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CABY

12-2016

**CIVIL
AVIATION
BYE-LAW**

REQUIREMENTS FOR AIR NAVIGATION SERVICES SAFETY RELATED CHANGES NOTIFICATION

Document No.: CABY 12/2016
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PREAMBLE: These Bye-Laws are made by the Civil Aviation Authority of Botswana with the approval of the Minister of Transport and Communications under Section 8 (2) of the Civil Aviation Act, 2011.

CITATION: These Bye Laws may be cited as the Civil Aviation Authority of Botswana (Requirements for Air Navigation Services Safety Related Changes Notification) Bye Laws.

1. PURPOSE

The purpose of this Civil Aviation Bye-Law (CABY) is to clarify the requirements in respect for notifying the Aviation Standards and Safety Oversight (ASSO) Section of the Civil Aviation Authority of Botswana (CAAB) of any planned safety related changes by the Air Navigation Service Providers (ANSPs). The requirements relate to changes in Air Navigation Services facilities, procedures, equipment or services.

2. APPLICABILITY

This Bye-Law shall apply to all the Air Navigation Service Providers in the provision of Air Traffic Services, Search and Rescue, Communications, Navigation and Surveillance, Aeronautical Information Services, Aeronautical Meteorology, Aeronautical Charts and Procedure for Air Navigation Services – Operations (PANS-OPS) in Botswana.

3. EFFECTIVITY

This Civil Aviation Bye-Law (12-2018) shall become effective immediately.

4. REFERENCES

- Civil Aviation (Air Operator Certification & Administration) Regulations, Regulations 18 (1) (i) and 19.

5. REQUIREMENTS

5.1 Air Navigation Service Providers shall notify ASSO of all planned significant safety related changes at least thirty (30) days prior to the planned introduction date of the change and in case of changes planned to be implemented in line with AIRAC system, notification shall be at least thirty (30) days prior to the publication date. These include planned changes to ATC and engineering procedures, equipment, the Safety Management System (SMS), Quality Management Systems and the associated documentation. The notification shall be accompanied by the safety assurance documentation. The Air Navigation Service Provider remains responsible for the completion of any necessary safety risk assessment, for the mitigation of any identified hazards and for ensuring that acceptable level of safety are met.

5.2 Significant safety related changes shall only be implemented after a safety risk assessment has demonstrated that an acceptable level of safety shall be maintained.

5.3 Once a safety risk assessment is completed, it shall be signed off by the responsible manager to indicate that he/she is satisfied that the safety risk assessment has been properly performed, and that the level of risk is indeed acceptable. The safety risk assessment shall then be accepted by ASSO, using steps as outlined in 5.5.

5.4 When to conduct a safety risk assessment and mitigation

5.4.1 It is not possible to produce an exhaustive list detailing every circumstance requiring a Safety risk assessment, the following are some of the typical examples of significant safety related changes that would require a notification and safety risk assessment:-

- (a) A reduced separation minimum to be applied within airspace or at an aerodrome;
- (b) A new operating procedure, including departure and arrival procedures to be applied within airspace or at an aerodrome;
- (c) A re-organization of the ATS route structure;
- (d) A re-sectorization of airspace;
- (e) Physical changes to the layout of runways and/or taxiways at an aerodrome; and
- (f) Installation of new, or changes to communications, navigations, surveillance or other safety-significant systems and equipment, including those providing new functionality and/or capabilities.

5.5 When notified of a safety related change, ASSO shall take either one of the following actions:

- (a) A simple acknowledgement of the receipt of the notification – the proposed change may be implemented without further reference to ASSO. Elect to audit the change without requiring further authorisation to implement the change – the proposed change may be implemented without further reference to ASSO, although additional information may be requested in order to complete the audit;
- (b) Elect to audit the change and require that it is not implemented until the audit is satisfactorily completed – this option shall only be applied if the proposed change is substantial or of particular sensitivity; and



- (c) Direct that the change not be implemented – this option is only likely if the proposed change contravenes the national legislation or the ICAO SARPs.

NOTE: In order to ensure the continued safety of operations, certain changes, particularly those associated with ATC procedures, normally documented in the Station Standing Instructions, may have to be introduced at short notice and therefore impede the notification and submission of the necessary documentation to ASSO before implementation. In such cases, the notification and relevant documentation shall be submitted as soon as practicable.

6. GUIDANCE

The provisions of this Bye-Law shall be read together with the provisions of the Civil Aviation (Air Operator Certification & Administration) Regulations. For guidance material on conducting safety risk assessment, see ANSAC 004.

Approved on this 22nd Day of MAY 2018

Onkokame K. Mokaila
Minister
Ministry of Transport and Communications

Made on this 22nd Day of MAY 2018

Puseletso G. Moshabesha
Chief Executive Officer
Civil Aviation Authority of Botswana