AZƏRBAYCAN RESPUBLİKASININ
RƏQƏMSAL İNKİŞAF VƏ NƏQLİYYAT NAZİRLİYİ
DÖVLƏT MÜLKİ AVİASİYA AGENTLİYİ

ƏMR

№ 3-27-102/7/3-2-61/2023

Bakı şəhəri "16" oktyabr 2023-cü il

"Beynəlxalq Mülki Aviasiya Təşkilatının beynəlxalq standartları və tövsiyə olunan təcrübəsinin idarə edilməsi Qaydası" adlı sənədə dəyişikliyin qüvvəyə minməsi barədə

Beynəlxalq Mülki Aviasiya Təşkilatının (ICAO) müvafiq Protokol Suallarının cavablandırılması və ICAO-nun beynəlxalq standartları və tövsiyə olunan təcrübəsinin tətbiqi məqsədilə, "Beynəlxalq Mülki Aviasiya Təşkilatının beynəlxalq standartları və tövsiyə olunan təcrübəsinin idarə edilməsi Qaydası" ("SARPs Management Regulation") adlı sənədin 5-ci nəşrinə 1 saylı dəyişiklik layihəsi işlənib hazırlanmışdır.

Sözügedən dəyişikliyin tətbiqini təmin etmək məqsədilə Azərbaycan Respublikası Prezidentinin 2018-ci il 22 may tarixli 90 nömrəli Fərmanı ilə təsdiq edilmiş "Azərbaycan Respublikasının Rəqəmsal İnkişaf və Nəqliyyat Nazirliyi yanında Dövlət Mülki Aviasiya Agentliyi haqqında Əsasnamə"nin 5.6.6-cı yarımbəndini rəhbər tutaraq,

əmr edirəm:

1. "Beynəlxalq Mülki Aviasiya Təşkilatının beynəlxalq standartlar və tövsiyə olunan təcrübəsinin idarə edilməsi Qaydası" ("SARPs Management Regulation") adlı sənədinin 5-ci nəşrinə 1 saylı dəyişiklik 2023-cü ilin 16 oktyabr tarixindən qüvvəyə minsin.
2. Sənədin Dövlət Mülki Aviasiya Agentliyinin (DMAA) aidiyyəti mütəxəssisləri tərəfindən öyrənilməsi və icrası təşkil edilsin.
3. Sənədin yenilənmiş versiyası DMAA-nın rəsmi internet saytında yerləşdirilsin.
4. Əmr bütün şəxsi heyətə çatdırılsın.
5. Əmrin icrasına nəzarət direktorun müavini Hacıağa Hacıyevə həvalə edilsin.

Direktor **Arif Məmmədov**

APPROVED
by SCAA Director Order
№ 3-27-102/7/3-2-61/2023 dd.16 October 2023

SARPs MANAGEMENT REGULATION

State Civil Aviation Agency of the Republic of Azerbaijan

Document № R-GM-001

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Effective date: 26.MAY.2022

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Baku

https://www.caa.gov.az

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0.3 DISTRIBUTION CONTROL

Copy #	Type of Copy	Department	Location
Master	**(S)**	QC & Rulemaking Department	SCAA Library/ Intranet
1	**(S)**	QC & Rulemaking Department	SCAA Q-Pulse
2	**(S)**	QC & Rulemaking Department	SCAA official web-site

(S) Soft Copy - (electronic version)

(H) Hard Copy – (printed version)

Note: Electronic and hard copies are considered "uncontrolled" if they are printed or not included into this distribution list.

0.4 RECORDS OF AMENDMENTS AND REVISIONS

Ed./Rev. №:	Effective date:	Entered into force by:	Reason
Edition №02	11.JUN.2019	Dir.Order № 31 dd.07.08.2019	
Ed.02, Rev.01	29.JAN.2020	Dir.Order № 02-1 dd.23.01.2020	
Edition №03	01.NOV.2021	Dir.Order № 62 dd.27.10.2021	Improvement of the procedure
Ed.03, Rev.01	25.JAN.2022	Dir.Order № 4 dd. 21.01.2022	PQ LEG 1.205
Edition №04	11.MAY.2022	Dir. Order № 36 dd.11.05.2022	TA EUR/NAT AZE 16001 Recommendations
Edition №05	26.MAY.2022	Dir. Order № 50 dd.25.05.2022	Improvement of the procedures
Ed.05, Rev.01	16.OCT.2023	Dir. Order № 3-27-102/7/3-2-61/2023 dd.16.10.2023	Improvement of the procedures

Edition: - *Release of a document having incorporated all previous revisions until the current version. New edition of a document will not show revised text in blue color. Current edition of a document shown on each page in footer.*

Revision: *- A change made to a part of document, where it is reflected with blue text or accompanied with a vertical line on right side of a document. Basic information on revisions (number and date) given in the List of effective Pages and indicated in header of affected page and in context itself.*

0.5 TERMS AND DEFINITIONS

Technical Coordinator – (TC): Is a person nominated by Director SCAA, who is responsible to receive, register and submit SL within 24 H. He/she is also in charge to submit Azerbaijan's Technical Response Letter (hereinafter - TRL) to ICAO, as an outcome of the SMG group activity.

Concerned Department: – (CD): Is an oversight department/group within SCAA that is considered to be a concerned one with an ICAO SL, which contains amendment to Annex (-es), directly influencing provisions of transposed Technical Requirements/Guidance and/or embracing oversight functions of such oversight department.

HoCD: - Head of Concerned Department defined as Head of Oversight Department or Group within SCAA.

Project Officer – (PO): Is a person nominated by a Head of Concerned Department (hereinafter - HoCD) within the SMG group and delegated tasks to share their expertise on amendment to ICAO SL and propose either acceptance of amendment(s) or rejection thereof having solid grounds of reasons and sufficient justification thereto.

Operator/Service Provider – (OP/SP): Is a person or an entity, that performs functions associated with air transportation or actions related to the operation of aircraft or associated services, which is governed by the Aviation Technical Requirements/Guidance and may be interested or perceive themselves to be interested by decision or activity associated with amendment to Aviation Regulations.

National Continuous Monitoring Coordinator – (NCMC): Is a person nominated by the SCAA Director to act as a primary point of contact for ICAO USOAP CMA activities in Azerbaijan.

SARPs Management Group – (SMG): Is the ad-hoc group of experts within SCAA nominated by the Director's order and consists of field experts and chaired by the Chairman;

Technical Response Letter (TRL): Is the State's response formulated and sent to ICAO by the SCAA electronically or dispatched on paper.

Documentation: Technical Requirements/Guidance, Manuals, Instructions, Pamphlets, Handbooks etc., master copies of which are under the QC Department's control and located as PDF files in the list of "Active" documents module within Q-Pulse.

Significant Difference: - Is a difference to SARPs, which is believed to have a significant impact on safety in aviation.

Top Management: - is the board of senior-level executives of the SCAA holding most responsibilities of the organization for setting policies, objectives and direction to follow and making sure that organizational goals are met.

Technical Requirements/Guidance: - A set of aviation requirements that Operators/Service Providers in Azerbaijan are obliged to comply with under conditions of a certificate issued by the SCAA. Such Requirements are in general, a transposed version of provisions taken from ICAO SARPs.

A **Standard** is defined by ICAO as "any specification for physical characteristics, configuration, material, performance, personnel or procedure, the uniform application of which is recognized as necessary for the safety or regularity of international air navigation and to which Contracting States will conform in accordance with the Convention".

A **Recommended Practice** is defined by ICAO as "any specification for physical characteristics, configuration, material, performance, personnel or procedure, the uniform application of which is recognized as desirable in the interest of safety, regularity or efficiency of international air navigation and to which Contracting States will endeavour to conform in accordance with the Convention".

