

ICAO Universal Safety Oversight Audit Programme

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

(1 to 18 April 2008)



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 the Kingdom of the Netherlands

(1 to 18 April 2008)

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 to all Contracting States; and also to provide access to all relevant information derived from the Audit Findings and Differences Database (AFDD) through the secure website of ICAO.

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 for the Netherlands was composed of: Mr Nicolas Rallo, team leader, primary aviation legislation (LEG)/civil aviation organization (ORG)/aircraft accident and incident investigation (AIG); Ms. Cécile Vernhes, team member, personnel licensing (PEL)/aircraft operations (OPS); Mr. Léon Vonlanthen, team member, airworthiness of aircraft (AIR); Mr. Amal Hewawasam, team member, AIR; Mr. Dhiraj Ramdoyal, team member, air navigation services (ANS); Mr. Seboeso Machobane, team member, on-the-job-training (OJT)/ANS; Ms Janet McLaughlin, team member, OJT/dangerous goods; Mr. Ignacio Flores, team member, aerodromes (AGA); and Mr. Munir Asad, team member, OJT/AGA.

1.2.2 The safety oversight audit team for the Netherlands Antilles was composed of: Mr Nicolas Rallo, team leader, AIG; Mr. Ignacio Flores, team member, LEG/ORG/AGA; Ms. Cécile Vernhes, team member, PEL/OPS; Mr. Léon Vonlanthen, team member, AIR; and Mr. Dhiraj Ramdoyal, team member, ANS.

1.2.3 The safety oversight audit team for Aruba was composed of: Mr Nicolas Rallo, team leader, LEG/ORG/AIG; Mr. Amal Hewawasam, team member, AIR; Mr. Seboeso Machobane, team member, ANS; and Mr. Munir Asad, team member, AGA.

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 the Kingdom of the Netherlands was carried out from 1 to 18 April 2008 in accordance with the standard auditing procedures provided for in ICAO Doc 9735 — *Safety Oversight Audit Manual* and the revised Memorandum of Understanding (MOU) as approved by the ICAO Council on 29 November 2006 (C-DEC 179/12 refers) and agreed to on 6 July 2007 between the Kingdom of the Netherlands and ICAO. The audit was carried out with the objective of fulfilling the mandate given by the Assembly 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 the Kingdom of the Netherlands in implementing these provisions.

2.3 The audit team reviewed the SAAQ and the CCs submitted by the three States comprising the Kingdom of Netherlands (namely, the Netherlands, the Netherlands Antilles and Aruba) prior to the on-site audit in order to have a preliminary understanding of the civil aviation systems established in the three States, to determine their 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 the Kingdom of the Netherlands to assist it in fulfilling its safety oversight obligations.

2.4 On 15 July 2002, the European Community adopted *Regulation (EC) No 1592/2002 of the European Parliament and of the Council* on common rules in the field of civil aviation and establishing a

European Aviation Safety Agency (EASA). This regulation provides for the transfer of regulatory competencies in the fields of airworthiness, continuing airworthiness and environmental certification from the Member States of the European Union (EU) to EASA. Of the three States comprising the Kingdom of the Netherlands, only the Netherlands is a Member State of EASA. On 20 July 2005, the Netherlands advised ICAO in writing of the transfer of such competencies to EASA.

2.5 Since the transfer of competencies to EASA reflects on the scope of the ICAO safety oversight audits under the comprehensive systems approach, ICAO performed an initial audit of EASA, from 29 November to 2 December 2005. On 20 February 2008, the European Community adopted *Regulation (EC) No 216/2008 of the European Parliament and of the Council*, repealing *Regulation (EC) No 1592/2002 of the European Parliament and of the Council*. *Regulation (EC) No 216/2008* extends the scope of competence of EASA to pilot licensing, aircraft operations and aircraft used by third-country operators. Taking into consideration the extension of the scope of competence of EASA and additional changes within the organization since the initial safety oversight audit of 2005 by ICAO, ICAO performed a second audit of EASA from 23 to 25 April 2008. The audit results will be made available following the established timelines as set forth in the *Safety Oversight Audit Manual* (Doc 9735). It should be noted that the Netherlands will always maintain the responsibility for all audit results that are derived from the audits carried out on EASA from time to time. As a result, the latest EASA safety oversight audit report should be reviewed together with this report.

2.6 The audit results including the findings and recommendations contained in this report reflect the capabilities and limitations of the civil aviation system of the Kingdom of the Netherlands as assessed by the audit team. They are thus based on evidence gathered during interviews by the audit team with the technical experts of the Kingdom of the Netherlands 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 Kingdom of the Netherlands, 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.

3. AUDIT RESULTS

3.1 Kingdom of the Netherlands — Overview

3.1.1 The Kingdom of the Netherlands (hereinafter referred to as “the Kingdom”) is comprised of three autonomous States, namely: the Netherlands, the Netherlands Antilles, and Aruba. Its Constitution, the *Charter for the Kingdom of the Netherlands*, dates back from 1954 and was last amended in 1998. Prior to 1954, the Kingdom functioned as a Commonwealth of four autonomous States: Suriname, Dutch New Guinea, the Netherlands, and the Netherlands Antilles. In 1954, Suriname and Dutch New Guinea left the Commonwealth, leaving the Netherlands and the Netherlands Antilles as the only members. A *Statute of 1954* reorganized the remaining members in which they declared a mutual intention to work together with regard to the “acts and matters of the Kingdom.” In January of 1986, the island of Aruba, which had been a part of the Netherlands Antilles, was granted separate status and so became an autonomous third member of the Kingdom. Since the departure of Aruba, the Netherlands Antilles is now made up of five islands: Curaçao, Bonaire, Sint Maarten, Sint Eustatius, and Saba.

3.1.2 Article 3 of the *Charter for the Kingdom of the Netherlands* delineates the areas which fall under the jurisdiction of the Kingdom (primarily defence and international relations) while areas such as civil

aviation are considered to be internal affairs of each State. In this context, the Netherlands, the Netherlands Antilles and Aruba have each adopted their own legislation and regulations to govern their civil aviation activities; each State has also established its own organization for the safety oversight of the civil aviation activities under its responsibility. The Kingdom remains however responsible for the signing of international treaties and agreements (e.g. the Kingdom of the Netherlands ratified Article 83 *bis* of the Chicago Convention on 5 November 1981).

3.1.3 The Kingdom is governed by the “Council of Ministers of the Kingdom” (*Rijksministerraad*), which is composed of Ministers appointed by the Queen of the Netherlands and Ministers Plenipotentiary appointed by the Governments of the Netherlands Antilles and Aruba. Although all three States forming the Kingdom pledge allegiance to the Queen, each State is a sovereign nation with its own government, Prime Minister, Parliament and legislation. Laws and regulations related to areas under the jurisdiction of the Kingdom are adopted at the level of the Kingdom in the form of “Kingdom Acts” or “Kingdom Decrees.”

3.1.4 Procedures have been established for coordination among the three States forming the Kingdom when processing ICAO State letters and amendments to ICAO Annexes. For that purpose, a focal point for the Kingdom has been designated at the Ministry of the Netherlands. Furthermore, in order to promote cooperation in aviation matters within the Kingdom, an MOU was signed by the Ministers responsible for aviation matters of the three States on 10 and 11 April 2006. This MOU was valid until 31 December 2007 and was subsequently extended up to 15 December 2008. The MOU promotes cooperation within the Kingdom in various areas of civil aviation, including the exchange of information through the creation of a network of technical experts; the development of laws, regulations and procedures; as well as the implementation of quality systems and safety management systems.

3.2 Kingdom of the Netherlands — The Netherlands

3.2.1 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*.”

3.2.1.1 The primary national aviation legislation of the Netherlands is made up of two Acts:

- 1) The first one is the *Aviation Act*, which was adopted on 15 January 1958, came into force on 1 October 1959, and last amended on 14 December 2007.
- 2) The second one is the *Act on Aviation*, which was adopted on 18 June 1992, came into force on 1 January 1993, and last amended on 6 December 2007.

3.2.1.1.1 Over the years, a lot of provisions have migrated from the *Aviation Act* to the *Act on Aviation* for the purpose of eventually regrouping all legislative provisions under a single Act. As the Netherlands is a member of the European Union (EU), its primary aviation legislation also includes the applicable legislation issued by the European Community (EC).

3.2.1.2 The same process is applied for the adoption of a new law and for the amendment of existing legislation. After a need is identified, a proposal (bill) is developed and consultation is organized with the interested parties before the bill is submitted, first, to the Council of Ministers of the Netherlands and then to the Council of State of the Netherlands for reviews. Once endorsed by the Council of State, the proposal is submitted to the second chamber and then the first chamber of Parliament for its adoption. Following

parliamentary approval, the proposal is signed into law by the Queen and the responsible Minister or Ministers. The signed version of the new Act or the amendment is then published in the *Bulletin of Acts and Decrees of the Netherlands*.

3.2.1.3 In accordance with the Constitution of the Netherlands, both the *Aviation Act* and the *Act on Aviation* empower the Minister responsible for aviation matters to make regulations as well as enable the aviation authorities of the Netherlands to enforce the applicable legislation and regulations. Two other Acts, which are not specific to aviation, provide the legal framework for carrying out enforcement: the *General Act on Administrative Law* and the *Criminal Offence Act*.

3.2.1.4 Civil aviation inspectors in the Netherlands are considered “supervisors” under the *General Act on Administrative Law* and are accordingly granted all necessary access and inspection powers, as stipulated in Articles 5.17 and 5.19 of said Act.

3.2.1.5 Personnel licensing activities in the Netherlands are governed by Chapter 2 of the *Act on Aviation*, which requires the Ministry of Transport, Public Works and Water Management to issue pilot licences or certificates of validation as well as valid medical certificates and to develop regulations for pilot licences. Licences issued by the Minister for the performance of maintenance on aircraft and of air traffic controller licences are addressed in Articles 3.30 and 5.16 of the *Act on Aviation*, respectively. Articles 2.5 and 2.6 authorize the Minister to suspend or withdraw pilot licences or ratings.

3.2.1.6 With respect to aircraft operations, the *Council Regulation (EEC) No 2407/92 of 23 July 1992* requires EU Member States to issue air operator licences and air operator certificates (AOCs). Chapter 1 of the *Act on Aviation* specifies that AOCs are issued by the Minister of Transport, Public Works and Water Management. Chapter 6 of the *Act on Aviation* provides the legal framework for the transport of dangerous goods by air to, from and within the Netherlands. In particular, Article 6.51 of the Act forbids attempts to offer, accept or transport dangerous goods aboard aircraft except those designated by or pursuant to an order in Council. Article 6.55 addresses the issue of accreditation (licensing) by the Minister of Transport, Public Works and Water Management for the transport of dangerous goods by air while Article 6.58 provides for exemptions from the rules laid down pursuant to the *Act on Aviation* (i.e. ICAO Annex 18 — *The Safe Transport of Dangerous Goods by Air* and ICAO’s *Technical Instructions for the Safe Transport of Dangerous Goods by Air* [Doc 9284]).

3.2.1.7 In the field of airworthiness and maintenance of aircraft, the adoption on 15 July 2002 of *Regulation (EC) No 1592/2002 of the European Parliament and of the Council* opened the way for a centralized EC system of air safety and environment regulations and for the establishment of the European Aviation Safety Agency (EASA), which was launched in September 2003. (More details on EASA and its areas of competence can be found in the ICAO final safety oversight audit report of EASA.) National provisions regarding the registration, airworthiness and maintenance of aircraft are outlined in the *Act on Aviation*, the *Aviation Act* and subsequent regulations, which provide a comprehensive legal framework consistent with the environment and complexity of the State’s aviation activity. The *Act on Aviation* lays down several provisions relating to nationality marks and registration of aircraft, with Articles 3.2 to 3.19 addressing the type certification of aircraft, certificates of airworthiness, and aircraft noise. Article 3.21 of the Act grants the Minister of Transport, Public Works and Water Management the power to issue exemptions under the prescribed conditions.

3.2.1.8 In the field of air navigation services (ANS), the relevant legislative provisions are spelled out in Chapter 5 (“Air Traffic, Air Traffic Security and Air Traffic Security Organization”) of the *Act on Aviation*. Article 5.13 of the Act states that the Air Traffic Control of the Netherlands (LVNL) and the Ministry of

Defence may also provide air traffic services (ATS) within the Amsterdam Flight Information Region (FIR). Chapter 10 (“Military Aviation”) of the Act stipulates the applicability of the relevant ANS provisions to military aircraft and personnel, including exemptions and other non-applicable provisions.

3.2.1.9 Other EC regulations promulgated on 10 March 2004 by the European Parliament and the European Council are also applicable and binding:

- 1) (EC) Regulation No. 549/2004 of the European Parliament and of the Council, which lays down the framework for the creation of the Single European Sky;
- 2) (EC) Regulation 550/2004 of the European Parliament and of the Council on the provision of air navigation services in the Single European Sky;
- 3) (EC) Regulation 551/2004 of the European Parliament and of the Council on the organization and use of airspace in the Single European Sky; and
- 4) (EC) Regulation 552/2004 of the European Parliament and of the Council on the interoperability of the European air traffic management network.

3.2.1.10 Meteorological (MET) services are provided by the Royal Netherlands Meteorological Institute (*Koninklijk Nederlands Meteorologisch Instituut* [KNMI]), which is established by the *Act on KNMI (2002)* (last amended 27 September 2007). KNMI is an agency of the Ministry of Transport, Public Works and Water Management that reports to the Minister.

3.2.1.11 Article 25 of the Chicago Convention is not formally addressed in the legislation. However, under the legal system of the Netherlands, ministerial regulations may be used to implement international obligations which are primarily directed towards State organs and not individuals.

3.2.1.12 With respect to aerodromes, Chapter 8 (“Schiphol Airport”) of the *Act on Aviation* outlines provisions that apply specifically to Schiphol Airport, including the requirement of an airport operation certificate issued by the Minister of Transport, Public Works and Water Management (Article 8.24a). Other aerodrome-related provisions are found in the *Aviation Act*, such as:

- Article 18 empowers the Minister of Transport, Public Works and Water Management to designate aerodromes in agreement with the Minister of Housing, Spatial Planning and the Environment.
- Under Article 27, if there is an expansion or change to the physical characteristics of an aerodrome, the Minister may amend the aerodrome designation.
- Article 31 prohibits the planting of crops and the construction of structures and buildings at or in the vicinity of an aerodrome.
- Article 35 empowers the Minister to close an aerodrome for non-compliance with the regulations or for safety reasons.
- Article 38 prohibits and sets the minimum height requirements regarding obstacles on and in the vicinity of the aerodrome.
- Under Article 73, the aerodrome regulatory staff are delegated the necessary authority to carry out their safety oversight functions, while the Transport and Water Management Inspectorate (IVW) is also empowered to impose operating restrictions or sanctions to aerodrome operators in the event of non-compliance.

3.2.1.13 In the field of aircraft accident and incident investigation, the legal basis is the *Kingdom Act of 2 December 2004*, also known as the *Safety Investigation Board Act* which establishes the Safety Investigation Board of the Netherlands (currently named the Dutch Safety Board) as an independent body responsible for the

investigation of accidents and incidents in various sectors, including civil aviation. This Act was promulgated as a Kingdom Act as parts of it are also applicable to the Netherlands Antilles and Aruba. The *Safety Investigation Board Act* stipulates that the only objective of the investigations carried out by the Dutch Safety Board is to prevent future occurrences or limit their consequences. Under the *Safety Investigation Board Act*, the Dutch Safety Board and its investigators are provided all necessary legal tools and powers for them to carry out their functions in an effective and independent manner. In addition, the *Safety Investigation Board Act* provides for protection against disclosure of recordings (including cockpit voice recordings), and other information collected by the Dutch Safety Board. It also states that any document drawn up by the Dutch Safety Board cannot be used as evidence in criminal, disciplinary or civil proceedings.

3.2.2 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.”

3.2.2.1 Civil aviation regulations in the Netherlands come in the form of either Royal Decrees (also known as “Orders in Council”) or Ministerial Regulations. Royal Decrees are issued at the Government level by the Council of Ministers and they elaborate the elements contained in the Acts by providing general orientation. Ministerial Regulations, issued by the Minister, outline the technical requirements and the implementing conditions for the provisions of the Act or Royal Decree.

3.2.2.2 The adoption and/or the amendment of a Royal Decree follows the same process as that used to adopt or amend an Act except that the Parliament is not involved. Once approved by the Council of State, a Royal Decree is signed by the Queen and the Minister responsible for aviation matters, before it is published in the *Bulletin of Acts and Decrees of the Netherlands*. As for Ministerial Regulations, they are signed only by the Minister responsible for aviation matters and then published in the *Government Gazette of the Netherlands*.

3.2.2.3 Overall, the Netherlands has established a satisfactory and comprehensive set of regulations for safety oversight in the various civil aviation fields. In addition, the State has recently established a formal procedure to review ICAO State letters and forward to ICAO any difference identified with the ICAO SARPs. However, in practice, a number of existing differences have not been forwarded to ICAO. In addition, while a list of significant differences is published in the *Aeronautical Information Publication (AIP) of the Netherlands*, this list has not been kept up to date.

3.2.2.4 In the area of personnel licensing and training, the Netherlands has adopted the Joint Aviation Requirements (JARs), namely JAR-FCL 1 (Aeroplane), JAR-FCL 2 (Helicopter) and JAR-FCL 3 (Medical) for flight crew, and these have all been transposed into the national regulations by a Royal Decree on personnel licensing and subsequently by Ministerial Regulations. The same Royal Decree covers the other national licences that are not covered by the JAR-FCL but are provided for in ICAO Annex 1 (with the exception of glider licences which do not exist in the Netherlands).

3.2.2.5 The Netherlands has issued a Ministerial Regulation outlining licensing provisions for air traffic controllers and transposing the EUROCONTROL Safety Regulatory Requirement (ESARR) 5

requirements (made mandatory by the *Commission Regulation (EC) No 2096/2005 of 20 December 2005*) into the national legislation. Moreover, the Netherlands is in the process of promulgating requirements regarding the EC's air traffic controller licence as per the *Directive 2006/23/EC of the European Parliament and of the Council of 5 April 2006*.

3.2.2.6 The licensing of aircraft maintenance engineers (AMEs) is governed by *Commission Regulation (EC) No 2042/2003 of 20 November 2003*, specifically Part 66 (aircraft maintenance licences) and Part 147 (approved maintenance training organizations). Language proficiency requirements were promulgated on 5 March 2008 and are now implemented for flight crew and air traffic controller licences.

3.2.2.7 With respect to aircraft operations, the Netherlands has transposed into its national regulations the JARs related to public transportation, namely: JAR-OPS 1, Amendment 12 (airplane), JAR-OPS 3, Amendment 5 (helicopters), and JAR-STD for the certification and acceptance of synthetic training devices and simulators. These regulations are complemented by the *Luchtverkeersreglement* (Air Traffic Regulations), which sets out requirements in areas not covered by JAR-OPS 1 and JAR-OPS 3, such as general aviation or duty time and flight time limitations. Both JAR-OPS 1 and JAR-OPS 3 offer the possibility to exceptionally and temporarily grant an exemption from the related provisions under certain conditions, which are determined by the Civil Aviation Authority of the Netherlands (Flight Operations Inspectorate).

3.2.2.8 With respect to the transport of dangerous goods by air, the *Decree on Dangerous Goods by Air* (dated 14 March 2002) makes reference to ICAO Annex 18 and Doc 9284. Both ICAO documents have been translated into Dutch and published in the *Official Gazette of the State (Staatsblad)*. Amendments to ICAO Annex 18 and Doc 9284 are incorporated into the Official Gazette through a biennial notification. The last Gazette published on October 18, 2007 incorporated by reference the 2007 – 2008 edition of ICAO Annex 18 and Doc 9284. JAR-OPS 1, Subpart R lays down the requirements for granting approvals to air operators for the transport of dangerous goods and also specifies limitations on the transport of dangerous goods.

3.2.2.9 With respect to airworthiness in the Netherlands, the type certification of aircraft, approval of major modifications and repairs, approval of air operator maintenance requirements, and the noise-related provisions of ICAO Annexes 6, 8 and 16 — *Environmental Protection* are addressed by EU regulations and related EASA provisions. Provisions relating to aircraft registration and the maintenance of the aircraft register are laid out in the *Ministerial Regulation of 8 October 2001*. The airworthiness and noise-related provisions regarding aircraft that are not addressed by EASA regulations (i.e. aircraft listed in Annex 2 to *Regulation (EC) 1592/2002 of the European Parliament and of the Council of 15 July 2002*) are covered in the *Ministerial Regulation of 5 July 2001*.

3.2.2.10 With respect to air navigation services, *Commission Regulation (EC) No 1315/2007 of 8 November 2007* on safety oversight in air traffic management and *Commission Regulation (EC) No 2096/2005 of 20 December 2005* laying down common requirements for the provision of air navigation services are directly applicable and binding in the Netherlands. In accordance with Article 14 of *Commission Regulation (EC) No 2096/2005*, all air navigation service providers should operate in compliance with the relevant ICAO standards. However, the Ministry of Defence, which also ensures the provision of ATS to general aviation aircraft in some segments of the Amsterdam FIR under Article 5.13, 1 b) of the *Act on Aviation*, is not subject to these EC regulations.

3.2.2.11 With a view to facilitating cross-border provision of services, *Commission Regulation (EC) No 2096/2005* requires the establishment of coordination mechanism between Member States of the EU to ensure a common set of standards. However, such coordination mechanisms have not been established by the Netherlands.

3.2.2.12 The various Ministerial Regulations have provided regulations for the implementation of the relevant provisions of ICAO Annexes 2, 3, 4, 10, 11, and 15. With respect to ICAO Annex 12, Direction 26 of the *Formal Directions of the Prime Minister on Rule Making*, the Minister of Transport, Public Works and Water Management, and the Minister of Defence have published search and rescue (SAR) regulations in conformance with Article 25 of the Chicago Convention. They are as follows:

- Ministerial Regulation on Search and Rescue Services, 1994, dated 28 August 1994; and
- Ministerial Regulation on Coast Guard, dated 17 November 2006.

3.2.2.13 With respect to aerodromes, the Netherlands has promulgated several Ministerial Regulations for the certification and surveillance of aerodrome as well as for the incorporation of the ICAO Annex 14 SARPs. However, these Ministerial Regulations do not include all of the provisions outlined in ICAO Annex 14. Aerodrome certification requirements, such as requirements for aerodrome operators to implement Safety Management System (SMS) are outlined in the *Regeling Certificering Luchtvaartterreinen (RCL)* regulation, promulgated on 22 November 2002. The RCL also requires the certification of all international and public use aerodromes in the Netherlands.

3.2.2.14 With respect to aircraft accidents and incident investigation, the *Safety Investigation Board Act* is complemented by a number of regulations, primarily the *Dutch Safety Board Royal Decree n. 679 of 10 December 2004 (Rijksbesluit Onderzoeksraad voor Veiligheid)*, the *Dutch Safety Board Decree n. 680 of 10 December 2004 (Besluit Onderzoeksraad voor Veiligheid)*, and the *Dutch Safety Board Regulation of 31 January 2005 (Regeling Onderzoeksraad voor Veiligheid)*. Those three regulations, parts of which refer specifically to the SARPs outlined in ICAO Annex 13, provide a comprehensive regulatory framework for the conduct of aircraft accident and incident investigations under the responsibility of the Netherlands and for participation in investigations conducted by other States in the cases described by ICAO. However, while the *Dutch Safety Board Decree n. 680 of 10 December 2004* introduces an obligation to notify the Dutch Safety Board of all accidents and serious incidents (i.e. those occurring in the Netherlands and/or to Dutch aircraft outside the Netherlands), there is no mention in the legislation or regulations that this notification has to be made as soon as possible.

3.2.3 **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.”

3.2.3.1 Two agencies within the Ministry of Transport, Public Works and Water Management of the Netherlands are responsible for the safety oversight of civil aviation activities, namely:

- 1) the *Directorate General for Civil Aviation and Freight Transport (DGTL)*, which is in charge of the national policy for aviation safety; and

- 2) the *Transport and Water Management Inspectorate (IVW)*, including the Aviation Division (Civil Aviation Authority, CAA-NL), which carries out the tasks related to licensing, certification, surveillance and enforcement.

3.2.3.2 The tasks, responsibilities and powers of the DGTL were established in Orders of the responsible Minister (known as “Ministerial Decrees”) dated 22 March 2005 and 29 March 2005, respectively. In addition, a “*Manual on Aviation Safety Management*” issued recently by the DGTL describes in detail the tasks, responsibilities and authority of the organizations involved in the area of civil aviation, as well as the applicable processes and procedures within the Ministry. Among the responsibilities of the DGTL are:

- a) development of the national policy on civil aviation;
- b) preparation and coordination of the position of the Netherlands in international consultations, including ICAO-related matters; and
- c) coordination of the development and implementation of aviation laws and regulations in the Netherlands.

3.2.3.3 The IVW is made up of nine units (or sub-inspectorates), including three which form the CAA-NL and deal with civil aviation safety oversight. These three sub-inspectorates, which are supported by an administrative unit (the Supervision Services Department), are:

- 1) the CAA-NL Airworthiness Inspectorate (hereinafter referred to as the Airworthiness Inspectorate);
- 2) the CAA-NL Flight Operations Inspectorate (hereinafter referred to as the Flight Operations Inspectorate); and
- 3) the CAA-NL Aerodromes and Air Navigation Services Inspectorate (hereinafter referred to as the Aerodromes and ANS Inspectorate).

3.2.3.3.1 The IVW does not have regional offices. It was established by the *Ministerial Decree of 1 July 2001*, while its tasks, responsibilities and authority are described in the *Ministerial Decree of 19 April 2002*. The powers of the managers of the IVW are also provided by Ministerial Decrees, the latest of which is dated 1 September 2006.

3.2.3.3.2 The yearly budget of the IVW comes from the fees paid by the industry for the issuance of certificates and other approvals and from State funds. Presently, the IVW is undergoing an ISO 9001 certification process.

3.2.3.3.3 The functions of the various departments and units within the CAA-NL, as well as the job descriptions for all positions within the organization, are described in detail in a document entitled “*Organization and Functions 2005*” (*Organisatie en Formatie 2005*).

3.2.3.3.4 The recruitment process established by the IVW gives the managers of the sub-inspectorates control over the selection of their staff. Once qualified, inspectors are issued an inspector’s credential, in which references are made to the relevant parts of the *Act on Aviation*. In addition, some dangerous goods inspectors are also granted police powers and have additional credentials as enforcement officers provided by the Ministry of Justice of the Netherlands.

3.2.3.4 With respect to personnel licensing and aircraft operations, the related tasks and responsibilities are shared among the following three units:

- 1) the *Personnel Licensing Unit* in the Supervision Services Department,
- 2) the *Certification Unit*, and
- 3) the *Operations/Inspections Unit* in the Flight Operations Inspectorate.

3.2.3.4.1 The *Personnel Licensing Unit* is responsible for the issuance of flight crew and AME licences, the nomination of flight examiners within the air operators, and the organization of national written examinations in close coordination with the Certification Unit.

3.2.3.4.2 The *Certification Unit* is responsible for all flight certificates (such as AOCs, licences, and medical certificates) and the approvals of training organizations. It is also responsible for surveillance of these certificates, in particular through audit of air operators, training organizations etc.

3.2.3.4.3 The *Operations/Inspections Unit* lends its expertise to the Certification Unit in all areas related to flight personnel and also performs the flight and ground inspections. The staff is made up of flight inspectors (who are all pilots) and ground inspectors.

3.2.3.4.4 Additionally, the *Development and Information Unit* monitors the development of regulations and maintains the European Co-ordination Centre for Aviation Incident Reporting Systems (ECCAIRS) accident and incident database.

3.2.3.4.5 The medical department, attached to the Certification Unit, has two medical assessors (who are employed on a part-time basis), and a support staff in charge of issuing the medical certificates. The Flight Operations Inspectorate has sufficient staff to fulfil all its tasks.

3.2.3.5 With respect to dangerous goods, several agencies are involved and job descriptions are available for all personnel.

- 1) The *DGTL* has one full-time and one part-time staff to carry out all policy responsibilities (including membership in the Dangerous Goods Panel of ICAO), along with all related updating and coordination responsibilities.
- 2) The *CAA-NL* has multiple divisions responsible for dangerous goods functions.
- 3) The *Flight Operations Inspectorate* issues the authorizations to transport dangerous goods as part of the AOC, with expertise provided by the Aerodrome Standards and Certification Unit of the Aerodromes and ANS Inspectorate.
- 4) The Aerodromes and ANS Inspectorate also includes the *Dangerous Goods Inspection Unit* which is responsible for inspections, enforcement, company audits and incident reporting. The unit has 16 positions, of which only 9 positions are filled.
- 5) The *Supervision Services Department* issues licenses for shippers, freight forwarders, ground handlers, operators, and management companies acting on behalf of the smaller shippers. It also issues approvals and exemptions in collaboration with the Dangerous Goods Inspection Unit.

3.2.3.6 With respect to airworthiness, the Airworthiness Inspectorate of the CAA-NL has sufficient staff to meet its international and national obligations. The main activities of the Airworthiness Inspectorate are:

- a) certification and continuing surveillance of design and production (“Annex 2 aircraft and products”) organizations as well as maintenance organizations;
- b) continuing surveillance over continuous airworthiness management, maintenance training, and noise measurement;

- c) issuance of certificates of airworthiness, certificates of registration, Airworthiness Review Certificates, and Noise Certificates;
- d) issuance of Aircraft Maintenance Licences (AML); and
- e) issuance of special flight permits and export approvals for aeronautical products.

3.2.3.6.1 The Airworthiness Inspectorate is composed of the following:

- 1) the *Product Certification Unit* which is responsible for all tasks relating to the issuance of type certificates and supplemental type certificates;
- 2) the *Approvals and Standards Unit* which is responsible for the issuance of approvals for design organizations, production organizations and maintenance organizations; and
- 3) the *Inspection Unit*.

3.2.3.7 With respect to air navigation services, within the Amsterdam FIR, ATS are provided by the following entities:

- a) *LVNL*, in the civil airspace of the Amsterdam FIR up to flight level 245 (FL 245);
- b) the *Ministry of Defence*, in military airspace, up to FL 245 to both military and civil aircraft; and
- c) the *Maastricht upper area control centre* (MUAC) of EUROCONTROL, in civil airspace above FL 245.

3.2.3.7.1 In addition, the provision of ATS in some areas within the Amsterdam FIR is delegated to the London Area Control Centre (ACC), the National Air Traffic Services (NATS) of the United Kingdom, Brussels ACC, Belgocontrol of Belgium and the Langen ACC of Germany's *Deutsche Flugsicherung GmbH*.

3.2.3.7.2 MET services are provided by the Royal Netherlands Meteorological Institute (*Koninklijk Nederlands Meteorologisch Instituut* or KNMI). In addition, the LVNL and the KNMI have "partnership agreement" concerning the products and services to be provided.

3.2.3.7.3 SAR services within the Amsterdam FIR are provided by the Coast Guard. Falling under the responsibility of the Royal Netherlands Navy, the Coast Guard is responsible for ensuring SAR services for various types of occurrences within the territory, including the Amsterdam FIR.

3.2.3.8 Within the CAA-NL, ANS safety oversight is the responsibility of the Aerodromes and ANS Inspectorate, which also acts as the National Supervisory Authority (NSA) as mandated by *Regulation (EC) No 550/2004 of the European Parliament and of the Council of 10 March 2004*. The Aerodromes and ANS Inspectorate is made up of the Inspection Coordination Group Schiphol and four other units, namely: Aerodrome Standards and Certification, ANS Standards and Certification, Inspection Aerodromes and ANS, and Inspection Dangerous Goods. The unit managers report to the Director of the Aerodromes and ANS Inspectorate.

3.2.3.9 The Aerodromes and ANS Inspectorate is sufficiently staffed with qualified personnel to undertake all safety oversight duties and responsibilities conducted over the entities under its responsibility. The CAA-NL carries out safety oversight of LVNL and is also responsible for the safety oversight of KNMI. In addition, the CAA-NL oversees MUAC on behalf of the MUAC Member States (i.e. Belgium, Germany, Luxembourg and the Netherlands). However, the oversight procedures for MUAC have yet to be formally approved by all these Member States.

3.2.3.10 No formal agreements have been coordinated among the various NSAs about safety oversight over the provision of services which have been delegated to foreign providers. In addition, responsibility for oversight of the services provided by the Ministry of Defence to general aviation aircraft is not well defined nor is it in accordance with the requirements of the *Commission Regulations (EC) No 1315/2007 of 8 November 2007 on safety oversight in Air Traffic Management*.

3.2.3.11 A safety programme related to the provision of ATS has yet to be developed, as required by ICAO Annex 11. The elements for such a programme are however already in place. With respect to the provisions in Annex II, Article 3 on safety of services as stated in *Commission Regulation (EC) No 2096/2005 of 20 December 2005*, the CAA-NL has developed acceptable means of compliance (AMC) to provide guidance to service providers on the related issues. According to the above requirements, both the MUAC and LVNL have implemented SMS, which is being audited by CAA-NL.

3.2.3.12 Both the LVNL and the Aerodrome and ANS inspectorate of the CAA-NL have sufficient number of qualified and experienced personnel to carry out their respective duties and responsibilities. In particular, LVNL provides the following services while the CAA-NL is responsible for safety oversight of these services:

- a) PANS-OPS products (instrument flight procedures);
- b) Aeronautical Information Service (AIS);
- c) development and publication of aeronautical charts; and
- d) provision of facilities and services for communication, navigation and surveillance (CNS).

There are also some navigation aids that belong to private entities. However, their maintenance is also undertaken by LVNL to ensure compliance with the relevant provisions of ICAO Annex 10 — *Aeronautical Telecommunications*.

3.2.3.13 With respect to aerodromes, the Netherlands has put in place a comprehensive organizational structure for the certification and surveillance of aerodromes. Within the Aerodromes and ANS Inspectorate, the Aerodromes Standards and Certification Unit is responsible for the certification, re-certification and development of guidance material, while the Inspection Aerodromes and ANS Unit is responsible for the surveillance of aerodromes. The Netherlands has established a clear separation of responsibilities among the regulatory authority, the aerodrome operators, and the service providers. The Aerodrome and ANS Inspectorate has sufficient qualified staff to carry out its safety oversight responsibilities related to certification and surveillance.

3.2.3.14 The Dutch Safety Board was established to conduct investigations of transportation-related accidents and incidents, including those in civil aviation as well as in other sectors, such as industry, health and environment. The Dutch Safety Board has a five-person Board, including the Chairman of the Board, and a Bureau made up of the technical and administrative staff.

3.2.3.14.1 The Board decides on the investigations to be conducted and is responsible for the investigation process as well as for the approval of investigation reports and safety recommendations. To avail of expertise knowledge, the Board members enlist the assistance of experts, who, as special Board members, can offer advice on the entire process, from the selection of events to be investigated to the drafting of the report and the possible re-opening of an investigation due to emergence of new facts.

3.2.3.14.2 Under the Bureau are several departments whose heads form a management team, which in turn is led by the General Secretary of the Dutch Safety Board.

3.2.3.14.3 The Bureau is in charge of conducting the investigations. Within the Bureau, the section in charge of civil aviation (which also deals with maritime transport) employs seven investigators who are fully dedicated to the civil aviation sector and come from a variety of backgrounds. The investigators are classified into three levels, from the most junior to the most senior. While job descriptions have been established for each of the three levels of investigators, these job descriptions are general and do not outline details on the specific aviation-related functions and tasks carried out by the aviation investigators. Overall, taking into account the level of activities of the State, the current number of investigators at the Dutch Safety Board is not sufficient to enable the organization to fulfil its national and international obligations related to aircraft accident and incident investigations in a timely manner.

3.2.4 **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.”

3.2.4.1 In the area of personnel licensing and aircraft operations, the Flight Operations Inspectorate implements a training policy, while all units have established training programmes for all technical positions. Inspectors have to complete the prescribed training before they are assigned their own tasks and issued inspector credentials. In particular, each inspector must follow OJT with a senior inspector. Every year, the unit chiefs determine with the inspectors the recurrent or refresher training needed. However, this recurrent training is not formally included in the training programme. All training records are kept by the unit chiefs.

3.2.4.2 In the Personnel Licensing Unit of the Supervision Services Department, the staff receives initial training but such training is not formally described in the training programme. Designated flight examiners are nominated for three years and the initial qualifications are described in the JAR-FCL. To be nominated as a flight examiner, the applicant must attend a seminar organized by the Flight Operations Inspectorate and pass a flight test with a senior examiner. To be renewed as a flight examiner, the examiner has to pass an acceptance check every three years and at least two examinations every year. Meanwhile, aviation medical examiners are nominated for a period of three years and the applicant has to attend an initial aviation seminar before being nominated. Licence renewal requires 20 hours of aviation training during the three-year period.

