

.....الرقم
.....
.....التاريخ
.....
.....المرفقات
.....



GACA Regulatory Exemption

4-2020-02

This GACA Regulatory Exemption
has been superseded by
GACA Regulatory Exemption

4-2020-02A

General Regulatory Exemption

In response to the exceptional circumstances caused by the Covid-19 outbreak and its impact on the certificates, training, and qualifications of aviation personnel employed by Saudi Arabian air traffic and aeronautical telecommunication services providers, the General Authority of Civil Aviation (GACA), based on Article-16-(17) of the Saudi Arabian Civil Aviation Law (Royal Decree No. M/44), GACA board of directors (Order No .T-41, dated 30/12/1429H – 28/12/2008G), GACAR (§11.5.c), GACAR (§11.7), and after considering the assessment report received from the Assistant President of Aviation Standards (Ref: ANSC-02 -COVID-19 Dated on 9 April 2020) the President of GACA is, hereby, granting this exemption to provide specific reliefs to GACAR Parts 64, 67, 171 and 173 ATC license holders and aeronautical telecommunication technicians from certain requirements pertaining to training, proficiency checks, ATS unit endorsements, and qualification requirements during the pandemic phase of COVID-19. The exemption provides means to support the implementation of preventative measures, reduce the spread of COVID-19, and protect the public health and safety of aeronautical telecommunication technicians and ATC operational Staff.

1. Applicability:

This exemption is applicable to:

- GACA certificated air traffic service providers regulated under GACAR Part-171.
- GACA certificated aeronautical telecommunication service providers regulated under GACAR Part-173.
- GACA certificated personnel under GACAR Part-64.
- Aeronautical telecommunication technicians certificated by the aeronautical telecommunication service providers under GACAR Part-173 Subpart-B.

2. Date of Exemption:

This exemption is granted with an effectivity date starting April 10th 2020.

الغاية

3. Purpose:

This exemption provides timely reliefs for personnel currently employed by GACA certificated air traffic service and aeronautical telecommunication service providers as follows:

- GACA certificated student air traffic controllers, air traffic controllers, air traffic control instructors, and air traffic control examiners, from the regulatory requirements for validity of ATC certificates, Medical certificates, ELP certificates, ATC unit endorsements, refresher trainings, and annual proficiency checks.
- Aeronautical telecommunication technicians certificated by the aeronautical telecommunication service provider from competence assessments and annual recurrent training as indicated in paragraph (4) subject to the conditions in paragraph (5).

4. Requirements on validity of licenses, endorsements and certificates issued in accordance with GACAR Parts 64, 67 and 171, and aeronautical telecommunications personnel competence assessments and recurrent training program conducted in accordance with GACAR Part 173 Subpart B:

Subject to the conditions in paragraph 5, all GACA certificated student air traffic controllers, air traffic controllers, air traffic control instructors, and air traffic control examiners are exempted from the standard duration and validity periods of ATS Unit training, proficiency checks and the following certificates and endorsements expiring before July 10th 2020, which will be extended to the end of the validity period of this exemption as follows:

- Valid ATCO Class 3 medical certificates as per GACAR Part 64 (§64.2 and §64.35), and GACAR Part 67 (§67.3), and GACAR Part 171 (§171.61).
- ATCO unit endorsements as per GACAR Part 64 (§64.3).
- ATCO currency and proficiency checks as per GACAR Part 64 (§64.87) and GACAR Part 171 (§171.79).
- ATCO language proficiency endorsements as per GACAR Part 64 (§64.3 and §64.35).
- Air Traffic Control Instructor authorization/endorsement as per GACAR Part 64 (§64.105) and GACAR Part 171 (§171.63).
- Recency of practical Experience for ATC rating as per GACAR Part 64 (§64.79).
- Starting of Unit training plan for Student controllers as per GACAR Part 171 (§171.63).
- Unit recurrent (refresher) training for all ATCOs as per GACAR 171 (§171.72).
- Check Controllers proficiency checks as per GACAR Part 171 (§171.83).

Subject to the conditions in paragraph 5, all aeronautical telecommunications (CNS/ATM) technicians certificated by the aeronautical telecommunication service provider under GACAR Part-173, are exempted from the standard validity periods of competence assessments and recurrent training programs conducted in accordance with GACAR Part 173 and expiring before July 15th 2020, which will be extended to the end of the validity period of this exemption. The exemption covers the following requirements:

- Competence assessments as per GACAR Part 173 (§173.33 (b) (1)); and
- Annual recurrent training program as per GACAR Part 173 (§173.33 (d)).