0.6 ABBREVIATION

AARs	Azerbaijan Aviation Regulations
AGA	Aerodromes Operators Oversight Department
AIP	Aeronautical Information Publications
AIR	Airworthiness
AIG	Accident Investigation Group
ANS	Air Navigation Services
ANSP	Air Navigation Service Provider(s)
ANP	Air Navigation Publications
AVSEC	Aviation Security
CRT	The State Registry and Certification Department
CD	Concerned Department
EB	Electronic Bulletin
EFOD	Electronic Filing of Differences
EI	Effective Implementation
FSI	Flight Safety Inspectorate (PLE within the SCAA)
HoCD	Head of Concerned Department (Head of oversight department within SMG)
ICAO	International Civil Aviation Organization
OP/SP	Operator/Service Provider
IRD	International Relations Department
NCMC	National Continuous Monitoring Coordinator
OLF	On-Line-Framework ICAO USOAP CMA (web based platform)
OPS	Operations (Flight Operations)
PEL	Personnel Licensing
PO	Project Officer
QC	Quality Control & Rulemaking Department
SAR	Search & Rescue
SARPs	Standards and Recommended Practices
SAAQ	State Aviation Activity Questionnaire

SCAA	State Civil Aviation Agency of the Republic of Azerbaijan
SMS	Safety Management System
SMG	SARPs Management Group
SP	Service Provider
SUPP	Supplement
TC	Technical Coordinator
TSG	Technical Support Group
TRL	Technical Response Letter
USOAP CMA OLF	Universal Safety Oversight Audit Program – Continuous Monitoring Approach On-Line Framework

0.7 GENERAL

The SARPs Management Regulation (hereinafter "SMR") is drafted for the internal use within the SCAA. The SMR is issued as a guidance to describe step-by-step procedure in the SCAA that applies to personnel involved in SMG activities and other categories of employees, who are fully or partially participate in the process to deal with ICAO State Letters, (hereinafter - "SL") and other activities requiring handling of amendments to SARPs and processes associated thereto.

By establishing the SMG Group the SCAA primarily seek effective management system under Quality Control (hereinafter - QC) to deal with the following processes:

- handling state letters and amendments to SARPs;
- proposing amendments to the national normative legal acts – Laws, State Programmes;
- amending current normative legal acts, drafting and promulgating new normative legal acts - Regulations, Rules;
- amending respective Technical Requirements/Guidance Materials and other documentation upon receipt of ICAO State Letter;
- bringing Technical Requirements/Guidance Materials in full compliance with ICAO SARPs;
- maintaining compliance status with SARPs on USOAP CMA online framework - OLF;
- exchanging other safety-relevant information on OLF platform on time;
- Providing the Ministry of Digital Development and Transport with annual report on SARPs management and EFOD compliance.

Processes outlined herein are designed in the way that they best suit the current SCAA structure and are subject to revision when deemed necessary.

Revisions shall be made on an annual basis, to modify ineffective processes or replace them with more effective ones under Quality Control. Processes dealing with extension of the validity of documentation in Q-Pulse are provided by the Document Revision Procedure - PC-QC-001.B.

The SMR shall be updated upon evaluation of the effectiveness of the processes being continuously made by QC as well as summarizing and handling of the change requests submitted by the SCAA personnel involved in SMG or other relevant activities. Requests for changes in the SMR may by further discussed during internal meetings.

The SMR is the intellectual property of the SCAA and remains under the sole control of the Quality Control & Rulemaking Department, in terms of entering agreed revisions, records keeping and tracking of changes.

Q-Pulse is the system used by the SCAA to manage collection, interactions, comments, decisions and in general, each type of required information for smooth and effective operation.

SMG Chairman is the owner and remains responsible for the content of the SMR.

The coordination lines and responsibilities of personnel involved in SMG group functions, who deal with ICAO SL are clearly defined herein.

1 INTERNATIONAL CIVIL AVIATION ORGANISATION (ICAO)

1.1 GENERAL

This SMR provides guidance to Azerbaijan SCAA's personnel involved in regulatory management of activities directly associated with ICAO provisions. Processes and procedures described in this SMR comprise internal coordination in regards to the SCAA efforts to effectively manage ICAO SL, regarding amendments to SARPs and interactions of SMG members directly involved in such processes.

1.2 AZERBAIJAN – SIGNATORY TO THE CHICAGO CONVENTION

Azerbaijan is a signatory to the Convention on International Civil Aviation Doc 7300 (known as the Chicago Convention 1944) and as a Member State of ICAO has obliged to comply with all 19 Annexes to the Convention and amendments thereto where applicable, and other Articles under the Convention.

In addition, paragraph 3.0.8. of the Statute of the State Civil Aviation Agency under the Ministry of Digital Development and Transport, promulgated by the President of the Republic of Azerbaijan on May 22, 2018 by the Degree № 90, empowers the SCAA "to supervise on effective implementation of Aviation Regulations (Technical Requirements/Guidance) in the appropriate field and oversight on compliance thereto by service providers through conducting (scheduled/unscheduled) surveillance activities.

The Chicago Convention requires that, in case when States find it impracticable to comply in all respects with SARPs and their amendments or, if States otherwise decide to differ from SARPs, then States are required to inform ICAO by notifying differences via OLF.

According to Article 3.2.4 of the "Regulation on Ensuring of Flight Safety", approved by the Decree of the President of the Republic of Azerbaijan on 27 June 2019, the supervision on implementation of the Standards and Recommended Practices and notification of ICAO about differences between international standards and national legislation is the obligation of the State.

States' differences are published by ICAO in e-Supplements to the Annexes to the Chicago Convention, and Significant Differences[1] are published by Azerbaijan through the AIP.

1.3 CONSISTENCY WITH ICAO SARPS

SCAA shall ensure that oversight departments develop and keep Technical Requirements/Guidances up-to-date, to remain consistent with relevant SARPs and amendments thereto.

Director of the SCAA delegates certain duties and responsibilities to ensure that Heads of Oversight Departments nominated to their positions manage to comply with ICAO SARPs in the implementation of their oversight functions and continue to oversee IP/SPs' operations in their relevant domain according to the Technical Requirements/Guidance and certificate conditions.

Director of the SCAA is accountable to make sure that personnel involved in SMG processes are familiar with the organizational goals and policies in regards to effective operation of their duties and continuously improve Azerbaijan's overall compliance status with SARPs and the State's overall EI rate.

ICAO provision containing "SHALL" shall be understood as imperative item for the State to comply with, or notify differences if not in compliance.

[1] *Significant Difference described in Subchapter Definitions.*

ICAO provision containing “SHOULD” shall be understood as a non-imperative item, but a recommendation or best practice for State to adapt.

1.4 MANAGEMENT REVIEW

In order to keep the State’s compliance status with SARPs as up-to-date, provide proper management of ICAO SL and amendments to them as well as to manage OLF, SCAA Top Management delegated these functions and the monitoring of associated activities to SMG Group and NCMCs for establishment of the effective workflow and in-time performance.

The SCAA Top Management set certain goals and tasks to observe the progress and outcomes of the whole process by reviewing performance gaps and weaknesses of the system reported by SMG Chairman and via Quality System reports quarterly and annually.

The SCAA Top Management ensures that the SCAA is staffed with qualified personnel who are capable to accomplish relevant oversight tasks in regards to implementation of the ICAO SARPs provisions and in particular Doc. 9734 Part A – “The Establishment and Management of a State’s Safety Oversight System”, to take appropriate actions to react to negative trends in their areas and make sure that issues are captured and addressed in a timely manner.

In addition, the process of effectiveness shall remain under responsibility of Quality Control.

1.5 ACCESS TO ICAO_NET LIBRARY

To get access to the up-to-date ICAO SARPs, PANs and SUPPs, the SCAA personnel shall manage their credentials granted to access ICAO NET portal for the up-to-date documentation. Those personnel having no access to or having credentials expired shall address TC or QC personnel for required SARPs.

Requests shall be sent by email to qc@caa.gov.az

SCAA shall not manage to keep other retrieval systems or databases for SARPs. Designated person or a person deputizing his/her functions shall access ICAO NET for the latest available version on portal upon request, download and share the required document(s).