3.2.4.3 With respect to dangerous goods, training programmes detailing the type of training to be provided to the technical staff have not been formally established for the various areas of responsibility, including the Dangerous Goods Inspection Unit, the Aerodrome Standards and Certification Unit, and the Supervision Services Department. In addition, the recurrent training for all units involved in the transport of dangerous goods by air is not currently required as part of the training programmes and the dangerous goods personnel have not completed any recurrent training. Furthermore, the OJT provided to the dangerous goods inspectors in the Dangerous Goods Inspection Unit is not reflected in their training records.

3.2.4.4 With respect to airworthiness, the Airworthiness Inspectorate has established minimum qualification and experience requirements for its inspectors and engineers. A training policy addressing all the initial, recurrent and OJT requirements has been developed and is effectively implemented. The periodic training plans are linked to the delegation of authority issued to each inspector or engineer, thereby ensuring that all training requirements are met before any delegation is issued to an individual. In particular, an

authorization is issued to an inspector or engineer for a validity period of three years. Before this authorization expires, the unit manager reviews the training needs of each employee and develops a training plan that meets the objectives of the training programme of the Inspectorate. The training records are well maintained and kept at the unit manager level.

3.2.4.5 The Aerodromes and ANS Inspectorate has established minimum qualifications and experience requirements for its staff involved in the oversight of air navigation services. The staffing requirements, minimum qualifications criteria, and training programme are outlined in the *Quality Manual* of the ANS Standards and Certification Unit of the Aerodromes and ANS Inspectorate. Training plans (including OJT and recurrent training) have also been established. However, the training of the MET inspector has been limited, particularly regarding currency and new developments.

3.2.4.6 With respect to aerodromes, the Aerodromes and ANS Inspectorate has established minimum requirements and qualifications criteria for an aerodrome inspector. The staff of the Aerodromes and ANS Inspectorate is highly qualified and has been trained to carry out certification and surveillance tasks. In particular, the aerodrome regulatory staff has received training in the development and use of SMS. Training is based on an annual plan that includes training in specialty areas. However, the Aerodromes and ANS Inspectorate has not developed a formal training programme (including initial, recurrent and OJT) outlining the essential elements required to maintain a qualified workforce for the oversight of aerodromes. On the whole, training records are properly maintained.

3.2.4.7 The Dutch Safety Board has established minimum qualification requirements for the recruitment of its investigators. However, the requirements for aviation investigators are too general and do not include criteria for expertise and experience specifically related to aviation. In terms of training, the aviation investigators have attended a variety of investigator courses and seminars, including recurrent training sessions. However, the Dutch Safety Board has not laid down the full contents of the investigators' training programme, including details about the initial/basic training, OJT and specialized training. Training plans are not developed systematically and training records are not maintained in a formal manner.

3.2.5 **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.”

3.2.5.1 Most of the employees of the CAA-NL have their offices in a building located in Hoofddorp, while some inspectors are located at Schiphol Airport. The entire technical staff is provided with the necessary facilities, equipment, means of transportation and communications for their work. An electronic library containing all relevant ICAO documents has been set up by the CAA-NL and is accessible to the staff. However, this electronic library does not include the technical reference material required by the technical and administrative staff of the CAA NL. Instead, the current policy requires CAA NL employees to obtain the technical reference material from air operators, aircraft owners, or other approval holders within the State.

3.2.5.2 In the area of personnel licensing, the Personnel Licensing Unit in the Supervision Services Department uses the JAR FCL and other work instructions. For AME licences, the staff also follows the EASA

Part 66 procedures. For issuance and renewal of these licenses, a computer program known as FLARE which contains all the data concerning the licence holder and allows for automatic printing of the licences is used. As for the Flight Operations Inspectorate, it has established procedures to certify flight training organizations and prepare written examinations. For flight and practical examinations, flight examiners are provided with the *JAA Flight Examiner Manual*. Medical certificates are issued and renewed by the Flight Operations Inspectorate after a medical assessor has reviewed all the medical reports. These reports are kept in separate medical files for each licence holder and the files are kept in a closed room, with access restricted to the personnel of the medical office. Medical certificates are also issued using the FLARE system. Application forms for the issuance or renewal of different types of licences are found and can be downloaded from the IVW website (www.ivw.nl).

3.2.5.3 With respect to aircraft operations, procedures for certification and surveillance are outlined in the handbook of the Flight Operations Inspectorate. This is complemented by work instructions and guidance for specific approvals (such as Minimum Equipment List [MEL], leasing, examinations, and training) and by a detailed checklist for the review of the operations manual. Moreover, the *JAA Joint Implementation Procedures* is also used. Together, these two documents lay down the procedures for the certification of air operators and describe the coordination among the operations inspectors, the airworthiness unit, the financial assessment expert, and the dangerous goods and security experts.

3.2.5.4 In the field of dangerous goods, the CAA-NL has issued a number of relevant work instructions, with corresponding worksheets, related to the specific aspect of the inspection being conducted. There is also a general set of work instructions on safety and job process applications (such as Personal Protective Equipment). Standard documents are available for special circumstances, such as shipment stoppage and correction as well as incident reporting processes for use and guidance. General guidance is available to the public (such as guidance on baggage and carry-on exceptions) through the Ministry website or permanent information centres.

3.2.5.5 With respect to airworthiness, the CAA-NL has issued guidance, in the form of a handbook, to its inspectors and certification staff. However, the CAA-NL library does not have all the technical publications required by the staff. The current policy in place within the CAA-NL requires its airworthiness inspectors and engineers to obtain technical publications and data not available at the CAA-NL library by requiring approved data from the air operators, aircraft owners and approval holders in case of an application. Requirements as laid down in EASA parts require approval holders to hold and control all necessary approved data. By means of audits, approval holders are periodically checked to see if they keep the actual approved data and documentation. In case of any doubt, CAA-NL will check the validity of the documentation with the Type Certificate (TC) holder. EASA guidance material are however available on the CAA-NL website to provide the industry with guidance on EASA requirements. The CAA-NL also issues Aeronautical Information Circulars (AICs) on requirements for aircraft registered in the Netherlands to serve as guide for the industry.

3.2.5.6 In the ANS field, procedures related to inspection activities have been developed and are part of the *Quality Manual* of the ANS Standards and Certification Unit. The Aerodromes and ANS Inspectorate maintains both paper and electronic copies of all applicable documentation for inspection guidance and reference. The library contains legislation, regulations, service provider manuals, ICAO documents, and other relevant documentation from agencies such as the EC, EUROCONTROL, and EASA. Some of the documentation are also made available on Intranet. In general, the inspectors have adequate working facilities and tools. Safety and other related information for the industry are provided through Internet. In addition, documentation is available in hard copy or CD-ROM on request.

3.2.5.7 The State's AIP has been published in three parts in accordance with the provisions of ICAO Annex 15 — *Aeronautical Information Services*, and aeronautical charts are available to the users and other States in either hard copy or electronic format (on CD-ROM and on the Internet). The CAA-NL has however indicated that it has not complied with the requirements for AIS data integrity, as it finds them too stringent, particularly when considering the various levels of data sources.

3.2.5.8 In the area of aerodromes, in addition to the related regulations, the Aerodromes and ANS Inspectorate has issued procedures and established an Internal Quality System based on ISO 9001 for the certification and surveillance of aerodromes. This quality system contains procedures for the certification of aerodromes and follows the certification requirements outlined in the RCL. However, the Aerodromes and ANS Inspectorate has yet to provide the industry with guidance for the use and assessment of aeronautical studies.

3.2.5.9 The Dutch Safety Board provides adequate facilities and equipment to its aviation investigators. However, the organization does not have its own storage facilities and has not established means to ensure that a secure storage facility would be available to keep custody of wreckage should the need arise. An investigation manual entitled "*Dutch Safety Board Investigation Handbook*" was recently developed (it was first issued in November 2007). This manual, which is approved by the Secretary General of the Dutch Safety Board, covers all sectors that fall under the area of competence of the organization, with parts of it devoted specifically to the civil aviation sector. The manual contains general information as well as procedures, and work instructions. While the manual outlines a number of guidelines, policies and procedures for the various tasks related to the notification, investigation and reporting of accidents and incidents, it is short in terms of policies and guidelines for some areas. The final reports on accidents and incidents are approved by the Board before they are published on the website of the Dutch Safety Board (www.onderzoeksraad.nl and www.safetyboard.nl). Procedures have been established for the completion of the reports, including consultation with the States and organizations concerned.

3.2.6 **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."

3.2.6.1 The Personnel Licensing Unit in the Supervision Services Department assesses the licence application and issues the licence which is printed using the FLARE system. Data on the validity of the licences and ratings are entered in this system. Foreign licences are validated according to the criteria on training and examinations and are also converted based on formal procedures, with JAA licences converted based on the principle of mutual recognition. The Flight Operations Inspectorate nominates the flight examiners, including senior examiners who perform the examinations of the other examiners. All flight examiners are nominated for a period of three years under a mandate granted by the Minister, allowing them to sign the rating renewal. They are paid by the Inspectorate when they perform an examination.

3.2.6.2 By virtue of a formal mandate granted by the Minister, the Flight Operations Inspectorate nominates the experts who prepare the written examinations for both national and JAA examinations. For the national examinations, experts from all areas of expertise meet regularly to write the questions, while focal persons from each area form a national expert team headed by a member of the Flight and Operations Inspectorate. This team meets four times a year to endorse the questions which form part of the national question bank. The same process is applied at the JAA level for the JAA question bank. The examinations,

which are organized regularly, consist of questionnaires prepared by the Supervision Services Department with questions selected from the national question bank.

3.2.6.3 Regarding language proficiency requirements, the Netherlands has established a two-phase implementation plan for pilots. In the first phase, a level 4 language competency is granted on the valid licences of all pilots, mainly because they follow their training in English. In the second phase, each pilot has to take a language test conducted by an approved organization, before 5 March 2011, to obtain either level 4 or higher. Meanwhile, the language requirements for air traffic controllers were implemented in 2006 so that, by the end of May 2008, all air traffic controllers will have received a language proficiency test.

3.2.6.4 Medical examinations are conducted by authorized medical examiners or authorized medical centres. All examinations reports are submitted to the medical assessors of the Certification Unit. Once reviewed and accepted, the medical staff enters the data in the FLARE system to print the medical certificate.

3.2.6.5 In the area of aircraft operations, the certification process starts with a review of the application form and the required documents. A first assessment allows the inspector assigned to the applicant to issue a work plan. The inspector also tracks the different phases of the certification process and reports to the chief of the Certification Unit. Before an AOC is issued, the entire operation manual must be accepted, the training programmes approved, and an on-site audit conducted. The inspector also coordinates with the Airworthiness Unit, the security expert, and the dangerous goods experts in each relevant area. A computer program called CERTI is used to print the AOC and the operations specifications. All the data related to the approvals, authorizations and exemptions granted to an air operator are stored by the inspector in the CERTI system. Once certified, an air operator has to submit all amendments to its manuals for approval by the CAA-NL prior to their implementation and distribution.

3.2.6.6 With respect to approvals for the transport of dangerous goods by air, six air operators are presently authorized to transport dangerous goods by air. The Aerodrome Standards and Certification Unit reviews the dangerous goods training programmes of the air operators, using a comprehensive checklist for “will-carry operators” and a modified version for the “will-not carry operators.” In addition, the Netherlands has a licensing programme for shippers, freight forwarders, ground handlers, operators and “E-status holders”, including approvals of the dangerous goods training provided to the relevant staff. This licensing programme starts with an application process administered by the Supervision Services Department. Approval of training courses rests with the DGTL. On-site examination and inspections are performed by the Dangerous Goods Inspection Units before a licence is issued. Approvals for origin, destination or overflight and exemptions for movements within the Netherlands are processed through the Supervision Services Department and coordinated with the Dangerous Goods Inspection Unit.

3.2.6.7 As far as airworthiness is concerned, the certificate of registration, the certificate of airworthiness, the document attesting to noise certification, the approvals of modifications and repairs, and the approvals of the airworthiness aspects of the air operator certification issued by the CAA-NL conform to the applicable requirements.

3.2.6.8 With respect to ANS, in accordance with Article 7 of *Regulation (EC) No 550/2004 of 10 March 2005*, the Netherlands has licensed most ANS providers within the Amsterdam FIR. Under Article 7 (5), the Ministry of Defence, which is also identified as a service provider and provides ATS to general aviation aircraft in some sectors of the FIR, is not subjected to the certification requirements.

3.2.6.9 All the certified ANS providers have established quality system in accordance with the Single European Sky requirements and are ISO 9001 certified. Modalities for the certification of service providers in

delegated airspaces are coordinated with the respective NSAs. KNMI has adopted ISO 9001 for its quality management. Flight inspection for navigation aids and flight procedures under the responsibility of the LVNL are conducted by the LVNL, while the ANS Inspectorate has oversight responsibilities.

3.2.6.10 In the area of aerodromes, the Netherlands has 14 civil aviation aerodromes that have been certified in accordance with the RCL regulation, but four others have not been certified in accordance with the national regulations. The aerodrome certificate is valid for three years, and once it expires, the aerodrome goes through a re-certification process. The RCL requires aerodrome operators to submit an aerodrome manual; however the Aerodromes and ANS Inspectorate does not keep up-to-date copies of these manuals.

3.2.7 **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.”

3.2.7.1 The CAA-NL has put in place a comprehensive surveillance programme covering audits and inspections of all licence, certificate and approval holders, and it monitors its implementation with a software program called INSPECT. All surveillance activities and all deficiencies or non-conformities are tracked under this system. Because the surveillance programme is based on a risk analysis system, it enables the CAA-NL to increase or decrease the frequency of audits and inspections as necessary as well as to focus the audits or inspections on areas with a higher risk.

3.2.7.2 With respect to personnel licensing, the renewal of ratings are issued directly by the flight examiners and the new validity period entered in the FLARE system by the Personnel Licensing Unit of the Supervision Services Department. The Flight Operations Inspectorate receives the examination checklists and organizes regular meetings with senior examiners for feedback. The national expert team for practical examinations, which is made up of senior examiners, also meets regularly to review the standardization and quality of the practical examinations. The Inspectorate is also in charge of establishing and implementing a surveillance programme of the training organizations, and each approved training organization is audited every year. The INSPECT program is used to keep track of the audits performed and of the deficiencies identified.

3.2.7.3 Regarding the renewal of the nomination of medical examiners, all medical reports are reviewed by the Flight Operations Inspectorate and the recurrent training is verified. No formal visits are made to the medical examiners’ offices, but meetings are held every three months with the medical centres to inform them of any detected problem.

3.2.7.4 In the area of aircraft operations, surveillance tasks are shared between the Certification Unit (which performs the audits of the air operator) and the Operations Unit (which performs flight, cabin and ground inspections). The two units establish a surveillance programme every year based on a risk analysis system and taking into account the inspection results from the previous year for each air operator and the impact on safety in each area. Inspections and audits are conducted with standardized checklists and all results are entered in the INSPECT system. The financial data of all air operators are analyzed annually by an inspector of the Certification Unit who follows a prescribed procedure by reviewing the critical elements and taking the results into account in the risk analysis.

3.2.7.5 With respect to the transport of dangerous goods by air, the Dangerous Goods Inspection Unit conducts both random and scheduled inspections of air operators, shippers, freight forwarders, ground handlers, and “E-status holders.” Warehouse surveillance is conducted on a regular basis where packages are opened at random and corrective action required in cases of non-compliance. An annual work plan matrix is developed, including a system to track planned and completed work products monthly for a year to allow for adjustments as determined by events, incidents and trends. The Flight Operations Inspectorate verifies compliance with AOC requirements related to dangerous goods during flight inspections.

3.2.7.6 As far as airworthiness is concerned, the CAA-NL has put in place a comprehensive surveillance programme which includes audits and surveillance of approval holders, ramp checks of Dutch aircraft, and ramp inspections of foreign-registered aircraft. Under the surveillance programme, the Airworthiness Inspectorate conducts an annual random sampling survey of a minimum number of aircraft and all approval holders are audited at least once every calendar year.

3.2.7.7 With respect to ANS, the Aerodromes and ANS Inspectorate has established inspection programmes, detailed in its *Quality Manual*, to ensure proper inspections and surveys to verify compliance with the requirements of *Regulation (EC) No 550/2004 of 10 March 2004*. The programme includes periodic inspection related to the licensing and/or renewal of licences of the service providers. The LVNL is audited every three years for the products and services that they provide. In between the audits, the CAA-NL also carries out surveillance activities based on the outcomes of risk assessments, general or related to specific service providers. The Aerodromes and ANS Inspectorate maintains inspection reports in both paper and electronic format in two libraries.

3.2.7.8 The ANS inspectors do not use standard checklists when inspecting the service providers. Instead, inspectors are given the necessary information on issues of concern in specific risk areas. Preliminary discussions are held with supervisors and the team of inspectors that will carry out on-site inspections. A checklist is then developed for the specific inspection.

3.2.7.9 During the ICAO audit, no evidence was provided indicating that a mechanism had been established to carry out safety oversight of the provision of SAR services. In addition, no mechanism is in place for the oversight of the ATS and CNS services provided by the Ministry of Defence to general aviation aircraft.

3.2.7.10 Surveillance of aerodromes is conducted by the Aerodromes and ANS Inspectorate through a formal surveillance programme, under which all aerodromes in the Netherlands are subject to inspections every year. In addition, random inspections and audits are carried out based on risk analyses of the deficiencies found in the previous year. The Inspection Aerodromes and ANS Unit has established a formal process for the surveillance of aerodromes, starting from the notification to the aerodrome operator of the scheduled audits to the resolution of deficiencies identified during the inspection. The aerodrome inspectors use a checklist in the conduct of their inspections and audits. The results of the audits are documented, entered into a database, and are monitored by the Inspection Aerodromes and ANS Unit.

3.2.8 **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.”

3.2.8.1 The INSPECT software program used by the CAA-NL is also used by the various Inspectorates to ensure the timely resolution of identified deficiencies. This is closely monitored by the CAA-NL, and failure to address deficiencies in a timely manner is sanctioned by enforcement actions. The INSPECT database classifies the deficiencies into three levels of non compliance (level 1 is a critical deficiency and level 3 is a minor one), and assigns different timelines for different levels. Using the INSPECT database, the inspector who performed the audit or inspection is responsible for tracking the non-conformities and for closing the cases when an acceptable answer has been provided by the organization audited or inspected.

3.2.8.2 With respect to personnel licensing, in case of a violation by a flight crew member or an appeal to a decision, the Legal Unit of the Supervision Services Department convenes a Review Board for a hearing with the licence holder. The licence holder may appeal the decision of the Review Board to a Court. Any problem with a flight examiner is discussed in meetings with senior examiners. The flight examiner in question is informed of the problem and if the problem occurs again, the flight examiner's mandate can be revoked. In the area of medical examinations, a false declaration by an applicant results in the revocation of the medical certificate, in line with the legislation in force.

3.2.8.3 In the area of aircraft operations, open or unresolved non-conformities are reviewed in meetings with the air operators. If a significant deficiency is detected, the Flight Operations Inspectorate warns the air operator that its AOC may be suspended, and the surveillance programme can be adjusted to increase surveillance on this air operator. All correspondence are kept in files and in the INSPECT database. Moreover, if financial problems are detected, a meeting is organized with the air operator, which has to submit a financial organization plan to be monitored by the Inspectorate.

3.2.8.4 For dangerous goods violations, a point system is used by the DCA inspectors to determine corresponding penalties. Chapter 6 of the *Act on Aviation*, defines any violation of the dangerous goods requirements to be a criminal act. The Dangerous Goods Inspection Unit and specifically, the inspector who detected non-compliance, are responsible for applying the enforcement procedures and detailing the related administrative and criminal processes.

3.2.8.5 With respect to airworthiness, the CAA-NL monitors the timely resolution of deficiencies by the industry. The CAA-NL has a procedure in place for transmitting any information on faults, malfunctions and defects to the organization responsible for the type design, including a requirement for its air operators to do the same. The CAA-NL also requires aircraft registered in the Netherlands to hold either an EASA type certificate or a type certificate issued by the CAA-NL. EASA type certified aircraft registered in the Netherlands must comply with the mandatory continuing airworthiness actions issued by EASA. In addition, when necessary, the CAA-NL issues Airworthiness Directives to “Annex 2 aircraft” (i.e. aircraft listed in Annex 2 to *Regulation (EC) 1592/2002 of the European Parliament and of the Council of 15 July 2002*), which are type certified by the CAA-NL.

3.2.8.6 With respect to ANS, the CAA NL has put in place a mechanism to track and ensure the resolution of deficiencies identified by the inspectors. Enforcement measures include fine, suspension or withdrawal of licences, as stipulated in the *Act on Aviation* and are applied if other corrective measures are not successful or if the deficiencies so warrant. However, a mechanism has not been established for the resolution of deficiencies identified within the framework of European Air Navigation Planning Group (EANPG).

3.2.8.7 The deficiencies found during inspections of aerodromes are conveyed to the aerodrome operators at the time of the out briefing. When an identified deficiency is not rectified in a timely manner, the

Aerodromes and ANS Inspectorate can issue a warning, impose sanctions or revoke the certificate. The procedures for dealing with deficiencies are outlined in the document *Bewaking Inspectie Proces* and a flow chart is used to provide guidance to the staff. The Inspectorate maintains and tracks all open identified deficiencies and ensures an effective follow up so that deficiencies are corrected in a timely manner. In addition, the aerodrome operator is required to notify the Aerodrome and ANS Inspectorate when the deficiencies have been corrected. The exchange of safety information across the aerodrome industry is conducted via the Internet and through seminars.

3.2.8.8 With respect to accident and incident investigation, the Dutch Safety Board implements a system for the issuance of safety recommendations in the course or at the completion of its investigations, in accordance with the *Safety Investigation Board Act*. The follow-up on safety recommendations issued to the Netherlands by other Contracting States is ensured by the IVW, which has established procedures for that purpose. In addition, the Dutch Safety Board monitors the implementation of safety recommendations issued by the Board itself. The Dutch Safety Board is responsible for forwarding preliminary reports and accident/incident data reports to ICAO and entitled States, as per ICAO Annex 13. However, a number of investigations have remained open for several years, as the final investigation report have not been finalized and released. In addition to the reporting system managed by the Dutch Safety Board, the Netherlands has established, since January 2007, an integrated incident reporting system (managed by a specialized unit within the IVW, the ABL), which covers occurrences reported under the mandatory incident reporting system (established on the basis of the *Act on Aviation* and associated regulations) and other occurrences that are voluntarily forwarded to the IVW. All occurrences received by the IVW are stored in a database using the ECCAIRS software. On the basis of these occurrences, the IVW produces statistics and analyses and shares the results with the industry in a forum called “ABL+.”

3.3 Kingdom of the Netherlands — The Netherlands Antilles

3.3.1 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*.”

3.3.1.1 The *National Aviation Ordinance No. 151 of 20 December 2001 (Luchtvaartlandsverordening)* (hereinafter referred to as “the Ordinance”), promulgated on 20 December 2001, is the primary aviation legislation in the Netherlands Antilles. To develop or amend the Ordinance, the Directorate of Civil Aviation Netherlands Antilles (DCANA) prepares a first draft, which is submitted to the Central Bureau of Legal Affairs and then to the Council of Ministers and Advisory Council for review and comments. Finally, the Ordinance or amendment is introduced in Parliament by the Governor. Once approved by Parliament, the Ordinance or amendment is published in the *Publicatieblad* (PB), which is the Official Gazette of the Netherlands Antilles.

3.3.1.2 For the most part, the Ordinance covers the provisions of the Chicago Convention. Chapter IX (“Penal Provisions”) of the Ordinance provides for enforcement of the Ordinance and other applicable regulations in the State and establishes penalty provisions including imprisonment for acts of infringement. The Ordinance also outlines provisions for the suspension or cancellation of aviation documents, and authorizes the Minister of Traffic and Transport to issue exemptions from the requirements. However, the policies and procedures for enforcement and for the issuance of exemptions have not been developed.

3.3.1.3 The *Act of Organization of Government Departments No. 75*, promulgated on 3 August 2001, establishes the Ministry of Traffic and Transport (Article 10) and empowers the Ministry to regulate and conduct safety oversight of all civil aviation activities.

3.3.1.4 With respect to personnel licensing, Chapter II of the Ordinance deals with aviation certificates and pilots licences. Under Article 7 of the Ordinance, the Minister of Traffic and Transport may issue, suspend, or withdraw pilot licences, air traffic controller licences, and ground engineer licences “according to rules laid down by or pursuant to national decree containing general measures.” Penal provisions for acts of infringement by licence holders are described in Article 50 of the Ordinance.

3.3.1.5 In the field of aircraft operations, Chapter III (“Licences for Air Operations”) of the Ordinance addresses the licensing issue for air operations. Article 8 states that scheduled or non-scheduled “commercial transport by aircraft within, to or from the Netherlands Antilles, or with a location within the Netherlands Antilles as an intermediate stop, may only be carried out by airlines to which a licence has been issued for this purpose by national decree or by the Minister.” Article 10 further stipulates that no commercial flights may be prepared and performed without an Air Operator Certificate issued by the Minister in accordance with rules laid down by or pursuant to a ministerial decree, while Articles 17 and 18 lay down the conditions for the suspension and withdrawal of air operator licences. On the transport of dangerous goods by air, Article 16 of the Ordinance forbids their transport without a licence issued by the Minister, and the penalties for infringement of this regulation by an air operator are outlined in Article 50.

3.3.1.6 With respect to airworthiness, Chapter II of the Ordinance lays down the regulations on aviation certificates and pilot licences. In particular, Article 2 outlines the basic requirements for nationality and registration marks, certificates of registration, and certificates of airworthiness. Article 3 and Article 4 authorize the Minister of Traffic and Transport to keep a national register as well as to establish nationality marks and registration marks, respectively. Under Article 5, the Minister issues, suspends or withdraws certificates of airworthiness.

3.3.1.7 With respect to air navigation services, Article 22 of the Ordinance stipulates that “rules are laid down by or pursuant to national decree containing general measures, under settlement of the boundaries of the Curaçao Flight Information Region:

- with regard to ATS in the aforementioned region, the objectives thereof and the application of these rules;
- with regard to the performance of ATS; and for the promotion of safety and the regularity of the air traffic.”

3.3.1.8 The provision of meteorological services is stipulated in the *Kingdom Act A1985 No 88 of 28 August 1985* (cooperation arrangements between the Netherlands Antilles and Aruba) and *Act 2003 No. 59 of 13 May 2003*. In addition, the Netherlands Antilles and Aruba have designated the *Meteorologische Dienst* (Meteorological Department) (MDNAA) as the Meteorological Authority of the Netherlands Antilles and Aruba to provide meteorological services for international air navigation.

3.3.1.9 With respect to SAR, the applicable legislation is the “*Voorlopige regeling Kustwacht voor de N.A. en Aruba*” which governs the provision of SAR services in the Netherlands Antilles and Aruba.

3.3.1.10 With respect to aerodromes, Article 30 of the Ordinance empowers the Minister of Traffic and Transport to “designate” aerodromes. This designation may restrict the use of the aerodrome to certain types of aircraft and to certain form of aviation activities. Under the Ordinance, the Minister may withdraw a

designation if the aerodrome does not comply with the provisions outlined in the designation (Article 35). The Minister may also declare an aerodrome closed for safety reasons or if “the stipulations and restrictions laid down in the designation are not complied with” (Article 41). Article 43 of the Ordinance prohibits the construction of buildings and other structures or the planting or presence of crops at or in the vicinity of the aerodrome.

3.3.1.11 As far as aircraft accident and incident investigation is concerned, Article 29 of the Ordinance states that an “inquiry” is immediately commenced if “an air accident has occurred with a Netherlands Antillean aircraft or with a foreign aircraft above the territory of the Netherlands Antilles.” The same article stipulates that the inquiry shall be “in accordance with rules laid down by or pursuant to national decree containing general measures” and “with due regard to the provisions which apply in this respect under or pursuant to the Convention on International Civil Aviation concluded on 7 December 1944 in Chicago.”

3.3.2 **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.”

3.3.2.1 Regulations in the Netherlands Antilles take the form of either State Decrees, promulgated by the Council of Ministers of the Netherlands Antilles, or Ministerial Decrees, promulgated by the Minister of Traffic and Transport. A State Decree is initially prepared by the DCANA and the process for its promulgation or amendment is similar to that for the Ordinance, except that State Decrees are not reviewed or approved by Parliament. Ministerial Decrees or their amendments require a simpler approval process as they are only signed by the responsible minister.

3.3.2.2 The *State Decree on Civil Aviation Safety Oversight*, promulgated on 24 April 2003 and last amended on 1 April 2008, enables the promulgation of *Civil Aviation Regulations Netherlands Antilles* (CARNAs) by the Minister of Traffic and Transport. A number of CARNAs and other Ministerial Decrees have also been promulgated but regulatory requirements are still missing in some fields.

3.3.2.3 The DCANA has established a procedure called the “ICAO Document Management System” to amend its regulations by taking into consideration existing ICAO Annexes and future amendments as well as to identify and notify differences to ICAO. However, the Netherlands Antilles has not yet notified all of its existing differences to ICAO and not all of its regulations cover the provisions of the ICAO Annexes.

3.3.2.4 The applicable legislation and regulations in the Netherlands Antilles can be obtained from the Government Printers Office or from the DCANA. At the time of the audit, the DCANA was in the process of establishing its own website to facilitate access to the regulations and related documents.

3.3.2.5 With respect to personnel licensing, the main regulation is the *Ministerial Decree N. 108*, promulgated in 1995 and last amended on 19 October 2000. However, there are no provisions addressing the certification of training organizations and the content of medical examinations. At the time of the audit, the DCANA was in the process of developing a new regulation for personnel licences. Requirements related to the

organization and conduct of written and flight examinations are laid down in the *Ministerial Decree N. 123 of 19 October 2000*. The criteria for the validation or conversion of foreign licences are defined in the *Ministerial Decree on Validation or Exemption N. 64*, published in 2003. Language proficiency requirements are addressed in the *Ministerial Decree on Telecommunication N. 88 of 22 October 2007*.

3.3.2.6 In the area of aircraft operations, the regulatory framework in place consists of CARNA Part 7 (on aircraft instruments and equipments) and CARNA Part 8 (on aircraft operations) (both promulgated by *Ministerial Decree N. 22 of the 31 March 2008*) as well as CARNA Part 9 (on air operator certification and administration) (promulgated by *Ministerial Decree N. 23 of 31 March 2008*). In addition, a regulation on working hours and rest time was published in the *Official Gazette Nr 112 of 1995*. Together, these regulations cover all the provisions of ICAO Annex 6, except for the requirement for air operator to establish a flight safety programme and a flight data analysis programme. In the area of dangerous goods, *Ministerial Regulation of 1 June 2007 (Official Gazette Nr 38)* introduced CARNA Part 18 regarding the safe transport of dangerous goods by air which covers all the provisions of ICAO Annex 18 and also makes reference to the Doc 9284.

3.3.2.7 With respect to airworthiness, the Ministerial Decree on airworthiness of aircraft published in the Official Gazette 2008 no. 19 and its schedule CARNA Part 5 provide for the adoption of detailed airworthiness requirements, and the following regulations have also been promulgated:

- a) CARNA Part 4 on aircraft registration and marking requirements;
- b) CARNA Part 6 on approved maintenance organization (AMO);
- c) CARNA Part 7 on aircraft instruments and equipments; and
- d) CARNA Part 8 on aircraft operations.

In addition, the *PB 2008 No 24* lays down the requirements related to noise certification standards.

3.3.2.8 Concerning ANS, the *State Decree N. 11*, promulgated in 2006, includes some provisions regarding compliance with the Rules of the Air and Air Traffic Control. However, the Netherlands Antilles has not promulgated regulations to enable the implementation of the ICAO Annexes related to ANS.

3.3.2.9 *Act 2003 No. 59 of 13 May 2003* stipulates that the provision of meteorological services to international air navigation will comply with ICAO Annex 3 — *Meteorological Service for International Air Navigation* and World Meteorological Organization requirements. Accordingly, *Ministerial Decree A2008 N. 20* has transposed ICAO Annex 3 provisions into the national regulations.

3.3.2.10 In accordance with ICAO Annex 12 — *Search and Rescue*, SAR services are provided in the Netherlands Antilles by the Coast Guard, which is the responsible authority under the Ministry of Defence and has available resources, communications facilities and a workforce skilled in coordination and operational functions. However, no executing and associated operating regulations have been promulgated.

3.3.2.11 With respect to aerodromes, CARNA Part 14, promulgated on 1 April 2008 and containing the provisions of ICAO Annex 14, requires the certification of all aerodromes open for public use. In addition, the *State Decree on Civil Aviation Safety Oversight* outlines the requirements for the certification and surveillance of aerodromes. As part of the certification process, CARNA Part 14 requires that aerodrome operators implement an SMS.

3.3.2.12 With respect to aircraft accident and incident investigation, the principal regulatory framework established in the Netherlands Antilles dates back from 1938 and is mainly embodied in Articles 22 to 26 of the *Decree of 28 February 1938*. Another related regulatory requirement in place dates back from 1976 and

concerns the reporting of aircraft accidents and incidents to the DCANA. A comprehensive regulatory framework for aircraft accident investigation has not been put in place. The *Decree of 28 February 1938* has established a “Commission for the Supervision of Aviation” (CTL), chaired by the State Public Prosecutor, to take charge of conducting investigations. However, the investigations conducted by the CTL do not comply with ICAO Annex 13 requirements, as the investigations are also used for enforcement and prosecution purposes. In addition, most of the provisions of ICAO Annex 13 have not been transposed into the legislation or regulations of the Netherlands Antilles. For instance, there are no provisions to address the powers to be granted to the investigators, to ensure the protection against disclosure of cockpit voice recorder recordings, and to explicitly permit the participation of the States concerned in the investigations conducted by the Netherlands Antilles.

3.3.3 **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.”

3.3.3.1 The *State Decree No. 3*, promulgated on 4 January 2002, established the Directorate of Civil Aviation Netherlands Antilles (DCANA) as the State’s civil aviation authority. DCANA is headed by a Director and the maximum number of its technical personnel is limited at 12, as per Article 2 of the State Decree. The functions and responsibilities of the DCANA are also described in the State Decree which, among others, is to conduct safety oversight of all civil aviation matters. As the only authority responsible for all civil aviation matters in the Netherlands Antilles, the DCANA has not delegated any safety oversight responsibilities to other entities. Its inspectors carry out safety oversight functions, including the detainment of an aircraft for just cause, under *State Decree No 51*, and the inspectors are provided with corresponding credentials accordingly. This State Decree is complemented by a Ministerial Decree which enables the Minister of Traffic and Transport to delegate some functions to the regulatory staff. Under a Ministerial Decree dated 27 February 2007, the Director of the DCANA has the power to issue, suspend and revoke aviation documents.

3.3.3.2 The DCANA is located in Curaçao and is headed by a Director. It is made up of the following units: Policy Advisor, Legal Affairs, Aviation Security and Facilitation (AVSEC/FAL), Dangerous Goods, Air Traffic Services and Aerodromes, as well as Operations and Airworthiness. There is no unit manager or supervisor as all of the employees report directly to the Director of the DCANA.

3.3.3.3 With the total number of staff limited to 12 by State Decree and no other formal mechanism effectively in place to obtain additional resources when needed, the DCANA does not have sufficient technical staff in the areas of personnel licensing, aircraft operations, air navigation services, and aerodromes to carry out its safety oversight functions. In addition, the Netherlands Antilles has not provided a mechanism for the DCANA to attract and retain technical staff.

3.3.3.4 With respect to personnel licensing, the three operations inspectors of the DCANA are responsible for the issuance, renewal, validation and conversion of pilot licences. The ANS inspector is

responsible for the air traffic controller licences and the airworthiness inspectors are responsible for AME licences. The DCANA recently signed an agreement with the Public Health Department for an inspector from the Department to perform surveillance of medical examiners nominated by the DCANA. However, a system for the assessment of the medical reports has not been put in place. Meanwhile, flight examiners and written test examiners are formally designated by the Ministry of Traffic and Transport. These examiners form part of the Examination Review Board.

3.3.3.5 With respect to aircraft operations, three operations inspectors are responsible for the certification and surveillance of air operators. The AVSEC/Dangerous Goods inspector is responsible for all matters related to dangerous goods and AVSEC, and coordinates with the flight operations inspectors when dealing with air operators. The inspectors have job descriptions detailing their tasks, responsibilities and qualifications, while the operations inspectors have been issued a credential to enable them to carry out their responsibilities. Most of the times, the flight checks are delegated to check airmen from the air operators. The DCANA does not have sufficient technical personnel to carry out its safety oversight responsibilities in the area of aircraft operations.