5. Conditions:

For this exemption, the following conditions will apply:

- ATCO Class 3 medical certificate holders who are under additional medical surveillance by their aviation medical examiner (AME) must continue to comply with the specified requirements imposed by their AMEs. Failure to do so will invalidate their medical certificate and the applicability of this exemption. If difficulties arise in complying with the specified requirements by the AME, the certificate holder must contact their AME, or GACA Licensing Department.

- b) SANS, as a GACA ATS certificate holder under Part-171, must retain the expired ATCO Class 3 medical certificate and a copy of this exemption document in the personal file of each concerned ATCO.
- c) For recurrent training, SANS-ATEL must ensure that potential unavailability of classroom or training facilities are mitigated by other means, e.g. computer-based training, online briefing, use of video conference and the rescheduling of refresher training.
- d) For student ATCOs, practical training must resume with the precautionary measures of social distancing when the traffic resumes and reaches normal levels.
- e) SANS must ensure that on-call duty for ATCOs and technicians are organized in a way that designated staff can join the ATC or maintenance facility and sites within a maximum time of 60 minutes.
- f) SANS must ensure that all safety requirements identified under the Safety Risk Assessment are implemented as required and evidences are provided.
- g) SANS must ensure that a COVID-19 Recovery plan is established and checked properly.
- h) SANS must ensure all license endorsements and certificates are immediately renewed pursuant to applicable requirements after the COVID-19 pandemic while considering any precautionary measures issued by Saudi Ministry of Health.
- i) SANS must provide GACA with a monthly report showing the status of working hours, regular briefings, affected personnel and on-line training courses for all ATCOs assigned at each ATS Unit.
- j) SANS must issue NOTAMs if any changes occur to operational working arrangements and hours. A NOTAM must be published for each ATS Unit.
- k) SANS-ATEL must ensure that CNS/ATM site shelters are systematically cleaned and disinfected after any access.

6. Supporting information & Documentation:

الرجاء
Saudi Air Navigation Services (SANS) which is the main Air Traffic Service provider (ATS) and Aeronautical telecommunications service provider (ATEL) managing all civil ATS and CNS/ATM facilities, deployed several measures to protect all operational and technical staff from infection by COVID-19. The measures are based on preventive instructions issued by Saudi Ministry of Health and include:

- (a) Implementation of rostering arrangements to reduce the number of ATCOs and technicians at all ATC centers, towers maintenance facilities. This measure aims to keep social distancing between staff at operational and technical rooms.
- (b) Review of operating and maintenance instructions to limit the preventive maintenance of CNS/ATM systems to critical activities.
- (c) Reduction of technicians' working hours and adoption of on-call duty scheme.
- (d) Development of operational scheme for the provision of ACC, APP, TWR and AFIS services that include combination of ATC operational sectors, reduction of operational working hours and adoption of on-call duty for AFIS services.
- (e) Implementation of systematic screening of Staff temperatures prior to any access to ATS and CNS facilities.
- (f) Systematic cleaning and disinfection of ATC working positions, maintenance rooms, and equipment rooms prior to handover between shifts.

- (g) Issuing of a circular to mandate "Stay at home" for all operational and technical Staff if they have developed any COVID-19 symptoms.
- (h) Development of safety risk assessments for the implementation of new working arrangements and hours by ATS Units or maintenance sectors.
- (i) Setting of technical and operational oversight committees to monitor daily situation.
- (j) Suspension of all on-going and planned CNS/ATM projects to ensure social distancing and avoid spread of COVID-19 between technicians and engineers.