2 ANNEX AMENDMENTS & ICAO STATE LETTERS

2.1 INTRODUCTION

For the purposes of SMG ICAO SLs are divided in two categories:

- amendments to SARPs;
- others

SL regarding amendment to SARPs of the Chicago Convention are issued by ICAO headquarters, and posted on the ICAO-NET and submitted to State's Technical Coordinators, further (TC) by e-mails.

In accordance with Article 38 of the Chicago Convention States are required to transpose ICAO SARPs into national normative legal acts and Technical Requirements/Guidance and maintain compliance with them. Taking into account that it could become impracticable to adopt some amendments to SARPs, the SCAA shall file differences within 30 days if otherwise is not stipulated by the ICAO State Letter.

To process and handle ICAO SLs, the SCAA of Azerbaijan has established the SMG group. The SMG is an ad-hoc group consisting of field experts overseeing compliance with ICAO SARPs transposed into Technical Requirements/Guidance in their domain.

SMG Chairman shall chair SMG meetings on event basis, if required. Basically, SLs are handled via Q-Pulse, where all required information is accumulated and process being monitored.

2.1.1 Notification to ICAO

Contracting States are responsible for providing comprehensive and detailed information on differences between international standards and national legislation, by the reason incomprehensive or undetailed information can lead to misunderstandings and result in undesirable operational situations, or in other potential negative consequences, which will create a hazard to flight safety. Dissemination of the information about the differences (especially, contradictions and gaps between international standard and national law), enhances the transparency of safety information, which consequently, facilitates the States' obligation on the management of safety. The notification of differences is, therefore, a significant and useful action (ref. ICA0-Doc 10055 AN/518). Decision taken in regards to amendments to ICAO SARPs shall be notified to ICAO via OLF, EFOD module, when become available, but in regard with Annex 17 notification is made by official letter. CD personnel shall manage such records in relevant "State Reference" field and therefore the request to amend Technical Requirements/Guidance shall be initiated simultaneously with SL handling, whenever decision is positive.

Other category of ICAO SL, which requires SCAA letter as official response shall be dispatched by TC, as a scanned copy or in paper version. Preparation of the letter context shall be managed by CD.

> ***Note:*** *Handling of SLs with amendments to PANS and CIRCULARS shall be circulated within SMG the same way as for SARPs - see APPENDIX 2.*

2.2 TECHNICAL COORDINATOR

2.2.1 Duties and Responsibilities

Technical Coordinator (TC) is a person assisting SMG Chairman and exercising certain functions in Q-Pulse and, if required on OLF to monitor the process flow and relevance of the information submitted to particular fields by SCAA personnel. SMG Coordinator's functions are defined but not limited to outlined below:

- Review SL and comments provided by involved personnel in Q-Pulse relevant sections;
- Depending on each SL actions define additional action and personnel to involve;
- Adding Legal Advisor, if SL addresses amendments to Annexes (proposals to amendments are exclusions);
- Monitoring Q-Pulse and OLF workflow goes in accordance with set timeframe;
- Communicates with action owners on behalf of SMG Chairman in regards to information provision/delay/unambiguity etc.;
- Notifying SMG Chairman in cases when delays are foreseen;
- Reports to SMG Chairman on action left/delayed or no files presented;
- Provides other assistance required by SMG Chairman.

Under Article 90 of the Chicago Convention, "the amendment will become effective three months after the issuance of the State Letter, except for any part thereof for which a majority of the Contracting States have registered their disapproval with the Council" (Convention on International Civil Aviation, 2006, p 40). Deadline to be considered for each State Letter is 30 days before actual date ICAO require, if not otherwise required. This period defined as buffer time to avoid any potential delays.

2.2.2 Handling in Q-Pulse

Pre-configured approvers template may not be applied as standard template for all SLs types, therefore modifications shall be made by Technical Coordinator. Technical Coordinator checks all actions being relevant and review comments provided.

When approvers in "Approval" area accepted SL and commented, turns SL record to "Draft Approval" and sets "Target Date" to complete or verify action. Reviews and observes SLs and provision of relevant attachments to them, as well as actions/stages progress and timelines. In addition, may exercise tasks as requested by SMG Chairman.

Archives SL when all actions completed and noted by Technical Coordinator.

2.2.3 Reception and Distribution of SL

TC is the International Relation Department personnel within the SCAA, who is responsible for:

- Receiving, registering and uploading incoming SLs into the Q-Pulse relevant section "Special Letter";
- Handling of drafted context and submission of an official TRL to ICAO.

TC shall submit SCAA's final response to ICAO, once confirmed, signed by SMG chairman and approved by the SCAA Director.

All personnel involved in review shall upload relevant papers signed/stamped etc. circulated while handling particular SL. Scanned files shall be added to the record's "Properties" in Q-Pulse, if required.

SLs regard proposals or adoption of amendment(s) to Annex 17 are not handled in Q-Pulse.

2.2.4 SL Handling actions in Q-Pulse

Details section shall reflect sufficient accompanying information. Information relevant to SL in short, e.g. amendment 94 to Annex 6 shall be indicated as AM94, AN6 in "Keyword" field.

> ***Note:*** *Unique number in "Title" field shall be the number assigned to ICAO SL (example: AN 6/1.1-19/34). Entering exact information in relevant fields may sufficiently reduce further search in the system.*

Personnel involved in Approval are automatically added, but if required additional corrections can be made.

2.3 LEGAL ADVISOR

2.3.1 Duties and Responsibilities

Legal Advisor is a person in charge nominated by the SCAA Director to SMG. Legal Advisor's review and comments shall be reflected in "Approval" section of SLs only in cases when CD's decision is positive to amend existing Technical Requirements/Guidance.

Legal Advisor's positive comment shall have the statement of "no objection" and affirming "no contradictions with National Legal aspects". Further process shall be stopped, if negative comment exists from Legal Advisor.

Legal Advisor's comments not required, if decision taken by HoCD is to register disapproval or file differences to ICAO.

2.3.2 SL Handling actions in Q-Pulse

Provision of comments in the relevant comments field.

2.4 CONCERNED DEPARTMENT

CD is an abbreviation used to identify an Oversight Department/Group within SCAA, functions of which are based on particular Annex(-es) requirements transposed into Technical Requirements/Guidance. CD is responsible to maintain compliance level with ICAO SARPs as well as to handle particular amendment to SARPs released to States.

In general, within SMG activities, CD is managed by the Head, who in turn shall:

- Manage the level of practicable transposition of (SARPs requirements into the National Regulations or Technical Requirements);
- Manage clear and precise data transfer on OLF platform in regards to CC/EFOD, Self-Assessment, CAP, SAAQ etc.;
- Review amendments to SARPs provided by SLs;
- Communicate with OP/SP in their field to collect feedback, if required, on each particular amendment;
- Formulate final decision regarding particular amendment(s);
- Consider remarks and additional comments from SMG and Legal Advisor, if any;
- Prepare the context of TRL.
- Request master copy of documentation for amendment to transpose provision of SARPs amendment or whenever changes deemed necessary (see PC-QC-001A./B.);
- Inform on any changes made in respective domain on OLF via qc@caa.gov.az

2.4.1 SL Handling actions in Q-Pulse

See p. 2.6.2.

2.5 HEAD OF CONCERNED DEPARTMENT

HoCD shall be understood as a person managing oversight and surveillance functions and obligations in particular domain within SCAA, being in charge within SMG for handling of amendments to relevant SARPs, in-time review and provision of comments to SLs in Q-Pulse, as well as maintenance of ICAO OLF at a maximum practicable satisfactory extent.

Example: *(Head of AGA Department is considered as a HoCD when SL received by the SCAA refers to amendments to ICAO Annex 14 (Vol. I and Vol. II)) and he/she may nominate a Project Officer, further (PO) or execute certain tasks relevant to amendment, update Technical Requirements/Guidance corresponding to Annex 14, Vol. I and II, which are AAR-AGA-001 and AAR-AGA-002 respectively. PO in this case could be any inspector from AGA department nominated by HoCD.*

HoCD may register a Disapproval Statement, in written, to be sent to ICAO in special form attached to each SL (ref. 2.14). Disapproval is being registered, if HoCD have solid grounds to believe that the amendment cannot be transposed into Technical Requirements/Guidance and has or may have an impact to the National aviation sector, then he/she shall formulate their final decision in comment section in Q-Pulse "Actions" area. In such cases consultation with the Management and Legal Advisor is required.