3.3.3.6 The Airworthiness Unit is responsible for the issuance of certificates of registration and the maintenance of the aircraft register, the issuance/renewal of certificates of airworthiness, the issuance of special flight permits, the approval of aircraft modifications, and the approval and surveillance of maintenance organizations. (There are no design or production organizations in the Netherlands Antilles.) The unit has three inspectors whose job descriptions are outlined in the airworthiness inspector's manual. With its three inspectors, the Airworthiness Unit has sufficient qualified technical staff to carry out its safety oversight responsibilities.

3.3.3.7 In the ANS field, the Air Traffic Services and Aerodromes Unit ensures compliance with international standards as well as specific national regulations. The unit oversees the provision of ATS, AIS, PANS-OPS and CNS. There is neither a safety programme nor a requirement for service providers to establish an SMS. The design of aeronautical charts and approach procedures is normally contracted out.

3.3.3.8 The provision of ATS in the Netherlands Antilles and Aruba involves the following entities:

- 1) the *Netherlands Antilles Air Traffic Control* (NA-ATC), an autonomous entity of the Government that is separate from the DCANA and provides area control service in the Curaçao FIR as well as approach and aerodrome control service in the Bonaire Control Zone (CTR);
- 2) the *Hato Control Zone (CTR)* — Curaçao, up to FL 65;
- 3) the *Aruba CTR* by Aruba Beatrix Approach and Beatrix Tower, up to FL 65; and
- 4) the *Juliana Terminal Control Area (TCA)*, located within the San Juan FIR and encompassing the islands of Sint Maarten, Saba and Sint Eustatius. It provides approach and aerodrome control service up to FL 150, while Saba and Sint Eustatius islands only provide aerodrome flight information services.

3.3.3.9 Meteorological services for international air navigation in the Netherlands Antilles and Aruba are provided by the operations section of the MDNAA. However, no quality system related to the provision of meteorological services has been established. There is also no mechanism in place to carry out safety oversight over the services provided by the MDNAA.

3.3.3.10 The provision of SAR services in the Netherlands Antilles and Aruba is organized as follows:

- i) within the Curaçao FIR (i.e. Curaçao, Aruba and Bonaire islands), SAR services are provided by the Netherlands Antilles and Aruba Coast Guard;
- ii) within the territories of Sint Maarten, Saba and Sint Eustatius islands, which lie within the Juliana TCA/San Juan FIR, SAR services are provided by the Netherlands Antilles Coast Guard; and
- iii) outside of the territories of Sint Maarten, Saba and Sint Eustatius islands, SAR services are provided by France (French Antilles) and the United States of America.

3.3.3.11 The Netherlands Antilles Coast Guard has available resources, communications facilities, and a workforce skilled in coordination and operational functions. While good cooperation and coordination exist among all the entities ensuring the provision of SAR services, no formal letters of agreement have been signed between the Kingdom of the Netherlands and the other States involved, specifically describing the degree of cooperation with respect to the provision of SAR services within the Netherlands Antilles and Aruba.

3.3.3.12 The certification and surveillance of aerodromes is the responsibility of the Air Traffic Services and Aerodromes Unit, which is made up of one inspector (i.e. Inspector of Air Traffic Services and Operation of Aerodromes). This inspector is also responsible for the safety oversight of aerodromes and ANS. The job functions and responsibilities of the inspector are laid out in the document “*Functiebeschrijving*.” Presently, the DCANA does not have sufficient qualified personnel to take charge of the certification and surveillance of aerodromes. The Netherlands Antilles has established a clear separation of authority between the service provider and the regulatory authority.

3.3.3.13 When aircraft accidents or serious incidents occur in the Netherlands Antilles, investigations are carried out by the technical staff of the DCANA, who report their results to the CTL. Within the DCANA, 2 airworthiness inspectors and 1 aircraft operations inspector have taken a basic investigation course and have been appointed to conduct or participate in investigations as part of their documented job descriptions. However, no measures have been established to ensure that these inspectors are not placed in a situation of potential conflict of interest. Furthermore, in the absence of legislative provisions granting specific powers to investigators, the DCANA inspectors use their regular inspector credentials when carrying out investigation tasks. Regarding the investigation authority, its structure and reporting lines have not been clearly defined, and the respective roles of the DCANA investigators and the members of the CTL have also not been formally established.

3.3.4 **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.”

3.3.4.1 The DCANA staff has attended a number of courses and seminars, but the DCANA has not established a formal system to keep and file the training records, which were found to be incomplete in some cases.

3.3.4.2 In the areas of personnel licensing and aircraft operations, a formal training policy and training programme have been established. However, the training programme does not include recurrent training. For flight examiners who are also check airmen, no training is required to secure their nomination and no criteria regarding experience or qualifications have been established. For medical examiners, who are also nominated by foreign authorities, there are no requirements for training before their nomination or for their re-nomination. With respect to the safe transport of dangerous goods by air, a training policy is described in the dangerous

goods inspectors' procedures guidance manual but there is no training programme. Moreover, the dangerous goods inspector has not received sufficient training required for his function.

3.3.4.3 The airworthiness inspector's manual lays down the minimum qualifications required for airworthiness inspectors. These inspectors have to successfully complete three levels of training before they can assume their functions. A training programme is in place and training plans are developed yearly based on the requirements outlined in the airworthiness inspector's manual.

3.3.4.4 For the technical personnel performing ANS-related safety oversight functions, the minimum requirements for knowledge and experience have not been defined. Detailed training programme have also not been established for the ANS safety oversight staff.

3.3.4.5 With respect to aerodromes, the minimum qualifications and experience requirements for an aerodrome inspector are outlined in the "*Functiebeschrijving*." A training programme for the aerodrome regulatory staff that includes initial, recurrent, OJT and specialized training was recently developed by the DCANA, but it has not been fully implemented. Presently, the aerodrome inspector receives training on an ad hoc basis. While the aerodrome inspector has received SMS training, not all items in the training programme have been addressed.

3.3.4.6 With respect to aircraft accident and incident investigation, the DCANA inspectors charged with investigations tasks have all taken a basic investigation course. However, these inspectors still have limited experience in investigations due to the relatively low level of activity in the State. No formal training programme and no periodic training plans have been developed for the staff.

3.3.5 **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."

3.3.5.1 The DCANA is housed in a building located in Curaçao. Except for aircraft accident investigation equipment and protective equipment, the DCANA staff is provided with all necessary facilities and equipment.

3.3.5.2 In the area of personnel licensing, most of the related procedures are still under development, so the inspectors have practically no guidance material available to complement the relevant regulations. A flight examiner handbook has been developed to provide instructions (such as to the conduct of flight examinations) and standardized checklist used during the examinations. For written examinations, written test examiners and applicants are provided with the syllabus describing the topics to be studied. Written examiners however do not have procedures for the preparation of examination questionnaires. For medical examiners, the DCANA has prepared a booklet which requires them to report the results of the medical examinations of licence holders. However, there are no requirements for these reports to be submitted to the DCANA for assessment.

3.3.5.3 Procedures for aircraft operations are outlined in the *Operations Inspector's Guidance Manual*. This manual also addresses the certification process and the surveillance of air operators as well as includes checklists used for flight, cabin, ground and base inspections. It is complemented by specific guidance on the assessment of operations manual, training programmes, minimum equipment list (MEL), and the organization of the air operators. However, procedures have not been developed to address the newly promulgated regulations, particularly regarding cabin crew training, dispatch training, ground handling and security for air operators. For dangerous goods inspectors, a procedures guidance manual has been issued, outlining the procedures for granting authorizations, approvals and exemptions as well as including relevant checklists.

3.3.5.4 The *Airworthiness Inspectors' Handbook* contains comprehensive procedures, including but not limited to the issuance/renewal of certificates of airworthiness, approvals of maintenance organizations, and approvals of maintenance programmes. Checklists have also been developed for each task. Additional guidance and application forms are found in the Implementing Standards which form part of the CARNAs. However, the DCANA has not established a procedure for the approval of modifications and repairs, while the procedure for the issuance/renewal of a certificate of airworthiness does not address the need to review the electrical load analysis and the master minimum equipment list (MMEL).

3.3.5.5 With respect to air navigation services, the Air Traffic Services and Aerodromes Unit has not been provided with guidance material, such as an inspector's handbook. In addition, the Netherlands Antilles AIP does not conform to the provisions of ICAO Annex 15.

3.3.5.6 With respect to aerodromes, the DCANA has developed a manual entitled "*Aerodrome Inspector Certification Manual*." However, this manual is not up to date and refers to several procedures and systems that are not in place or in use in the Netherlands Antilles. No guidance material has been issued for the aerodrome operators and related service providers.

3.3.5.7 With respect to aircraft accident and incident investigation, the technical staff of the DCANA who carry out investigation tasks have not been provided with the necessary investigation equipment, field kits and protective equipment. In terms of manuals, the DCANA has issued the "*Aviation Accident, Serious Incident and Incident Investigation Handbook*," which was approved by the Director of the DCANA on 7 April 2008. However, this manual does not provide comprehensive guidance and instructions to the staff. Furthermore, while the manual is intended not only for the DCANA staff but also the members of the Commission or Board which is responsible for the investigation, it has only been signed and endorsed by the Director of the DCANA. In practice, the process followed during the few investigations conducted in the Netherlands Antilles did not always comply fully with the provisions of ICAO Annex 13. In one case, the final investigation report, which was completed in December 2005, has not yet been approved or released.

3.3.6 **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."

3.3.6.1 In the area of personnel licensing, the DCANA issues pilot and AME licences as well as organizes its own written and flight examinations. The application forms for pilot and AME licences, along with the required documents, are reviewed by a flight operation inspector of the DCANA. A second inspector

confirms the review and finalizes the application. All flight operations inspectors are authorized by the Director of the DCANA to sign and issue licences. In addition, DCANA also converts and validates pilot and AME licences based on the criteria set out in the related Ministerial Decree. Regarding training organizations, most are located in foreign countries and have already been approved by foreign authorities. In any case, the Netherlands Antilles does not have requirements or systems in place to approve the training organizations. However, the DCANA does approve their training programmes. Concerning medical examinations, medical certificates are issued directly by the medical examiners and DCANA is duly informed. However, no assessment of medical reports is made. As for language proficiency, the DCANA has established a two-year implementation plan. By 5 March 2010, all pilots will have to provide evidence of having undergone a language proficiency check in a foreign approved organization.

3.3.6.2 In the area of aircraft operations, the five-phase certification process, starting from the assessment of the application to the issuance of the Air Operator Certificate, is completed in coordination with the airworthiness inspectors. The operations manual and training manuals are reviewed by the flight operations inspectors, who conduct on-site inspections to confirm the contents of the manuals. All the required approvals, including the operations specifications (OPSSPEC), are delivered before the Air Operator Certificate is granted. To address new regulations that were recently promulgated, the DCANA requires air operators to submit new manuals in accordance with the new requirements before July 2008. Regarding the safe transport of dangerous goods by air, the DCANA has introduced a procedure on the issuance of authorizations to air operators applying to transport dangerous goods by air. A process was also initiated to assess the dangerous goods training conducted in the different organizations involved in the transport of dangerous goods by air.

3.3.6.3 The DCANA issues certificates of registration and certificates of airworthiness in line with the national regulations as well as ICAO provisions. While the procedures regarding the approval of modifications and repairs are not comprehensive, they are nonetheless based on sound engineering practices. Maintenance organizations are approved based on the requirements of CARNA Part 6 as well as the guidance material from the *Airworthiness Inspector's Handbook*. The DCANA does not issue Type Certificate or Supplemental Type Certificate, and it refers to the airworthiness documentation of the State of Origin.

3.3.6.4 In the ANS field, no safety programme has been established and service providers are not required to implement an SMS. The development of instrument approach procedures and charts are normally contracted out. However, all PANS-OPS service providers do provide the DCANA with a copy of their design documentation so that any data anomalies or errors found during the production or implementation of related procedures can be corrected. The DCANA has not established a mechanism to ensure that a properly organized quality system for AIS is in place to address the provisions of ICAO Annex 15 with regard to the accuracy, integrity, traceability and timeliness of data or to ensure that aeronautical data quality requirements related to data integrity, publication resolution and chart resolution are in accordance with the provisions of ICAO Annexes 4 and 15. Moreover, the Netherlands Antilles does not have requirements for the flight inspection of navigation aids and does not ensure that periodical flight inspections are provided for navigation aids.

3.3.6.5 With respect to aerodromes, CARNA Part 14 requires the certification of all aerodromes open for public use, with the DCANA responsible for the certification and surveillance of five international aerodromes that are located in the different islands (i.e. Curaçao, Bonaire, Sint Maarten, Sint Eustatius, and Saba). However, the Netherlands Antilles has not certified any of its aerodromes in accordance with this regulation. While aerodrome operators are required under the regulations to develop and implement SMS during the certification process, this requirement has not been implemented at any of the aerodromes. Meanwhile, the DCANA has established a process for the issuance of aerodrome certificates (which are valid for three years), including the submission of application forms and aerodrome manuals. The DCANA however does not ensure that aerodrome operators incorporate their surface movement guidance and control system into

a runway incursion prevention programme. It also does not ensure that aerodromes provide up-to-date aerodrome manuals.

3.3.7 **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.”

3.3.7.1 In the area of personnel licensing, surveillance of licence holders is conducted by designated flight examiners who send copies of their examination checklists to the DCANA. Flight examiners are designated for a one-year term and are subject to annual surveillance by a flight inspector of the DCANA. For medical examiners, there is no surveillance system or a system to assess the medical reports that they have completed. To remedy the situation, the DCANA recently reached an agreement for an Inspector from the Public Health Department to conduct surveillance over the medical examiners. There is however no formal surveillance programme for the training organizations. Flight inspectors only perform informal inspection of training organizations by verifying their manuals and records.

3.3.7.2 A surveillance policy for aircraft operations is outlined in the operations inspector’s guidance manual. This policy thus forms the basis of the annual surveillance and work programme established by the inspectors. Surveillance is based not only on flight, cabin and ground inspections, but also on audits at the operational base of the air operators and evaluations of ground courses. However, this surveillance programme is not comprehensive, due in part to the insufficient inspection or audit of the various areas in aircraft operations. Regarding the surveillance of the transport of dangerous goods by air, there is no stated policy in the guidance manual. However, the dangerous goods inspector has established a surveillance programme for the year 2008 covering all the organizations in all the islands of the Netherlands Antilles, but this programme is not fully implemented.

3.3.7.3 The Airworthiness Unit of the DCANA establishes surveillance programmes on a yearly basis, encompassing audits and inspections of approval holders and aircraft on the national register. The surveillance programme is well implemented. The 22 aircraft currently on the national register are all based in the Netherlands Antilles and are subject to planned and random checks. Random inspections are also carried out at related facilities.

3.3.7.4 As far as ANS is concerned, the Air Traffic Services and Aerodrome Unit has not developed a comprehensive surveillance programme to provide continuing surveillance of the ANS providers. In practice, surveillance is not performed in a sufficient and timely manner.

3.3.7.5 The *Aerodrome Inspector Certification Manual* requires an inspection of all of the aerodromes in the Netherlands Antilles at least once every year. However, no inspections were conducted in 2007. The DCANA has not established a formal surveillance programme that includes the frequency of periodic or special on-site audits, review of audits from previous years, and definition of the areas to be covered in an audit.

3.3.8 **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.”

3.3.8.1 In the areas of personnel licensing, even though the legislation empowers inspectors of the DCANA to withdraw licences and privileges, there is no formal system and no enforcement procedure in place. No system has been established to track deficiencies in the area of personnel licensing and training.

3.3.8.2 With respect to aircraft operations, a report in the form of a formal letter or a completed checklist is transmitted to the air operator following each inspection. The report also serves notification of non-conformities or discrepancies identified by the inspector during the inspection. However, there is no system to track the identified deficiencies and ensure that the air operator has taken corrective actions in a timely manner. While the operations inspector’s guidance manual describes the actions to be taken in case significant deficiencies are detected, such actions have not been implemented. In the area of dangerous goods, the dangerous goods inspectors’ procedures guidance manual outlines the process to follow when discrepancies are identified and notified during an inspection. However, no enforcement procedure has been established.

3.3.8.3 The Airworthiness Unit of the DCANA maintains records of the inspections and audits completed. The reported deficiencies are tracked by each individual inspector and related information reported to the senior inspector. If a deficiency is not corrected in a timely manner, the DCANA issues reports and warning letters and it may ground the aircraft, if deemed necessary. The procedure for developing mandatory airworthiness actions has been established; however this procedure does not include coordination with the State of Design. For transport category aircraft, an airworthiness directive of general application makes it compulsory to comply with all mandatory airworthiness actions issued by the State of Design.

3.3.8.4 In the ANS area, no mechanism has been established for the elimination of deficiencies identified by the Air Traffic Services and Aerodrome Unit.

3.3.8.5 With respect to aerodromes, deficiencies found during an inspection are conveyed to the aerodrome operator through a “letter of correction” issued by the aerodrome regulatory staff. However, since no inspections were conducted in 2007, no deficiencies were identified by the DCANA. In addition, the DCANA has not established a process for action to be taken in case deficiencies found during an aerodrome inspection are not rectified within a reasonable time. The DCANA has also not established a mechanism to enable the exchange of safety information across the aerodrome industry.

3.3.8.6 With respect to aircraft accident and incident investigation, no documented procedures, policies or guidance material have been developed or implemented for the issuance of safety recommendations or for the completion and submission of preliminary and data reports to the States concerned and to ICAO. As no provisions exist in the legislation and regulations for the mandatory reporting of incidents, an effective mandatory incident reporting system has not been implemented in the Netherlands Antilles, and there is also no voluntary reporting system. In addition, the accident and incident information received by the DCANA is not stored in a database. The DCANA has not carried out analyses of the accident and incident information received.

3.4 **Kingdom of the Netherlands — Aruba**

3.4.1 **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*.”

3.4.1.1 The primary aviation legislation in Aruba is the *Aviation Act*, which was promulgated in 1989 and last amended in 1997. The same process is observed for the adoption of a new law and the amendment of existing legislation. First, a draft bill is prepared by the Department of Civil Aviation (DCA), either upon request of the Minister responsible for aviation affairs (heretofore known as the “Minister”) or on its own initiative. Once accepted by the Minister, the draft bill is sent to the Council of the Ministers of Aruba for approval and then to the State Council of Aruba for comments. Afterwards, the Minister forwards the draft bill, with the State Council comments and explanatory notes, to the Parliament of Aruba, where it is reviewed by a commission of Members of Parliament. Once approved by Parliament, the proposed Act or amendment is sent to the Governor of Aruba for signature and to the Minister concerned and the Minister of Justice for endorsements before it is published in the Official Gazette of Aruba, namely “*Afkondigingsblad van Aruba*.” The entry into force of the Act or amendment is specified either in the Act itself or in a separate decree or ministerial regulation.

3.4.1.2 While the current version of the *Aviation Act* enables the Minister to issue regulations on most areas of civil aviation, it does not provide for the promulgation of aerodrome regulations for the implementation of ICAO Annex 14.

3.4.1.3 Under the *Aviation Act*, the Minister has the power to issue and suspend all aviation documents, including licences, certificates and other approvals. Together with the *Penal Criminal Code of Aruba*, the *Aviation Act* provides the legal framework that authorizes the DCA to carry out enforcement actions. In particular, the *Aviation Act* specifies the penalties for non-compliance with the *Aviation Act* or related regulations.

3.4.1.4 The *Aviation Act* contains provisions granting “designated officials” all the necessary authority and powers to carry out safety oversight and enforcement activities in Aruba, based on the State Decree about general provisions on oversight that was promulgated in 1996. In addition, the inspectors of the DCA have been delegated the corresponding authority by a State Decree which appoints them as officers with the powers of the “designated officials” as described in the *Aviation Act*.

3.4.1.5 The *Aviation Act* itself does not contain specific provisions for the establishment of a civil aviation authority. In Aruba, this authority is a department of the Ministry of Tourism and Transport. The organization of the various ministries in Aruba is based on the *Act on the Establishment of the Ministries*, promulgated in 2002 and last amended in 2006.

3.4.1.6 With respect to aircraft airworthiness, Article 6 of the *Aviation Act* addresses the requirements for an aircraft register and other related SARPs of ICAO Annex 7. Article 8 of the same Act addresses the requirements relating to certificates of airworthiness.

3.4.1.7 The provision of ATS within the Queen Beatrix control zone, as well as flight procedure design and CNS equipment, are addressed in the *Aviation Act*. As for the provision of ATS in the rest of the Aruba airspace, the AIS, the charts and the meteorological services, these have been delegated by Aruba to the Netherlands Antilles under the provisions of the *Kingdom Act A1985 No 88 of 28 August 1985* (i.e. cooperation arrangements between the Netherlands Antilles and Aruba). In addition, both the Netherlands Antilles and Aruba have designated, under *LB 7 June 1995 No 4*, the MDNAA as the provider of meteorological services for international air navigation in the two States. Another Kingdom Act, the *Kingdom Act No 98 dated 25 February 2008* promulgated by the Kingdom of Netherlands, governs the provision of SAR services in the Netherlands Antilles and Aruba. Meanwhile, Article 1 of the *Aviation Act* outlines general

provisions regarding compliance with the laws of other States while flying in their airspace, while Article 15 addresses the interception of aircraft in Aruba. However, the legislation does not include provisions related to Article 3 *bis*, which make it mandatory for aircraft registered in Aruba or operated by an air operator whose principal place of business or permanent residence is in Aruba to comply with interception requirements of other States.

3.4.1.8 Article 12 of the *Aviation Act* lays down the conditions for the construction, designation and operation of aerodromes. It also empowers the Minister to determine which airports are intended for international operations. In addition, the Minister may, for safety reasons, forbid constructions “at, in, above or in proximity of an aerodrome.” Article 22 of the Act provides for the imposition of sanctions, but it does not contain any provisions to impose operational restrictions on the aerodrome. The Act does not provide for the promulgation of aerodrome regulations and also does not establish any requirements to certify aerodromes.

3.4.1.9 With respect to aircraft accident and incident investigation, the current version of the *Aviation Act* does not address any aspect of the investigation system. Essential related legal provisions are outlined in the draft amendment of the Act, which is in the process of being approved by Parliament but has not yet been promulgated. The current provisions governing aircraft accident and incident investigations in Aruba are laid down in the *Aircraft Accident Regulation*, promulgated in 1995.

3.4.2 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.”

3.4.2.1 There are three levels of regulations governing civil aviation matters in Aruba:

- 1) *State Decrees* contain high-level provisions for the application of an Act and are signed by the Governor of Aruba, the Minister of Justice and the Minister of Tourism and Transport. A State Decree is initially prepared by the DCA and is promulgated or amended in the same way as an act, except that State Decrees are not reviewed or approved by Parliament.
- 2) *Ministerial Regulations* are signed only by the Minister of Tourism and Transport.
- 3) *Director’s Directives* are signed by the Director of the DCA, who has been granted regulatory authority for operational regulations and orders.

3.4.2.2 State Decrees, Ministerial Regulations and Director’s Directives are all published in the Official Gazette of Aruba (“*Afkondigingsblad van Aruba*”) and become effective on the date indicated in the publication. Up-to-date copies of enabling regulations and directives are made available by the DCA to the public at no cost.

3.4.2.3 Within the Kingdom of the Netherlands, Aruba has established procedures for the amendment of its specific regulations and for the identification and notification to ICAO of existing differences with ICAO SARPs. However, these procedures have not been fully implemented. For instance, regulations have not been

promulgated in some fields, including in the area of aerodromes, and not all differences with ICAO SARPs have been identified and notified to ICAO.

3.4.2.4 Regarding aircraft airworthiness, the DCA accepts type certificates issued by the regulatory bodies of the United States of America, Canada, EASA, and Brazil. The *Airworthiness Regulations of Aruba*, issued under a Ministerial Regulation of July 2001, describes the requirements for the approval of AMOs in Aruba. JAR OPS 1, which has been adopted by Aruba, and the *Director's Directive n. LTB 3.44* specify the air operator maintenance requirements and the aircraft noise requirements, respectively. The *Airworthiness Regulations of Aruba* also requires air operators and owners of all aircraft to comply with any mandatory continuing airworthiness actions issued by other States of Design for aircraft on the Aruba aircraft register.

3.4.2.5 In the field of ANS, the Director of the DCA has issued operating regulations, the *Aruba Rules of the Air (AUA-ROA)*, as well as directives which are published in the AIP. However, except for regulations issued partially to implement ICAO Annex 11, Aruba has not promulgated regulations which give effect to the provisions of the ICAO Annexes 2, 3, 4, 10, 11, 12 and 15.

3.4.2.6 Aruba has not developed and promulgated aerodrome regulations to enable the implementation of the provisions of ICAO Annex 14. The *State Decree n. 1932 of 19 July 1996*, which establishes the operator of the Queen Beatrix International Airport as an autonomous entity, states that the aerodrome operator shall operate “in accordance with ICAO requirements.” In addition, the aerodrome operator is required to follow all safety-related instructions, recommendations and guidelines issued by the Director of the DCA. Presently, the instructions issued by the Director of the DCA are used as a basis for certifying the aerodrome and for surveillance tasks.

3.4.2.7 With respect to aircraft accident and incident investigation, the regulatory framework established in Aruba is based on the *Aircraft Accident Regulation* promulgated in 1995. This regulation establishes the “Aviation Board” as the entity responsible for aircraft accident and incident investigations in Aruba and contains a number of provisions addressing the notification and investigation of aircraft accidents and incidents. However, because some provisions in this regulation are insufficient and some essential requirements are still missing, the current regulatory framework established in Aruba does not provide all the necessary legal tools to establish an effective investigation system and to ensure compliance with ICAO Annex 13. In particular, there is no mention in the regulation that serious incidents be notified as soon as possible to the civil aviation authority. In addition, there are no provisions about the powers to be granted to the investigators, the protection against the disclosure of cockpit voice recorder recordings and other restricted material, and the protection of the wreckage against unauthorized access.

3.4.3 **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.”

3.4.3.1 Established within the Ministry of Tourism and Transport of Aruba by the State Decree of 26 May 1997, the DCA reports directly to the Minister. It is funded by the State budget through the Ministry of Tourism and Transport. Aside from carrying out civil aviation safety oversight, the DCA is also responsible for the provision of ATS at Aruba's Queen Beatrix Approach and Control Tower.

3.4.3.2 The DCA has six divisions:

- 1) the Maintenance and Airworthiness Division,
- 2) the Operation Division,
- 3) the Air Traffic Services Division,
- 4) the Air Transport and Legal Division,
- 5) the Administration and Human Resources Division, and
- 6) the Security Division.

Each division is headed by a manager, who reports to the Director of the DCA.

3.4.3.3 The DCA has developed a series of manuals, not only to provide guidance and instructions to its staff, but also to document its organizational structure and its policies. These manuals are approved by the Director of the DCA, with the exception of Volume 6 ("*Air Safety Investigation Manual*"), which is signed on behalf of the Minister by the DCA inspector who is permanently appointed as "investigator-in-charge."

3.4.3.4 Overall, while the functions of the Airworthiness Division are well defined and detailed job descriptions have been issued to the airworthiness inspectors, there are no clear definitions of functions and job descriptions for the oversight of aerodromes and air navigation services.

3.4.3.5 The DCA has a staff of 80 employees, most of whom work for the ATS provider. The Director of the DCA has control over the recruitment process. For its safety oversight functions, the DCA has a staff of 11: 2 aircraft operations inspectors (one of whom is a flight inspector), 2 personnel licensing officers, 6 airworthiness inspectors, and 1 inspector responsible both for aerodromes and air navigation services. While the size of safety oversight staff of the DCA is sufficient in the airworthiness area, the same cannot be said for safety oversight in the areas of aerodromes and air navigation services.

3.4.3.6 The Maintenance and Airworthiness Division of the DCA is responsible for all airworthiness and aircraft noise-related activities. As such, it is responsible for the issuance of certificates of registration and the maintenance of the aircraft register, acceptance of type certificates, issuance of documents attesting to noise certification, approval of modifications and repairs, issuance/renewal of certificates of airworthiness and special flight permits, approval of air operator maintenance control manuals and maintenance programmes, airworthiness aspects of air operator specific operating provisions, approval and surveillance of maintenance organizations, and continuing airworthiness responsibilities of Aruba as the State of Registry.

3.4.3.7 With respect to ANS, the airspace of Aruba covers the control zone at the Queen Beatrix International Airport, 25 nautical mile radius up to FL 65, and the terminal control area above the control zone with no upper limit. The control zone is within the Curaçao FIR. Average peak traffic in the Beatrix CTR is about 120 movements per day. The Air Traffic Services Division of the DCA, which reports to the Director, is responsible for the provision and the safety oversight of ANS. There is no distinct separation between the ATS safety oversight and service provision functions.

3.4.3.8 The provision of ATS in the terminal control area and AIS (with the exception of AIP) is delegated to the Netherlands Antilles Air Traffic Control (NA-ATC), which is an autonomous entity of the

government, separate from the DCA of the Netherlands Antilles, and provides area control service in the Curaçao FIR. The provision of meteorological services is ensured by the MDNAA. In addition, Aruba has established a briefing office at the Queen Beatrix International Airport from where flight crew may obtain MET and AIS services from MDNAA and NA-ATC in Curaçao. The DCA has also established an AIS section, within its Air Traffic Services Division whose primary functions are to coordinate the collection of aeronautical information at the Queen Beatrix International Airport and forward them to NA-ATC in Curaçao as well as to manage the AIP of Aruba. SAR services are provided in accordance with ICAO Annex 12 by the Coast Guard, which is the responsible authority under the Ministry of Defence of the Netherlands and has available resources, communications facilities and a workforce skilled in coordination and operational functions.

3.4.3.9 Aruba is responsible for the provision of the instrument flight procedures for Queen Beatrix International Airport and the aeronautical charts with respect to the AIP. Instrument flight procedures serving Aruba are developed by private agencies contracted on an as-needed basis. Aruba provides its own CNS infrastructure and equipment for the Queen Beatrix International Airport, under the Air Traffic Services Division of the DCA. Flight inspection of navigation aids, conducted in accordance with ICAO Annex 10 and *Manual on Testing of Radio Navigation Aids* (Doc 8071), is also contracted on an as-needed basis. Flight checking of flight procedures is undertaken simultaneously with the flight inspection. The development of the charts is contracted to private agencies. Charts related to the rest of the Aruba airspace have been delegated to the NA-ATC which is responsible for the FIR.

3.4.3.10 The DCA has established one inspector position for the oversight of ATS, but this is insufficient for the effective performance of all relevant oversight tasks. Inspector positions for other ANS fields, such as CNS, have not been established. In addition, this ATS inspector is also responsible for safety oversight in the area of aerodromes. In the organizational chart of the DCA, an “aerodrome unit” entrusted with aerodrome certification and surveillance has been established within the Air Traffic Services Division. However, this unit has no dedicated staff and the DCA does not have sufficient staff internally for safety oversight in the area of aerodromes. In addition, the specific functions of the aerodrome unit and of the aerodrome inspector have not been formally established.

3.4.3.11 When aircraft accidents or serious incidents occur in Aruba, investigations are carried out by inspectors of the DCA who have been permanently appointed by the Minister to the task and are trained for it. The inspectors report their results to the Aviation Board. Initially chaired by the State Public Prosecutor, the Aviation Board has since 28 March 2008 been chaired by a former Director of Civil Aviation, and is now composed solely of individuals with experience in the field of civil aviation. The Board Chairman and the other four members of the Aviation Board are appointed by a Ministerial Decision of 28 March 2008. However, the internal structure of the Aviation Board and the functions of all its members have not been clearly defined. In addition, there is no formal provision about the funding for the Aviation Board. Within the DCA, two airworthiness inspectors have been designated as investigator-in-charge and deputy investigator-in-charge, respectively, their functions written as part of their job descriptions.

3.4.4 **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.”

3.4.4.1 The DCA has established a training policy for its safety oversight staff. Among the manuals developed by the DCA, Volume 15 (“*Training Manual*”) describes the minimum knowledge and experience

requirements for the safety oversight staff of the DCA and also outlines the training programmes for the various technical staff positions. Training plans are regularly developed for the airworthiness inspectors, but none for the aerodrome and ANS inspectors. The DCA has put in place an effective system to maintain the training records of its safety oversight staff.

3.4.4.2 All airworthiness inspectors, including the division manager, are qualified aeronautical engineers and have undergone extensive training. The two airworthiness inspectors who are charged with investigation tasks have both attended a basic investigation course as well as a number of specialized courses and seminars.

3.4.5 **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.”

3.4.5.1 The DCA is housed in a building located near the Queen Beatrix International Airport. With the exception of aircraft accident investigation equipment and protective equipment which remain insufficient, the DCA staff is provided with all necessary facilities and equipment. For its inspectors, the DCA provides them with computers, office space, cellular phones, fax machines and the means of transportation required to perform their duties.

3.4.5.2 DCA inspectors have access to most documentation through the Internet. In addition, the DCA maintains a technical library containing relevant ICAO documents and other technical reference material. The library maintains publications both in hard copy and electronic format. However, the DCA has not yet established a document control mechanism to ensure the currency of hard copy documents.

3.4.5.3 With respect to aircraft airworthiness, the inspectors have access to technical documents and design data through online access to the manufacturers’ websites and the technical library maintained by the DCA. However, the technical library does not have all the necessary technical documents and continuing airworthiness information applicable to all the aircraft types on the register of Aruba. For additional guidance, the DCA has issued a procedures handbook for its airworthiness inspectors. However, the procedures available for the issuance of reduced vertical separation minimum (RVSM) approvals and AMO approvals are incomplete. Although the DCA has provided the aviation industry with technical guidance material for most applicable areas, it has not provided industry guidelines on the use of parts removed from aircraft no longer in service, the reporting of unapproved parts, and the handling of scrapped parts.

3.4.5.4 With respect to ANS, the *Safety Oversight Manual* developed by the DCA proposes three volumes that are applicable to ANS, namely: the “*Handboek Rechtspositionele Regelingen land Aruba*”, the *General Handbook* (for oversight), and the *Air Traffic Services Handbook*. The *General Handbook* and *Air Traffic Services Handbook* are however not yet published.

3.4.5.5 In the field of aerodromes, an *Airport Certification Procedure Manual* was recently developed by the DCA. This manual documents the process to be followed for the certification of aerodromes and addresses the initial aerodrome certification as well as the revocation, cancellation or transfer of the airport certificate. However, no guidance material has been provided to the industry in this regard.

3.4.5.6 With respect to aircraft accident and incident investigation, the technical staff of the DCA who carry out investigation tasks have not been provided with all the necessary investigation equipment, field kits and protective equipment. The DCA however has developed a manual entitled *Air Safety Investigation Manual*, which was first issued in December 2006 and amended since. Made up of three volumes, namely the “*Policy and Procedures*,” “*Major Investigation Manual*,” and “*Occupational Health and Safety*,” the manual covers the conduct of investigations by Aruba as well as the participation of Aruba in investigations conducted by other States. However, the manual has not yet been reviewed by the Aviation Board to ensure that it reflects its policy. In addition, the manual is not yet finalized, as some procedures and guidelines still need to be amended or expanded. In practice, only a few accident and serious incident investigations have been carried out by Aruba in the last few years, the level of activity in the State being relatively low. Investigators of the DCA have nevertheless participated in a number of investigations carried out by other States, as accredited representatives of the State of Registry.

3.4.6 **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.”

3.4.6.1 Regarding aircraft airworthiness, the DCA has issued certificates of airworthiness, certificates of registration, flight permits, export approvals for aeronautical products, noise certificates, approvals of modifications and repairs, AMO approvals, air operator maintenance organization approvals and RVSM approvals to organizations and aircraft registered in Aruba. All these approvals have been issued in accordance with the established policies and procedures, with the exception of the RVSM approvals granted to some aircraft registered in Aruba. Indeed, some aircraft files do not contain all the required data to support the RVSM approvals granted. However, the DCA has taken immediate action during the audit to rectify this deficiency by appointing a committee to review all RVSM-certified aircraft files in order to ensure compliance with the established procedures. This committee has been empowered by the Director of the DCA to withdraw any RVSM approval which does not meet all the RVSM requirements within 48 hours of detection. As a result, the DCA has been able to complete the review of all RVSM approvals and confirm that all the approvals granted by Aruba are in conformance with the established policies and procedures. In addition, the DCA has introduced more stringent requirements for the issuance and maintenance of the validity of RVSM approvals by its air operators and has also provided additional RVSM approval training to all its airworthiness inspectors.

3.4.6.2 With respect to ANS, the ATS service provider in Aruba has not yet implemented an SMS. The flight inspection of navigation aids is conducted periodically under a contractual arrangement with a flight inspection unit that also provides its services to other States in the Caribbean Region. Inspection criteria and the obligation to comply with ICAO provisions are specified in the contract.

