'S COMMENTS AND OBSERVATIONS*		
Transport Canada agrees with the finding of the ICAO audit team. Transport Canada filed a difference with ICAO from Amendment 72 of ICAO Annex 3, applicable as of November 1, 2001. See AIP MET 1-5, 1-1-8 (6).		
CORRECTIVE ACTION (S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
No corrective action proposed	AARN	

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APPENDIX 3-8-1

CORRECTIVE ACTION PLAN PROPOSED BY CANADA

AUDIT FINDING AGA/01		
<p>Transport Canada does not have a procedure, as part of the aerodrome certification process, for ensuring that an aerodrome operator has adequately trained and skilled staff to perform all critical activities for aerodrome operations and maintenance.</p>		
STATE'S COMMENTS AND OBSERVATIONS*		
<p>Transport Canada disagrees with this finding as it is part of guidance and there is no specific standard in the Annex 14 Volume I that relates to this.</p> <p>Canada assesses the end result of performance, such as visual aids assessment, NOTAM monitoring, application of operational plans, etc... Where there is a shortfall of performance in any area, it would be highlighted as part of ongoing regulatory oversight activities and be brought up to the attention of the airport operator for corrective action measure. The failure of meeting a standard would normally result in a reduction in the level of service at the site to maintain an acceptable level of safety.</p> <p>In addition, Canada requires that all vehicle operators on movement areas shall be appropriately trained for the tasks to be performed. (TP312 4th edition, Para 8.7.1.5).</p>		
CORRECTIVE ACTION (S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
No action required	AARN	None

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APPENDIX 3-8-2

CORRECTIVE ACTION PLAN PROPOSED BY CANADA

AUDIT FINDING AGA/02		
Transport Canada does not have a system for ensuring the accuracy, integrity and protection of aeronautical data; it was stated that this is in the process of development.		
STATE'S COMMENTS AND OBSERVATIONS*		
Transport Canada agrees with this finding. As an observation, it has to be noted that some of the accuracy requirements in Annex 14, such as for to the "to the nearest meter or foot", do not provide an equivalent level of accuracy.		
CORRECTIVE ACTION (S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Accuracy requirements in TP312 are being updated to reflect the Annex 14 standards as part of the regulatory review of Canadian aerodrome certification standards.	AARN	2008

— END —

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