Some amendments may require two or more departments to cooperate and formulate their responses. Request to add other department experts shall be stated in comments box of "Approval" area or added manually. Upon collection of all required comments the final consolidated response between two or more departments shall be formulated as the SCAA's position.

2.5.1 Functions & Responsibilities of HoCD

As per Department/Group Statute and Job Description, the HoCD is delegated accountabilities and responsibilities to manage department functions be in compliance with the Organizational policy and processes, to follow procedures and SCAA Director's orders and those referred to in Ch. 2.5 and this SMR, in general.

HoCD shall be responsible to arrange the communication with OP/SP in regards to his/her initial decision formulated to particular SL with amendment to SARPs or other regulating documents. OP/SPs' feedback shall be a subject matter before the final decision is made.

Collection of OP/SP's feedback shall be officially stated in relevant Q-Pulse field and correspondence uploaded as an evidence in "Filename". HoCD shall monitor action completion by requiring the evidences upload by a person to whom an action was delegated.

HoCD shall appoint a responsible person from his department, which is defined as PO, if required. PO will exercise his functions in area where his particular expertise required, and coordinate with HoCD.

> ***Note:*** *Technical Response is formulated based on final decisions made by HoCD and consulted with Management. All comments collected from OP/SP shall be carefully reviewed and considered before final decision is made on each particular SL.*

HoCD shall remain responsible for:

- PO supervision on delegated tasks;
- Management of relevant tasks within given timeframe;
- Assessment of feedback proposed by PO and information collected from OP/SP; Decision to register disapproval, final statement to amendment;
- Assessment of impacts on decisions made;

In cases, when HoCD is absent he/she shall deputize a person to make a statement and decision on his/her behalf.

2.5.2 SL Handling actions in Q-Pulse

HoCD receives SL notification via Q-Pulse. First action in "Approval" area is to accept SL for the purpose of review. Final confirmation of work completion shall be done in "Actions" area, when SL is in "Draft Approved" status.

HoCD shall make sure that:

- All relevant files, evidences are attached to "Properties".
- Complete action when all relevant information is collected;
- Request changes to relevant Technical Requirements/Guidance via "Change request" in Q-Pulse, if transposition agreed as outcome of final decision.

2.6 PROJECT OFFICER (PO)

PO shall be understood as an inspector in charge, nominated by HoCD to share his/her expertise and technical knowledge in relevant scope within certain time set by HoCD, in regards to amendments to SARPs and whenever deems necessary.

PO can be deputized by HoCD for action completion in Q-Pulse.

2.6.1 PO Functions

As instructed by HoCD.

2.6.2 SL Handling actions in Q-Pulse

As instructed by HoCD. In addition, PO may also request assistance/comments from any person within the SCAA by adding an action in Q-Pulse, if such a need arise.

2.7 ADMINISTRATIVE DEPARTMENT

The SCAA's Administrative Department personnel are not directly involved in SMG activities, however their assistance in this regard is required to liaise with the SCAA Director according to order formalities.

2.7.1 SL Handling actions in Q-Pulse

The SCAA's Administrative Department personnel is involved in Q-Pulse actions where certain files are required. Orders etc. are submitted as approved in scanned version.

2.8 SMG CHAIRMAN

Duties and responsibilities of SMG Chairman include, but not limited to ensuring that:

- SLs are uploaded and relevant information provided in proper fields;
- SLs assigned to relevant CD as per table (see APPENDIX 1), timelines set and comments provided from relevant Departments;
- Process flow in regards to each SL observed and not delayed;
- Additional actions are set and managed;
- Required information collected and uploaded;
- Concerned Department stated their ultimate decision in regards to amendment to SARPs, SUPPS, PANs;
- Final response submitted to ICAO by any available means and, if required published in AIP;
- NCMCs updated accordingly on actions made on USOAP CMA OLF by HoCD.
- SL activated, notified and archived in time.

SMG Chairman shall own the process to monitor the SL related actions in Q-Pulse are managed properly.

2.8.1 SL Handling actions in Q-Pulse

SMG Chairman's functions within Q-Pulse are deputized to Technical Coordinator.

2.9 HANDLING ICAO SLS OTHER THAN PROPOSALS FOR AMENDMENT TO ANNEXES

ICAO may issue SL on matters other than proposals for amendment of Annexes or SUPPs. Such SLs shall be equally circulated within SMG.

Such SLs may cover the following subjects:

- Advising States on new developments e.g. training, workshops and seminars;
- Requiring States to take certain actions;
- Complete questionnaire, survey;

- Requesting States for specific or general information; or
- Providing States with guidelines on particular matters.
- Informing (no specific action required)

Nominations to meetings/workshops/training/seminars shall take cognizance of representation from the SCAA, and/or other OP/SP stakeholders.

HoCD shall propose nomination (agreed with SMG Chairman) of personnel from CDs to such activities. Final agreement of nominees shall be stated in Q-Pulse action.

Hard copies of forms/blanks filled in manually shall be scanned and added to “Property” section in Q-Pulse and in turn, be coordinated with NCMC or his assistant.

2.9.1 Handling Action in Q-Pulse

Same actions as outlined in 2.2.2

2.10 ACCEPTANCE OF AMENDMENT

HoCD final decision to accept amendment to SARPs shall be stated by “Action” completion followed by Change Request to amend relevant Technical Requirements/Guidance, if:

- Positive feedback received from OP/SP within certain timeframe or due to the absence of it upon timeline expiration;
- Legal Advisor has no objection or statement of contradiction with National Law.

Feedback request can be initiated by Q-Pulse, email or official letter. Feedback requested from OP/SP and not received within 30 days shall be understood as “NO OBJECTION” statement.

Though, negative feedback received from OP/SP, or SMG group members, it shall be assessed by HoCD and only his final decision in this case shall prevail in regards to SARPs, where more than one department review and state their comments.

Note: 1 *- CD Personnel of requesting Operator’s feedback by email shall set “Read Receipt” function in Outlook to make sure the message has been delivered to Operator.*

Note: 2 *- Feedback request can be set in Q-Pulse “Actions”, where automatic email being sent to dedicated personnel of Operator.*

2.11 REGISTERING DISAPPROVAL

In cases when HoCD’s final decision and further, SCAA’s official response to amendment is negative, the disapproval statement shall be formulated on the form provided in particular attachment to SL.

Disapproval statement shall be registered and submitted to ICAO before target date expiration. The form shall be prepared by the Technical Coordinator in coordination with HoCD.

Disapproval statements not registered and submitted in set timeframe as indicated in SL should be interpreted as if the State agreed on amendment by default and have no official objection.

Registration of disapproval does not constitute a *notification of differences* and therefore shall be understood as two different processes to SARPs amendments.

In case of registration of disapproval, it shall also be considered to file differences to ICAO as indicated in particular SL. This action and target date shall be set to each SL in Q-Pulse and assigned to relevant personnel, as required.

While considering filing of differences, after registration of Disapproval Statement, relevant sections in CC/EFOD module shall be filled to indicate date(s) by which SCAA will have complied with whole Annex including recent amendments, and those differences filed thereto.

Note: *Registration of disapproval is not designed on OLF, so the process shall be managed on paper version.*

NCMCs or assigned personnel shall constantly get updates from other departments on modifications made on OLF and, at least shall be aware of status of EFOD, SAAQ, CAPs, and Self-Assessment. Assigned personnel shall provide NCMCs and QC Department with monthly report on overall conditions in regards to abovementioned using OLF Management Matrix. Reports shall be sent by e-mail.

2.12 FILING DIFFERENCES TO ICAO

HoCD shall have a reasonable statement for decision to file differences, such as:

- Industry's feedback OP/SP received with negative feedback, provided with a reason and analysed by SCAA experts within 10 days;
- Assessment of impacts having negative outcome, where potential safety risk exists or may arise from acceptance of particular amendment;
- Legal Advisor's feedback outlining potential conflict with national legislation;
- Other.