3.4.6.3 Aruba has only one international airport, which was certified in 1999 and was issued an open-ended operating certificate. The airport was certified according to specific requirements issued by the DCA, which were derived from the Federal Aviation Regulations of the United States (FAR-139). However, these requirements do not encompass all of the provisions outlined in ICAO Annex 14 and in the *Manual on Certification of Aerodromes* (Doc 9774). According to the certification requirements, the aerodrome operator has to submit an aerodrome manual to the DCA, which meets the requirements outlined in the United States’ FAR-139. The aerodrome unit keeps copies of the aerodrome manual and all relevant correspondence.

3.4.7 **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.”

3.4.7.1 Regarding aircraft airworthiness, the DCA has developed a comprehensive surveillance programme to proactively ensure that aviation licence, certificate, authorization and approval holders continue to meet the established requirements and function at the level of competency and safety required by the State. This surveillance programme is developed on an annual basis and the DCA policy requires all approval holders to be audited at least once every 12 months. In particular, the DCA mandates that all aircraft on the register of Aruba have to be inspected by the DCA at least once every 12 months. To ensure timely compliance, the DCA has made aircraft inspection mandatory for the renewal of the aircraft certificates of airworthiness. The aircraft and surveillance records maintained by the DCA indicate timely compliance of all surveillance activities in accordance with the approved programme, while more than 90 per cent of the aircraft on the register of Aruba are based and operated outside the State.

3.4.7.2 With respect to ANS, the DCA has established a detailed surveillance programme for ATS in its *Safety Oversight Manual*. However, the surveillance programme has not been implemented. A mechanism for the surveillance of NA-ATC, MDNAA and the Coast Guard with regard to the services provided in the Aruba airspace or on behalf of Aruba has not been established.

3.4.7.3 The DCA has developed a periodic surveillance programme to provide continuing surveillance of the certified aerodrome, but this programme has not yet been implemented. In addition, a formal inspection procedure has not been developed. Surveillance consists only of random inspections of the aerodrome.

3.4.8 **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.”

3.4.8.1 With respect to aircraft airworthiness, the DCA has an effective system in place for tracking deficiencies identified during inspections, audits and random surveillance of aircraft and approval holders. The DCA ensures that approval holders systematically take action to address identified deficiencies in a timely manner. Although the DCA requires that information on faults, malfunctions and defects be transmitted to the organization responsible for the type design, the DCA currently does not have a stem in place to ensure that this activity takes place in a timely manner.

3.4.8.2 With respect to ANS, while the *Aviation Act* and the established procedures provide for the enforcement of the regulations, there is no clear mechanism in place for tracking safety deficiencies and ensuring their timely and systematic resolution.

3.4.8.3 The DCA has not established procedures to deal with deficiencies identified during the surveillance of the aerodrome. However, legal instruments to impose sanctions or operational restrictions are in place, should the need arise.

3.4.8.4 As far as aircraft accident and incident investigation is concerned, the *Air Safety Investigation Manual* addresses the issuance of safety recommendations and the submission of preliminary and data reports to the States concerned and to ICAO.

3.4.8.5 Implementation of the mandatory incident reporting system is limited by the fact that the *Aircraft Accident Regulation* does not specify the timeline for the reporting of incidents to the civil aviation authority. A voluntary occurrence reporting system has not been established at the level of the State. The accident and incident information received by the DCA are not stored in a database, and the DCA has not carried out analyses of the accident and incident information received.

4. VISITS TO THE INDUSTRY/SERVICE PROVIDERS

4.1 Accompanied by staff members of the civil aviation system of the Kingdom of the Netherlands, the audit teams visit 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 is to validate the capability of the three States comprising the Kingdom of the Netherlands to supervise the activities of these service providers, airlines and organizations.

4.2 In the case of the Netherlands, the audit team visited the following organizations:

- a) Flight Simulation Company FSC (FTO in Schiphol) (PEL);
- b) Transavia (OPS);
- c) Menzies Groundhandling Facility (Dangerous Goods);
- d) Martinair (Dangerous Goods);
- e) Dangerous Goods Management (DGM) — “E-status holder” (Dangerous Goods);
- f) Stork Fokker and Fokker ELMO (AIR — production);
- g) Martinair (AIR — maintenance);
- h) Fokker Services (AIR — maintenance);
- i) LVNL (ANS);
- j) The Royal Netherlands Meteorological Institute (*Koninklijk Nederlands Meteorologisch Instituut* or KNMI) (ANS);
- k) The Coastguard, The Royal Netherlands Navy (ANS);
- l) Schiphol International Airport (AGA); and
- m) Rotterdam International Airport (AGA).

4.3 In the case of the Netherlands Antilles, the audit team visited the following organizations:

- a) Dutch Antilles Express (OPS);
- b) Insel Air International BV and Dutch Antilles express BV (AIR);
- c) Netherlands Antilles Air Traffic Control, NA-ATC (ANS);
- d) Curacao - Hato International Airport (AGA); and
- e) Flamingo International Airport, Bonaire (AGA).

4.4 In the case of Aruba, the audit team visited the following organizations:

- a) Control Tower and Briefing Office at Queen Beatrix airport (ANS); and
- b) CNS equipment at the DCA (ANS).

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 the Kingdom of the Netherlands as a whole and its three States individually and at a global level (average results from all States audited). 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. The Netherlands, the Netherlands Antilles, and Aruba have all submitted their 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 enables 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. The Netherlands, the Netherlands Antilles, and Aruba have all submitted their 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 the Kingdom of the Netherlands and ICAO, the three States making up the Kingdom of the Netherlands submitted their action plans on 6 November 2008 and updates on 17 February 2009. These action plans submitted, including comments and clarifications provided by the respective States, were reviewed by the Safety Oversight Audit (SOA) Section and were found to fully address most of the findings and recommendations contained in this report.

8.2 The proposed action plans submitted by the three States making up the Kingdom of the Netherlands 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

Part A:

THE NETHERLANDS

APPENDIX 1-1-01
FINDINGS AND RECOMMENDATIONS RELATED TO
PRIMARY AVIATION LEGISLATION AND CIVIL AVIATION REGULATIONS

<p>Auditee: NETHERLANDS EUROPE</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>LEG/01 1.025; 1.205; 3.007; 3.011; 4.005; 4.011; 7.013; 8.015;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 X CE-3 CE-4 CE-5 CE-6 CE-7 CE-8</p>	
<p>FINDING:</p> <p>The Directorate General for Civil Aviation and Freight Transport (DGTL) has established a procedure for reviewing ICAO State letters and for forwarding to ICAO any differences identified with ICAO SARPs. However, in practice, a number of existing differences have not been forwarded to ICAO, in particular with reference to ICAO Annex 14. In addition, while a list of significant differences is published in the <i>Aeronautical Information Publication (AIP) of the Netherlands</i>, this list has not been kept up-to-date.</p>	
<p>RECOMMENDATION:</p> <p>The Ministry of Transport, Public Works and Water Management should improve the process and procedures in place to ensure that all existing and future differences with ICAO SARPs are identified and forwarded to ICAO. In addition, the Netherlands should ensure that the list of significant differences published in the AIP is kept up-to-date.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3A-1-1 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 27/03/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

APPENDIX 1-1-02
FINDINGS AND RECOMMENDATIONS RELATED TO
PRIMARY AVIATION LEGISLATION AND CIVIL AVIATION REGULATIONS

Auditee: NETHERLANDS EUROPE Audit Period: 01/04/2008 - 18/04/2008	LEG/02 1.009;								
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.									
<table style="width: 100%; border: none;"> <tr> <td style="text-align: center; width: 12.5%;">CE-1</td> <td style="text-align: center; width: 12.5%;">CE-2 X</td> <td style="text-align: center; width: 12.5%;">CE-3</td> <td style="text-align: center; width: 12.5%;">CE-4</td> <td style="text-align: center; width: 12.5%;">CE-5</td> <td style="text-align: center; width: 12.5%;">CE-6</td> <td style="text-align: center; width: 12.5%;">CE-7</td> <td style="text-align: center; width: 12.5%;">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: The Netherlands has established local procedures for the amendment of its specific regulations by taking into consideration existing ICAO provisions and future amendments to ICAO Annexes. In addition, <i>Commission Regulation (EC) No 2096/2005 of 20 December 2005</i> stipulates that European Union Member States have to coordinate with each other to ensure a common set of standards for air navigation services, with a view to facilitating cross-border provision of services. However, the Netherlands has not established such a coordination mechanism with other EU Member States.									
RECOMMENDATION: The Netherlands should ensure that proper coordination is effected with other EU Member States in the processing and subsequent amendment of its specific regulations regarding air navigation services as a result of amendments to ICAO Annexes.									
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3A-1-2 of this report. <div style="text-align: right;">Estimated Implementation Date: 31/12/2009</div>									
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.									

APPENDIX 1-1-03
FINDINGS AND RECOMMENDATIONS RELATED TO
PRIMARY AVIATION LEGISLATION AND CIVIL AVIATION REGULATIONS

Auditee: NETHERLANDS EUROPE Audit Period: 01/04/2008 - 18/04/2008	LEG/03 1.151;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 X CE-2 CE-3 CE-4 CE-5 CE-6 CE-7 CE-8	
FINDING: The Kingdom of the Netherlands is a party to Article 83 <i>bis</i> of the Chicago Convention and has already entered into such an agreement with a foreign country. However, the legislation of the Netherlands does not contain provisions enabling the transfer of duties and responsibilities, as envisaged by Article 83 <i>bis</i> , when the Netherlands enters into an agreement with another State under the provisions of Article 83 <i>bis</i> . In addition, the existing legislation does not explicitly allow for the recognition of the validity of licences and certificates issued by a foreign State of the Operator under an agreement with another State in accordance with Article 83 <i>bis</i> .	
RECOMMENDATION: The Netherlands should amend its legislation to: <ul style="list-style-type: none"> • include provisions enabling the transfer of duties and responsibilities, as envisaged by Article 83 <i>bis</i>, when the Netherlands enters into an agreement with another State under the provisions of Article 83 <i>bis</i>; and • recognize and accept transfer agreements duly effected under Article 83 <i>bis</i> of the Chicago Convention by third party States, thereby allowing for the recognition of the validity of relevant documents issued or rendered valid by a foreign State of the Operator in such a case. 	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3A-1-3 of this report.	
COMMENTS BY ICAO: The corrective action plan submitted by the State partially addresses this ICAO finding and recommendation. The State has not addressed the promulgation of legislative provisions to recognize the certificate of airworthiness issued by the State of the Operator which has signed an Article 83 <i>bis</i> agreement with the State of Registry, in cases when the aircraft is not an EASA Annex II aircraft.	

APPENDIX 1-2-01
FINDINGS AND RECOMMENDATIONS RELATED TO
CIVIL AVIATION ORGANIZATION

Auditee: NETHERLANDS EUROPE Audit Period: 01/04/2008 - 18/04/2008	ORG/01 3.113; 4.051; 4.341; 8.051; 8.053; 8.055;								
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.									
<table border="0" style="width: 100%; text-align: center;"> <tr> <td>CE-1</td> <td>CE-2</td> <td>CE-3</td> <td>CE-4 X</td> <td>CE-5</td> <td>CE-6</td> <td>CE-7</td> <td>CE-8</td> </tr> </table>		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		
FINDING: The Civil Aviation Authority of the Netherlands (CAA-NL) has developed a training policy, including a commitment to provide all the necessary training to its staff. However, some elements were missing in various areas: <ul style="list-style-type: none"> a) formal training programmes detailing the type of training to be provided to technical staff in each position have not been developed within some units of the CAA-NL (particularly in the areas of aerodromes and dangerous goods); b) in the Flight Operations Inspectorate, the contents of the recurrent training are not described in detail in the training programmes; and c) the on-the-job training (OJT) provided to the inspectors is not systematically documented in their training records (particularly in the area of dangerous goods). 									
RECOMMENDATION: The CAA-NL should ensure that training programmes are developed detailing the type of training that should be provided to technical staff in each position including recurrent training and OJT. The CAA-NL should also ensure the establishment of a system for the maintenance of training records, including OJT.									
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3A-2-1 of this report. <div style="text-align: right;">Estimated Implementation Date: 31/03/2009</div>									
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.									

APPENDIX 1-3-01
FINDINGS AND RECOMMENDATIONS RELATED TO
PERSONNEL LICENSING AND TRAINING

Auditee: NETHERLANDS EUROPE Audit Period: 01/04/2008 - 18/04/2008	PEL/01 3.459;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 CE-3 CE-4 CE-5 CE-6 CE-7 X CE-8	
FINDING: The CAA-NL issues medical certificate directly to flight crew members after reviewing all the medical reports sent by the medical examiners. However, the CAA-NL does not conduct visits to the medical examiners or the medical centres as part of its surveillance system.	
RECOMMENDATION: The CAA-NL should conduct visits to the medical examiners or the medical centres as part of its surveillance system.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3A-3-1 of this report. <p style="text-align: right;">Estimated Implementation Date: 31/01/2009</p>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

APPENDIX 1-3-02
FINDINGS AND RECOMMENDATIONS RELATED TO
PERSONNEL LICENSING AND TRAINING

Auditee: NETHERLANDS EUROPE Audit Period: 01/04/2008 - 18/04/2008	PEL/02 3.309;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 CE-3 CE-4 CE-5 CE-6 X CE-7 CE-8	
FINDING: As part of the validation process of foreign flight crew licences, the CAA-NL has recently established a procedure to ensure that the original licence is in full compliance with ICAO Annex 1. However, this procedure has not yet been implemented and the CAA-NL has so far not ensured that the original licence is in full compliance with ICAO Annex 1.	
RECOMMENDATION: As part of the validation process of foreign flight crew licences, the CAA-NL should implement the established procedure to ensure that the original licence is in full compliance with ICAO Annex 1.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3A-3-2 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 this ICAO finding and recommendation.	

APPENDIX 1-4-01
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION

Auditee: NETHERLANDS EUROPE Audit Period: 01/04/2008 - 18/04/2008	OPS/01 4.233; 4.243; 4.245; 4.389;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 X CE-3 CE-4 CE-5 CE-6 CE-7 CE-8	
FINDING: Although implemented by air operators in the Netherlands, the following issues are still not covered by regulatory requirements: <ul style="list-style-type: none"> a) the selection and appointment of flight dispatch ground instructors; b) the selection and appointment of cabin crew instructors and the requirements for the maintenance of their qualifications, skills and knowledge; and c) the carriage on board of a certified true copy of the air operator certificate (AOC). 	
RECOMMENDATION: The Ministry of Transport, Public Works and Water Management should promulgate regulatory requirements in the following areas: <ul style="list-style-type: none"> a) the selection and appointment of flight dispatch ground instructors; b) the selection and appointment of cabin crew instructors and the requirements for the maintenance of their qualifications, skills and knowledge; and c) the carriage on board of a certified true copy of the AOC. 	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3A-4-1 of this report.	
COMMENTS BY ICAO: The corrective action plan submitted by the State partially addresses this ICAO finding and recommendation. The State has not addressed the promulgation of regulatory requirements in the following areas: <ul style="list-style-type: none"> a) the selection and appointment of flight dispatch ground instructors; and b) the selection and appointment of cabin crew instructors and the requirements for the maintenance of their qualifications, skills and knowledge. 	

APPENDIX 1-4-02
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION

Auditee: NETHERLANDS EUROPE Audit Period: 01/04/2008 - 18/04/2008	OPS/02 4.335;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 CE-3 X CE-4 CE-5 CE-6 CE-7 CE-8	
FINDING: The Netherlands has not notified to ICAO which authority is designated within the State to be responsible for the transport of dangerous goods by air, as per the provisions of ICAO Annex 18.	
RECOMMENDATION: The Netherlands should notify to ICAO which authority is designated within the State to be responsible for the transport of dangerous goods by air, as per the provisions of ICAO Annex 18.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3A-4-2 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 this ICAO finding and recommendation.	

**APPENDIX 1-5-01
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRWORTHINESS OF AIRCRAFT**

<p>Auditee: NETHERLANDS EUROPE</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>AIR/01 5.201; 5.281;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 X CE-3 CE-4 CE-5 CE-6 CE-7 CE-8</p>	
<p>FINDING:</p> <p>The EU regulations, together with the national regulations of the Netherlands, provide the State with a comprehensive regulatory framework for the implementation of the airworthiness-related provisions of ICAO Annexes 7 and 16. However, these regulations do not fully address all the relevant SARPs outlined in the ICAO Annexes 6 and 8.</p>	
<p>RECOMMENDATION:</p> <p>The Ministry of Transport, Public Works and Water Management should introduce regulatory provisions to address the airworthiness-related provisions of ICAO Annexes 6 and 8 that are not covered by the existing regulations. In particular, regulatory provisions should be introduced to:</p> <ul style="list-style-type: none"> a) require the submission by the air operator of a maintenance control manual for the review and acceptance by the State of Registry and the State of the Operator; and b) require the periodic mass and balance checks of non-commercial aircraft. 	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3A-5-1 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 01/10/2012</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

APPENDIX 1-5-02
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRWORTHINESS OF AIRCRAFT

<p>Auditee: NETHERLANDS EUROPE</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>AIR/02 5.243; 5.245;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;"> CE-1 CE-2 CE-3 CE-4 CE-5 X CE-6 X CE-7 CE-8 </p>	
<p>FINDING:</p> <p>The CAA-NL has no procedure in place for the issuance of an Export Airworthiness Approval. In the past, the CAA-NL had issued some Export Airworthiness Approvals. However, these approvals did not include all the relevant information. Currently, the CAA-NL issues a Certificate of Airworthiness not older than 60 days as a substitute for an Export Airworthiness Approval.</p>	
<p>RECOMMENDATION:</p> <p>The CAA-NL should develop and implement a procedure for the issuance of Export Airworthiness Approvals containing all the relevant information of the aeronautical products exported.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3A-5-2 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 01/10/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

APPENDIX 1-6-01
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION

Auditee: NETHERLANDS EUROPE Audit Period: 01/04/2008 - 18/04/2008	AIG/01 6.007;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 X CE-3 CE-4 CE-5 CE-6 CE-7 CE-8	
FINDING: The <i>Dutch Safety Board Royal Decree n. 680 of 20 December 2004</i> introduces an obligation to notify the Dutch Safety Board of all accidents and serious incidents that have occurred in the Netherlands or to a Dutch aircraft outside the Netherlands. However, there is no mention in the legislation or regulations of the Netherlands that this notification has to be made as soon as possible.	
RECOMMENDATION: The Netherlands should amend its legislation or regulations to require that all accidents and serious incidents occurring in the Netherlands or to a Dutch aircraft outside the Netherlands should be notified to the Dutch Safety Board as soon as possible.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3A-6-1 of this report. <p style="text-align: right;">Estimated Implementation Date: 31/12/2009</p>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

APPENDIX 1-6-02
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION

Auditee: NETHERLANDS EUROPE Audit Period: 01/04/2008 - 18/04/2008	AIG/02 6.345;								
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.									
<table border="0" style="width: 100%; text-align: center;"> <tr> <td>CE-1</td> <td>CE-2</td> <td>CE-3</td> <td>CE-4</td> <td>CE-5 X</td> <td>CE-6</td> <td>CE-7</td> <td>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: The <i>Dutch Safety Board Investigation Manual</i> contains some guidance to help determine which cases of incidents should be investigated by the Board. However, no coordination has been made with the main air traffic services provider (the Air Traffic Control of the Netherlands or LVNL) regarding the reporting of serious incidents. There was evidence that some runway incursions at the Schiphol Airport that constituted serious incidents were not reported by the LVNL to the Dutch Safety Board in a timely manner, thereby preventing the Board from conducting independent investigations on these occurrences.									
RECOMMENDATION: The Dutch Safety Board should establish effective coordination mechanisms with the LVNL, the CAA-NL and other stakeholders to help ensure that all serious incidents are reported as soon as possible to the Board. In addition, the CAA-NL should ensure that all industry and service providers comply with occurrence reporting requirements, and in particular, that they report serious incidents to the Dutch Safety Board immediately and provide it with all necessary information.									
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3A-6-2 of this report. <div style="text-align: right;">Estimated Implementation Date: 31/10/2008</div>									
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.									

APPENDIX 1-6-03
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION

<p>Auditee: NETHERLANDS EUROPE</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>AIG/03 6.015; 6.017;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 X CE-3 CE-4 CE-5 CE-6 CE-7 CE-8</p>	
<p>FINDING:</p> <p>The Dutch Safety Board has not established a formal process for reviewing ICAO State letters forwarded by the DGTL, for assessing the need for any amendment of the national legislation and regulations, and for informing the DGTL whether there are differences with the ICAO SARPs that should be forwarded to ICAO.</p>	
<p>RECOMMENDATION:</p> <p>The Dutch Safety Board should establish a formal process for reviewing ICAO State letters, for assessing the need for any amendment of the national legislation and regulations, and for informing the DGTL whether there are differences with the ICAO SARPs that should be forwarded to ICAO. The process should involve the relevant technical and legal experts.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3A-6-3 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 31/12/2008</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

APPENDIX 1-6-04
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION

Auditee: NETHERLANDS EUROPE Audit Period: 01/04/2008 - 18/04/2008	AIG/04 6.115; 6.405;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 CE-3 X CE-4 CE-5 X CE-6 CE-7 CE-8	
FINDING: Considering the level of aviation activities in the State and the fact that the Netherlands is a State of Design and Manufacture, the number of aviation investigators in the Dutch Safety Board is insufficient: <ul style="list-style-type: none"> a) to complete all investigation tasks in a timely manner (e.g. there is a significant backlog of investigation reports not yet completed); b) to carry out in-depth investigations of serious incidents that are likely to yield safety benefits; and c) to develop and maintain the necessary investigation guidance material. 	
RECOMMENDATION: The Dutch Safety Board should recruit more investigators in the aviation sector in order to ensure that: <ul style="list-style-type: none"> a) all investigation tasks are completed in a timely manner; b) in-depth investigations are carried out into serious incidents that are likely to yield safety benefits; and c) the necessary investigation guidance material can be developed and maintained. 	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3A-6-4 of this report.	
COMMENTS BY ICAO: The corrective action plan submitted by the State partially addresses this ICAO finding and recommendation. The State has not indicated the actions to be taken once the determination of the needed capacity is completed.	

APPENDIX 1-6-05
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION

Auditee: NETHERLANDS EUROPE Audit Period: 01/04/2008 - 18/04/2008	AIG/05 6.117; 6.119;								
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.									
<table border="0" style="width: 100%; text-align: center;"> <tr> <td>CE-1</td> <td>CE-2</td> <td>CE-3 X</td> <td>CE-4 X</td> <td>CE-5</td> <td>CE-6</td> <td>CE-7</td> <td>CE-8</td> </tr> </table>		CE-1	CE-2	CE-3 X	CE-4 X	CE-5	CE-6	CE-7	CE-8
CE-1	CE-2	CE-3 X	CE-4 X	CE-5	CE-6	CE-7	CE-8		
FINDING: The Dutch Safety Board has established job descriptions and associated qualification requirements for the three levels of investigators that the Board categorizes (i.e. investigator, intermediate-level investigator and senior investigator). However, these job descriptions and qualification requirements have been written in general terms for all the investigators in the various sectors covered by the Dutch Safety Board. There are no details about the specific aviation-related functions and tasks carried out by the aviation investigators as well as the specific aviation-related qualifications and experience requirements for an aviation investigator.									
RECOMMENDATION: The Dutch Safety Board should review the job descriptions and associated qualification requirements in order to introduce, as far as aviation investigators are concerned, details about the specific aviation-related functions and tasks carried out by the investigators as well as the specific aviation-related qualifications and experience requirements for an aviation investigator.									
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3A-6-5 of this report. <div style="text-align: right;">Estimated Implementation Date: 31/12/2008</div>									
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.									

APPENDIX 1-6-06
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION

Auditee: NETHERLANDS EUROPE Audit Period: 01/04/2008 - 18/04/2008	AIG/06 6.121;								
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.									
<table border="0" style="width: 100%; text-align: center;"> <tr> <td>CE-1</td> <td>CE-2</td> <td>CE-3 X</td> <td>CE-4</td> <td>CE-5</td> <td>CE-6</td> <td>CE-7</td> <td>CE-8</td> </tr> </table>		CE-1	CE-2	CE-3 X	CE-4	CE-5	CE-6	CE-7	CE-8
CE-1	CE-2	CE-3 X	CE-4	CE-5	CE-6	CE-7	CE-8		
FINDING: The investigators of the Dutch Safety Board are issued credentials which make reference to the authorities provided under the relevant legislation. However, the Dutch Safety Board has not established means (such as letters of agreement) to clarify the entitlements of the various types of participants in the investigations that it conducts.									
RECOMMENDATION: The Dutch Safety Board should establish means (such as letters of agreement) to clarify the entitlements of the various types of participants in the investigations that it conducts.									
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3A-6-6 of this report. <div style="text-align: right;">Estimated Implementation Date: 31/12/2008</div>									
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.									

APPENDIX 1-6-07
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION

Auditee: NETHERLANDS EUROPE Audit Period: 01/04/2008 - 18/04/2008	AIG/07 6.123; 6.125; 6.127; 6.129;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 CE-3 CE-4 X CE-5 CE-6 CE-7 CE-8	
FINDING: The aviation investigators of the Dutch Safety Board have been provided training in the form of basic investigation courses, specialized courses, seminars and recurrent training sessions covering areas such as protection against biohazards. However, the Dutch Safety Board has not yet established a formal training programme which includes details of the initial/basic training, OJT and advanced or specialized training that should be provided to the investigators. As for training plans, a plan was established in 2007 for all investigators of the Dutch Safety Board but no plan has been established for 2008. In addition, training records are not kept in a formal and comprehensive manner and the OJT provided to the investigators is not documented.	
RECOMMENDATION: The Dutch Safety Board should develop and implement a formal training programme for its aviation investigators. The training programme should include the details of the initial/basic training, OJT and advanced or specialized training for each level of investigator. The Dutch Safety Board should also draw up periodic training plans based on this training programme and on the training needs identified for each level of investigator, and monitor the effective implementation of these training plans. Comprehensive training records should also be maintained so that the competence and currency of the investigators can be monitored.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3A-6-7 of this report. <div style="text-align: right;">Estimated Implementation Date: 31/12/2008</div>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

APPENDIX 1-6-08
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION

Auditee: NETHERLANDS EUROPE Audit Period: 01/04/2008 - 18/04/2008	AIG/08 6.209;								
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.									
<table border="0" style="width: 100%; text-align: center;"> <tr> <td>CE-1</td> <td>CE-2</td> <td>CE-3</td> <td>CE-4</td> <td>CE-5 X</td> <td>CE-6</td> <td>CE-7</td> <td>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: The Dutch Safety Board maintains electronic copies of the relevant ICAO material and other documentation. However, some print documents used by the investigators, such as the ICAO Annexes, were outdated.									
RECOMMENDATION: The Dutch Safety Board should establish and implement a system to ensure that all documents used by its staff are up-to-date.									
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3A-6-8 of this report. <div style="text-align: right;">Estimated Implementation Date: 31/10/2008</div>									
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.									

APPENDIX 1-6-09
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION

Auditee: NETHERLANDS EUROPE Audit Period: 01/04/2008 - 18/04/2008	AIG/09 6.379;								
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.									
<table border="0" style="width: 100%; text-align: center;"> <tr> <td>CE-1</td> <td>CE-2</td> <td>CE-3</td> <td>CE-4</td> <td>CE-5 X</td> <td>CE-6</td> <td>CE-7</td> <td>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: The <i>Dutch Safety Board Investigation Handbook</i> provides guidelines, policies and procedures for the various tasks related to the notification, investigation and reporting of accidents and incidents. However, some procedures related to technical examinations and testing of aircraft parts and components are not documented.									
RECOMMENDATION: The Dutch Safety Board should review the <i>Dutch Safety Board Investigation Handbook</i> to introduce, whenever relevant, more detailed procedures regarding the conduct of technical examinations and testing of aircraft parts and components.									
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3A-6-9 of this report. <div style="text-align: right;">Estimated Implementation Date: 31/12/2008</div>									
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.									

APPENDIX 1-6-10
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION

Auditee: NETHERLANDS EUROPE Audit Period: 01/04/2008 - 18/04/2008	AIG/10 6.341;								
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.									
<table border="0" style="width: 100%; text-align: center;"> <tr> <td>CE-1</td> <td>CE-2</td> <td>CE-3</td> <td>CE-4</td> <td>CE-5 X</td> <td>CE-6</td> <td>CE-7</td> <td>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: In the definition outlined in ICAO Annex 13, the investigator-in-charge (IIC) is “a person charged, on the basis of his or her qualifications, with the responsibility for the organization, conduct and control of the investigation.” However, in the <i>Dutch Safety Board Investigation Handbook</i> developed by the Dutch Safety Board, the IIC is defined as the person who is “amongst others, responsible for assembling factual information,” while the person in charge of the entire investigation is named “project manager”.									
RECOMMENDATION: The Dutch Safety Board should align its definition of the “investigator-in-charge” with that outlined in ICAO Annex 13.									
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3A-6-10 of this report. <div style="text-align: right;">Estimated Implementation Date: 31/10/2008</div>									
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.									

APPENDIX 1-6-11
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION

Auditee: NETHERLANDS EUROPE Audit Period: 01/04/2008 - 18/04/2008	AIG/11 6.355;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 X CE-3 CE-4 CE-5 CE-6 CE-7 CE-8	
FINDING: The Dutch Safety Board does not have its own hangars and has not yet established means to ensure that a secure hangar would be available for the storage of aircraft wreckage, should the need arises.	
RECOMMENDATION: The Dutch Safety Board should establish means to ensure that a secure hangar would be available for the storage of aircraft wreckage, should the need arises.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3A-6-11 of this report. <p style="text-align: right;">Estimated Implementation Date: 31/10/2008</p>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

APPENDIX 1-6-12
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION

Auditee: NETHERLANDS EUROPE Audit Period: 01/04/2008 - 18/04/2008	AIG/12 6.397;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 CE-3 CE-4 CE-5 X CE-6 CE-7 CE-8	
FINDING: The Dutch Safety Board has signed an agreement with the Transport and Water Management Inspectorate (IVW) covering among other issues, the appointment of an accredited representative from the Netherlands to an investigation conducted by another State. However, this agreement does not address the appointment of an expert from the Netherlands (according to the definition of ICAO Annex 13) in cases where the Netherlands has suffered fatalities or serious injuries to its citizens.	
RECOMMENDATION: The Dutch Safety Board, in coordination with the IVW, should amend the agreement between the two organizations to include the appointment of an expert from the Netherlands (according to the definition of ICAO Annex 13) in cases where the Netherlands has suffered fatalities or serious injuries to its citizens.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3A-6-12 of this report. <div style="text-align: right;">Estimated Implementation Date: 31/10/2008</div>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

APPENDIX 1-6-13
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION

Auditee: NETHERLANDS EUROPE Audit Period: 01/04/2008 - 18/04/2008	AIG/13 6.421;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 CE-3 CE-4 CE-5 CE-6 CE-7 CE-8 X	
FINDING: An example of a final report issued by the Dutch Safety Board included safety recommendations related to matters that had not been addressed in the analysis of the accident, which may affect the perceived objectivity of the investigation.	
RECOMMENDATION: The Dutch Safety Board should ensure that safety recommendations issued as part of the final report, or at any time during the investigation, are based on the analysis of the investigated occurrence.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3A-6-13 of this report. <div style="text-align: right;">Estimated Implementation Date: 31/12/2008</div>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

APPENDIX 1-6-14
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION

<p>Auditee: NETHERLANDS EUROPE</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>AIG/14 6.317; 6.319; 6.321; 6.435; 6.437;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 CE-3 CE-4 CE-5 X CE-6 CE-7 CE-8 X</p>	
<p>FINDING:</p> <p>The Dutch Safety Board has established procedures to forward initial notifications, preliminary reports, data reports and final reports to the States concerned and to ICAO when required by ICAO Annex 13. However, initial notifications and data reports have not been sent systematically as required.</p>	
<p>RECOMMENDATION:</p> <p>The Dutch Safety Board should review the established procedures to include a mechanism ensuring that initial notifications and data reports are systematically forwarded to the States concerned and to ICAO in a timely manner, as required by ICAO Annex 13, Chapter 7.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3A-6-14 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 31/10/2008</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

**APPENDIX 1-7-01
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES**

Auditee: NETHERLANDS EUROPE Audit Period: 01/04/2008 - 18/04/2008	ANS/01 7.033;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 CE-3 X CE-4 CE-5 CE-6 CE-7 CE-8	
FINDING: The responsibility for safety oversight, including the mandate of the National Supervisory Authority (NSA) with respect to the air navigation services provided by the Ministry of Defence to general aviation aircraft in the southern and eastern part of the Amsterdam Flight Information Region (FIR), is yet to be clearly defined. In addition, the <i>Commission Regulation (EC) No 1315/2007 of 8 November 2007</i> on safety oversight in air traffic management and <i>Commission Regulation (EC) No 2096/2005 of 20 December 2005</i> laying down common requirements for the provision of air navigation services, both of which are directly applicable and binding in the Netherlands, do not apply to the Ministry of Defence.	
RECOMMENDATION: The Netherlands should: <ol style="list-style-type: none"> a) consider the applicability of the <i>Commission Regulation (EC) No 1315/2007 of 8 November 2007</i> and <i>Commission Regulation (EC) No 2096/2005 of 20 December 2005</i> to air navigation services provided by the Ministry of Defence to general aviation; b) take into account the mandate of the National Supervisory Authority as stipulated within the framework of the Single European Sky mechanism; and c) clearly define the entity responsible for carrying out safety oversight of air navigation services provided by the Ministry of Defence by taking into account the Chicago Convention. 	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3A-7-1 of this report. <div style="text-align: right;">Estimated Implementation Date: 01/06/2009</div>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

APPENDIX 1-7-02
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES

Auditee: NETHERLANDS EUROPE Audit Period: 01/04/2008 - 18/04/2008	ANS/02 7.037;								
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.									
<table style="width: 100%; border: none;"> <tr> <td style="text-align: center; border: none;">CE-1</td> <td style="text-align: center; border: none;">CE-2</td> <td style="text-align: center; border: none;">CE-3</td> <td style="text-align: center; border: none;">CE-4</td> <td style="text-align: center; border: none;">CE-5 X</td> <td style="text-align: center; border: none;">CE-6</td> <td style="text-align: center; border: none;">CE-7</td> <td style="text-align: center; border: none;">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: The modalities for the Netherlands to be the NSA for the certification and supervision of the EUROCONTROL Maastricht Upper Area Control Center (MUAC) was discussed and agreed upon, in principle, at a cooperation agreement meeting in 2004. The ANS Standards and Certification Unit of the Aerodrome and ANS Inspectorate of the CAA-NL has accordingly developed a draft manual/handbook for the ANS inspectorate staff which incorporates applicable procedures for all functional areas to be covered within the framework of its safety oversight system. However, the procedures have yet to be approved by all member States that are parties to the Maastricht agreement (i.e. the agreement relating to the provision and preparation of air traffic services and facilities by EUROCONTROL at the Maastricht Area Control Centre), namely: Belgium, Germany, Luxembourg, and the Netherlands.									
RECOMMENDATION: The Netherlands should ensure that its role as the NSA representing all the States within the Maastricht agreement is formalized. In addition, coordination should be effected with the concerned States for the approval/endorsement of the draft procedures which have been developed for the <i>Inspector's Handbook</i> .									
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3A-7-2 of this report. <div style="text-align: right;">Estimated Implementation Date: 01/08/2008</div>									
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.									

APPENDIX 1-7-03
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES

Auditee: NETHERLANDS EUROPE Audit Period: 01/04/2008 - 18/04/2008	ANS/03 7.045;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 CE-3 CE-4 CE-5 CE-6 CE-7 CE-8 X	
FINDING: The Netherlands has not established a mechanism for the review and elimination of deficiencies identified within the framework of European Air Navigation Planning Group (EANPG).	
RECOMMENDATION: The Netherlands should establish a mechanism for the review and elimination of deficiencies identified within the framework of the EANPG.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3A-7-3 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 this ICAO finding and recommendation.	