This exemption is also supported by:

- (a) ANC study report on the impact of COVID-19 on ANS Services.(Ref: ANSC-01 -COVID-19 Date April 9th 2020) .
- (b) A Regulatory Exemption Assessment Report (Ref: ANSC-02 -COVID-19 Dated April 9th 2020)
- (c) A Safety Risk Assessment developed by SANS, which identifies the main hazards and mitigations associated with the validity of licenses, endorsements, and certificates, in addition to competence assessment and recurrent training of aeronautical telecommunication (CNS/ATM) technicians.
- (d) Adoption of safety requirements to mitigate the risks of:
 - i) Loss of skills and qualifications during the pandemic phase of COVID-19.
 - ii) Irregular means and methods to keep the ATCOs aware of changes.
 - iii) Irregular combination of ATC.
 - iv) Lasting service outage and non-compliance with pre-defined Mean Time To Repair (MTTR) values.
- (e) A table showing temporary working arrangements for ATC operational sectors at Jeddah and Riyadh Area Control Centers, working hours at ATC towers and on-call duty at AFIS facilities.
- (f) A table showing the due dates of technicians' competence assessments with rescheduling of dates.

السلي

7. Validity & Duration

This exemption will have an immediate effect upon its release and promulgation and will expire on 10th of July 2020 unless previously ~~extended~~ or revoked.



Abdelhadi Al-Mansouri
President of General Authority of Civil Aviation
Kingdom of Saudi Arabia

GACA – Air Navigation Committee established in 26th Mar 2020
Ref: ANSC-02 -COVID-19 Date: 9 April 2020

Regulatory Assessment Report

Background:

As a natural extension to the GACA's emergency response team handling the COVID-19 crisis, an Air navigation committee was established on March 26th 2020. The committee was chaired by GACA Airspace Standards Director with members from concerned GACA Aviation Standards departments and Saudi Air Navigation Services (the only certificated air navigation service provider under GACAR Parts 170 series).

The committee's primary task was to conduct continuous assessments of the impact of the COVID-19 pandemic on the safety of Air Navigation Services. The activities started with an analysis and risk assessment covering CNS, ATM and AIM services with identification of potential hazards, their consequences, and appropriate mitigation measures. In addition, the committee will be continuously monitoring all actions and activities conducted by ICAO and specialized organizations such as EASA and CANSO, and the evolvement of precautionary measures taken by Government entities (MOI, MOH..etc.) against the spread of COVID-19.

Expectedly, one of the main hazards impacting the provision of Air Navigation Services due to the COVID-19 crisis, is the unavailability of conditions and facilities to maintain aeronautical telecommunication certificated technicians and license's currency of ATC Certificated Staff which requires established recency of working experience reflected as minimum working operational hours, and periodic assuring actions such as proficiency checks, medical examinations, recurrent training, and English Language Proficiency (ELP) evaluations. These conditions and requirements are covered under ICAO SARPs and reflected in GACA operating regulations associated with the provisions of Air Navigation Services.

The Committee has been thoroughly analyzing the pertinent ICAO activities, guidance and recommendations to reduce the impact of COVID-19 on different aviation area (AW, AD, OPS, ANS..etc.). The ANS related ICAO State letters and COVID-19 material is made available on ICAO public website which includes COVID-19 OPS measures for ANS under the following link:

<https://www.icao.int/safety/COVID-19OPS/Pages/ansps.aspx>

Excerpt: on 16th April 2020



The Committee carefully examined ICAO State letter “AN 11/55-20/50, dated April 3rd, 2020” associated with filling of difference and NOTAM text issued by the contracting states on flight restrictions without considering operational aspects to ensure safe aircraft operations during the pandemic phase. ICAO invited the contracting States to exempt aircraft in state of emergency from any restrictions for landing.

GACA – Air Navigation Committee established in 26th Mar 2020
Ref: ANSC-02 -COVID-19 Date: 9 April 2020

pandemic phase. ICAO invited the contracting States to exempt aircraft in state of emergency from any restrictions for landing.

During the assessment of the impact of the COVID-19 pandemic on Air Navigation Services, the Committee considered the following areas and factors:

- A. The committee acknowledges and foresees the economic and regulatory impacts on the air navigation industry due to COVID-19 outbreak.
- B. The probability of infections and spread of COVID-19 between operational and technical staff during their duty at the working environment (ATC Centers, Towers, CNS technical rooms and sites).
- C. Reduction in the competence of operational and technical staff during reduced workload periods, limited working hours, or on-call duty.
- D. Loss of skills and qualifications during the COVID-19 pandemic.
- E. Inadequate means and methods to keep the ATCOs and CNS technicians aware of technical and operational changes.
- F. Inappropriate combination of ATC Sectors and ATC operational positions.
- G. Lasting of service outage and non-compliance with pre-defined Mean Time To Repair (MTTR) values.
- H. Continuity of flight inspection activities for critical navigational aids i.e. ILS.
- I. Continuity of CNS/ATM preventive maintenance.
- J. Update of KSA AIP.
- K. Impact on the deployment of Global Air Navigation Plan (GANP) ASBU block 0 & 1 components due to suspension and expected significant delays in the implementation of CNS projects.
- L. Impact on student air traffic controllers, Air traffic controllers, air traffic controller instructors and ATC examiners licenses currency, validity periods of ATS unit training, proficiency checks, ATS unit endorsements and qualification requirements.
- M. Impact on all Aeronautical Telecommunication (CNS/ATM) technicians' currency.
- N. Expected difficulties during the recovery phase in ANS activities after resume of air traffic.
- O. Impact on the capabilities of SANS Staff to maintain the validity and the currency of their unit endorsement and licenses due to being unable to attend regular classroom training sessions, proficiency checks, or recurrent training including simulator training/checks mainly due to the compliance with precautionary measures and rules for health protection such a social distancing

Recommendations:

In view of the committee's assessment of the impact of the COVID-19 pandemic on air navigation services safety and, in particular, unavailability or invalidity of aeronautical telecommunication certificated technicians and ATC personnel licenses due to their inabilities to maintain license's currency which requires minimum operational working hours, periodic assuring actions such as proficiency check, medical check, recurrent training, and English Proficiency Test (ELP), the Committee drafted a General Regulatory Exemption for the consideration and approval by the President.

This exemption is "general" since the petition has actually emanated as an emergency response activity initiated by ANS committee to mitigate the risks of the COVID-19 pandemic.

GACA – Air Navigation Committee established in 26th Mar 2020
Ref: ANSC-02 -COVID-19 Date: 9 April 2020

The general regulatory exemption provides specific and monitored timely reliefs for ATC certificated personnel requirements under GACAR Part 64, 67, 171 and CNS/ATM qualified technicians regulated under GACAR Part 173 Subpart B.

Risk Assessment & Mitigations:

The aviation safety risk assessments for the regulatory exemption has been identified, analyzed, and assessed by the committee that resulted in devising appropriate risk mitigation measures being stipulated in the exemption itself. The Committee will perform regular follow-ups to reevaluate the relief provided by the exemption as a part of the mitigation measures.

International Implications:

Upon granting the exemption by the President, the Committee will immediately take the required measures for issuing the appropriate Aeronautical Information Circular and filing temporary differences to the ICAO as required using COVID-19 Contingency-Related Differences (CCRDs) sub-system accessible through the Electronic Filing of Differences (EFOD) dashboard.

Air Navigation Committee Members:

Name	Email	Position
ABDULLAH M. ALBATHI	abalbathi@gaca.gov.sa	Acting GM, Airspace standards
RIDAH S. DRIDI	rdridi@gaca.gov.sa	GACA - ICAO Expert
IBRAHIM B. ALJABRI	ialjabri@gaca.gov.sa	GACA Expert
ANAS I. FALLATAH	aifallatah@gaca.gov.sa	GACA – Flight Procedures Manager
SHEHABALDEEN A. MOHEALDEEN	smohealdeen@gaca.gov.sa	GACA – SMS Specialist
SALEH A. AL-ZAHRANI	salzahrani@sans.com.sa	SANS- ATM General Manager
MAZEN M T AL-SHEHRI	mshehri@sans.com.sa	SANS- AIM Manager
ABDULLAH I. AL-GHAMDI	aibalghamdi@sans.com.sa	SANS- SMS Manager
OSAMA M A AL-BALBISI	obalbisi@sans.com.sa	SANS- Maintenance Planning Supervisor
EYAD F. KINTAB	ekintab@sans.com.sa	SANS –System PMO Supervisor
ALI M D ALSHEHRI	alimalshehri@sans.com.sa	Riyadh ATSU Manager
BANDER S. ALSHAMMARI	bshammari@sans.com.sa	Jeddah ATSU Manager
MOHAMMED T A ORGANJI	morganji@sans.com.sa	SANS – Executive Director of engineering services

Chairperson, Air Navigation Committee
Abdullah Mohammed Al-bathi
Acting, GM of Airspace Standards
General Authority of Civil Aviation