EFOD section, especially the field of "State Reference", where clear reference to amended documentation have been presented shall be properly filled. QC shall plan random compliance checks.

Head of AvSec Department is responsible for preparing reasonable statement for decision to file differences in regard with Annex 17. Such differences are notified to ICAO by official letter on behalf of SCAA Director and sent via protected communication channels.

2.12.1 Report to the Ministry

Differences filed to ICAO shall also be reported to the Ministry of Digital Development and Transport of the Republic of Azerbaijan.

Reports on differences shall be prepared in the EFOD Report form and officially submitted by the SCAA through the official communication channel.

2.13 ACTION OF STATE LETTER COMPLETION

Management of SL and completion of actions in Q-Pulse shall be maintained properly by each person involved in the process having all evidences attached in Q-Pulse, if required. The SL handling process can be considered as completed, if action has been closed by SMG Chairman.

SMG Chairman or nominated personnel shall make sure that each SL relevant actions are completed and required evidences are attached by nominated personnel handling its particular stage. Actions assigned, requiring the information or file to be uploaded and being completed by nominated person but providing insufficient or wrong information, shall be reopened providing a reason.

Any modification required on OLF shall be done and communicated to NCMCs or nominated person despite of positive or negative decision. Such information shall be submitted via email to qc@caa.gov.az in short.

2.13.1 Required Evidences

- Official correspondence between OP/SP and CD or statement of its absence (scanned or electronic files);
- TRL copy;
- Others required and mentioned in "action details" field.

2.14 OLF PLATFORM

The OLF (On-Line-Framework) is the ICAO web based tool, where States are given admin rights to NCMCs to manage State's status of compliance with SARPs and establish the communication with ICAO by management of activities within SCAA. Departments/Divisions and group personnel involved in ICAO activities, are provided with credentials and access to certain modules and features relevant to their oversight domain.

SCAA personnel given credentials to access OLF platform shall use them in order to maintain the State's communication and information exchange with ICAO in regards to the status of compliance with ICAO SARPs under the SCAA Director's supervision or a person nominated for such purpose within SMG group.

OLF with its multiple tools and features provide opportunities to obtain, analyze and use the data to guide States towards maintaining their Effective Implementation level and compliance with SARPs.

New users are given credentials by the State NCMCs, provided that they are involved in SARPs management activities and shall be supervised by HoCD to manage State's oversight domains.

2.15 CC/EFOD DATABASE

ICAO has developed the EFOD database, launched on 1 April 2011, which provides States with the opportunity to enter data into an online database, prefilled with current Annex provisions.

The database provides the States' personnel with convenient access to a repository where the compliance and existing differences information exist. It also supplements with additional information (e.g. latest ICAO provisions for which a filing of differences is required. Remarks can also constitute helpful records to State's staff in managing compliance with individual SARPs and in passing on knowledge to incoming staff, statistical data that provides the "big picture" overview.

2.16 MEANS OF NOTIFICATION

CC/EFOD is a web-based module that allows States to provide Compliance/Differences information and facilitates the sharing of information with ICAO. Differences to SARPs amendments can be notified through the USOAP CMA (CC/EFOD).

As provided in Article 38 of the Chicago Convention, EFOD information provided to ICAO shall be managed by the SCAA through the OLF. To avoid detailed repetition of previously notified differences their current validity can be stated if they continue to apply.

Note: *More details on usage of CC/EFOD module can be found on USOAP CMA tutorials.*

2.17 TIMELY MANAGEMENT

SL handling may require feedback and coordination with two and more departments and, in some cases with OP/SP. Reference to APPENDIX 1, CD having ultimate decision-making responsibility shall manage to collect required feedback within 30 days. (also see 2.12 Acceptance of Amendment).

Time set in the field "Implement by date" in Q-Pulse represents the deadline to complete all actions associated with SL. Chairman of SMG or assigned personnel shall request on-time performance and on time updates from all involved staff within the SCAA dealing with particular action/stage. The request shall be set in the "Action" area and formulated by action owner before completion. Attachment of relevant evidence files (letters, orders, email correspondence etc.) to particular SL record "Properties" is a must.

It is imperative to fill in the "State Reference" section on OLF/CC-EFOD, providing location of chapter reflecting relevant amendment transposed thereto in the "State Reference" field.

Reference to APPENDIX 1

2.18 REPORTING AND COMMUNICATION

SCAA Director shall be kept informed by SMG Chairman regarding the progress and decision taken in regards to State Letters. In general, the information of progress and final decision shall be done in Q-Pulse and visible to all involved.

2.19 APPROVAL OF AMENDMENTS TO NORMATIVE LEGAL ACTS – LAWS, STATE PROGRAMMES, NATIONAL STRATEGIC PLANS, RULES, REGULATIONS AND TECHNICAL NORMATIVE LEGAL ACTS

According to Article 1.1 of the Statute of the SCAA, the Agency is an executive body performing oversight and regulating the civil aviation field. As a regulatory authority the SCAA participates in developing drafts of normative-legal acts, especially laws and State Programmes, and adopts national strategic plans, regulations and technical normative-legal acts based on article 1.0.22 of the Constitutional Law of the Republic of Azerbaijan on “Normative Legal Acts. Proposals to compose or amend regulatory documentation shall be actioned in Q-Pulse as a “Change Request” and processed in accordance with Quality Standards (see P-QC-001 A/B).

Updated and approved Regulatory documents shall be promulgated through the SCAA official website, being placed in particular folder followed by a notification to concerned OP/SPs within 24 hours through e-mail or Q-Pulse notifications.

Technical Support Group of QC Dept. is in charge to monitor and upload amended or newly developed Regulatory documents on official website.

2.20 REPEAL OF OBSOLETE DOCUMENTS

Documents no longer applicable shall undergo the termination process as per Records Keeping Process P-QC-005. Owning department personnel shall request termination of a document via Q-Pulse “Change Request” and provision of sufficient reason issued by Order signed by the SCAA Director.

Current revisions of amended Technical Requirements/Guidance automatically cancel and prevail previous versions followed by withdrawal of the documentation from the official site and archiving into Q-Pulse “Obsolete” or “Inactive” registries.

2.21 PROPOSAL FOR AMENDMENTS TO THE LEGISLATION

In some cases, when exiting and current law requirements identified to have insufficient legislative power to refer to, then group of experts and legal advisors shall have a meeting to collect and evaluate all comments and prepare a draft of legislation for further submission to higher government entities. The process and entities are outlined in APPENDIX - 3, P-GM-006 Rulemaking Process.

2.21.1 Timeframe

Proposals to amend legislation shall be raised and formulated on SMG meetings and forwarded to higher government institutions require review and discussions with SCAA officials involving Legal Advisor(s).

SMG members shall request a meeting by email.

In general, proposal submission and final amendment to legislation may take up to 24 months until entering into the force as per the State’s legal system. For detailed process see the Constitutional Law of the Republic of Azerbaijan “On Normative Legal Acts” dated December 21, 2010 21-IVKQ.

The process of approval of draft normative legal acts is carried out in accordance with the "Regulations on the procedure for preparation and adoption of normative legal acts of executive authorities" approved by the Decree of the President of the Republic of Azerbaijan No. 483 dated July 27, 2011 and APPENDIX - 3 to this Regulation P-GM-006 Rulemaking Process.

3 SMG GROUP AND FUNCTIONS

SMG functions are to deal with SLs and amendments to ICAO SARPs and coordinate relevant actions internally/externally to identify, whether Azerbaijan SCAA may accept amendment to SARPs, or decides to file differences to ICAO. Results of SL handling process within SMG considered and formulated as the SCAA's official response to ICAO SL.

3.1 COMPOSITION

The SMG is headed by a Chairman, nominated by the SCAA Top Management. The group composition is approved by the SCAA Director's Order.