APPENDIX 1-7-04
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES

<p>Auditee: NETHERLANDS EUROPE</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>ANS/04 7.107;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 X CE-3 CE-4 CE-5 CE-6 CE-7 CE-8</p>	
<p>FINDING:</p> <p>The Netherlands has delegated to Belgium and Germany the responsibility for the provision of ATS over some parts of its territory and to the United Kingdom the responsibility for the provision of ATS in some parts of its airspace over the high seas. Although the delegation of responsibility for the provision of such services is clearly defined, the role of the respective NSAs of the concerned States with respect to the safety oversight of the entity ensuring the provision of services within the delegated airspace has yet to be formally defined.</p>	
<p>RECOMMENDATION:</p> <p>The Netherlands should ensure that the entity(ies) responsible for the safety oversight of the airspace which has been delegated to other entities should be formally defined. In addition, due consideration should be given to the mandate of the NSAs of the respective States as stipulated under Article 4 of the framework regulation for the creation of the Single European Sky, namely <i>(EC) No 549/2004 of the European Parliament and of the Council</i></p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3A-7-4 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 31/12/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

APPENDIX 1-7-05
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES

Auditee: NETHERLANDS EUROPE Audit Period: 01/04/2008 - 18/04/2008	ANS/05 7.153;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 CE-3 CE-4 CE-5 X CE-6 CE-7 CE-8	
FINDING: In accordance with the provisions of Annex 1, Paragraph 8.3 of the general requirements for the provision of air navigation services stipulated in the <i>European Commission Regulation (EC) No 2096/2005 of 20 December 2005</i> , “at least one year after certification, air navigation service providers shall have in place contingency plans for all the services it provides in the case of events which result in significant degradation or interruption of its services.” However, no contingency procedures have been fully developed and promulgated.	
RECOMMENDATION: The CAA-NL should ensure that all air navigation service providers within the Amsterdam FIR develop and promulgate contingency plans for implementation in the event of disruption or potential disruption of air traffic services or related supporting services.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3A-7-5 of this report. <div style="text-align: right;">Estimated Implementation Date: 31/12/2008</div>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

APPENDIX 1-7-06
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES

Auditee: NETHERLANDS EUROPE Audit Period: 01/04/2008 - 18/04/2008	ANS/06 7.311; 7.359;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 CE-3 X CE-4 CE-5 CE-6 CE-7 CE-8	
FINDING: Aeronautical data quality requirements established by the Netherlands regarding the publication resolution and data integrity are not in accordance with the provisions of Tables 1 to 5 in Appendix 7 of ICAO Annex 15. In addition, data integrity and charting resolution are not in accordance with the provisions of Tables 1 to 5 in Appendix 6 of ICAO Annex 4.	
RECOMMENDATION: The Netherlands should ensure that: a) publication resolution and data integrity are in accordance with the provisions of Tables 1 to 5 in Appendix 7 of ICAO Annex 15, and b) data integrity and charting resolution are in accordance with the provisions of Tables 1 to 5 in Appendix 6 of ICAO Annex 4.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3A-7-6 of this report. <p style="text-align: right;">Estimated Implementation Date: 01/07/2010</p>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

APPENDIX 1-7-07
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES

<p>Auditee: NETHERLANDS EUROPE</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>ANS/07 7.393;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 CE-3 CE-4 CE-5 CE-6 CE-7 X CE-8</p>	
<p>FINDING:</p> <p>The Ministry of Transport, Public Works and Water Management of the Netherlands has not established a mechanism to ensure that requirements for flight inspection are established and periodical flight inspections are provided for navigation aids installed and maintained by the Ministry of Defence for use by international and general aviation aircraft.</p>	
<p>RECOMMENDATION:</p> <p>The Ministry of Transport, Public Works and Water Management of the Netherlands, in coordination with the Ministry of Defence, should establish a mechanism to ensure that requirements for flight inspection are established and periodical flight inspections are provided for navigation aids installed and maintained by the Ministry of Defence for use by international and general aviation aircraft.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3A-7-7 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 01/12/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

APPENDIX 1-7-08
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES

Auditee: NETHERLANDS EUROPE Audit Period: 01/04/2008 - 18/04/2008	ANS/08 7.425; 7.427; 7.429; 7.431; 7.433;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 CE-3 CE-4 X CE-5 CE-6 CE-7 CE-8	
FINDING: The ANS Standards and Certification Unit of the Aerodrome and ANS Inspectorate of the CAA-NL has not established and implemented a training programme for the staff carrying out safety oversight tasks in the field of meteorological services (MET).	
RECOMMENDATION: The CAA-NL should: <ul style="list-style-type: none"> a) establish a training programme for the MET inspectorate staff; b) develop a periodic training plan for the MET inspectorate staff which details and prioritizes the type of training to be provided during the prescribed period; c) ensure that the MET inspectorate staff are required to satisfactorily complete on-the-job training (OJT) before they are assigned their tasks and responsibilities; and d) establish a mechanism to maintain the training records. 	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3A-7-8 of this report. <div style="text-align: right;">Estimated Implementation Date: 31/12/2009</div>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

APPENDIX 1-7-09
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES

<p>Auditee: NETHERLANDS EUROPE</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>ANS/09 7.487; 7.489; 7.491; 7.493; 7.495; 7.497; 7.499; 7.501; 7.503; 7.505; 7.507;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 CE-3 X CE-4 X CE-5 CE-6 CE-7 X CE-8 X</p>	
<p>FINDING:</p> <p>The Netherlands has not established a mechanism to carry out safety oversight of the entity providing search and rescue (SAR) services within the Amsterdam FIR.</p>	
<p>RECOMMENDATION:</p> <p>The Netherlands should establish a mechanism to ensure the safety oversight of the entity providing SAR services within the Amsterdam FIR. It should include, but not limited to, the following elements:</p> <ul style="list-style-type: none"> a) recruitment of a sufficient number of qualified inspectorate staff; b) development of the related functions, job descriptions, and minimum qualifications requirements; c) development and implementation of a training programme detailing types of training, a training plan highlighting priorities, and satisfactory completion of on-the-job training for inspectorate staff; d) development of a manual/handbook for the inspectorate staff which incorporates applicable procedures for all functional areas to be covered (including procedures for the conduct of oversight over all the entities); and e) establishment of a mechanism with timeframe for the elimination of the deficiencies identified. 	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3A-7-9 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 30/06/2010</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

**APPENDIX 1-7-10
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES**

<p>Auditee: NETHERLANDS EUROPE</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>ANS/10 7.533; 7.537;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 CE-3 CE-4 CE-5 CE-6 X CE-7 CE-8</p>	
<p>FINDING:</p> <p>The Coast Guard has not established a training policy, programme and plan for the personnel of the Royal Netherlands Maritime and Aeronautical Search and Rescue Coordination Centre. Training of SAR personnel is given on an ad hoc basis.</p>	
<p>RECOMMENDATION:</p> <p>The Netherlands should ensure that the Coast Guard establishes a training policy, programme and plan for the personnel of the Royal Netherlands Maritime and Aeronautical Search and Rescue Coordination Centre. The Netherlands should also ensure that the personnel involved are proficient in the use of the English language.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3A-7-10 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 31/12/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

**APPENDIX 1-8-01
FINDINGS AND RECOMMENDATIONS RELATED TO
AERODROMES**

<p>Auditee: NETHERLANDS EUROPE</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>AGA/01 8.001; 8.003; 8.137; 8.167; 8.173; 8.189; 8.229; 8.241; 8.261; 8.271;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 X CE-3 CE-4 CE-5 CE-6 X CE-7 CE-8</p>	
<p>FINDING:</p> <p>The Netherlands has promulgated various aerodrome-related Ministerial Regulations for the certification and surveillance of aerodromes and the implementation of ICAO Annex 14 provisions. However, the aerodrome regulations do not include requirements for the following provisions of ICAO Annex 14:</p> <ul style="list-style-type: none"> a) determination and reporting of pavement strengths; b) provision of holding bays; c) provision of primary and secondary power supplies; d) prohibition of the location of equipment or installations, other than those used for navigation purposes, on a runway strip, clearway or certain areas associated with a precision approach; e) installation of apron markings that take into account the clearances specified in ICAO Annex 14; f) installation of high intensity centre line lights and interlocking protection for a runway forming part of a standard taxiway route; g) restriction of construction in the proximity of electrical systems during low visibility; and h) provisions that runway strips are free of objects unless they are needed for air navigation purposes and meet frangibility requirements. 	
<p>RECOMMENDATION:</p> <p>The Ministry of Transport, Public Works and Water Management should promulgate and implement regulations to address all of the provisions of ICAO Annex 14, in particular in the following areas:</p> <ul style="list-style-type: none"> a) determination and reporting of pavement strengths; b) provision of holding bays; c) provision of primary and secondary power supplies; d) prohibition of the location of equipment or installations, other than those used for navigation purposes, on a runway strip, clearway or certain areas associated with a precision approach; e) installation of apron markings that take into account the clearances specified in ICAO Annex 14; f) installation of high intensity centre line lights and interlocking protection for a runway forming part of a standard taxiway route; g) restriction of construction in the proximity of electrical systems during low visibility; and h) provisions that runway strips are free of objects unless they are needed for air navigation purposes and meet frangibility requirements. 	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3A-8-1 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 30/06/2009</p>	

APPENDIX 1-8-01
FINDINGS AND RECOMMENDATIONS RELATED TO
AERODROMES

Auditee: NETHERLANDS EUROPE Audit Period: 01/04/2008 - 18/04/2008	AGA/01 8.001; 8.003; 8.137; 8.167; 8.173; 8.189; 8.229; 8.241; 8.261; 8.271;
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COMMENTS BY ICAO:

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

APPENDIX 1-8-02
FINDINGS AND RECOMMENDATIONS RELATED TO
AERODROMES

Auditee: NETHERLANDS EUROPE Audit Period: 01/04/2008 - 18/04/2008	AGA/02 8.069; 8.367; 8.369; 8.373;								
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.									
<table border="0" style="width: 100%; text-align: center;"> <tr> <td>CE-1</td> <td>CE-2 X</td> <td>CE-3</td> <td>CE-4</td> <td>CE-5 X</td> <td>CE-6</td> <td>CE-7</td> <td>CE-8</td> </tr> </table>		CE-1	CE-2 X	CE-3	CE-4	CE-5 X	CE-6	CE-7	CE-8
CE-1	CE-2 X	CE-3	CE-4	CE-5 X	CE-6	CE-7	CE-8		
FINDING: The Aerodromes and ANS Inspectorate has not developed guidance material and procedures for each technical specialist area. In addition, no guidance has been developed for the regulatory staff and the industry on the use of aeronautical studies and their evaluation.									
RECOMMENDATION: The Aerodromes and ANS Inspectorate should develop: <ul style="list-style-type: none"> a) guidance material and procedures for each technical specialist area; and b) guidance material for the regulatory staff and the industry on the use of aeronautical studies and their evaluation. 									
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3A-8-2 of this report. <div style="text-align: right;">Estimated Implementation Date: 01/06/2009</div>									
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.									

**APPENDIX 1-8-03
FINDINGS AND RECOMMENDATIONS RELATED TO
AERODROMES**

<p>Auditee: NETHERLANDS EUROPE</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>AGA/03 8.081;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 X CE-3 CE-4 CE-5 CE-6 CE-7 CE-8</p>	
<p>FINDING:</p> <p>The aerodrome regulation (<i>Regeling Certificering Luchtvaartterreinen</i> or RCL) requires the certification of all international and all public use aerodromes, including aerodromes with general aviation open for public use. In the Netherlands, most of the aerodromes have been certified; however four aerodromes open for public use have not been certified in accordance with the national regulations.</p>	
<p>RECOMMENDATION:</p> <p>The Netherlands should certify all of its international and public use aerodromes in accordance with the national regulations.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3A-8-3 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 31/12/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

**APPENDIX 1-8-04
FINDINGS AND RECOMMENDATIONS RELATED TO
AERODROMES**

<p>Auditee: NETHERLANDS EUROPE</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>AGA/04 8.119; 8.121; 8.123;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 CE-3 CE-4 CE-5 X CE-6 X CE-7 CE-8</p>	
<p>FINDING:</p> <p>The Aerodrome Standards and Certification Unit have not established procedures for the review and approval/acceptance of the initial aerodrome manual and of subsequent amendments to the aerodrome manual. In addition, the Aerodromes and ANS Inspectorate does not keep up-to-date copies of aerodrome manuals.</p>	
<p>RECOMMENDATION:</p> <p>The Aerodrome Standards and Certification Unit should establish procedures for the review and approval/acceptance of the initial aerodrome manual and of the subsequent amendments to the aerodrome manual. In addition, the Aerodromes and ANS Inspectorate should keep up-to-date copies of aerodrome manuals to ensure their availability to all of the regulatory staff and for the preparatory phase of their surveillance programme in accordance with their established checklist.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3A-8-4 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 01/01/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

**APPENDIX 1-8-05
FINDINGS AND RECOMMENDATIONS RELATED TO
AERODROMES**

<p>Auditee: NETHERLANDS EUROPE</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>AGA/05 8.097;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 CE-3 CE-4 CE-5 CE-6 X CE-7 CE-8</p>	
<p>FINDING:</p> <p>In the Netherlands, some military aerodromes are used for international civil operations and in practice, the IVW conducts inspections of these military aerodromes used for international civil operations. However, the certification process does not include military aerodromes used for international civil operations nor has the State established criteria and a formal method to ensure that these aerodromes comply with the established requirements.</p>	
<p>RECOMMENDATION:</p> <p>The Netherlands should ensure that the certification process includes military aerodromes used for international civil operations or establish criteria and a formal method to ensure that these aerodromes comply with the established requirements.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3A-8-5 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 31/12/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

**APPENDIX 1-8-06
FINDINGS AND RECOMMENDATIONS RELATED TO
AERODROMES**

Auditee: NETHERLANDS EUROPE Audit Period: 01/04/2008 - 18/04/2008	AGA/06 8.135;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 CE-3 CE-4 CE-5 X CE-6 CE-7 CE-8	
FINDING: The Aerodromes and ANS Inspectorate has not established a quality system to ensure that the accuracy, integrity and protection requirements for aeronautical data reported by the aerodrome operator are met throughout the data transfer process.	
RECOMMENDATION: The Aerodromes and ANS Inspectorate should establish and implement a quality system to ensure that the accuracy, integrity and protection requirements for aeronautical data reported by the aerodrome operator are met throughout the data transfer process.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3A-8-6 of this report. <p style="text-align: right;">Estimated Implementation Date: 01/07/2010</p>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

APPENDIX 1-8-07
FINDINGS AND RECOMMENDATIONS RELATED TO
AERODROMES

<p>Auditee: NETHERLANDS EUROPE</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>AGA/07 8.295;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 CE-3 CE-4 CE-5 CE-6 X CE-7 CE-8</p>	
<p>FINDING:</p> <p>The Netherlands does not require and the Aerodromes and ANS Inspectorate does not ensure that aerodrome operators observe human factors principles during the development of aerodrome emergency plans.</p>	
<p>RECOMMENDATION:</p> <p>The Ministry of Transport, Public Works and Water Management should promulgate requirements and the Aerodromes and ANS Inspectorate should ensure that aerodrome operators observe human factors principles during the development of aerodrome emergency plans.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3A-8-7 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 01/08/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

APPENDIX 1-8-08
FINDINGS AND RECOMMENDATIONS RELATED TO
AERODROMES

Auditee: NETHERLANDS EUROPE Audit Period: 01/04/2008 - 18/04/2008	AGA/08 8.323;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 CE-3 CE-4 CE-5 CE-6 X CE-7 CE-8	
FINDING: The Netherlands does not require and the Aerodromes and ANS Inspectorate does not ensure that aerodrome operators establish procedures for the timely removal of snow, slush and ice.	
RECOMMENDATION: The Ministry of Transport, Public Works and Water Management should promulgate requirements and the Aerodromes and ANS Inspectorate should ensure that aerodrome operators establish procedures for the timely removal of snow, slush and ice.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3A-8-8 of this report. <p style="text-align: right;">Estimated Implementation Date: 01/08/2009</p>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

APPENDIX 1-8-09
FINDINGS AND RECOMMENDATIONS RELATED TO
AERODROMES

Auditee: NETHERLANDS EUROPE Audit Period: 01/04/2008 - 18/04/2008	AGA/09 8.321;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 CE-3 CE-4 CE-5 CE-6 X CE-7 CE-8	
FINDING: In practice, the aerodrome industry has established plans for the removal of disabled aircraft; however the Netherlands does not require and ensure that aerodrome operators establish adequate plans for the removal of disabled aircraft, including arrangements for the designation of coordinators and for the rapid availability and deployment of salvage and removal equipment.	
RECOMMENDATION: The Ministry of Transport, Public Works and Water Management should promulgate requirements and the Aerodromes and ANS Inspectorate should ensure that aerodrome operators establish adequate plans for the removal of disabled aircraft, including arrangements for the designation of coordinators and for the rapid availability and deployment of salvage and removal equipment.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3A-8-9 of this report. <div style="text-align: right;">Estimated Implementation Date: 01/08/2009</div>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

**APPENDIX 1-8-10
FINDINGS AND RECOMMENDATIONS RELATED TO
AERODROMES**

Auditee: NETHERLANDS EUROPE Audit Period: 01/04/2008 - 18/04/2008	AGA/10 8.217; 8.225; 8.259;								
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.									
<table border="0" style="width: 100%; text-align: center;"> <tr> <td>CE-1</td> <td>CE-2</td> <td>CE-3</td> <td>CE-4</td> <td>CE-5</td> <td>CE-6 X</td> <td>CE-7 X</td> <td>CE-8</td> </tr> </table>		CE-1	CE-2	CE-3	CE-4	CE-5	CE-6 X	CE-7 X	CE-8
CE-1	CE-2	CE-3	CE-4	CE-5	CE-6 X	CE-7 X	CE-8		
FINDING: The Aerodromes and ANS Inspectorate does not ensure that aerodrome operators have procedures for temporarily or permanently closing runways and taxiways in order to prevent the inadvertent entry of aircraft and vehicles onto a closed runway or taxiway. In addition, the Aerodromes and ANS Inspectorate does not ensure that aerodrome operators define and monitor performance level objectives for visual aids, including in instances when lights are deemed to be unserviceable.									
RECOMMENDATION: The Aerodromes and ANS Inspectorate of the CAA-NL should ensure that aerodrome operators have procedures in place for temporarily or permanently closing runways and taxiways in order to prevent the inadvertent entry of aircraft and vehicles onto a closed runway or taxiway. In addition, the Aerodromes and ANS Inspectorate should ensure that aerodrome operators define and monitor performance level objectives for visual aids, including in instances when lights are deemed to be unserviceable.									
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3A-8-10 of this report. <div style="text-align: right;">Estimated Implementation Date: 31/08/2009</div>									
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.									

Part B:

**THE
NETHERLANDS
ANTILLES**

APPENDIX 1-1-01
FINDINGS AND RECOMMENDATIONS RELATED TO
PRIMARY AVIATION LEGISLATION AND CIVIL AVIATION REGULATIONS

Auditee: NETHERLANDS ANTILLES Audit Period: 01/04/2008 - 18/04/2008	LEG/01 1.009; 1.025; 1.205; 3.001; 3.005; 3.007; 3.011; 4.005; 4.011; 4.333; 5.007; 6.015; 6.017; 7.009; 7.011; 7.013; 8.015;
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DOCUMENT REFERENCE:

Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.

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

The Netherlands Antilles has developed and promulgated the *Civil Aviation Regulations Netherlands Antilles (CARNA)* by Ministerial Decrees to include the SARPs of the ICAO Annexes. However, not all of the provisions of the ICAO Annexes have been transposed into the CARNAs or the Ministerial Decrees.

In addition, the Directorate of Civil Aviation Netherlands Antilles (DCANA) has developed a comprehensive procedure, called the “ICAO Document Management System,” for the amendment of its regulations by taking into account the amendments to ICAO Annexes as well as for the identification and notification of differences. However, the differences have not yet been notified in accordance with the established procedures while the significant differences are not stated in the Aeronautical Information Publication (AIP) as per ICAO Annex 15 requirements.

RECOMMENDATION:

The Netherlands Antilles should promulgate and ensure the regulations are in line with the ICAO SARPs. Furthermore, the DCANA should follow its established procedures for the identification and notification of differences, if any, to ICAO and publish them in the AIP as per ICAO Annex 15 requirements.

CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:

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

Estimated Implementation Date: 01/12/2009

COMMENTS BY ICAO:

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

APPENDIX 1-1-02
FINDINGS AND RECOMMENDATIONS RELATED TO
PRIMARY AVIATION LEGISLATION AND CIVIL AVIATION REGULATIONS

Auditee: NETHERLANDS ANTILLES Audit Period: 01/04/2008 - 18/04/2008	LEG/02 1.027; 4.107; 8.373;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 X CE-3 CE-4 CE-5 X CE-6 X CE-7 CE-8	
FINDING: The Ministry of Traffic and Transport is empowered by the <i>National Aviation Ordinance No. 151 of 20 December 2001</i> (the “Ordinance”) to issue exemptions; however the DCANA has not established a policy and procedure for the issuance of exemptions, particularly for the areas of aircraft operations and aerodromes.	
RECOMMENDATION: The DCANA should establish a policy and procedure for the issuance of exemptions, particularly for the areas of aircraft operations and aerodromes.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3B-1-2 of this report. <div style="text-align: right;">Estimated Implementation Date: 01/06/2009</div>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

APPENDIX 1-1-03
FINDINGS AND RECOMMENDATIONS RELATED TO
PRIMARY AVIATION LEGISLATION AND CIVIL AVIATION REGULATIONS

Auditee: NETHERLANDS ANTILLES Audit Period: 01/04/2008 - 18/04/2008	LEG/03 1.031;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 X CE-3 CE-4 CE-5 CE-6 CE-7 CE-8	
FINDING: The Netherlands Antilles has established provisions in the <i>Government Decree on Air Traffic</i> and <i>Ministerial Decree N. 89</i> regarding the interception of civil aircraft above its territory; however these provisions have not yet been published in the AIP.	
RECOMMENDATION: The Netherlands Antilles should ensure that the provisions regarding the interception of civil aircraft above its territory are published in the AIP.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3B-1-3 of this report. <div style="text-align: right;">Estimated Implementation Date: 01/11/2008</div>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

APPENDIX 1-1-04
FINDINGS AND RECOMMENDATIONS RELATED TO
PRIMARY AVIATION LEGISLATION AND CIVIL AVIATION REGULATIONS

<p>Auditee: NETHERLANDS ANTILLES</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>LEG/04 4.385; 5.347;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;"> CE-1 CE-2 CE-3 CE-4 CE-5 X CE-6 CE-7 CE-8 </p>	
<p>FINDING:</p> <p>The Kingdom of the Netherlands ratified Article 83 <i>bis</i> of the Chicago Convention on 5 November 1981. However, the DCANA has not developed guidance and procedures for the transfer and acceptance of tasks and functions to/from another State in accordance with Article 83 <i>bis</i>.</p>	
<p>RECOMMENDATION:</p> <p>The DCANA should develop guidance and procedures for the transfer and acceptance of tasks and functions to/from another State in accordance with Article 83 <i>bis</i>.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3B-1-4 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 01/02/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

APPENDIX 1-2-01
FINDINGS AND RECOMMENDATIONS RELATED TO
CIVIL AVIATION ORGANIZATION

<p>Auditee: NETHERLANDS ANTILLES</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>ORG/01 2.051; 2.053; 2.103; 3.109; 4.025; 8.031; 8.039; 8.041;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 CE-3 X CE-4 CE-5 CE-6 CE-7 CE-8</p>	
<p>FINDING:</p> <p>The DCANA does not have sufficient qualified technical staff to carry out its safety oversight responsibilities in the areas of aerodromes, air navigation services, personnel licensing and aircraft operations. Moreover, the Netherlands Antilles has not established a mechanism to ensure the DCANA has and retains sufficient qualified and experienced technical staff to carry out its safety oversight responsibilities. Presently, the DCANA experiences a high rate of turnover of its technical staff.</p>	
<p>RECOMMENDATION:</p> <p>The DCANA should ensure that it has sufficient qualified technical staff to carry out its safety oversight responsibilities in the areas of aerodromes, air navigation services, personnel licensing and aircraft operations. Moreover, the Netherlands Antilles should establish a mechanism to ensure that the DCANA is able to recruit and retain sufficient qualified and experienced technical staff to carry out its safety oversight responsibilities.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3B-2-1 of this report.</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State partially addresses this ICAO finding and recommendation. The State has not provided sufficient detail to ensure that it will have and maintain sufficient human resources for safety oversight in all areas. In addition, the State has not indicated the responsible action office(s) or defined an estimated implementation date.</p>	

APPENDIX 1-2-02
FINDINGS AND RECOMMENDATIONS RELATED TO
CIVIL AVIATION ORGANIZATION

Auditee: NETHERLANDS ANTILLES Audit Period: 01/04/2008 - 18/04/2008	ORG/02 2.105; 3.113; 3.119; 4.051; 4.059; 4.341; 5.055; 8.053; 8.055; 8.057;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 CE-3 CE-4 X CE-5 CE-6 CE-7 CE-8	
FINDING: The DCANA has established training programmes in the areas of personnel licensing and aircraft operations, however the training programmes do not include recurrent training. In the area of aerodromes and dangerous goods, the training is conducted on an ad hoc basis and the recently developed training programme has not been implemented. In general, the training provided to technical staff is insufficient for the establishment and maintenance of a qualified workforce. In addition, the DCANA has not established a system for the maintenance of the training records of the technical staff.	
RECOMMENDATION: The DCANA should establish and implement a training policy and training programmes that include initial, recurrent, on-the-job training (OJT) and specialized training for the areas of aerodrome, personnel licensing, aircraft operations, and dangerous goods in order to maintain a qualified workforce. In addition, the DCANA should establish a system for the maintenance of the training records of the technical staff.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3B-2-2 of this report. <div style="text-align: right;">Estimated Implementation Date: 30/11/2008</div>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

**APPENDIX 1-2-03
FINDINGS AND RECOMMENDATIONS RELATED TO
CIVIL AVIATION ORGANIZATION**

<p>Auditee: NETHERLANDS ANTILLES</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>ORG/03 2.201; 4.071; 4.073; 5.103; 7.039; 8.065; 8.067;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 CE-3 CE-4 CE-5 X CE-6 CE-7 CE-8</p>	
<p>FINDING:</p> <p>The DCANA is in the process of establishing a central library for the regulatory staff; however several ICAO documents were not up-to-date. In addition, the DCANA has not established a method to ensure the receipt, control and distribution of the necessary technical documentation to the regulatory staff.</p>	
<p>RECOMMENDATION:</p> <p>The DCANA should ensure that the latest version of applicable ICAO documentation is readily available to the regulatory staff and also establish a method to ensure the receipt, control and distribution of the necessary technical documentation.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3B-2-3 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 01/01/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

**APPENDIX 1-3-01
FINDINGS AND RECOMMENDATIONS RELATED TO
PERSONNEL LICENSING AND TRAINING**

Auditee: NETHERLANDS ANTILLES Audit Period: 01/04/2008 - 18/04/2008	PEL/01 3.155; 3.203; 3.207; 3.303;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 CE-3 CE-4 CE-5 X CE-6 X CE-7 CE-8	
FINDING: The procedures provided to the personnel licensing staff of the DCANA are incomplete as far as the following areas are concerned: a) the assessment of the pilots' applications for licences and ratings; b) the appeal of DCANA decisions on licensing; and c) the validation of foreign licences and ratings.	
RECOMMENDATION: The DCANA should establish and implement comprehensive procedures for the following personnel licensing-related activities: a) the assessment of the pilots' applications for licences and ratings; b) the appeal of DCANA decisions on licensing; and c) the validation of foreign licences and ratings.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3B-3-1 of this report. <div style="text-align: right;">Estimated Implementation Date: 01/08/2009</div>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

**APPENDIX 1-3-02
FINDINGS AND RECOMMENDATIONS RELATED TO
PERSONNEL LICENSING AND TRAINING**

<p>Auditee: NETHERLANDS ANTILLES</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>PEL/02 3.257; 3.259;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 CE-3 CE-4 CE-5 CE-6 X CE-7 CE-8</p>	
<p>FINDING:</p> <p>The DCANA does not have a system to re-establish the privileges of expired pilot licences and ratings as well as to grant civil aviation pilot licences and ratings to military aviation personnel and to award them exemptions.</p>	
<p>RECOMMENDATION:</p> <p>The Netherlands Antilles should promulgate regulatory criteria and implement procedures for:</p> <ul style="list-style-type: none"> a) re-establishing the privileges of expired pilot licences and ratings; and b) granting civil aviation pilot licences and ratings to military aviation personnel and awarding them relevant exemptions. 	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3B-3-2 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 01/08/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

APPENDIX 1-3-03
FINDINGS AND RECOMMENDATIONS RELATED TO
PERSONNEL LICENSING AND TRAINING

<p>Auditee: NETHERLANDS ANTILLES</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>PEL/03 3.307; 3.309; 3.311;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;"> CE-1 CE-2 X CE-3 CE-4 CE-5 CE-6 X CE-7 CE-8 </p>	
<p>FINDING:</p> <p>The DCANA does not systematically contact the issuing State to verify the validity of the pilot licence to be converted or validated and does not ensure that the original licence is in full compliance with ICAO Annex 1. In case the original licence is not in full compliance with ICAO Annex 1, there are no additional requirements to be met by the applicant before the conversion of the licence.</p>	
<p>RECOMMENDATION:</p> <p>The DCANA should implement a process to systematically contact the issuing State in order to verify the validity of the pilot licence to be converted or validated and it should also ensure that the original licence is in full compliance with ICAO Annex 1. In case the original licence is not in full compliance with ICAO Annex 1, the DCANA should outline the additional requirements to be met by the applicant before the conversion of the licence is granted.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3B-3-3 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 01/03/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

**APPENDIX 1-3-04
FINDINGS AND RECOMMENDATIONS RELATED TO
PERSONNEL LICENSING AND TRAINING**

<p>Auditee: NETHERLANDS ANTILLES</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>PEL/04 3.401; 3.403; 3.405; 3.411; 3.415; 3.417; 3.419;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 X CE-3 X CE-4 CE-5 CE-6 X CE-7 X CE-8</p>	
<p>FINDING:</p> <p>The licensing regulation of the Netherlands Antilles does not include requirements on how to conduct a medical examination and there are no requirements for the medical examiners to systematically submit signed reports to the licensing authority. The DCANA has recently signed an agreement with the Department of Public Health to DCANA use its service as a medical assessor. However, no system has been established for the evaluation of medical reports and of cases in which the medical standards prescribed in ICAO Annex 1, Chapter 6 are not fully met by a licence holder.</p>	
<p>RECOMMENDATION:</p> <p>The Netherlands Antilles should promulgate requirements related to the conduct of medical examinations, in particular prescribing the medical examiners have to systematically submit signed reports to the licensing authority. The DCANA should establish a system for the evaluation of medical reports, for the assurance of their confidentiality, and for the evaluation of cases in which medical standards prescribed in ICAO Annex 1, Chapter 6 are not fully met by a licence holder.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3B-3-4 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 01/08/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

**APPENDIX 1-3-05
FINDINGS AND RECOMMENDATIONS RELATED TO
PERSONNEL LICENSING AND TRAINING**

<p>Auditee: NETHERLANDS ANTILLES</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>PEL/05 3.451; 3.453; 3.455; 3.457;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 CE-3 X CE-4 X CE-5 CE-6 CE-7 CE-8</p>	
<p>FINDING:</p> <p>Most of the medical examiners are designated by the DCANA because they are already authorized by other authorities. However, there is no formal system for the designation of the medical examiners that includes, among other things, criteria related to the initial and refresher aviation medicine training to be taken at regular intervals by the medical examiners as part of the requirements for renewal of their designation.</p>	
<p>RECOMMENDATION:</p> <p>The DCANA should implement a system for the designation of the medical examiners that includes criteria related to the initial and refresher aviation medicine training to be taken at regular intervals by the medical examiners as part of the requirements for renewal of their designation.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3B-3-5 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 01/08/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

APPENDIX 1-3-06
FINDINGS AND RECOMMENDATIONS RELATED TO
PERSONNEL LICENSING AND TRAINING

<p>Auditee: NETHERLANDS ANTILLES</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>PEL/06 3.459; 3.461;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;"> CE-1 CE-2 CE-3 CE-4 CE-5 CE-6 CE-7 X CE-8 X </p>	
<p>FINDING:</p> <p>The DCANA has not implemented a system for the supervision and control of medical examiners. There is also no procedure in place detailing the action to be taken by the DCANA in the event that sufficient evidence exists to demonstrate that a medical examiner has not performed his/her duties in accordance with the established procedures.</p>	
<p>RECOMMENDATION:</p> <p>The DCANA should implement a system for the supervision and control of medical examiners. It should also put in place a procedure describing the action to be taken by the DCANA in the event that sufficient evidence exists to demonstrate that a medical examiner has not performed his/her duties in accordance with the prescribed procedures.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3B-3-6 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 01/08/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

APPENDIX 1-3-07
FINDINGS AND RECOMMENDATIONS RELATED TO
PERSONNEL LICENSING AND TRAINING

Auditee: NETHERLANDS ANTILLES Audit Period: 01/04/2008 - 18/04/2008	PEL/07 3.501; 3.505; 3.507;								
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.									
<table border="0" style="width: 100%; text-align: center;"> <tr> <td>CE-1</td> <td>CE-2</td> <td>CE-3 X</td> <td>CE-4 X</td> <td>CE-5</td> <td>CE-6 X</td> <td>CE-7</td> <td>CE-8</td> </tr> </table>		CE-1	CE-2	CE-3 X	CE-4 X	CE-5	CE-6 X	CE-7	CE-8
CE-1	CE-2	CE-3 X	CE-4 X	CE-5	CE-6 X	CE-7	CE-8		
FINDING: The organization of the written examinations for pilot licences is described in the <i>Aviation Examination Regulation</i> . However, there is no procedure describing the system for appointing the written test examiners and no guidance provided to them on how to prepare the examinations to ensure consistency and reliability of the tests.									
RECOMMENDATION: The DCANA should develop and implement a procedure for appointing the written test examiners, including outlining the required qualifications and describing how the application should be assessed. Guidance should be provided to the designated examiners on how to prepare the examinations in conformance with the established syllabus in order to ensure the consistency and reliability of the tests.									
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3B-3-7 of this report. <div style="text-align: right;">Estimated Implementation Date: 01/05/2009</div>									
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.									