> ***Note:*** *Other SCAA departments' personnel involved in providing technical assistance and support to oversight functions of SCAA may be requested to participate on SL handling process.*

3.2 COORDINATION OF ICAO SL (AMENDMENTS TO ICAO SARPS)

To avoid time consuming meetings, the process to review and formulate SCAA responses to ICAO SL had been transferred to Q-Pulse. SMG meetings however, may be organized in some special cases, when decisions require extensive discussions and feedback from more than one department/group.

SMG Chairman or assigned person shall coordinate SMG meetings via email having preliminary information passed such as, SL itself, meeting agenda and/or additional information.

Calling for SMG meeting can be additionally scheduled, if requested by HoCD. This may be initiated when feedback received from OP/SPs determines the need for consultation within SMG for final decision and may involve other field experts.

All SMG activities associated with SL are notified to NCMCs via Q-Pulse before official response issued to ICAO. In cases when modification on OLF sections required by domain, nominated personnel shall notify NCMCs via email on changes made. For details refer to PC-QC-011 OLF Management Procedure.

3.3 NOTIFICATION ON AMENDMENTS TO TECHNICAL REQUIREMENTS/GUIDANCE

Publication of amended or newly developed Technical Requirements are posted in relevant sections on SCAA's official website (www.caa.gov.az) and initiated by TSQ personnel.

Notifications to OP/SP nominated personnel shall be managed by e-mails. Email forwarded to OP/SPs nominees shall be sent with "received" functions in Outlook.

Head of QC is responsible to delegate functions to TSQ personnel to place/replace files on the SCAA official website and notify OP/SPs.

3.4 PROTOCOLS AND MEETING MINUTES

Each SMG meeting shall be properly recorded in Minutes of Meeting, further (MM) by Technical Support Department personnel, who shall be responsible to draft, receive and process comments and distribute final version of protocol to all involved participants.

MMs are the official SCAA records, which shall be registered in the form F-QC-008 and approved. A soft copy of signed final version of protocol shall be uploaded to relevant section "Documents" module in Q-Pulse in "Active" registry.

Monitoring of action completion and deadlines relevant to MM shall be handled by QC Department. When all delegated tasks are completed MM shall be archived.

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4 SARPS COMPLIANCE & NOTIFICATION OF DIFFERENCES

4.1 GENERAL

The SCAA performs the State's certain certification, regulative and oversight functions within the civil aviation sector in Azerbaijan.

The SCAA shall provide thorough control of administrative transposition arrangements of ICAO SARPs into the Technical Requirements/Guidance.

Maintenance of overall compliance with relevant SARPs and notification of differences shall be managed by HoCD in their relevant domain. HoCDs are required to ensure that all documentation relevant to their oversight domain is consistent with the relevant ICAO SARPs and the latest amendments to them.

Compliance status shall be randomly checked by Quality checks or planned audits.

4.2 USE OF LANGUAGES

Differences in CC/EFOD module on OLF CMA shall be filed in English language.

Responses to SL on hard copies shall be filed in English or Russian language.

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5 FILING OF DIFFERENCES

5.1 PURPOSE

This Chapter provides the process for identification of and filing differences to ICAO SARPs.

Notification of differences to ICAO can be accomplished by two ways:

- Filing in relevant attachments to SL manually, scanning them and submission as PDF copy by email to ICAO;
- Using USOAP CMA relevant modules and fields.

ICAO strongly recommends to use OLF in particular, CC/EFOD module for the fast information processing. As outlined in the Article 38 to Chicago Convention:

..."Any State which finds it impracticable to comply in all respects with any such international standard or procedure, or to bring its own regulations or practices into full accord with any international standard or procedure after amendment of the latter, or which deems it necessary to adopt regulations or practices differing in any particular respect from those established by an international standard, shall give immediate notification to the International Civil Aviation Organization of the differences between its own practice and that established by the international standard. In the case of amendments to international standards, any State which does not make the appropriate amendments to its own regulations or practices shall give notice to the Council within sixty days of the adoption of the amendment to the international standard, or indicate the action which it proposes to take."

SMG Chairman or nominated personnel in coordination with NCMCs shall manage to monitor overall status of SARPs by EFOD overall statistics, monthly generated and submitted to all relevant domains.

5.2 IDENTIFICATION OF DIFFERENCES

If a significant safety impact believed to be raised from differences between Technical Requirements/Guidance and SARPs, relevant CDs shall initiate publications of such differences in AIP. Additionally see 6.4 Significant Difference.

HoCD shall delegate to department personnel formulating the request and handling paperwork to communicate decision to management for their agreement and then to submit as an official request to entity revising AIP. Differences identified by any oversight department apart from SL handling process shall also be brought to SMG Chairman's attention.

AIP updates and publications are notified to the SCAA by official letter from relevant entity exercising AIP updates and publication.

Heads of Departments/Divisions within the SCAA, whose functions are connected with SARPs and amendments thereto and who shall be familiar with SARPs management and with the procedure shall submit requests for amendments in AIP.

5.3 WHEN TO NOTIFY DIFFERENCES

ICAO informs States and international organizations, by the SLs or EBs published on ICAO-NET secure portal, when State's actions required on adoption of the amendment to SARPs and requests States for certain actions.

IRD section personnel have subscription to new releases of SL and EB and initiates upload of new SL/EB into Q-Pulse relevant section for review and information collection from field experts.

The amendment to SARPs become effective when majority of the Contracting States have not registered their disagreement with the Council before the given date, which is the effective date of the amendment.

The mechanism implements Article 90 of the Chicago Convention, which gives all Contracting States the possibility, for three months, to disapprove any part of an amendment adopted by the ICAO Council. This mechanism is distinct from the consultation of States on proposals for amendments, and the notification of differences.

Amendments, become effective, will become applicable on dates set by ICAO Council by which States are expected to comply with and implement the amendment, when applicable.

As it should be exceptional that a majority of States notify disapproval to Annexes amendments adopted by the ICAO Council, States may wish to take advantage of the whole period, from the adoption of the amendment by the ICAO Council to the applicability date of the amendment, to prepare for implementation of the amendment, and/or notification of differences.

Note: *APPENDIX 1 contains the table of Annexes and relevant departments responsible for management of their compliance level with SARPs and amendments to them within SCAA.*

SCAA is obligatory to give immediate notification to ICAO when new amendment become effective and appeared in EFOD section. Amendment transposed to Technical Requirements but with differences with SARPs shall also be notified.

In cases when decision is to file EFOD, OLF CC/EFOD module serves for such a purpose. The attention shall be paid to the areas within specific Annex, in regards to;

- Reference to exact paragraph the difference will exist on;
- Clear and concise description of difference;
- Indication of the reason of difference;
- Date by which State will comply with SARPs provision and amendments to it.

Note: *Although, only differences with Annexes but not Recommended Practices are notifiable under Article 38 of the Convention, the Assembly has urged States to extend the above considerations to the references to Recommended Practices contained in Annexes as well.*

5.4 PUBLICATION IN AIP

Amendments to SARPs/PANs/SUPPs which are accepted and further to be transposed into Technical Requirements/Guidance with significant differences shall be published in AIP. AIP is being updated by technical experts from ANSP, who has relevant authorities delegated to them by SCAA. Significant Differences are formulated by SCAA official letter to ANSP prepared by CD.

Generally, the CD personnel and then HoCD review a new ICAO provision and evaluate the possibility to accept it. Acceptance of ICAO provision to SARPs/PANs/SUPPs having the Significant Difference between them and National Technical Requirements/Guidance shall be formulated by CD personnel on internal informative letter prepared with references to ICAO State Letters and submitted to management for review and approval.

Official request to publish Significant Differences in AIP shall be approved and submitted by SCAA to ANSP accompanied by official letter and relevant files.

Note: *The general requirements on notification and publication of differences are provided in the İCAO (Doc 10055) "Manual on Notification and Publication of differences".*

Note: *The general and procedural requirements on notification and publication of differences are provided in the "Azerbaijan Aviation Rules - Aeronautical Information Services" confirmed by the General Director of SCAA.*

6 CLASSIFICATION OF DIFFERENCES

As notification of differences may correspond to different scenarios, the following categories of differences are provided as guidance to determine whether a notifiable difference exists.

Notification of differences shall be filed to ICAO, if SARPs adopted by States transposed new provision into domain relevant Technical Requirements/Guidance s Ch. 6.1- 6.4.

Even all new SARPs provisions are transposed and adopted, EFOD section shall be filled to avoid appearance of status as “No information provided” or “Insufficient information provided” signed in EFOD columns.

6.1 MORE EXACTING OR EXCEEDS SARPS

State’s Technical Requirements/Guidance is more exacting or exceeds SARPs provisions. This category is being applied when the Technical Requirements/Guidance and practices are more demanding than the corresponding SARP, or impose an obligation within the scope of particular Annex, which is not covered by a SARP. This is of particular importance where a Contracting State requires a higher standard, which affects the operation of aircraft of other Contracting States in and above its territory.

6.2 DIFFERENT IN CHARACTER OR OTHER MEANS OF COMPLIANCE

State’s Technical Requirements/Guidance is different in character or other means of compliance. This category applies when Technical Requirements/Guidance s and practices are different in character from the corresponding SARP, or when the Technical Requirements/Guidance and practices differ in principle, type or system from the corresponding SARP, without necessarily imposing an additional obligation. The expression “different in character or other means of compliance” would be applied to Technical Requirements/Guidance and practice which achieves, by other means, the same objective as that of the corresponding ICAO SARPs and so cannot be classified under 6.1 or 6.2.

6.3 LESS PROTECTIVE, PARTIALLY IMPLEMENTED, NOT IMPLEMENTED

State’s Technical Requirements/Guidance is less protective or partially implemented/not implemented. This category applies when Technical Requirements/Guidance and practices are less protective than the corresponding SARP; when no Technical Requirements/Guidance has been promulgated to address the corresponding SARP, in completely or in part; or when the Contracting State has failed to bring its practices into full accord with the corresponding SARP.

6.4 SIGNIFICANT DIFFERENCE / NOT APPLICABLE (N/A)

If the national legislation’s requirement is different from the corresponding SARP (when the national regulation and practices differ in principle, type, or system from the corresponding SARP), the States shall notify the ICAO. Moreover, if the national legislation’s requirement is less protective than the corresponding SARP (no national normative legal act has been adopted under the corresponding SARP), or when the Contracting State has not brought its practices into full accord with the corresponding SARP. The abovementioned situations are the significant features that obliged the Member States with the duty of notification. The Member States are free from the duty of notification about the differences between SARPs and national legislation.

If the new SARP does not apply to the existing aviation activities of the State “Any deviation from provisions that need to be taken into account in aircraft operations should constitute a “significant difference” and published in the AIP”, which is a publication of a State containing aeronautical information about the lasting character of air navigation (ICAO - Doc 8126/AN872).

With reference to table in APPENDIX 1, when ICAO SARPs, PANs, SUPPs containing a keyword “SHALL” are disagreed to be transposed into national legislation – in the form of laws, the president decrees, the orders of the Cabinet of Ministries and the regulations confirmed by the

State Civil Aviation Agency and, such decision shall remain under responsibility of HoCD and:

a) stated clearly and concisely in “Details of Difference” in EFOD module, when they become applicable;

b) include the reason and planned conformity date with such ICAO provision in “Remarks” field, and;

c) be published in AIP (see 5.4 Publication in AIP).

With reference to table in APPENDIX 1, when HoCD or deputizing person makes his ultimate decision for the statement, that provisions of SARPs, PANs, SUPPs are “Not Applicable (N/A)” for State, such decision shall remain under responsibility of HoCD and:

a) filled in clearly and concisely in “Details of Difference” in EFOD module, when they become applicable;

b) include the reason and planned conformity date with such ICAO provision in “Remarks” field, and;

c) be published in AIP (see 5.4 Publication in AIP).

Notification about differences between the SARPs and national legislation should contain not only the latest amendment to the Annexes but also the whole Annex, including its amendment. In other words, “the Contracting States that have already notified differences are requested to provide regular updates of the differences previously notified until the difference no longer exists (Manual on Notification and Publication of Differences Doc 10055 AN/518).2

[2] International Civil Aviation Organization. Manual on Notification and Publication of Differences Doc 10055 AN/518. First edition - 2018 ISBN {TBD}.

APPENDIX - 1. ICAO SL Distribution by Domain

Annex	Subject	*Managing domain - SCAA
1	Personnel Licensing	PEL
2	Rules of the Air	ANS, OPS
3	Meteorological Service for International Air Navigation	ANS
4	Aeronautical Charts	ANS
5	Units of Measurement to be used in Air and Ground Operations	ANS, AGA, AIR, OPS
6	Operations of Aircraft Part I — International Commercial Air Transport — Aeroplanes Part III — International Operations — Helicopters	OPS/AIR
7	Aircraft Nationality and Registration Marks	CERT/REG
8	Airworthiness of Aircraft	AIR
9	Facilitation	IRD, AvSEC
10	Aeronautical Telecommunications (Volumes: I-V)	ANS
11	Air Traffic Services	ANS
12	Search and Rescue	SAR, ANS
13	Aircraft Accident and Incident Investigation	AIG
14	Aerodromes Volume I – Design and Operations Volume II – Heliports	AGA, OPS, ANS
15	Aeronautical Information Services	ANS
16	Environment Protection • Volume I - Aircraft Noise -- • Volume II - Aircraft Engine Emissions • Volume III - CO2 Certification Requirement	AIR
	• Volume IV - CARBON OFFSETTING AND REDUCTION SCHEME FOR INTERNATIONAL AVIATION (CORSIA)	AGA
17	**Aviation Security	AvSEC
18	Safe Transportation of Dangerous Goods by Air	OPS
19	Safety Management System	ALL

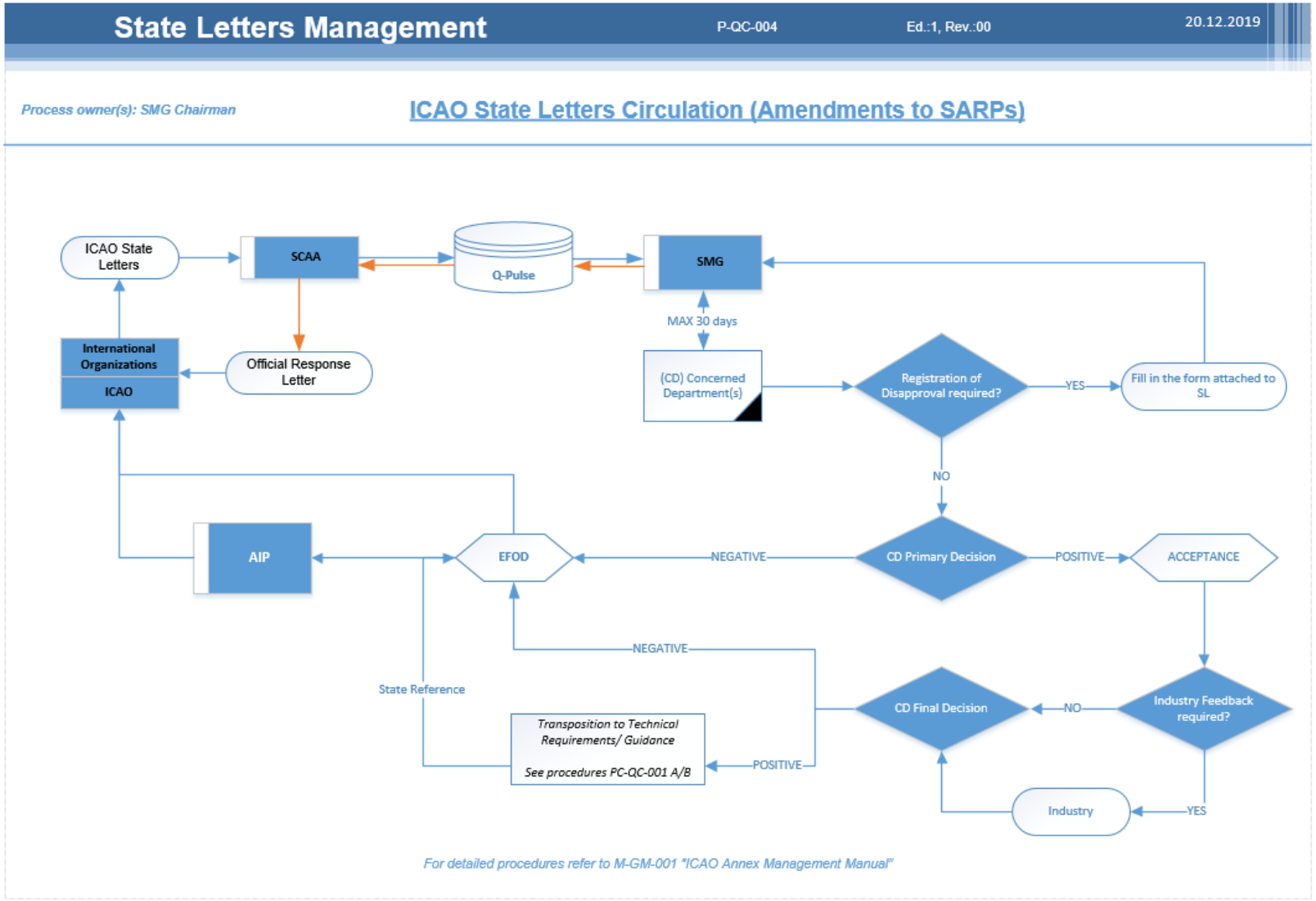
***DISCLAIMER:** *Decision to transpose amendments to SARPs, SUPPs, PANs into Technical Guidance/ Requirements are duly on HoCD according to the table above. HoCD or deputizing person defined first in the column "Managing domain- SCAA" shall be considered as a decision maker, whose decision prevail and is ultimate, in cases when other SMG group experts oppose the acceptance of amendment. For internal process see APPENDIX 2.*