APPENDIX 1-3-08
FINDINGS AND RECOMMENDATIONS RELATED TO
PERSONNEL LICENSING AND TRAINING

<p>Auditee: NETHERLANDS ANTILLES</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>PEL/08 3.601; 3.607; 3.609;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 CE-3 X CE-4 X CE-5 CE-6 CE-7 CE-8 X</p>	
<p>FINDING:</p> <p>The nomination process of flight examiners is described in the <i>Aviation Examination Regulation</i>. However, there are no formal criteria established regarding the knowledge, experience or training required for nomination or renewal as flight examiners. There is also no procedure about the action to be taken by the DCANA in the event that sufficient evidence exists to demonstrate that a flight examiner has not performed his/her duties in accordance with the prescribed procedures.</p>	
<p>RECOMMENDATION:</p> <p>The DCANA should establish formal criteria regarding the knowledge, experience or training required for nomination or renewal as flight examiners. A procedure should also be developed detailing the action to be taken by the DCANA in the event that sufficient evidence exists to demonstrate that a flight examiner has not performed his/her duties in accordance with the prescribed procedures.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3B-3-8 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 01/03/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

**APPENDIX 1-3-09
FINDINGS AND RECOMMENDATIONS RELATED TO
PERSONNEL LICENSING AND TRAINING**

<p>Auditee: NETHERLANDS ANTILLES</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>PEL/09 3.701; 3.709;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 CE-3 CE-4 CE-5 CE-6 CE-7 X CE-8</p>	
<p>FINDING:</p> <p>The files of licence holders contain all the required documents and records. However, a procedure describing the content of the files and a system for closing and archiving files are both under development.</p>	
<p>RECOMMENDATION:</p> <p>The DCANA should finalize and implement the procedure describing the content of the licence holders' files as well as the system for closing and archiving files.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3B-3-9 of this report.</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State partially addresses this ICAO finding and recommendation. The action plan mainly addresses aircraft operations-related issues and the State has not provided sufficient detail regarding the procedures to be implemented describing the content of the licence holders' files as well as the system for closing and archiving files.</p>	

**APPENDIX 1-3-10
FINDINGS AND RECOMMENDATIONS RELATED TO
PERSONNEL LICENSING AND TRAINING**

<p>Auditee: NETHERLANDS ANTILLES</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>PEL/10 3.751; 3.753; 3.759; 3.763; 3.765; 3.767; 3.769; 3.771;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 CE-3 CE-4 CE-5 CE-6 X CE-7 X CE-8 X</p>	
<p>FINDING:</p> <p>The Netherlands Antilles has not implemented a system for the certification and surveillance of training organizations and it also has not established a system for the designation of the instructors by taking into account their qualifications and competency.</p>	
<p>RECOMMENDATION:</p> <p>The Netherlands Antilles should establish a system containing requirements and procedures for the certification and surveillance of training organizations and for the designation of the instructors by taking into account their qualifications and competency. A system of acceptance or validation of certificates issued by foreign civil aviation authorities (CAAs) should also be established as part of the process for the approval of foreign training organizations.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3B-3-10 of this report.</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State partially addresses this ICAO finding and recommendation. The State has not addressed the establishment of a system for the acceptance or validation of certificates issued by foreign civil aviation authorities.</p>	

**APPENDIX 1-3-11
FINDINGS AND RECOMMENDATIONS RELATED TO
PERSONNEL LICENSING AND TRAINING**

<p>Auditee: NETHERLANDS ANTILLES</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>PEL/11 3.813;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 CE-3 CE-4 CE-5 CE-6 CE-7 CE-8 X</p>	
<p>FINDING:</p> <p>The DCANA does not have a procedure describing the action that it should take in the event that sufficient evidence exists to demonstrate that an aircraft maintenance engineer (AME) has not performed his/her duties in accordance with the prescribed procedures and privileges of his/her licence.</p>	
<p>RECOMMENDATION:</p> <p>The DCANA should develop a procedure describing the action that it should take in the event that sufficient evidence exists to demonstrate that an AME has not performed his/her duties in accordance with the prescribed procedures and privileges of his/her licence.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3B-3-11 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 01/08/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

**APPENDIX 1-4-01
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION**

<p>Auditee: NETHERLANDS ANTILLES</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>OPS/01 4.045; 4.049;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 CE-3 CE-4 CE-5 X CE-6 CE-7 CE-8 X</p>	
<p>FINDING:</p> <p>The nomination process for the check airmen of the air operators is described in the <i>Aviation Examination Regulation</i>. However, there is no procedure for the renewal of the mandate of the designated check airmen and there is no process for the resolution of deficiencies or concerns that are identified in the tasks delegated to check airmen.</p>	
<p>RECOMMENDATION:</p> <p>The DCANA should establish a procedure for the renewal of the mandate of the designated check airmen. In addition, the DCANA should establish a process for the resolution of deficiencies or concerns that are identified in the tasks delegated to check airmen.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3B-4-1 of this report.</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State partially addresses this ICAO finding and recommendation. The State has not addressed the establishment of a procedure for the renewal of the mandate of the designated check airmen.</p>	

APPENDIX 1-4-02
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION

Auditee: NETHERLANDS ANTILLES Audit Period: 01/04/2008 - 18/04/2008	OPS/02 4.109; 4.453;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 CE-3 CE-4 CE-5 CE-6 X CE-7 CE-8 X	
FINDING: The Netherlands Antilles has not established an effective filing system for storing for review all the documents related to the certification process for obtaining an air operator certificate (AOC) as well as for tracking all the past deficiencies or lack of compliance to regulations.	
RECOMMENDATION: The DCANA should implement an effective filing system for storing for review all the documents related to the certification process for obtaining an AOC as well as for tracking all the past deficiencies or lack of compliance to regulations.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3B-4-2 of this report. <div style="text-align: right;">Estimated Implementation Date: 01/10/2009</div>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

APPENDIX 1-4-03
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION

Auditee: NETHERLANDS ANTILLES Audit Period: 01/04/2008 - 18/04/2008	OPS/03 4.075; 4.127; 4.221; 4.383;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 CE-3 CE-4 CE-5 X CE-6 CE-7 CE-8	
FINDING: The guidance material provided to the operations inspectors does not have comprehensive procedures for the following tasks: a) review and approval of minimum equipment list (MEL); b) review to ensure that all the necessary requirements are included in the operator's training manual; and c) review and acceptance of aircraft leases.	
RECOMMENDATION: The DCANA should develop and implement comprehensive guidance material for the following tasks assigned to the operations inspectors: a) review and approval of MEL; b) review to ensure that all the necessary requirements are included in the operator's training manual; and c) review and acceptance of aircraft leases.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3B-4-3 of this report. <div style="text-align: right;">Estimated Implementation Date: 31/03/2009</div>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

APPENDIX 1-4-04
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION

Auditee: NETHERLANDS ANTILLES Audit Period: 01/04/2008 - 18/04/2008	OPS/04 4.185; 4.187; 4.231; 4.233; 4.235; 4.241; 4.243; 4.245; 4.247; 4.321; 4.323; 4.325; 4.401; 4.403; 4.405; 4.407; 4.409;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 X CE-3 CE-4 CE-5 CE-6 X CE-7 X CE-8	
FINDING: The Netherlands Antilles recently promulgated regulations in the area of aircraft operations which outlined new requirements that were not found in the previous regulations. Consequently, the DCANA has not yet established and implemented the procedures in the following areas: a) cabin crew training programme and selection of the instructors; b) flight dispatcher training programme and selection of the instructors; c) ground handling arrangements; and d) operation security measures and approval of the security training programme.	
RECOMMENDATION: The DCANA should establish and implement the following procedures to ensure the conformity of the air operator with the new regulations in these areas: a) cabin crew training programme and selection of the instructors; b) flight dispatcher training programme and selection of the instructors; c) ground handling arrangements; and d) operation security measures and approval of the security training programme.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3B-4-4 of this report.	
COMMENTS BY ICAO: The corrective action plan submitted by the State partially addresses this ICAO finding and recommendation. The State has not addressed the implementation of the new procedures.	

APPENDIX 1-4-05
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION

Auditee: NETHERLANDS ANTILLES Audit Period: 01/04/2008 - 18/04/2008	OPS/05 4.133; 4.135; 4.137;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 CE-3 CE-4 CE-5 CE-6 X CE-7 X CE-8	
FINDING: The DCANA does not ensure, at regular intervals, that its air operators maintain up-to-date and sufficient documentation concerning flight data recorder (FDR) parameter allocation, conversion equations, periodic calibration and other serviceability information. Moreover, the DCANA does not ensure that its air operators include in their operations manuals instructions for the preservation of flight recorder records and of associated flight recorders in case the aeroplane becomes involved in an accident or incident as well as for the safe custody of said recorders pending their disposition as determined in accordance with ICAO Annex 13.	
RECOMMENDATION: The DCANA should establish and implement a procedure to ensure, at regular intervals, that its air operators maintain up-to-date and sufficient documentation concerning FDR parameter allocation, conversion equations, periodic calibration and other serviceability information. Moreover, the DCANA should ensure that its air operators include in their operations manual instructions for the preservation of flight recorder records and of associated flight recorder in case the aeroplane becomes involved in an accident or incident as well as for the safe custody of said recorders pending their disposition as determined in accordance with ICAO Annex 13.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3B-4-5 of this report. <div style="text-align: right;">Estimated Implementation Date: 01/03/2009</div>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

APPENDIX 1-4-06
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION

Auditee: NETHERLANDS ANTILLES Audit Period: 01/04/2008 - 18/04/2008	OPS/06 4.153; 4.155;								
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.									
<table style="width: 100%; border: none;"> <tr> <td style="border: none;">CE-1</td> <td style="border: none;">CE-2</td> <td style="border: none;">CE-3</td> <td style="border: none;">CE-4</td> <td style="border: none;">CE-5</td> <td style="border: none;">CE-6 X</td> <td style="border: none;">CE-7</td> <td style="border: none;">CE-8</td> </tr> </table>		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: The DCANA does not ensure that aircraft operators have established, in their operations manuals, instructions, procedures and training requirements related to the avoidance of controlled flight into terrain (CFIT), the use of the ground proximity warning system (GPWS), and the use of the airborne collision avoidance system (ACAS).									
RECOMMENDATION: The DCANA should finalize and implement procedures for the review of operations manual to ensure that its air operators have established instructions, procedures and training requirements related to the avoidance of CFIT, the use of GPWS, and the use of ACAS.									
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3B-4-6 of this report. <div style="text-align: right;">Estimated Implementation Date: 01/03/2009</div>									
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.									

APPENDIX 1-4-07
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION

<p>Auditee: NETHERLANDS ANTILLES</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>OPS/07 4.157; 4.201; 4.203; 4.205;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 CE-3 CE-4 CE-5 CE-6 X CE-7 CE-8</p>	
<p>FINDING:</p> <p>The ICAO Annex 6, Part I, Chapter 3 provisions concerning accident prevention and flight safety programmes have not been promulgated in the Netherlands Antilles.</p>	
<p>RECOMMENDATION:</p> <p>The Netherlands Antilles should promulgate and implement requirements for air operators to establish an accident prevention and flight safety programme. The requirements should also include a flight data analysis programme as part of the accident prevention and flight safety programme, which should be non-punitive and contain adequate safeguards to protect the source of the data.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3B-4-7 of this report.</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State partially addresses this ICAO finding and recommendation. The State has not addressed the implementation of the new procedures and also has not indicated when it will have verified that all air operators concerned have implemented the requirements. In addition, the State has not addressed the promulgation and implementation of requirements for a flight data analysis programme as part of the accident prevention and flight safety programme, which should be non-punitive and contain adequate safeguards to protect the source of the data.</p>	

APPENDIX 1-4-08
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION

Auditee: NETHERLANDS ANTILLES Audit Period: 01/04/2008 - 18/04/2008	OPS/08 4.171;								
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.									
<table style="width: 100%; border: none;"> <tr> <td style="text-align: center; border: none;">CE-1</td> <td style="text-align: center; border: none;">CE-2</td> <td style="text-align: center; border: none;">CE-3</td> <td style="text-align: center; border: none;">CE-4</td> <td style="text-align: center; border: none;">CE-5</td> <td style="text-align: center; border: none;">CE-6 X</td> <td style="text-align: center; border: none;">CE-7</td> <td style="text-align: center; border: none;">CE-8</td> </tr> </table>		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: The DCANA does not ensure that air operators establish a route guide to be used by their flight crew for each flight. Moreover, the requirement concerning the route guide and aerodrome part in the operations manual is optional.									
RECOMMENDATION: The DCANA should establish a mechanism to ensure that all air operators establish a route guide to be used by their flight crew for each flight.									
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3B-4-8 of this report.									
COMMENTS BY ICAO: The corrective action plan submitted by the State partially addresses this ICAO finding and recommendation. The State has not addressed the implementation of the new procedures and also has not indicated when it will have verified that all air operators concerned have implemented the requirements.									

APPENDIX 1-4-09
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION

Auditee: NETHERLANDS ANTILLES Audit Period: 01/04/2008 - 18/04/2008	OPS/09 4.181; 4.189; 4.223; 4.225;								
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.									
<table border="0" style="width: 100%; text-align: center;"> <tr> <td>CE-1</td> <td>CE-2</td> <td>CE-3</td> <td>CE-4</td> <td>CE-5</td> <td>CE-6 X</td> <td>CE-7</td> <td>CE-8</td> </tr> </table>		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: The procedure for checking the flight crew training manual is not comprehensive and does not include provisions to ensure that said manual contains all the training programmes and syllabi related to initial and recurrent training, conversion, recency of experience, differences, and other specialized training. Moreover, the DCANA does not ensure that the air operators have established an ACAS training programme and that the training provided and the documentation used by a different training organization correctly reflect the air operators' own flight safety documentation system.									
RECOMMENDATION: The DCANA should complete its procedure for checking the flight crew training manual and ensure that such manual includes all the training programmes and syllabi related to initial and recurrent training, conversion, recency of experience, differences, and other specialized training. In particular, it should ensure that the air operators establish an ACAS training programme. In addition, the DCANA should ensure that the training provided and the documentation used by a different training organization correctly reflect the air operators' flight safety documentation system.									
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3B-4-9 of this report.									
COMMENTS BY ICAO: The corrective action plan submitted by the State partially addresses this ICAO finding and recommendation. The State has not addressed the implementation of the new procedures and also has not indicated when it will have verified that all air operators concerned have implemented the requirements.									

**APPENDIX 1-4-10
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION**

<p>Auditee: NETHERLANDS ANTILLES</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>OPS/10 4.273;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 CE-3 CE-4 CE-5 CE-6 X CE-7 CE-8</p>	
<p>FINDING:</p> <p>The DCANA does not ensure that the air operators have established a policy and procedures for the flight crew to record and report volcanic activities.</p>	
<p>RECOMMENDATION:</p> <p>The DCANA should develop and implement a procedure to ensure that the air operators have established a policy and procedures for their flight crew to record and report volcanic activities.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3B-4-10 of this report.</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State partially addresses this ICAO finding and recommendation. The State has not addressed the implementation of the new procedures and also has not indicated when it will have verified that all air operators concerned have implemented the requirements.</p>	

APPENDIX 1-4-11
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION

Auditee: NETHERLANDS ANTILLES Audit Period: 01/04/2008 - 18/04/2008	OPS/11 4.287; 4.289; 4.309;								
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.									
<table border="0" style="width: 100%; text-align: center;"> <tr> <td>CE-1</td> <td>CE-2</td> <td>CE-3</td> <td>CE-4</td> <td>CE-5</td> <td>CE-6 X</td> <td>CE-7</td> <td>CE-8</td> </tr> </table>		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: The DCANA does not ensure that the air operators have adequate procedures for the preparation and dissemination of the information outlined in the Aeronautical information Regulation and Control (AIRAC) and the Aeronautical Information Circular (AIC) to their flight crew and operations personnel. Moreover, the DCANA does not ensure that the air operators have established crew briefings as an integral part of their Standard Operating Procedures (SOPs).									
RECOMMENDATION: The DCANA should establish a mechanism to ensure that the air operators have adequate procedures for the preparation and dissemination of the information outlined in the AIRAC and the AIC to their flight crew and operations personnel. Moreover, the DCANA should develop and implement a procedure to ensure that the air operators have established crew briefings as an integral part of their SOPs.									
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3B-4-11 of this report.									
COMMENTS BY ICAO: The corrective action plan submitted by the State partially addresses this ICAO finding and recommendation. The State has not addressed the implementation of the new procedures and also has not indicated when it will have verified that all air operators concerned have implemented the requirements.									

APPENDIX 1-4-12
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION

Auditee: NETHERLANDS ANTILLES Audit Period: 01/04/2008 - 18/04/2008	OPS/12 4.301;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 CE-3 CE-4 CE-5 CE-6 X CE-7 CE-8	
FINDING: The DCANA does not have a procedure to approve the method for determining operating minima for aeroplane operators.	
RECOMMENDATION: The DCANA should establish a procedure for approving the method for determining operating minima for aeroplane operators.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3B-4-12 of this report. <p style="text-align: right;">Estimated Implementation Date: 01/12/2008</p>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

APPENDIX 1-4-13
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION

Auditee: NETHERLANDS ANTILLES Audit Period: 01/04/2008 - 18/04/2008	OPS/13 4.353; 4.355; 4.369;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 CE-3 CE-4 CE-5 CE-6 X CE-7 CE-8	
FINDING: The dangerous goods regulation does not contain any requirement that the air operators must have a procedure to retain the Notification to Captain (NOTOC) on the ground and to have it readily accessible to the aerodrome of last departure and next scheduled arrival for each flights on which dangerous goods are carried. Moreover, the DCANA does not ensure that the air operators authorized to transport dangerous goods by air have established adequate in-flight procedures for emergency response in case of aircraft incidents involving dangerous goods. Lastly, the DCANA does not ensure that the air operators have developed procedures to convey information to emergency services and appropriate authorities in the event of an incident or accident involving an aircraft carrying dangerous goods.	
RECOMMENDATION: The Netherlands Antilles should promulgate and implement a requirement for air operators to have a procedure in place to retain the NOTOC on the ground and have it readily accessible to the aerodrome of last departure and next scheduled arrival for each flight on which dangerous goods are carried. Moreover, the DCANA should develop and implement procedures to ensure that: <ul style="list-style-type: none"> a) the air operators authorized to transport dangerous goods have established adequate in-flight procedures for emergency response in case of aircraft incidents involving dangerous goods; and b) the air operators have developed procedures to convey information to emergency services and the appropriate authorities in the event of an incident or accident involving an aircraft carrying dangerous goods. 	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3B-4-13 of this report.	
COMMENTS BY ICAO: The corrective action plan submitted by the State partially addresses this ICAO finding and recommendation. The State has not addressed the implementation of the new procedures and also has not indicated when it will have verified that all air operators concerned have implemented the requirements.	

APPENDIX 1-4-14
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION

Auditee: NETHERLANDS ANTILLES Audit Period: 01/04/2008 - 18/04/2008	OPS/14 4.357; 4.359;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 CE-3 CE-4 CE-5 X CE-6 CE-7 X CE-8	
FINDING: The <i>Dangerous Goods Inspectors' Procedures Manual</i> does not provide a policy for the surveillance of the shippers of dangerous goods or of the agencies located at the aerodrome which perform, on behalf of the air operators, the act of accepting, handling, unloading, transferring or related processing of cargo. Moreover, the dangerous goods surveillance programme, drawn up on an annual basis, is not carried out in full.	
RECOMMENDATION: The DCANA should implement a policy regarding the surveillance of dangerous goods. This policy should include the air operators, the shippers, and the agencies located at the aerodrome which perform, on behalf of the air operators, the act of accepting, handling, unloading, transferring or related processing of cargo. This policy should also state the frequency of the regular and random inspections and should be implemented through a surveillance programme.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3B-4-14 of this report. <div style="text-align: right;">Estimated Implementation Date: 01/03/2009</div>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

APPENDIX 1-4-15
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION

<p>Auditee: NETHERLANDS ANTILLES</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>OPS/15 4.361; 4.365; 4.367;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 CE-3 CE-4 CE-5 CE-6 X CE-7 CE-8</p>	
<p>FINDING:</p> <p>The DCANA does not ensure that initial and recurrent dangerous goods training programmes have been established and maintained by the organizations or agencies which are involved in the transport of dangerous goods by air. Moreover, the DCANA does not ensure that air operators that are not authorized to transport dangerous goods by air have developed and do maintain a training programme for their ground and flight personnel and that this programme is incorporated into their operations manual or into a separate document as part of their flight safety documentation systems.</p>	
<p>RECOMMENDATION:</p> <p>The DCANA should implement procedures to ensure that initial and recurrent dangerous goods training programmes have been established and are maintained by the organizations or agencies which are involved in the transport of dangerous goods by air. Moreover, the DCANA should ensure that air operators that are not authorized to transport dangerous goods by air have developed and maintain a training programme for their ground and flight personnel and that they have incorporated said programme into their operations manuals or into a separate document as part of their flight safety documentation systems.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3B-4-15 of this report.</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State partially addresses this ICAO finding and recommendation. The State has not addressed the implementation of the new requirements and also has not indicated when it will have ensured that all air operators and organizations concerned have established and maintained initial and recurrent dangerous goods training programmes.</p>	

APPENDIX 1-4-16
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION

Auditee: NETHERLANDS ANTILLES Audit Period: 01/04/2008 - 18/04/2008	OPS/16 4.371;								
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.									
<table border="0" style="width: 100%; text-align: center;"> <tr> <td>CE-1</td> <td>CE-2</td> <td>CE-3</td> <td>CE-4</td> <td>CE-5</td> <td>CE-6</td> <td>CE-7</td> <td>CE-8 X</td> </tr> </table>		CE-1	CE-2	CE-3	CE-4	CE-5	CE-6	CE-7	CE-8 X
CE-1	CE-2	CE-3	CE-4	CE-5	CE-6	CE-7	CE-8 X		
FINDING: The DCANA has not established enforcement procedures for violations relating to the transport of dangerous goods by air.									
RECOMMENDATION: The DCANA should establish enforcement procedures for violations relating to the transport of dangerous goods by air.									
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3B-4-16 of this report. <div style="text-align: right;">Estimated Implementation Date: 01/03/2009</div>									
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.									

APPENDIX 1-4-17
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION

Auditee: NETHERLANDS ANTILLES Audit Period: 01/04/2008 - 18/04/2008	OPS/17 4.443; 4.445;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 CE-3 CE-4 CE-5 CE-6 CE-7 X CE-8	
FINDING: The DCANA surveillance programme of the air operators of the Netherlands Antilles does not ensure that all aircraft operations comply with national regulations and international standards. Moreover, the established surveillance programme does not include the monitoring of an air operator's financial conditions in order to identify unfavourable trends.	
RECOMMENDATION: The DCANA should establish and implement a surveillance programme of the air operators of the Netherlands Antilles to ensure that all aircraft operations comply with national regulations and international standards. Moreover, the surveillance programme should include the monitoring of an air operator's financial conditions in order to identify unfavourable trends.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3B-4-17 of this report.	
COMMENTS BY ICAO: The corrective action plan submitted by the State partially addresses this ICAO finding and recommendation. The State has addressed the establishment of procedures as part of its air operator surveillance programme, but has not addressed the implementation these procedures.	

**APPENDIX 1-4-18
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION**

Auditee: NETHERLANDS ANTILLES Audit Period: 01/04/2008 - 18/04/2008	OPS/18 4.449; 4.451;								
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.									
<table style="width: 100%; border: none;"> <tr> <td style="border: none;">CE-1</td> <td style="border: none;">CE-2</td> <td style="border: none;">CE-3</td> <td style="border: none;">CE-4</td> <td style="border: none;">CE-5</td> <td style="border: none;">CE-6</td> <td style="border: none;">CE-7</td> <td style="border: none;">CE-8 X</td> </tr> </table>		CE-1	CE-2	CE-3	CE-4	CE-5	CE-6	CE-7	CE-8 X
CE-1	CE-2	CE-3	CE-4	CE-5	CE-6	CE-7	CE-8 X		
FINDING: In case deficiencies are identified during the conduct of inspections, the DCANA informs the air operator concerned but there is no follow up of the actions taken by the air operator to correct the deficiencies and ensure their timely resolution.									
RECOMMENDATION: The DCANA should implement a procedure to follow up on the actions taken by air operators to correct the deficiencies identified during the conduct of inspections and thereby ensure the timely resolution of said deficiencies.									
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3B-4-18 of this report. <div style="text-align: right;">Estimated Implementation Date: 06/11/2008</div>									
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.									

**APPENDIX 1-5-01
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRWORTHINESS OF AIRCRAFT**

Auditee: NETHERLANDS ANTILLES Audit Period: 01/04/2008 - 18/04/2008	AIR/01 5.173; 5.175;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 CE-3 CE-4 CE-5 X CE-6 X CE-7 CE-8	
FINDING: The DCANA has established requirements in CARNA Part 5 for the approval of modifications and repairs. However, there are no established procedures and guidelines for such approvals.	
RECOMMENDATION: The DCANA should establish procedures and guidelines for the approval of modifications and repairs.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3B-5-1 of this report. <div style="text-align: right;">Estimated Implementation Date: 01/12/2008</div>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

**APPENDIX 1-5-02
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRWORTHINESS OF AIRCRAFT**

Auditee: NETHERLANDS ANTILLES Audit Period: 01/04/2008 - 18/04/2008	AIR/02 5.251; 5.253; 5.255;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 CE-3 CE-4 CE-5 X CE-6 CE-7 CE-8	
FINDING: The DCANA has not developed procedures for the reporting of unapproved parts to the type certificate holders and regulatory agencies. Furthermore, there are no industry guidelines for the proper usage of parts removed from an aircraft no longer in service nor for the disposal of scrapped parts.	
RECOMMENDATION: The DCANA should develop procedures for the reporting of unapproved parts to the type certificate holders and regulatory agencies. Furthermore, the DCANA should develop industry guidelines for the proper usage of parts removed from an aircraft no longer in service and for the disposal of scrapped parts.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3B-5-2 of this report. <div style="text-align: right;">Estimated Implementation Date: 01/01/2009</div>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

**APPENDIX 1-5-03
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRWORTHINESS OF AIRCRAFT**

Auditee: NETHERLANDS ANTILLES Audit Period: 01/04/2008 - 18/04/2008	AIR/03 5.183;								
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.									
<table style="width: 100%; border: none;"> <tr> <td style="border: none;">CE-1</td> <td style="border: none;">CE-2</td> <td style="border: none;">CE-3</td> <td style="border: none;">CE-4</td> <td style="border: none;">CE-5 X</td> <td style="border: none;">CE-6</td> <td style="border: none;">CE-7</td> <td style="border: none;">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: The DCANA has developed, in the <i>Airworthiness Inspector's Handbook</i> , Section one, Chapter 4, a procedure and checklist for the issuance/renewal of certificates of airworthiness. However, the procedure and checklist do not encompass all of the items as described in the ICAO guidance material.									
RECOMMENDATION: The DCANA should review and update procedures and checklists for the issuance/renewal of a certificate of airworthiness. This procedure and checklist should encompass all of the elements mentioned in the ICAO guidance material, in particular, the review of the electrical load analysis and if applicable, the review of the minimum equipment list (MEL) and the master minimum equipment list (MMEL).									
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3B-5-3 of this report. <div style="text-align: right;">Estimated Implementation Date: 01/12/2008</div>									
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.									

**APPENDIX 1-5-04
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRWORTHINESS OF AIRCRAFT**

Auditee: NETHERLANDS ANTILLES Audit Period: 01/04/2008 - 18/04/2008	AIR/04 5.105;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 CE-3 CE-4 CE-5 X CE-6 CE-7 CE-8	
FINDING: The airworthiness inspectors have limited online Internet access to some airworthiness documents for the aircraft types registered in the Netherlands Antilles and for the most part, they are dependent on the operator's documentation.	
RECOMMENDATION: The DCANA should make arrangements to ensure that its airworthiness inspectors have access to up-to-date design organization documentation and continuing airworthiness information for the aircraft types registered in the Netherlands Antilles in order to support the approvals that were issued.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3B-5-4 of this report. <p style="text-align: right;">Estimated Implementation Date: 01/04/2009</p>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

**APPENDIX 1-5-05
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRWORTHINESS OF AIRCRAFT**

Auditee: NETHERLANDS ANTILLES	AIR/05 5.215;								
Audit Period: 01/04/2008 - 18/04/2008									
DOCUMENT REFERENCE:									
Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.									
<table style="width: 100%; border: none;"> <tr> <td style="text-align: center; border: none;">CE-1</td> <td style="text-align: center; border: none;">CE-2</td> <td style="text-align: center; border: none;">CE-3</td> <td style="text-align: center; border: none;">CE-4</td> <td style="text-align: center; border: none;">CE-5 X</td> <td style="text-align: center; border: none;">CE-6</td> <td style="text-align: center; border: none;">CE-7</td> <td style="text-align: center; border: none;">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:									
The DCANA has established a procedure for developing mandatory airworthiness action as part of the <i>Airworthiness Inspector's Handbook</i> , Section one, Chapter 10. However, this procedure does not include the appropriate coordination with the State of Design.									
RECOMMENDATION:									
The DCANA should ensure the procedure for developing mandatory airworthiness action includes the appropriate coordination with the State of Design.									
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:									
Corrective action plan and comments submitted by the State are found at Appendix 3B-5-5 of this report.									
Estimated Implementation Date: 01/12/2008									
COMMENTS BY ICAO:									
The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.									

APPENDIX 1-6-01
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION

Auditee: NETHERLANDS ANTILLES Audit Period: 01/04/2008 - 18/04/2008	AIG/01 6.005; 6.009; 6.011; 6.013;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 X CE-2 X CE-3 CE-4 CE-5 CE-6 CE-7 CE-8	
FINDING: The provisions regarding the investigation of aircraft accidents and incidents, outlined in the <i>Decree No. 76 of 28 February 1938</i> and still in force, establish the “Commission for the Supervision of Aviation” (CTL) as the entity in charge of conducting investigations. However, this Commission is chaired by a State Public Prosecutor and the investigation may also be used for enforcement and prosecution purposes. In practice, investigations have been conducted by technical staff of the DCANA and reported to the CTL.	
RECOMMENDATION: The Netherlands Antilles should introduce provisions in its legislation and regulations to ensure that: <ul style="list-style-type: none"> a) all aircraft accident and serious incidents are investigated by an authority which is independent in the conduct of its investigations; b) the only objective of investigations is the prevention of accidents and incidents; and c) the investigation remains separate from any administrative or judicial proceeding that may apportion blame or liability. 	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3B-6-1 of this report.	
COMMENTS BY ICAO: The corrective action plan submitted by the State partially addresses this ICAO finding and recommendation. The State has addressed the development of a draft regulation (i.e. CARNA Part 13), but has not addressed the promulgation of the new regulation.	

APPENDIX 1-6-02
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION

Auditee: NETHERLANDS ANTILLES Audit Period: 01/04/2008 - 18/04/2008	AIG/02 6.021; 6.023; 6.025; 6.027; 6.029; 6.031; 6.033; 6.035;								
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.									
<table style="width: 100%; border: none;"> <tr> <td style="border: none;">CE-1</td> <td style="border: none;">CE-2 X</td> <td style="border: none;">CE-3</td> <td style="border: none;">CE-4</td> <td style="border: none;">CE-5</td> <td style="border: none;">CE-6</td> <td style="border: none;">CE-7</td> <td style="border: none;">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: The Netherlands Antilles has not established comprehensive legal and regulatory framework to enable the conduct of aircraft accidents and serious incident investigations in compliance with ICAO Annex 13. In particular, there are no provisions: <ul style="list-style-type: none"> a) to grant the necessary powers to the investigator-in-charge and other investigators; b) to protect from disclosure the cockpit voice recorder (CVR), CVR transcript and all other investigation records, as stipulated in ICAO Annex 13; c) to permit the participation of accredited representatives of all the States concerned (as per ICAO Annex 13) in the investigations conducted by the Netherlands Antilles; and d) to re-open an investigation when new and significant evidence becomes available. 									
RECOMMENDATION: The Netherlands Antilles should introduce provisions in its legislation and/or regulations: <ul style="list-style-type: none"> a) to grant the necessary powers to the investigator-in-charge and other investigators; b) to protect from disclosure the CVR, CVR transcript and all other investigation records as stipulated in ICAO Annex 13; c) to permit the participation of accredited representatives of all the States concerned (as per ICAO Annex 13) in the investigations conducted by the Netherlands Antilles; and d) to re-open an investigation when new and significant evidence becomes available. 									
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3B-6-2 of this report.									
COMMENTS BY ICAO: The corrective action plan submitted by the State partially addresses this ICAO finding and recommendation. The State has addressed the development of a draft regulation (i.e. CARNA Part 13), but has not addressed the promulgation of the new regulation.									

APPENDIX 1-6-03
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION

<p>Auditee: NETHERLANDS ANTILLES</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>AIG/03 6.101; 6.121; 6.135;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 CE-3 X CE-4 CE-5 CE-6 CE-7 CE-8</p>	
<p>FINDING:</p> <p>The internal structure of the investigation authority in the Netherlands Antilles has not been established. In addition:</p> <ul style="list-style-type: none"> a) the respective functions of the experts seconded by the DCANA and of the members of the Commission or Board that conducts the investigation have not been clearly defined; b) no measures have been established to ensure that technical staff from the DCANA or the experts from any other organization in the State that are seconded for an aircraft accident or serious incident investigation are not in a situation of possible conflict of interest; and c) investigator credentials have not been provided to the relevant staff, in particular to the DCANA experts seconded to the investigation (in practice, when DCANA technical staff are performing investigation tasks, they use their inspector credentials), and no means have been established to clarify the proper delegation of authority to the various participants in the investigation. 	
<p>RECOMMENDATION:</p> <p>The Netherlands Antilles should:</p> <ul style="list-style-type: none"> a) establish the internal structure, including reporting lines, of its investigation authority; b) define the respective functions of the DCANA experts seconded to the investigation and of the members of the investigation authority (i.e. the Commission or Board that conducts the investigation); c) establish measures to ensure that the technical staff from the DCANA or the experts from any other organization in the State that are seconded for an aircraft accident or serious incident investigation are not in a situation of possible conflict of interest; and d) provide investigator credentials to the relevant staff (in particular to the DCANA experts seconded to the investigation) and means to clarify the proper delegation of authority to the various participants in the investigation. 	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3B-6-3 of this report.</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State partially addresses this ICAO finding and recommendation. The State has addressed the development of a draft regulation (i.e. CARNA Part 13), but has not addressed the promulgation of the new regulation.</p>	

APPENDIX 1-6-04
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION

Auditee: NETHERLANDS ANTILLES Audit Period: 01/04/2008 - 18/04/2008	AIG/04 6.355;								
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.									
<table border="0" style="width: 100%; text-align: center;"> <tr> <td>CE-1</td> <td>CE-2 X</td> <td>CE-3</td> <td>CE-4</td> <td>CE-5</td> <td>CE-6</td> <td>CE-7</td> <td>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: Regulatory provisions have been promulgated for the protection of the wreckage against unauthorized access. However, in practice, no formal arrangements have been made to ensure that a secured hangar or storage facility would be available, if needed by the investigators, to maintain safe custody of the wreckage for the necessary duration.									
RECOMMENDATION: The Netherlands Antilles should ensure that a secured hangar or storage facility would be available, if needed by the investigators, to maintain safe custody of the wreckage for the necessary duration.									
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3B-6-4 of this report. <div style="text-align: right;">Estimated Implementation Date: 01/04/2009</div>									
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.									

APPENDIX 1-6-05
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION

Auditee: NETHERLANDS ANTILLES Audit Period: 01/04/2008 - 18/04/2008	AIG/05 6.201; 6.205; 6.207;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 CE-3 CE-4 CE-5 X CE-6 CE-7 CE-8	
FINDING: The technical staff of the DCANA who carry out investigation tasks have not been provided with the necessary investigation equipment and protective equipment.	
RECOMMENDATION: The DCANA should: <ul style="list-style-type: none"> a) provide its technical staff who carry out investigation tasks with the necessary investigation and protective equipment; and b) establish procedures to ensure that investigation field kits and essential personal items are readily available for the technical staff to proceed without delay to the accident site. 	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3B-6-5 of this report. <div style="text-align: right;">Estimated Implementation Date: 01/04/2009</div>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

APPENDIX 1-6-06
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION

<p>Auditee: NETHERLANDS ANTILLES</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>AIG/06 6.123; 6.125; 6.127; 6.131;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 CE-3 CE-4 X CE-5 CE-6 CE-7 CE-8</p>	
<p>FINDING:</p> <p>No training programme and periodic training plans have been established for the staff carrying out investigation tasks in the Netherlands Antilles.</p>	
<p>RECOMMENDATION:</p> <p>The Netherlands Antilles should ensure that a training programme and periodic training plans are established and implemented for all staff carrying out investigation tasks. The training programme and plan should include initial, basic and on-the-job training (that are adapted for the particular tasks to be performed by the designated staff) as well as training related to the safety at the accident site.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3B-6-6 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 01/01/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

APPENDIX 1-6-07
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION

Auditee: NETHERLANDS ANTILLES Audit Period: 01/04/2008 - 18/04/2008	AIG/07 6.303;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 CE-3 CE-4 CE-5 X CE-6 CE-7 CE-8	
FINDING: The DCANA has developed a manual entitled “ <i>Aviation Accident, Serious Incident and Incident Investigation Handbook</i> ” that was approved by the Director of the DCANA on 7 April 2008. However, this manual does not provide comprehensive guidance and instructions to the staff carrying out the investigation tasks. Furthermore, while the manual is intended not only for the DCANA staff but also the members of the Commission or Board which is responsible for the investigation, it has only been signed and endorsed by the Director of the DCANA.	
RECOMMENDATION: The Netherlands Antilles should ensure that the necessary guidance and instructions are provided to the staff carrying out investigation tasks in the form of a manual (or set of manuals), which should be approved at the appropriate level.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3B-6-7 of this report. <div style="text-align: right;">Estimated Implementation Date: 01/04/2009</div>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

APPENDIX 1-6-08
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION

Auditee: NETHERLANDS ANTILLES Audit Period: 01/04/2008 - 18/04/2008	AIG/08 6.313;								
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.									
<table border="0" style="width: 100%; text-align: center;"> <tr> <td>CE-1</td> <td>CE-2</td> <td>CE-3 X</td> <td>CE-4</td> <td>CE-5</td> <td>CE-6</td> <td>CE-7</td> <td>CE-8</td> </tr> </table>		CE-1	CE-2	CE-3 X	CE-4	CE-5	CE-6	CE-7	CE-8
CE-1	CE-2	CE-3 X	CE-4	CE-5	CE-6	CE-7	CE-8		
FINDING: The Netherlands Antilles has not provided ICAO with a contact telephone number, to be posted on the ICAO public website, that is operational 24 hours a day so that it can be used for immediate notification by other States of accident and serious incidents involving aircraft registered in the Netherlands Antilles or an air operator from the Netherlands Antilles.									
RECOMMENDATION: The Netherlands Antilles should provide ICAO with a contact telephone number, to be posted on the ICAO public website, that is operational 24 hours a day so that it can be used for immediate notification by other States of accident and serious incidents involving aircraft registered in the Netherlands Antilles or an air operator from the Netherlands Antilles.									
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3B-6-8 of this report. <div style="text-align: right;">Estimated Implementation Date: 06/11/2008</div>									
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.									

APPENDIX 1-6-09
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION

Auditee: NETHERLANDS ANTILLES Audit Period: 01/04/2008 - 18/04/2008	AIG/09 6.311; 6.315; 6.317; 6.319; 6.321; 6.323; 6.325; 6.327; 6.329;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 CE-3 X CE-4 CE-5 X CE-6 CE-7 CE-8	
FINDING: The Netherlands Antilles has not established the necessary policies, procedures or guidelines to ensure: <ul style="list-style-type: none"> a) the immediate reception and processing of aircraft accident and incident notifications forwarded within the State or from other States, during office and out-of-office hours; and b) the effective and timely forwarding of aircraft accident and serious incident notifications to the States concerned and, when applicable, to ICAO. 	
RECOMMENDATION: The Netherlands Antilles should establish the necessary policies, procedures or guidelines to ensure: <ul style="list-style-type: none"> a) the immediate reception and processing of aircraft accident and incident notifications forwarded within the State or from other States (including the provision of all relevant information and indication of any dangerous goods on board), during office and out-of-office hours; and b) the effective and timely forwarding of aircraft accident and serious incident notifications to the States concerned and, when applicable, to ICAO. 	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3B-6-9 of this report.	
COMMENTS BY ICAO: The corrective action plan submitted by the State partially addresses this ICAO finding and recommendation. The State has not provided sufficient detail regarding the policies, procedures and guidelines to be established.	

APPENDIX 1-6-10
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION

Auditee: NETHERLANDS ANTILLES Audit Period: 01/04/2008 - 18/04/2008	AIG/10 6.343; 6.345; 6.347; 6.353; 6.361; 6.363; 6.365; 6.367; 6.369; 6.371; 6.373; 6.379; 6.381; 6.391; 6.393; 6.395; 6.397;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 X CE-3 CE-4 CE-5 X CE-6 CE-7 CE-8	
FINDING: The Netherlands Antilles has not established the necessary policies, procedures or guidelines regarding: <ul style="list-style-type: none"> a) the conduct of aircraft and serious incident investigations occurring in the Netherlands Antilles; and b) the participation of representatives from the Netherlands Antilles in aircraft accident and serious incident investigations conducted by other States when the Netherlands Antilles is involved as the State of Registry or the State of Operator. 	
RECOMMENDATION: The Netherlands Antilles should establish the necessary policies, procedures and guidelines regarding: <ul style="list-style-type: none"> a) the conduct of aircraft and serious incident investigations occurring in the Netherlands Antilles; and b) the participation of representatives from the Netherlands Antilles in aircraft accident and serious incident investigations conducted by other States when the Netherlands Antilles is involved as the State of Registry or the State of Operator. 	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3B-6-10 of this report. <div style="text-align: right;">Estimated Implementation Date: 01/04/2009</div>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

**APPENDIX 1-6-11
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION**

<p>Auditee: NETHERLANDS ANTILLES</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>AIG/11 6.359; 6.375; 6.377;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 CE-3 CE-4 CE-5 X CE-6 CE-7 CE-8</p>	
<p>FINDING:</p> <p>No formal arrangements have been made to facilitate coordination between the investigator-in-charge and the judicial authorities. In addition, no formal arrangements have been made with the appropriate authorities to ensure that:</p> <ul style="list-style-type: none"> a) autopsy examinations are carried out when needed; and b) medical examination of flight crew, passengers and involved aviation personnel is performed when needed. 	
<p>RECOMMENDATION:</p> <p>The Netherlands Antilles should ensure that formal arrangements are made:</p> <ul style="list-style-type: none"> a) to facilitate coordination between the investigator-in charge and the judicial authorities; b) to carry out autopsy examinations when needed for the investigation; and c) to perform medical examination of flight crew, passengers and involved aviation personnel when needed. 	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3B-6-11 of this report.</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State partially addresses this ICAO finding and recommendation. The State has not provided details regarding the type of arrangements envisaged to:</p> <ul style="list-style-type: none"> a) facilitate coordination between the investigator-in charge and the judicial authorities; b) carry out autopsy examinations when needed for the investigation; and c) perform medical examination of flight crew, passengers and involved aviation personnel when needed. 	

APPENDIX 1-6-12
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION

<p>Auditee: NETHERLANDS ANTILLES</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>AIG/12 6.403; 6.405; 6.407; 6.409; 6.411; 6.413; 6.415; 6.421; 6.423; 6.431; 6.433; 6.435; 6.437;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p>CE-1 CE-2 CE-3 CE-4 CE-5 X CE-6 CE-7 CE-8 X</p>	
<p>FINDING:</p> <p>The Netherlands Antilles has not established the necessary policies, procedures or guidelines regarding the completion and release of final reports, the issuance of safety recommendations, and the completion and forwarding of preliminary and data reports as required by ICAO Annex 13, Chapter 7. Accident investigation reports as well as preliminary and data reports have not systematically been completed and forwarded to the States involved and/or ICAO.</p>	
<p>RECOMMENDATION:</p> <p>The Netherlands Antilles should establish the necessary policies, procedures or guidelines regarding the completion and release of final reports, the issuance of safety recommendations, and the completion and forwarding of preliminary and data reports as required by ICAO Annex 13, Chapter 7.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3B-6-12 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 01/03/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

**APPENDIX 1-6-13
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION**

<p>Auditee: NETHERLANDS ANTILLES</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>AIG/13 6.417;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p>CE-1 CE-2 CE-3 CE-4 CE-5 X CE-6 CE-7 CE-8</p>	
<p>FINDING:</p> <p>There are no regulatory provisions and no procedures to prevent from circulation, publication, or unauthorized access to a draft report or any part thereof or to any documents obtained during an investigation without the express consent of the State which conducted the investigation, unless such reports or documents have been already published or released by said State</p>	
<p>RECOMMENDATION:</p> <p>The Netherlands Antilles should promulgate regulatory provisions and establish procedures to prevent from circulation, publication, or unauthorized access to a draft report or any part thereof or to any documents obtained during an investigation without the express consent of the State which conducted the investigation, unless such reports or documents have been already published or released by said State.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3B-6-13 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 01/04/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

APPENDIX 1-6-14
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION

Auditee: NETHERLANDS ANTILLES Audit Period: 01/04/2008 - 18/04/2008	AIG/14 6.425;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 CE-3 CE-4 CE-5 CE-6 CE-7 CE-8 X	
FINDING: The Netherlands Antilles has not established procedures to ensure that a State which has issued a safety recommendation to the Netherlands Antilles is informed, in a timely manner, of the preventive action that the Netherlands Antilles has taken, the action under consideration, or the reason why no action will be taken.	
RECOMMENDATION: The Netherlands Antilles should establish procedures to ensure that a State which has issued a safety recommendation to the Netherlands Antilles is informed, in a timely manner, of the preventive action that the Netherlands Antilles has taken, the action under consideration, or the reason why no action will be taken.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3B-6-14 of this report. <p style="text-align: right;">Estimated Implementation Date: 01/04/2009</p>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

APPENDIX 1-6-15
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION

<p>Auditee: NETHERLANDS ANTILLES</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>AIG/15 6.507; 6.509; 6.511;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 CE-3 CE-4 CE-5 CE-6 CE-7 CE-8 X</p>	
<p>FINDING:</p> <p>The DCANA has not established an electronic database to store the accident and incident information that it receives through the reporting mechanisms in place. In addition, the DCANA does not conduct analyses of the incident information received.</p>	
<p>RECOMMENDATION:</p> <p>The DCANA should establish and maintain a centralized database to store the accident and incident information that it receives through the reporting mechanisms in place. This database should use a taxonomy compatible with that of the ICAO accident and incident reporting system (ADREP) and with the database developed by the European Co-ordination Centre for Aviation Incident Reporting Systems (ECCAIRS). The DCANA should also carry out analyses of the incident information received in order to identify any preventive action necessary.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3B-6-15 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 01/04/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

APPENDIX 1-6-16
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION

<p>Auditee: NETHERLANDS ANTILLES</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>AIG/16 6.503; 6.505;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 CE-3 CE-4 CE-5 CE-6 CE-7 CE-8 X</p>	
<p>FINDING:</p> <p>The Netherlands Antilles has not established a voluntary incident reporting system to facilitate the collection of safety information that may not otherwise have been captured by the State's mandatory incident reporting system.</p>	
<p>RECOMMENDATION:</p> <p>The Netherlands Antilles should establish a voluntary incident reporting system, covering all civil aviation activities, in order to facilitate the collection of safety information that may not otherwise have been captured by a mandatory incident reporting system. For that purpose, the Netherlands Antilles should establish legislation, regulations and policies to ensure that the voluntary incident reporting system is non-punitive and that the sources of information are protected, as required by ICAO Annex 13.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3B-6-16 of this report.</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State partially addresses this ICAO finding and recommendation. The State has mainly addressed the legal aspects related to recommendation but has not provided sufficient details about the methods to be established to ensure the implementation of the voluntary incident reporting system.</p>	

**APPENDIX 1-7-01
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES**

<p>Auditee: NETHERLANDS ANTILLES</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>ANS/01 7.017;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 CE-3 CE-4 CE-5 X CE-6 CE-7 CE-8</p>	
<p>FINDING:</p> <p>The DCANA has not established a procedure for the formulation and distribution of guidance material on civil air navigation regulations to air navigation service (ANS) providers and operators.</p>	
<p>RECOMMENDATION:</p> <p>The DCANA should establish a procedure for the formulation and distribution of guidance material on civil air navigation regulations to ANS providers and operators.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3B-7-1 of this report.</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State partially addresses this ICAO finding and recommendation. The State has not clearly indicated the difference between the ANS Inspection Manual (for the use of its ANS inspectors) and the guidance material on civil air navigation regulations to be distributed to ANS providers and operators.</p>	

APPENDIX 1-7-02
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES

Auditee: NETHERLANDS ANTILLES Audit Period: 01/04/2008 - 18/04/2008	ANS/02 7.019;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 CE-3 CE-4 CE-5 X CE-6 CE-7 CE-8	
FINDING: The DCANA does not ensure that safety critical information is disseminated in an effective and efficient manner.	
RECOMMENDATION: The DCANA should establish a process to ensure that safety critical information is disseminated in an effective and efficient manner.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3B-7-2 of this report. <p style="text-align: right;">Estimated Implementation Date: 01/03/2009</p>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

APPENDIX 1-7-03
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES

Auditee: NETHERLANDS ANTILLES	ANS/03 7.037; 7.045; 7.061; 7.063; 7.065; 7.067; 7.069; 7.071; 7.269; 7.277; 7.279; 7.281; 7.283; 7.287; 7.289; 7.373; 7.375; 7.377; 7.379; 7.381; 7.383; 7.385; 7.387; 7.389; 7.391; 7.395;
Audit Period: 01/04/2008 - 18/04/2008	

DOCUMENT REFERENCE:

Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.

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

FINDING:

The DCANA has established a safety oversight system to ensure the effective implementation of safety-related policy and procedures in the air navigation fields, including air traffic services (ATS), aeronautical information services (AIS), aeronautical telecommunication, communication, navigation, and surveillance (CNS). However, the system is not fully implemented.

RECOMMENDATION:

The DCANA should implement an effective safety oversight system of all ANS providers in the Netherlands Antilles, taking into account the following elements:

- a) recruitment of a sufficient number of qualified ATS inspectorate staff;
- b) development of functions, job descriptions, and minimum qualifications requirements;
- c) development and implementation of a training programme detailing types of training, a training plan highlighting priorities, and satisfactory completion of on-the-job training for ANS inspectorate staff;
- d) development of a manual/handbook for the ANS inspectorate staff that also incorporates applicable procedures for all functional areas to be covered (including procedures to conduct the oversight of all the entities); and
- e) establishment of a mechanism with timeframe for the elimination of deficiencies identified.

CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:

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

COMMENTS BY ICAO:

The corrective action plan submitted by the State partially addresses this ICAO finding and recommendation. The State has addressed the implementation of an effective safety oversight system only for ATS inspectors in Parts (a) and (c) of its corrective action, but none for its AIS and CNS inspectors.

**APPENDIX 1-7-04
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES**

<p>Auditee: NETHERLANDS ANTILLES</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>ANS/04 7.081;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 CE-3 CE-4 CE-5 CE-6 X CE-7 CE-8</p>	
<p>FINDING:</p> <p>The DCANA does not ensure that the service provider responsible for ATS has developed policy and procedures for determining the capacity of the ATS system, including the number of staff required to ensure the provision of an adequate ATS system.</p>	
<p>RECOMMENDATION:</p> <p>The DCANA should ensure that the service provider responsible for ATS has developed policy and procedures for determining the capacity of the ATS system, including the number of staff required to ensure the provision of an adequate ATS system.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3B-7-4 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 01/04/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

**APPENDIX 1-7-05
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES**

Auditee: NETHERLANDS ANTILLES Audit Period: 01/04/2008 - 18/04/2008	ANS/05 7.153;								
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.									
<table border="0" style="width: 100%; text-align: center;"> <tr> <td>CE-1</td> <td>CE-2</td> <td>CE-3</td> <td>CE-4</td> <td>CE-5 X</td> <td>CE-6</td> <td>CE-7</td> <td>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: The ANS provider has developed some contingency plans for implementation in the event of disruption or potential disruption of ATS or related services. However, the plans have not been coordinated with the ATS authorities responsible for the provision of services in adjacent portions of the airspace or with the airspace users concerned.									
RECOMMENDATION: The DCANA should: <ol style="list-style-type: none"> 1. ensure that contingency plans are developed and promulgated for implementation in the event of disruption or potential disruption of ATS or related services in accordance with the requirements of ICAO Annex 11; and 2. take into account the guidance material relating to the development, promulgation and implementation of contingency plans outlined in Attachment D of ICAO Annex 11. 									
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3B-7-5 of this report.									
COMMENTS BY ICAO: The corrective action plan submitted by the State partially addresses this ICAO finding and recommendation. The State has not addressed the need to ensure that contingency plans are coordinated with the ATS authorities responsible for the provision of services in adjacent portions of the airspace or with the airspace users concerned.									

APPENDIX 1-7-06
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES

Auditee: NETHERLANDS ANTILLES Audit Period: 01/04/2008 - 18/04/2008	ANS/06 7.155;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 X CE-3 CE-4 CE-5 CE-6 CE-7 CE-8	
FINDING: The Netherlands Antilles does not require the ATS provider to establish procedures to assist and to safeguard strayed or unidentified aircraft.	
RECOMMENDATION: The Netherlands Antilles should require and the DCANA should ensure that the ATS provider establishes procedures to assist and to safeguard strayed or unidentified aircraft.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3B-7-6 of this report. <p style="text-align: right;">Estimated Implementation Date: 01/02/2009</p>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

APPENDIX 1-7-07
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES

Auditee: NETHERLANDS ANTILLES Audit Period: 01/04/2008 - 18/04/2008	ANS/07 7.159;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 X CE-3 CE-4 CE-5 CE-6 CE-7 CE-8	
FINDING: The DCANA does not ensure that air traffic control (ATC) contingency procedures are established for: a) radio communication contingencies; b) emergency separation; c) short-term conflict alert (STCA); and d) minimum safe altitude warning (MSAW).	
RECOMMENDATION: The DCANA should ensure that ATC contingency procedures are established for: a) radio communication contingencies; b) emergency separation; c) short-term conflict alert (STCA); and d) minimum safe altitude warning (MSAW).	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3B-7-7 of this report. <p style="text-align: right;">Estimated Implementation Date: 01/03/2009</p>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

APPENDIX 1-7-08
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES

Auditee: NETHERLANDS ANTILLES Audit Period: 01/04/2008 - 18/04/2008	ANS/08 7.161; 7.163; 7.165; 7.167; 7.169; 7.171; 7.173; 7.175; 7.177; 7.179; 7.181; 7.183; 7.185;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 X CE-3 X CE-4 CE-5 X CE-6 X CE-7 X CE-8	
FINDING: The DCANA has not established a safety programme in order to achieve an acceptable level of safety in the provision of ATS. As part of the safety programme, the Netherlands Antilles does not require that an ATS provider implements a safety management system (SMS).	
RECOMMENDATION: The DCANA should establish and implement a state safety programme in order to achieve an acceptable level of safety in the provision of ATS. As part of the safety programme, the Netherlands Antilles should require that an ATS provider implements an SMS that is acceptable to the State and that, at a minimum: <ul style="list-style-type: none"> a) identifies safety hazards; b) ensures that remedial action necessary to maintain an acceptable level of safety is implemented; c) provides for continuous monitoring and regular assessment of the safety level achieved; and d) aims to make continuous improvement to the overall level of safety. 	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3B-7-8 of this report. <div style="text-align: right;">Estimated Implementation Date: 01/05/2009</div>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

APPENDIX 1-7-09
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES

Auditee: NETHERLANDS ANTILLES Audit Period: 01/04/2008 - 18/04/2008	ANS/09 7.189;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 X CE-3 CE-4 CE-5 CE-6 CE-7 CE-8	
FINDING: The DCANA has not established and implemented a runway safety programme.	
RECOMMENDATION: The DCANA should establish and implement a runway safety programme and ensure that it includes provisions regarding radiotelephony, phraseology, language proficiency, ATC procedures, standard and performance requirements for equipment, aerodrome lighting and marking, aerodrome charts, operational aspects, situational awareness and human factors.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3B-7-9 of this report. <p style="text-align: right;">Estimated Implementation Date: 01/02/2009</p>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

**APPENDIX 1-7-10
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES**

<p>Auditee: NETHERLANDS ANTILLES</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>ANS/10 7.201; 7.253;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 X CE-3 CE-4 CE-5 CE-6 CE-7 X CE-8</p>	
<p>FINDING:</p> <p>ICAO PANS-OPS criteria, as outlined in ICAO's <i>PANS-OPS: Aircraft Operations</i> (Doc 8168), are normally applied for the procedure design in the Netherlands Antilles. However, there are no regulatory provisions regarding the criteria being used.</p>	
<p>RECOMMENDATION:</p> <p>The Netherlands Antilles should promulgate requirements for the criteria used as the basis for procedure design in accordance with the provisions of ICAO Doc 8168. The DCANA should also ensure that the entity responsible for PANS-OPS continues to apply these criteria.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3B-7-10 of this report.</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State partially addresses this ICAO finding and recommendation. The State has addressed the drafting of an amendment to the regulation (i.e. PB 2006 no 11), but has not addressed the promulgation of the amended regulation.</p>	

**APPENDIX 1-7-11
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES**

Auditee: NETHERLANDS ANTILLES Audit Period: 01/04/2008 - 18/04/2008	ANS/11 7.303;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 CE-3 CE-4 CE-5 CE-6 X CE-7 CE-8	
FINDING: The DCANA does not ensure that the AIS service provider develops and implements a training programme for the AIS technical staff.	
RECOMMENDATION: The DCANA should ensure that the AIS service provider develops and implements a training programme for the AIS technical staff that includes recurrent and specialized training.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3B-7-11 of this report.	
COMMENTS BY ICAO: The corrective action plan submitted by the State partially addresses this ICAO finding and recommendation. The State has not addressed the need for the DCANA to ensure that training programmes for the AIS technical staff are not only established, but also implemented.	

APPENDIX 1-7-12
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES

Auditee: NETHERLANDS ANTILLES Audit Period: 01/04/2008 - 18/04/2008	ANS/12 7.307;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 CE-3 CE-4 CE-5 X CE-6 CE-7 CE-8	
FINDING: The AIP of the Netherlands Antilles is not in accordance with the provisions of ICAO Annex 15.	
RECOMMENDATION: The DCANA should ensure that the AIP of the Netherlands Antilles is in accordance with Chapter 4 and Appendix 1 of ICAO Annex 15.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3B-7-12 of this report. <p style="text-align: right;">Estimated Implementation Date: 01/07/2009</p>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

**APPENDIX 1-7-13
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES**

Auditee: NETHERLANDS ANTILLES Audit Period: 01/04/2008 - 18/04/2008	ANS/13 7.311; 7.359;								
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.									
<table style="width: 100%; border: none;"> <tr> <td style="border: none;">CE-1</td> <td style="border: none;">CE-2</td> <td style="border: none;">CE-3 X</td> <td style="border: none;">CE-4</td> <td style="border: none;">CE-5</td> <td style="border: none;">CE-6</td> <td style="border: none;">CE-7</td> <td style="border: none;">CE-8</td> </tr> </table>		CE-1	CE-2	CE-3 X	CE-4	CE-5	CE-6	CE-7	CE-8
CE-1	CE-2	CE-3 X	CE-4	CE-5	CE-6	CE-7	CE-8		
FINDING: The DCANA does not ensure that a properly organized quality system is established for AIS in order to address the provisions of ICAO Annex 15 with regard to the accuracy, integrity, traceability and timeliness of data. In addition, the DCANA does not ensure that aeronautical data quality requirements related to data integrity, publication resolution and chart resolution comply with the provisions of ICAO Annexes 4 and 15.									
RECOMMENDATION: The DCANA should establish a mechanism to ensure that: <ul style="list-style-type: none"> a) a properly organized quality system for AIS is established to provide users with the necessary assurance and confidence that distributed aeronautical information/data satisfy stated requirements for data quality (i.e. accuracy, resolution, integrity and timeliness) and for data traceability by the use of appropriate procedures in every stage of data production or data modification process, from survey/origin to distribution to the next intended user; and b) aeronautical data quality requirements related to data integrity, publication resolution and chart resolution comply with the provisions of ICAO Annexes 4 and 15. 									
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3B-7-13 of this report.									
COMMENTS BY ICAO: The corrective action plan submitted by the State partially addresses this ICAO finding and recommendation. The State has not addressed how the DCANA will ensure that aeronautical data quality requirements related to data integrity, publication resolution and chart resolution comply with the provisions of ICAO Annexes 4 and 15.									

**APPENDIX 1-7-14
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES**

<p>Auditee: NETHERLANDS ANTILLES</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>ANS/14 7.357; 7.361; 7.363;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 CE-3 CE-4 CE-5 X CE-6 CE-7 CE-8</p>	
<p>FINDING:</p> <p>The DCANA does not ensure that all applicable aeronautical charts are produced and made easily available to users, and that they are adequate, accurate and up-to-date.</p>	
<p>RECOMMENDATION:</p> <p>The DCANA should ensure that all applicable aeronautical charts are produced and made easily available to users. In addition, it should take adequate measures to ensure that the information it provides and the aeronautical charts made available are adequate and accurate and that they are maintained up-to-date by a revision service.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3B-7-14 of this report.</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State partially addresses this ICAO finding and recommendation. The State has not addressed the production of all applicable charts, their easy availability to users, and the assurance that they are kept up-to-date.</p>	

**APPENDIX 1-7-15
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES**

<p>Auditee: NETHERLANDS ANTILLES</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>ANS/15 7.393;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 CE-3 CE-4 CE-5 CE-6 CE-7 X CE-8</p>	
<p>FINDING:</p> <p>The Netherlands Antilles does not ensure that requirements for flight inspection are established and periodical flight inspections are provided for navigation aids.</p>	
<p>RECOMMENDATION:</p> <p>The DCANA should ensure that the requirements for flight inspection and periodical flight inspections are provided for navigation aids.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3B-7-15 of this report.</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State partially addresses this ICAO finding and recommendation. The State has not addressed the establishment of requirements for periodical flight inspections, including but not limited to, details on the mechanism of the management of the flight inspection results.</p>	

APPENDIX 1-7-16
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES

Auditee: NETHERLANDS ANTILLES Audit Period: 01/04/2008 - 18/04/2008	ANS/16 7.403;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 CE-3 CE-4 CE-5 CE-6 X CE-7 CE-8	
FINDING: The Netherlands Antilles does not ensure that the entity providing the aeronautical telecommunication service has developed and implemented a training programme for its technical staff.	
RECOMMENDATION: The DCANA should ensure that the entity providing the aeronautical telecommunication service has developed and implemented a training programme for its technical staff.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3B-7-16 of this report. <p style="text-align: right;">Estimated Implementation Date: 01/02/2009</p>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

**APPENDIX 1-7-17
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES**

Auditee: NETHERLANDS ANTILLES Audit Period: 01/04/2008 - 18/04/2008	ANS/17 7.415;								
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.									
<table border="0" style="width: 100%; text-align: center;"> <tr> <td>CE-1</td> <td>CE-2</td> <td>CE-3 X</td> <td>CE-4</td> <td>CE-5</td> <td>CE-6</td> <td>CE-7</td> <td>CE-8</td> </tr> </table>		CE-1	CE-2	CE-3 X	CE-4	CE-5	CE-6	CE-7	CE-8
CE-1	CE-2	CE-3 X	CE-4	CE-5	CE-6	CE-7	CE-8		
FINDING: The provision of meteorological services to international air navigation in the Netherlands Antilles and Aruba are ensured by the <i>Meteorologische Dienst</i> (Meteorological Department) (MDNAA) in accordance with a protocol agreement which was signed pursuant to Article 7 (5) of the <i>Kingdom Act A1985 No 88 of 28 August 1985</i> . However, no agreement has been established between the ATS authorities and the MET authorities for the provision of MET services.									
RECOMMENDATION: The Netherlands Antilles should ensure that a letter of agreement between the ATS authorities and the MDNAA for the provision of MET services is formalized.									
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3B-7-17 of this report.									
COMMENTS BY ICAO: The corrective action plan submitted by the State partially addresses this ICAO finding and recommendation. The State has only indicated in its corrective action that it will “urge” ATS to finalize the existing draft agreement on MET services, and does not ensure that an agreement on the provision of MET services is formalized.									

**APPENDIX 1-7-18
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES**

<p>Auditee: NETHERLANDS ANTILLES</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>ANS/18 7.417; 7.419; 7.421; 7.423; 7.425; 7.427; 7.429; 7.431; 7.433; 7.435;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 CE-3 X CE-4 X CE-5 CE-6 CE-7 X CE-8</p>	
<p>FINDING:</p> <p>There is no oversight mechanism established to ensure that services provided by the MDNAA are in accordance with the provisions of ICAO Annex 3.</p>	
<p>RECOMMENDATION:</p> <p>The DCANA should ensure that the MDNAA establishes an oversight mechanism to ensure that services provided to international air navigation are in accordance with the provisions of ICAO Annex 3. It should include, but not limited to, the following elements:</p> <ul style="list-style-type: none"> a) recruitment of a sufficient number of qualified MET inspectorate staff; b) development of functions, job descriptions, and minimum qualifications requirements; c) development and implementation of a training programme detailing types of training, a training plan highlighting priorities, and satisfactory completion of on-the-job training for the inspectorate staff; d) development of a manual/handbook for the inspectorate staff that also incorporates applicable procedures for all functional areas to be covered (including procedures to conduct the oversight of all the entities); and e) establishment of a mechanism with timeframe for the elimination of deficiencies identified. 	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3B-7-18 of this report.</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State partially addresses this ICAO finding and recommendation. The State has not addressed the implementation of an effective safety oversight system for MET inspectors by providing details on all matters outlined in the recommendation.</p>	

APPENDIX 1-7-19
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES

Auditee: NETHERLANDS ANTILLES Audit Period: 01/04/2008 - 18/04/2008	ANS/19 7.451;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 CE-3 CE-4 CE-5 CE-6 CE-7 X CE-8	
FINDING: The MDNAA has not established a properly organized quality system.	
RECOMMENDATION: The DCANA should ensure that the MDNAA establishes a properly organized quality system.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3B-7-19 of this report. <p style="text-align: right;">Estimated Implementation Date: 01/08/2009</p>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

APPENDIX 1-7-20
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES

Auditee: NETHERLANDS ANTILLES Audit Period: 01/04/2008 - 18/04/2008	ANS/20 7.455;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 CE-3 CE-4 CE-5 CE-6 X CE-7 CE-8	
FINDING: Training is provided to the staff of the MDNAA on an ad hoc basis. A training programme was recently developed for the technical staff, but has not been implemented.	
RECOMMENDATION: The DCANA should ensure that the MDNAA implements the training programme that it has developed for its technical staff.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3B-7-20 of this report. <p style="text-align: right;">Estimated Implementation Date: 01/05/2009</p>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

APPENDIX 1-7-21
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES

Auditee: NETHERLANDS ANTILLES Audit Period: 01/04/2008 - 18/04/2008	ANS/21 7.463;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 CE-3 CE-4 CE-5 CE-6 X CE-7 CE-8	
FINDING: The MDNAA has not established staff instructions regulating the issuance of special air reports, including those for volcanic ash.	
RECOMMENDATION: The DCANA should ensure that provisions regarding the transmission of special air reports to the relevant MET offices, including those on volcanic ashes, are followed.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3B-7-21 of this report. <p style="text-align: right;">Estimated Implementation Date: 01/11/2009</p>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

APPENDIX 1-7-22
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES

Auditee: NETHERLANDS ANTILLES Audit Period: 01/04/2008 - 18/04/2008	ANS/22 7.467;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 X CE-3 CE-4 CE-5 CE-6 CE-7 CE-8	
FINDING: The MDNAA, in coordination with the ATS authority, has not established the criteria for special observations.	
RECOMMENDATION: The DCANA should ensure that the MDNAA, in coordination with the ATS authority, establishes the criteria for special observations.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3B-7-22 of this report. <p style="text-align: right;">Estimated Implementation Date: 01/12/2008</p>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

APPENDIX 1-7-23
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES

Auditee: NETHERLANDS ANTILLES Audit Period: 01/04/2008 - 18/04/2008	ANS/23 7.485;								
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.									
<table border="0" style="width: 100%; text-align: center;"> <tr> <td>CE-1</td> <td>CE-2</td> <td>CE-3 X</td> <td>CE-4</td> <td>CE-5</td> <td>CE-6</td> <td>CE-7</td> <td>CE-8</td> </tr> </table>		CE-1	CE-2	CE-3 X	CE-4	CE-5	CE-6	CE-7	CE-8
CE-1	CE-2	CE-3 X	CE-4	CE-5	CE-6	CE-7	CE-8		
FINDING: The Kingdom of Netherlands has promulgated the <i>Kingdom Act No 98</i> dated 25 February 2008, gazetted in April 2008, to govern the provision of search and rescue (SAR) services in the Netherlands Antilles and Aruba. The services are accordingly provided by the Coast Guard which is the responsible authority under the Ministry of Defence and has available resources, communications facilities and a workforce skilled in coordination and operational functions. The services are provided, in principle, in accordance with ICAO Annex 12. However, no executing and associated operating regulations have been promulgated.									
RECOMMENDATION: The Netherlands Antilles and Aruba should promulgate the executing and associated operating regulations governing the provision of SAR services in accordance with the <i>Kingdom Act No 98</i> .									
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3B-7-23 of this report. <div style="text-align: right;">Estimated Implementation Date: 01/12/2009</div>									
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.									

APPENDIX 1-7-24
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES

Auditee: NETHERLANDS ANTILLES	ANS/24 7.483; 7.489; 7.491; 7.493; 7.495; 7.497; 7.499; 7.501; 7.503; 7.505; 7.507; 7.541;
Audit Period: 01/04/2008 - 18/04/2008	

DOCUMENT REFERENCE:

Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.

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

FINDING:

The provision of SAR services in the Netherlands Antilles and Aruba is organized as follows:

- a) within the Curaçao Flight Information Region (FIR) (i.e. Curaçao, Aruba and Bonaire islands), SAR services are provided by the Netherlands Antilles and Aruba Coast Guard;
- b) within the territories of Sint Maarten, Saba and Sint Eustatius islands, which lie within the Juliana Terminal Control Area (TCA)/San Juan FIR, SAR services are provided by the Netherlands Antilles Coast Guard; and
- c) outside of the territories of Sint Maarten, Saba and Sint Eustatius islands, SAR services are provided by France (French Antilles) and the United States of America.

Although good cooperation and coordination exist between all the entities ensuring the provision of SAR services in the Netherlands Antilles and Aruba, there are no formal letters of agreement signed between the Kingdom of Netherlands and the other States involved in specifying the degree of cooperation with respect to the provision of SAR services. In addition, there is no mechanism established to ensure that there is oversight of the entities providing SAR services.

RECOMMENDATION:

The Kingdom of Netherlands should ensure that:

- 1) formal letters of agreements are signed among all the States involved in the provision of SAR in the Netherlands Antilles and Aruba. In particular, due consideration should be given to the provisions of the ICAO Annex 12, Chapter 3 in the process; and
- 2) an oversight mechanism is established to ensure the proper provision of SAR services. It should include, but not limited to, the following elements:
 - a) recruitment of a sufficient number of qualified SAR staff;
 - b) development of functions, job descriptions, and minimum qualifications requirements;
 - c) development and implementation of a training programme detailing types of training, a training plan highlighting priorities, and satisfactory completion of on-the-job training for SAR staff;
 - d) development of a manual/handbook for the SAR staff that also incorporates applicable procedures for all functional areas to be covered (including procedures to conduct the oversight of all the entities); and
 - e) establishment of a mechanism with timeframe for the elimination of deficiencies identified.

CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:

Corrective action plan and comments submitted by the State are found at Appendix 3B-7-24 of this report.

APPENDIX 1-7-24
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES

Auditee: NETHERLANDS ANTILLES Audit Period: 01/04/2008 - 18/04/2008	ANS/24 7.483; 7.489; 7.491; 7.493; 7.495; 7.497; 7.499; 7.501; 7.503; 7.505; 7.507; 7.541;
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COMMENTS BY ICAO:

The corrective action plan submitted by the State partially addresses this ICAO finding and recommendation. The State has not addressed the formalization of a SAR agreement and the establishment of a safety oversight mechanism for SAR service. In addition, the State has not defined an estimated implementation date.

**APPENDIX 1-7-25
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES**

<p>Auditee: NETHERLANDS ANTILLES</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>ANS/25 7.525;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 CE-3 X CE-4 CE-5 CE-6 CE-7 CE-8</p>	
<p>FINDING:</p> <p>The Netherlands Antilles and Aruba have designated an SAR point of contact for the receipt of COSPAS-SARSAT distress data and the information is available in the International Maritime Organization (IMO) publications. However, this information has not been published in their respective AIPs.</p>	
<p>RECOMMENDATION:</p> <p>The Netherlands Antilles and Aruba should ensure that the designated SAR point of contact for the receipt of Cospas-Sarsat distress data be published in the respective AIPs.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3B-7-25 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 01/02/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

**APPENDIX 1-8-01
FINDINGS AND RECOMMENDATIONS RELATED TO
AERODROMES**

<p>Auditee: NETHERLANDS ANTILLES</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>AGA/01 8.081;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 X CE-3 CE-4 CE-5 CE-6 CE-7 CE-8</p>	
<p>FINDING:</p> <p>CARNA Part 14 (Aerodromes) requires all aerodromes open to public use to be certified based on the criteria established in the <i>State Decree on Civil Aviation Safety Oversight (Landsbesluit Toezicht Luchtvaart)</i>. However, not all aerodromes open for public use have been certified in accordance with the regulations.</p>	
<p>RECOMMENDATION:</p> <p>The Netherlands Antilles should certify all of the aerodromes open for public use in accordance with the national regulations.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3B-8-1 of this report.</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State partially addresses this ICAO finding and recommendation. The State has not indicated when the certification process will be completed for all aerodromes open for public use.</p>	

APPENDIX 1-8-02
FINDINGS AND RECOMMENDATIONS RELATED TO
AERODROMES

Auditee: NETHERLANDS ANTILLES Audit Period: 01/04/2008 - 18/04/2008	AGA/02 8.063; 8.069; 8.119; 8.121; 8.139; 8.171; 8.217; 8.281; 8.325;								
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.									
<table style="width: 100%; border: none;"> <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 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>		CE-1	CE-2 X	CE-3	CE-4	CE-5 X	CE-6 X	CE-7	CE-8
CE-1	CE-2 X	CE-3	CE-4	CE-5 X	CE-6 X	CE-7	CE-8		
FINDING: The DCANA has not developed procedures and guidance material for the regulatory staff and the industry with respect to: <ul style="list-style-type: none"> a) the initial review, approval and amendments to the aerodrome manual; b) the process for verifying the accuracy of aerodrome data; c) the guidelines for regulating the use of runway pavement by an aircraft with an aircraft classification number (ACN) higher than the reported pavement classification number (PCN); d) the evaluation of the impact on safety whenever a change to the aerodrome facility or equipment is proposed; e) the return of a runway to operational status after a runway pavement overlay; f) the process for making aerodrome operators aware of all the requirements for granting an aerodrome certificate; g) the prevention of aircraft from entering a permanent or temporary closed runway or taxiway; and h) obstacle control. 									
RECOMMENDATION: The DCANA should develop procedures and guidance material for the regulatory staff and the industry with respect to: <ul style="list-style-type: none"> a) the initial review, approval and amendments to the aerodrome manual; b) the process for verifying the accuracy of aerodrome data; c) the guidelines for regulating the use of runway pavement by an aircraft with an aircraft classification number (ACN) higher than the reported pavement classification number (PCN); d) the evaluation of the impact on safety whenever a change to the aerodrome facility or equipment is proposed; e) the return of a runway to operational status after a runway pavement overlay; f) the process for making aerodrome operators aware of all the requirements for granting an aerodrome certificate; g) the prevention of aircraft from entering a permanent or temporary closed runway or taxiway; and h) obstacle control. 									
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3B-8-2 of this report. <div style="text-align: right;">Estimated Implementation Date: 01/06/2009</div>									
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.									