****DISCLAIMER:** *Annex 17 – Aviation Security is a RESTRICTED document. The access to Annex 17 as well as amendment thereto shall be received, handled and protected by AvSec Department of the SCAA. Head of Department is responsible for receiving all information relevant to respective domain from ICAO confidential resources and the subject Annex as*

amendments thereof are not exposed to integrated systems or processed through SMG due to avoidance of sensitive information disclosure.

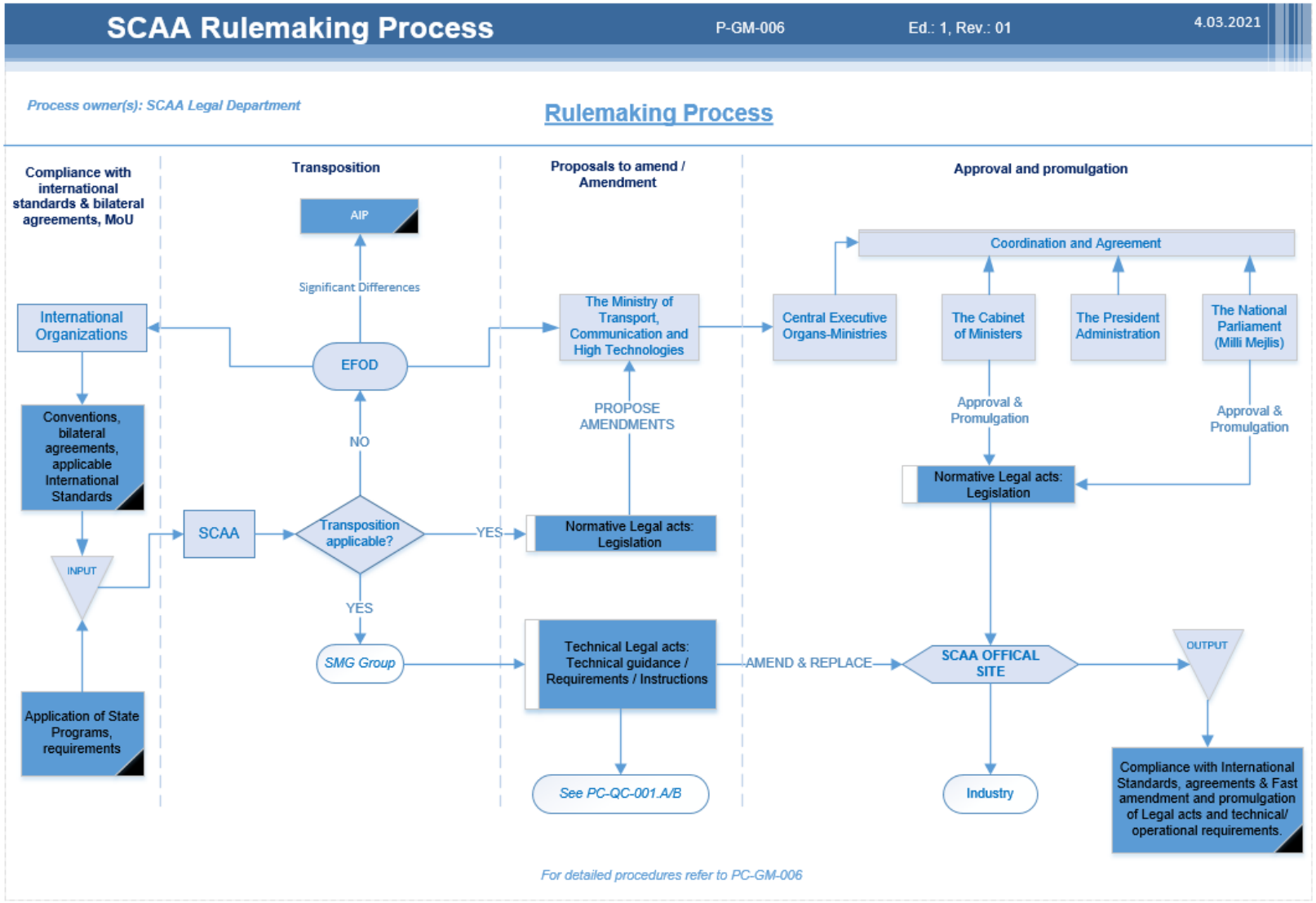
******DISCLAIMER:** HoCD shall be responsible for tracking the applicability dates of those amendments to SARPs, PANs, SUPPs and maintain provision of information in section "State Reference" on OLF EFOD module. Reminders on dates (30 days before applicability) to be set in Q-Pulse by HoCD and monitored by QC. Responsibilities defined as in DISCLAIMER**

APPENDIX - 2. ICAO State Letters Management Process (P-QC-004)



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APPENDIX - 3. SCAA Rulemaking Process



As per letters received from the International Civil Aviation Organization, amendments to the Standards and Recommended Practices are reviewed by the SMG of the Agency. Opinions on SARPs are collected from each relevant department and division. The legal adviser gives their legal opinion on whether there is any conflict between the national legislation of the Republic of Azerbaijan and the proposed amendments to SARPs. If there is any contradiction within the proposed amendments to SARPs and the national normative legal acts, or if the proposed amendments to the SARPs are not implementable in the civil aviation field of Azerbaijan the legal advisor's final opinion will be recorded in Q-Pulse data base. According to these data the differences are recorded in the EFOD by the relevant authorities. If the proposed amendment to the SARPs is not regulated by the national legislation, the opinion based on this argument will be positive and recorded in Q-Pulse data base.

To ensure the transposition of SARPs into the national legislation, a draft of the relevant normative legal act is prepared by the SCAA legal advisor in consultation with concerned legal experts based on new standard and recommended practices with due regard being taken to international and national legislation. The draft of the normative legal act shall be sent by an official letter to other central executive authorities for approval in accordance with the Constitutional Law of the Republic of Azerbaijan "On normative legal acts" dated December 21, 2010 21-IVKQ

The process of promulgation of draft normative legal acts is carried out in accordance with the "Regulations on the procedure for preparation and promulgation of normative legal acts of executive authorities" approved by the Decree of the President of the Republic of Azerbaijan No. 483 dated July 27, 2011.