**APPENDIX 1-8-03
FINDINGS AND RECOMMENDATIONS RELATED TO
AERODROMES**

<p>Auditee: NETHERLANDS ANTILLES</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>AGA/03 8.083; 8.089; 8.091; 8.093; 8.095; 8.133;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 CE-3 X CE-4 CE-5 X CE-6 X CE-7 CE-8</p>	
<p>FINDING:</p> <p>For the aerodrome certification process, the DCANA does not include the following:</p> <ul style="list-style-type: none"> a) referrals to State entities, as appropriate, for clearance by said entities of the necessary documentation; b) tracking of compliance of the certification requirements by using a checklist; and c) coordination with the elements of ATS for the local airspace of an aerodrome. 	
<p>RECOMMENDATION:</p> <p>The DCANA should ensure that the certification process includes:</p> <ul style="list-style-type: none"> a) referrals to State entities, as appropriate, for clearance by said entities of the necessary documentation; b) tracking of compliance of the certification requirements by using a checklist; and c) coordination with the elements of ATS for the local airspace of an aerodrome. 	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3B-8-3 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 01/12/2008</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

**APPENDIX 1-8-04
FINDINGS AND RECOMMENDATIONS RELATED TO
AERODROMES**

Auditee: NETHERLANDS ANTILLES Audit Period: 01/04/2008 - 18/04/2008	AGA/04 8.115; 8.123;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 CE-3 CE-4 CE-5 CE-6 X CE-7 X CE-8	
FINDING: The DCANA does not keep up-to-date copies of the aerodrome manuals. It also does not ensure that the aerodrome manuals are reviewed periodically to check their amendment status and that the information in said manuals is correct.	
RECOMMENDATION: The DCANA should keep up-to-date copies of the aerodrome manuals. It should also ensure that the aerodrome manuals are reviewed periodically to check their amendment status and that the information in said manuals is correct.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3B-8-4 of this report.	
COMMENTS BY ICAO: The corrective action plan submitted by the State partially addresses this ICAO finding and recommendation. The State has not addressed the need for periodic review by the DCANA of the aerodrome manuals.	

**APPENDIX 1-8-05
FINDINGS AND RECOMMENDATIONS RELATED TO
AERODROMES**

Auditee: NETHERLANDS ANTILLES Audit Period: 01/04/2008 - 18/04/2008	AGA/05 8.135;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 CE-3 CE-4 CE-5 X CE-6 CE-7 CE-8	
FINDING: The DCANA has not established a quality system for ensuring that the accuracy, integrity and protection requirements for the aeronautical data reported by the aerodrome operator are met throughout the data transfer process.	
RECOMMENDATION: The DCANA should establish and implement a quality system for ensuring that the accuracy, integrity and protection requirements for the aeronautical data reported by the aerodrome operator are met throughout the data transfer process.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3B-8-5 of this report.	
COMMENTS BY ICAO: The corrective action plan submitted by the State partially addresses this ICAO finding and recommendation. The State has not provided sufficient detail to ensure that the ICAO recommendation is fully addressed.	

**APPENDIX 1-8-06
FINDINGS AND RECOMMENDATIONS RELATED TO
AERODROMES**

<p>Auditee: NETHERLANDS ANTILLES</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>AGA/06 8.145; 8.147; 8.255;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 X CE-3 CE-4 CE-5 CE-6 CE-7 X CE-8</p>	
<p>FINDING:</p> <p>The DCANA does not ensure that aerodrome operators assess coverage of water on runway surfaces as well as maintain good friction characteristics and low rolling resistance on the runways. Furthermore, the DCANA has not specified a minimum friction level for reporting that a runway may be slippery when wet and the maintenance friction level below which corrective maintenance action shall be initiated.</p>	
<p>RECOMMENDATION:</p> <p>The DCANA should ensure that:</p> <ul style="list-style-type: none"> a) aerodrome operators assess coverage of water on runway surfaces as well as maintain good friction characteristics and low rolling resistance on the runways; b) the minimum friction levels are specified for reporting that a runway may be slippery when wet; and c) the maintenance friction level below which corrective maintenance action shall be initiated is established. 	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3B-8-6 of this report.</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State partially addresses this ICAO finding and recommendation. The State has addressed the drafting of an amendment to the CARNA Part 14 (Aerodromes), but has not addressed the promulgation of the amended regulation.</p>	

APPENDIX 1-8-07
FINDINGS AND RECOMMENDATIONS RELATED TO
AERODROMES

Auditee: NETHERLANDS ANTILLES	AGA/07 8.151; 8.321;						
Audit Period: 01/04/2008 - 18/04/2008							
DOCUMENT REFERENCE:							
Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.							
CE-1	CE-2	CE-3	CE-4	CE-5	CE-6 X	CE-7	CE-8
FINDING:							
The DCANA does not ensure that aerodrome operators establish adequate plans for the removal of disabled aircraft, including arrangements for the designation of coordinators and for the rapid availability and deployment of salvage and removal equipment.							
RECOMMENDATION:							
The DCANA should ensure that aerodrome operators establish adequate plans for the removal of disabled aircraft, including arrangements for the designation of coordinators and for the rapid availability and deployment of salvage and removal equipment.							
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:							
Corrective action plan and comments submitted by the State are found at Appendix 3B-8-7 of this report. <div style="text-align: right;">Estimated Implementation Date: 01/01/2009</div>							
COMMENTS BY ICAO:							
The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.							

**APPENDIX 1-8-08
FINDINGS AND RECOMMENDATIONS RELATED TO
AERODROMES**

<p>Auditee: NETHERLANDS ANTILLES</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>AGA/08 8.163; 8.165;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</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>CARNA Part 14 requires the provision of Runway End Safety Area (RESA) at aerodromes; however, not all aerodromes comply with the RESA requirements. In addition, at aerodromes where the requirements for RESA have not been implemented, the State does not ensure that the runway surroundings are safe for use by aircraft in the event of an aircraft overrunning or undershooting the runway.</p>	
<p>RECOMMENDATION:</p> <p>The DCANA should ensure that RESA requirements are implemented at all aerodromes and where the requirements for RESA have not been implemented, it should ensure that the runway surroundings are safe for use by aircraft in the event of an aircraft overrunning or undershooting the runway.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3B-8-8 of this report.</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State partially addresses this ICAO finding and recommendation. The State has not addressed how it will ensure that, at aerodromes where the requirements for RESA have not been implemented, the runway surroundings are safe for use by aircraft in the event of an aircraft overrunning or undershooting the runway.</p>	

**APPENDIX 1-8-09
FINDINGS AND RECOMMENDATIONS RELATED TO
AERODROMES**

<p>Auditee: NETHERLANDS ANTILLES</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>AGA/09 8.173; 8.181; 8.187;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 CE-3 X CE-4 CE-5 CE-6 X CE-7 CE-8</p>	
<p>FINDING:</p> <p>The DCANA does not ensure that aerodrome operators comply with the requirements outlined in CARNA Part 14 regarding the provision of primary and secondary power supplies. In addition, the DCANA does not ensure that international civil aviation security measures are integrated into the design and construction of aerodrome facilities.</p>	
<p>RECOMMENDATION:</p> <p>The DCANA should ensure that aerodrome operators comply with the requirements outlined in CARNA Part 14 regarding the provision of primary and secondary power supplies. In addition, the DCANA should ensure that international civil aviation security measures are integrated into the design and construction of aerodrome facilities.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3B-8-9 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 01/12/2008</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

**APPENDIX 1-8-10
FINDINGS AND RECOMMENDATIONS RELATED TO
AERODROMES**

<p>Auditee: NETHERLANDS ANTILLES</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>AGA/10 8.203; 8.205; 8.207; 8.221; 8.231;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p>CE-1 CE-2 CE-3 CE-4 CE-5 X CE-6 X CE-7 X CE-8</p>	
<p>FINDING:</p> <p>The DCANA does not ensure that the aerodromes operators' plans for lighting, signs and markings meet ICAO and national requirements. In addition, the DCANA has not provided guidance and does not ensure that these plans for signs, lights and markings are integrated as a whole into the runway incursion programme in order to prevent vehicles or aircraft from inadvertently entering a runway or taxiway.</p>	
<p>RECOMMENDATION:</p> <p>The DCANA should ensure that the aerodromes operators' plans for lighting, signs and markings meet ICAO and national requirements. In addition, the DCANA should provide guidance and ensure that these plans for lighting, signs and markings are integrated as a whole into the runway incursion programme in order to prevent vehicles or aircraft from inadvertently entering a runway or taxiway.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3B-8-10 of this report.</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State partially addresses this ICAO finding and recommendation. The State has not provided sufficient detail to address how the plans for lighting, signs and markings will be integrated as a whole into the runway incursion programme in order to prevent vehicles or aircraft from inadvertently entering a runway or taxiway.</p>	

**APPENDIX 1-8-11
FINDINGS AND RECOMMENDATIONS RELATED TO
AERODROMES**

<p>Auditee: NETHERLANDS ANTILLES</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>AGA/11 8.191; 8.277; 8.283; 8.285; 8.415;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 CE-3 CE-4 CE-5 CE-6 X CE-7 X CE-8 X</p>	
<p>FINDING:</p> <p>The DCANA does not ensure the implementation of obstacle limitation surfaces (OLS) at and around the aerodrome. In addition, when new construction above, below or outside the OLS is proposed, the Netherlands Antilles does not require coordination between the land use authorities and the appropriate aviation interest. Furthermore, the DCANA does not ensure that aerodrome operators comply with the frangibility and height restriction requirements for equipment or installation located near or on a runway as well as on the non-graded portion of a runway strip.</p>	
<p>RECOMMENDATION:</p> <p>The DCANA should ensure the implementation of OLS at and around the aerodrome. In addition, when new construction above, below or outside the OLS is proposed, the Netherlands Antilles should require coordination between the land use authorities and the appropriate aviation interest. Furthermore, the DCANA should ensure that aerodrome operators comply with the frangibility and height restriction requirements for equipment or installation located near or on a runway as well as on the non-graded portion of a runway strip.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3B-8-11 of this report.</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State partially addresses this ICAO finding and recommendation. The State has not addressed the required coordination between the land use authorities and the appropriate aviation authorities when new construction above, below or outside the OLS is proposed.</p>	

**APPENDIX 1-8-12
FINDINGS AND RECOMMENDATIONS RELATED TO
AERODROMES**

<p>Auditee: NETHERLANDS ANTILLES</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>AGA/12 8.233; 8.259;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 CE-3 CE-4 CE-5 CE-6 X CE-7 X CE-8</p>	
<p>FINDING:</p> <p>The DCANA does not ensure that aerodrome operators comply with requirements to extinguish, screen or otherwise modify non-aeronautical lights which could present a hazard to aircraft. In addition, the DCANA does not ensure that aerodrome operators define performance objective levels for visual aids as part of their preventive maintenance measures.</p>	
<p>RECOMMENDATION:</p> <p>The DCANA should ensure that aerodrome operators comply with requirements to extinguish, screen or otherwise modify non-aeronautical lights which could present a hazard to aircraft. In addition, the DCANA should ensure that aerodrome operators define performance objective levels for visual aids as part of their preventive maintenance measures.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3B-8-12 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 01/03/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

**APPENDIX 1-8-13
FINDINGS AND RECOMMENDATIONS RELATED TO
AERODROMES**

<p>Auditee: NETHERLANDS ANTILLES</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>AGA/13 8.293; 8.295; 8.297;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 X CE-3 CE-4 CE-5 CE-6 X CE-7 CE-8</p>	
<p>FINDING:</p> <p>The DCANA does not ensure that aerodrome operators observe human factors in the development of the aerodrome emergency plan and the periodic testing of the aerodrome emergency plan in accordance with CARNA Part 14. In addition, the DCANA does not ensure that coordination of specialist rescue services is included in the aerodrome emergency plan.</p>	
<p>RECOMMENDATION:</p> <p>The DCANA should ensure that aerodrome operators observe human factors in the development of the aerodrome emergency plan and the periodic testing of the aerodrome emergency plan in accordance with CARNA Part 14. In addition, the DCANA should ensure that coordination of specialist rescue services is included in the aerodrome emergency plan.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3B-8-13 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 01/12/2008</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

**APPENDIX 1-8-14
FINDINGS AND RECOMMENDATIONS RELATED TO
AERODROMES**

Auditee: NETHERLANDS ANTILLES Audit Period: 01/04/2008 - 18/04/2008	AGA/14 8.315;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 X CE-3 CE-4 CE-5 CE-6 CE-7 CE-8	
FINDING: The DCANA does not ensure that the rescue and fire fighting personnel are trained in accordance with CARNA Part 14, including live fire training in pressure-fed fuel fires.	
RECOMMENDATION: The DCANA should ensure that the rescue and fire fighting personnel are trained in accordance with CARNA Part 14, including live fire training in pressure-fed fuel fires.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3B-8-14 of this report.	
COMMENTS BY ICAO: The corrective action plan submitted by the State partially addresses this ICAO finding and recommendation. The State has not addressed how the DCANA will verify that the approved training programmes and training schedules for the rescue and fire fighting personnel are satisfactorily implemented.	

**APPENDIX 1-8-15
FINDINGS AND RECOMMENDATIONS RELATED TO
AERODROMES**

Auditee: NETHERLANDS ANTILLES Audit Period: 01/04/2008 - 18/04/2008	AGA/15 8.327; 8.329; 8.333; 8.335;								
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.									
<table border="0" style="width: 100%; text-align: center;"> <tr> <td>CE-1</td> <td>CE-2 X</td> <td>CE-3</td> <td>CE-4</td> <td>CE-5</td> <td>CE-6</td> <td>CE-7</td> <td>CE-8 X</td> </tr> </table>		CE-1	CE-2 X	CE-3	CE-4	CE-5	CE-6	CE-7	CE-8 X
CE-1	CE-2 X	CE-3	CE-4	CE-5	CE-6	CE-7	CE-8 X		
FINDING: CARNA Part 14 requires aerodrome operators to conduct a bird strike hazard assessment; however such assessment has not been conducted for all of the aerodromes. In addition, the Netherlands Antilles has not established a process to mitigate against an increase or potential increase in bird strike hazard due to land use developments that are likely to attract birds around the aerodrome. Furthermore, the Netherlands Antilles has not forwarded bird strike reports to ICAO for the inclusion in the ICAO Bird Strike Information System (IBIS) database.									
RECOMMENDATION: The Netherlands Antilles should ensure that: <ul style="list-style-type: none"> a) a bird strike hazard assessment is conducted for all of the aerodromes; b) a process is established to mitigate against an increase or potential increase in bird strike hazard due to land use developments that are likely to attract birds around an aerodrome; and c) the bird strike reports are forwarded to ICAO for the inclusion in the IBIS database. 									
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3B-8-15 of this report. <div style="text-align: right;">Estimated Implementation Date: 01/02/2009</div>									
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.									

**APPENDIX 1-8-16
FINDINGS AND RECOMMENDATIONS RELATED TO
AERODROMES**

<p>Auditee: NETHERLANDS ANTILLES</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>AGA/16 8.099; 8.367; 8.369; 8.375; 8.377;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 X CE-3 CE-4 CE-5 X CE-6 CE-7 X CE-8</p>	
<p>FINDING:</p> <p>The DCANA has not developed a regulatory statement defining the circumstances and rationale under which aeronautical studies and/or risk assessments may be used. No guidance is made available to aerodrome operators or regulatory staff on how to develop and evaluate aeronautical studies. In addition, the DCANA does not have a process to control the use of aeronautical studies in granting exemptions to the requirements as well as to publish the results in the AIP.</p>	
<p>RECOMMENDATION:</p> <p>The DCANA should develop a regulatory statement defining the circumstances and rationale under which aeronautical studies and/or risk assessments may be used. It should also provide guidance to the aerodrome operators or regulatory staff on how to develop and evaluate aeronautical studies. In addition, the DCANA should establish a process to control the use of aeronautical studies in granting exceptions to the requirements as well as to publish the results in the AIP.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3B-8-16 of this report.</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State partially addresses this ICAO finding and recommendation. The State has not provided sufficient detail to ensure that the ICAO recommendation is fully addressed.</p>	

APPENDIX 1-8-17
FINDINGS AND RECOMMENDATIONS RELATED TO
AERODROMES

Auditee: NETHERLANDS ANTILLES Audit Period: 01/04/2008 - 18/04/2008	AGA/17 1.055; 8.403; 8.413;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 CE-3 CE-4 CE-5 X CE-6 CE-7 X CE-8 X	
FINDING: In the aerodrome certification manual, the DCANA states that aerodrome inspection will be conducted at least once a year. However, no aerodrome inspections were conducted in 2007. In addition, no actions are taken against an aerodrome operator in case the deficiencies found during an inspection are not rectified within a reasonable time.	
RECOMMENDATION: The DCANA should conduct aerodrome inspections in accordance with the established timelines laid out in the aerodrome certification manual and it should also establish a formal surveillance programme that includes periodic and special inspections. In addition, the DCANA should establish procedures to ensure that deficiencies found during an inspection are rectified within a reasonable time. Enforcement procedures should be established for application in the event that deficiencies are not satisfactorily resolved.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3B-8-17 of this report. <div style="text-align: right;">Estimated Implementation Date: 01/03/2009</div>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

**APPENDIX 1-8-18
FINDINGS AND RECOMMENDATIONS RELATED TO
AERODROMES**

<p>Auditee: NETHERLANDS ANTILLES</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>AGA/18 8.363; 8.365; 8.407; 8.409;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p>CE-1 CE-2 X CE-3 CE-4 CE-5 CE-6 X CE-7 CE-8 X</p>	
<p>FINDING:</p> <p>CARNA Part 14 requires the implementation of SMS as part of the certification process; however no SMS has been implemented. As part of the SMS of the aerodrome operators, the DCANA does not ensure that aerodrome operators analyze accident and incident occurrences and trends as well as take appropriate actions. In addition, the DCANA has not enabled the exchange of safety information across the aerodrome industry.</p>	
<p>RECOMMENDATION:</p> <p>The DCANA should establish a state safety programme and require the aerodrome operators to implement SMS. In addition, as part of the SMS of the aerodrome operators, the DCANA should ensure that aerodrome operators analyze accident and incident occurrences and trends as well as take appropriate actions. It should also enable the exchange of safety information across the aerodrome industry.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3B-8-18 of this report.</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State partially addresses this ICAO finding and recommendation. The State has not addressed the implementation of means to enable the exchange of safety information across the aerodrome industry.</p>	

Part C:

ARUBA

**APPENDIX 1-1-01
FINDINGS AND RECOMMENDATIONS RELATED TO
PRIMARY AVIATION LEGISLATION AND CIVIL AVIATION REGULATIONS**

<p>Auditee: ARUBA</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>LEG/01 1.005;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 X CE-2 CE-3 CE-4 CE-5 CE-6 CE-7 CE-8</p>	
<p>FINDING:</p> <p>The <i>Aviation Act</i> of Aruba does not provide for the promulgation of regulations in all civil aviation fields. In particular, the Minister responsible for aviation affairs (“the Minister”) is not empowered to make aerodrome regulations to enable the implementation of ICAO Annex 14.</p>	
<p>RECOMMENDATION:</p> <p>Aruba should amend its <i>Aviation Act</i> to provide for the promulgation of regulations in all civil aviation fields, and in particular, with respect to aerodromes, to enable the implementation of ICAO Annex 14.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3C-1-1 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 15/08/2008</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

APPENDIX 1-1-02
FINDINGS AND RECOMMENDATIONS RELATED TO
PRIMARY AVIATION LEGISLATION AND CIVIL AVIATION REGULATIONS

Auditee: ARUBA Audit Period: 01/04/2008 - 18/04/2008	LEG/02 1.009; 1.025; 1.205; 6.015; 6.017; 7.011; 7.013; 8.003; 8.015;
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DOCUMENT REFERENCE:

Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.

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

Within the Kingdom of the Netherlands, Aruba has established procedures for the amendment of its specific regulations and for the identification and notification to ICAO of existing differences with ICAO SARPs. However:

- a) the established procedures do not ensure the systematic and timely amendment of national regulations in line with the applicability dates of the ICAO SARPs;
- b) some existing differences have not yet been identified and notified to ICAO;
- c) in some areas (such as aerodromes), the absence of regulations transposing the ICAO SARPs into the national legislation means that not all differences to the related ICAO Annexes have been identified and notified to ICAO; and
- d) Aruba has not published in its Aeronautical Information Publication (AIP) all existing significant differences.

RECOMMENDATION:

Aruba should establish and implement procedures to:

- a) ensure that regulations are promulgated to implement ICAO SARPs;
- b) systematically verify its compliance with the ICAO Annexes and amend its regulations in an effective and timely manner, when needed, for the implementation of amendments to ICAO Annexes;
- c) ensure the identification and notification to ICAO of all existing differences with the ICAO SARPs; and
- d) ensure that all existing significant differences with the ICAO SARPs are published in the AIP.

CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:

Corrective action plan and comments submitted by the State are found at Appendix 3C-1-2 of this report.

Estimated Implementation Date: 30/06/2009

COMMENTS BY ICAO:

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

APPENDIX 1-1-03
FINDINGS AND RECOMMENDATIONS RELATED TO
PRIMARY AVIATION LEGISLATION AND CIVIL AVIATION REGULATIONS

Auditee: ARUBA Audit Period: 01/04/2008 - 18/04/2008	LEG/03 1.029; 5.009;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 X CE-3 CE-4 CE-5 CE-6 CE-7 CE-8	
FINDING: Aruba has adopted the JAR OPS 1 as its regulations for aircraft operations. The procedure established by the Department of Civil Aviation (DCA) calls for a review of the regulations adopted from foreign States whenever an Annex amendment affecting those regulations is issued by ICAO. However, the DCA has not established a procedure to address any amendments of the foreign regulations that were adopted by Aruba, in order to determine whether such amendments comply with ICAO SARPs as well as to notify differences to ICAO when applicable.	
RECOMMENDATION: The DCA should establish a procedure to address any amendments of the foreign regulations that were adopted by Aruba, in order to determine whether such amendments comply with ICAO SARPs as well as to notify differences to ICAO when applicable.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3C-1-3 of this report. <div style="text-align: right;">Estimated Implementation Date: 15/08/2009</div>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

APPENDIX 1-1-04
FINDINGS AND RECOMMENDATIONS RELATED TO
PRIMARY AVIATION LEGISLATION AND CIVIL AVIATION REGULATIONS

Auditee: ARUBA Audit Period: 01/04/2008 - 18/04/2008	LEG/04 1.033; 7.007;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 X CE-2 X CE-3 CE-4 CE-5 CE-6 CE-7 CE-8	
FINDING: Under Article 15 of the <i>Aviation Act</i> , Aruba requires an aircraft registered in Aruba to comply, “for reasons of public order,” with order to land, “if so ordered by way of the signals customary in international air traffic.” Directives issued by the DCA in the <i>Algemene Luchtvaartvoorschriften voor Luchtvaardenden 2007 (AUA-ROA 2007)</i> (Article 3.8) also require aircraft to comply with the provisions of ICAO Annex 2 relating to interception. However, no specific provisions have been established in the legislation or regulations to make compliance to interception orders from other States mandatory for aircraft under its registry or operated by its operators.	
RECOMMENDATION: Aruba should promulgate provisions in its legislation or regulations requiring aircraft registered in Aruba or operated by an operator whose principal place of business or permanent residence is in Aruba to comply with interception requirements of other States, in accordance with Article 3 <i>bis</i> of the Chicago Convention.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3C-1-4 of this report. <div style="text-align: right;">Estimated Implementation Date: 15/08/2008</div>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

APPENDIX 1-1-05
FINDINGS AND RECOMMENDATIONS RELATED TO
PRIMARY AVIATION LEGISLATION AND CIVIL AVIATION REGULATIONS

Auditee: ARUBA Audit Period: 01/04/2008 - 18/04/2008	LEG/05 1.151;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 X CE-2 CE-3 CE-4 CE-5 CE-6 CE-7 CE-8	
FINDING: Even though the Kingdom of the Netherlands is a party to Article 83 <i>bis</i> of the Chicago Convention, Aruba has not amended its legislation to: <ul style="list-style-type: none"> a) reflect the transfer of duties and responsibilities as envisaged by Article 83 <i>bis</i> when Aruba enters into an Article 83 <i>bis</i> agreement as State of Operator or State of Registry; and b) recognize and accept transfer agreements duly effected under Article 83 <i>bis</i> of the Chicago Convention by third party States, thereby allowing for recognition of the validity of the relevant documents issued or rendered valid by a foreign State of Operator in such a case. 	
RECOMMENDATION: Aruba should amend its legislation to: <ul style="list-style-type: none"> a) reflect the transfer of duties and responsibilities as envisaged by Article 83 <i>bis</i> when Aruba enters into an Article 83 <i>bis</i> agreement as State of Operator or State of Registry; and b) recognize and accept transfer agreements duly effected under Article 83 <i>bis</i> of the Chicago Convention by third party States, thereby allowing for recognition of the validity of the relevant documents issued or rendered valid by a foreign State of Operator in such a case. 	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3C-1-5 of this report. <div style="text-align: right;">Estimated Implementation Date: 29/05/2008</div>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

**APPENDIX 1-2-01
FINDINGS AND RECOMMENDATIONS RELATED TO
CIVIL AVIATION ORGANIZATION**

Auditee: ARUBA Audit Period: 01/04/2008 - 18/04/2008	ORG/01 2.011; 2.021;								
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.									
<table style="width: 100%; border: none;"> <tr> <td style="border: none;">CE-1</td> <td style="border: none;">CE-2</td> <td style="border: none;">CE-3 X</td> <td style="border: none;">CE-4</td> <td style="border: none;">CE-5</td> <td style="border: none;">CE-6</td> <td style="border: none;">CE-7</td> <td style="border: none;">CE-8</td> </tr> </table>		CE-1	CE-2	CE-3 X	CE-4	CE-5	CE-6	CE-7	CE-8
CE-1	CE-2	CE-3 X	CE-4	CE-5	CE-6	CE-7	CE-8		
FINDING: The DCA of Aruba is responsible for provision of air traffic services (ATS) at the Queen Beatrix Approach and Control Tower, and it has established a mechanism for the safety oversight of the ATS provision. However, the DCA inspector in charge of safety oversight of the ATS provision belongs to the unit of the DCA providing ATS. In addition, the same inspector is in charge of safety oversight of the aerodrome operator. His functions related to ATS and aerodromes are also not clearly defined.									
RECOMMENDATION: Aruba should ensure that there is a clearly documented separation between the entity providing ATS and the entity in charge of the safety oversight of the ATS provision. In addition, the DCA should clearly define the functions and reporting lines of the units responsible for safety oversight of the ATS provision and of the aerodrome operator.									
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3C-2-1 of this report. <div style="text-align: right;">Estimated Implementation Date: 31/12/2008</div>									
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.									

APPENDIX 1-2-02
FINDINGS AND RECOMMENDATIONS RELATED TO
CIVIL AVIATION ORGANIZATION

Auditee: ARUBA Audit Period: 01/04/2008 - 18/04/2008	ORG/02 2.053;								
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.									
<table style="width: 100%; border: none;"> <tr> <td style="border: none;">CE-1</td> <td style="border: none;">CE-2</td> <td style="border: none;">CE-3 X</td> <td style="border: none;">CE-4</td> <td style="border: none;">CE-5</td> <td style="border: none;">CE-6</td> <td style="border: none;">CE-7</td> <td style="border: none;">CE-8</td> </tr> </table>		CE-1	CE-2	CE-3 X	CE-4	CE-5	CE-6	CE-7	CE-8
CE-1	CE-2	CE-3 X	CE-4	CE-5	CE-6	CE-7	CE-8		
FINDING: A general cooperation agreement was signed among the three States within the Kingdom of the Netherlands (namely, the Netherlands, the Netherlands Antilles and Aruba) regarding civil aviation safety oversight. However, in practice, Aruba has not put in place a mechanism to ensure that sufficient human resources are available for the DCA to carry out all oversight activities, especially in the area of aerodromes and air navigation services (ANS).									
RECOMMENDATION: Aruba should put in place a mechanism to ensure that sufficient human resources are made available for the DCA to carry out all oversight activities, including in the area of aerodromes and ANS.									
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3C-2-2 of this report. <div style="text-align: right;">Estimated Implementation Date: 30/03/2009</div>									
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.									

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

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

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**APPENDIX 1-5-01
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRWORTHINESS OF AIRCRAFT**

Auditee: ARUBA Audit Period: 01/04/2008 - 18/04/2008	AIR/01 5.171; 5.281; 5.361;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 X CE-3 CE-4 CE-5 CE-6 CE-7 CE-8	
FINDING: Aruba has promulgated regulations and issued Director's Directives to address ICAO Annex 7 and Annex 16 provisions. However, the <i>Airworthiness Regulations of Aruba</i> and the Director's Directives do not address all the current airworthiness-related SARPs of ICAO Annexes 6 and 8. In particular, there are no regulatory requirements: <ul style="list-style-type: none"> a) regarding the approval of modifications and repairs as well as the requirements to be met in order to obtain such an approval; b) for air operators to submit to the State of Registry and the State of Operator an operator maintenance control manual for review and acceptance; and c) for operators of aeroplanes over 5 700 kg to monitor and assess maintenance and operational experience with respect to airworthiness. 	
RECOMMENDATION: Aruba should carry out a comprehensive review of the airworthiness-related SARPs outlined in ICAO Annexes 6 and 8 and amend its national regulations accordingly. In particular, the State should promulgate regulatory requirements: <ul style="list-style-type: none"> a) regarding the approval of modifications and repairs as well as the requirements to be met in order to obtain such an approval; b) for air operators to submit to the State of Registry and the State of Operator an operator maintenance control manual for review and acceptance; and c) for operators of aeroplanes over 5700 kg to monitor and assess maintenance and operational experience with respect to airworthiness. 	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3C-5-1 of this report. <div style="text-align: right;">Estimated Implementation Date: 01/05/2009</div>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

**APPENDIX 1-5-02
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRWORTHINESS OF AIRCRAFT**

Auditee: ARUBA Audit Period: 01/04/2008 - 18/04/2008	AIR/02 2.201; 5.103; 5.105;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 CE-3 CE-4 CE-5 X CE-6 CE-7 CE-8	
FINDING: The DCA maintains a technical library containing relevant ICAO documents and other technical reference material required by the Maintenance and Airworthiness Division. The library maintains publications both in hard copy and electronic format. A random sample inspection of the library revealed that most of the applicable <i>Structural Repair Manuals</i> (SRMs) were not available for reference by the personnel of the Maintenance and Airworthiness Division. Furthermore, the DCA has not established a document control procedure and a method to determine the currency of hard copy documents. Some amendments to technical manuals dating back to 2005 were found at the library but they have not been incorporated into the applicable manuals.	
RECOMMENDATION: The DCA should ensure that all the applicable reference material are readily available to its staff. In addition, the DCA should establish a mechanism to ensure that all the required publications are available and are maintained up-to-date.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3C-5-2 of this report. <div style="text-align: right;">Estimated Implementation Date: 27/02/2009</div>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

**APPENDIX 1-5-03
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRWORTHINESS OF AIRCRAFT**

<p>Auditee: ARUBA</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>AIR/03 5.217;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 CE-3 CE-4 CE-5 CE-6 CE-7 CE-8 X</p>	
<p>FINDING:</p> <p>Aruba has promulgated regulatory requirements for aircraft operators and the DCA to transmit to the organization responsible for type design all information on faults, malfunctions and defects for aircraft registered, being operated or receiving maintenance under an approval issued by the DCA. However, within the DCA, no procedures have been developed and no personnel designated to transmit this information to the organization responsible for type design.</p>	
<p>RECOMMENDATION:</p> <p>The DCA should establish and implement procedures to transmit to the organization responsible for type design all information on faults, malfunctions and defects for aircraft registered, being operated or receiving maintenance under an approval issued by the DCA.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3C-5-3 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 31/12/2008</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

**APPENDIX 1-5-04
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRWORTHINESS OF AIRCRAFT**

Auditee: ARUBA Audit Period: 01/04/2008 - 18/04/2008	AIR/04 5.251; 5.253; 5.255;								
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.									
<table style="width: 100%; border: none;"> <tr> <td style="border: none;">CE-1</td> <td style="border: none;">CE-2</td> <td style="border: none;">CE-3</td> <td style="border: none;">CE-4</td> <td style="border: none;">CE-5 X</td> <td style="border: none;">CE-6</td> <td style="border: none;">CE-7</td> <td style="border: none;">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: The DCA has not developed procedures and industry guidelines on: <ul style="list-style-type: none"> a) the reporting of unapproved parts to type certificate holders and regulatory agencies; b) the proper usage of parts removed from an aircraft that is no longer in service; and c) the disposal of scrapped parts. 									
RECOMMENDATION: The DCA should establish procedures and industry guidelines on: <ul style="list-style-type: none"> a) the reporting of unapproved parts to type certificate holders and regulatory agencies; b) the proper usage of parts removed from an aircraft that is no longer in service; and c) the disposal of scrapped parts. 									
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3C-5-4 of this report. <div style="text-align: right;">Estimated Implementation Date: 31/01/2009</div>									
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.									

**APPENDIX 1-5-05
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRWORTHINESS OF AIRCRAFT**

<p>Auditee: ARUBA</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>AIR/05 5.329; 5.375; 5.443;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 X CE-3 CE-4 CE-5 X CE-6 CE-7 X CE-8</p>	
<p>FINDING:</p> <p>The DCA has issued an <i>Airworthiness Inspectors' Handbook</i> that provides guidance to its maintenance and airworthiness inspectors. However, the procedure in place for the approval of reduced vertical separation minimum (RVSM) is incomplete; and the procedure used to validate foreign maintenance organizations does not address the establishment of communication with the foreign civil aviation authority (CAA) about receiving surveillance information.</p>	
<p>RECOMMENDATION:</p> <p>The DCA should develop comprehensive procedures for the approval of RVSM. The DCA should also amend the procedure for granting validations for foreign maintenance organizations to include the establishment of communication with the foreign CAA about receiving surveillance information.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3C-5-5 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 31/12/2008</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

**APPENDIX 1-5-06
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRWORTHINESS OF AIRCRAFT**

Auditee: ARUBA Audit Period: 01/04/2008 - 18/04/2008	AIR/06 5.429;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 CE-3 CE-4 CE-5 CE-6 X CE-7 CE-8	
FINDING: The Maintenance and Airworthiness Division of the DCA ensures that employees of approved maintenance organizations (AMOs) receive the initial and recurrent training necessary for their assigned tasks and responsibilities. However, the DCA does not ensure that AMOs provide their employees with specific training on human factor.	
RECOMMENDATION: The DCA should ensure that AMOs provide their employees with specific training on human factor.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3C-5-6 of this report. <div style="text-align: right;">Estimated Implementation Date: 01/09/2008</div>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

**APPENDIX 1-6-01
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION**

Auditee: ARUBA Audit Period: 01/04/2008 - 18/04/2008	AIG/01 6.007; 6.501;								
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.									
<table border="0" style="width: 100%; text-align: center;"> <tr> <td>CE-1</td> <td>CE-2 X</td> <td>CE-3</td> <td>CE-4</td> <td>CE-5</td> <td>CE-6</td> <td>CE-7</td> <td>CE-8 X</td> </tr> </table>		CE-1	CE-2 X	CE-3	CE-4	CE-5	CE-6	CE-7	CE-8 X
CE-1	CE-2 X	CE-3	CE-4	CE-5	CE-6	CE-7	CE-8 X		
FINDING: The <i>Aircraft Accident Regulation (AB 1995 n.72)</i> introduces an obligation to notify all accidents and incidents that have occurred in Aruba or to Aruban aircraft outside the territory of Aruba to the designated inspector of the DCA. The same regulation stipulates that, for accidents, this notification has to be made as soon as possible. However, there is no mention that the notification of serious incidents shall also be made as soon as possible. In addition, there is no timeframe specified for the notification of incidents to the authority.									
RECOMMENDATION: Aruba should amend its legislation or regulations to: <ul style="list-style-type: none"> a) stipulate that serious incidents that have occurred in the Aruba or to Aruban aircraft outside the territory of Aruba shall be notified as soon as possible to the investigation authority; and b) incidents other than serious incidents have to be notified to the DCA within a specified timeframe. 									
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3C-6-1 of this report. <div style="text-align: right;">Estimated Implementation Date: 01/07/2009</div>									
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.									

APPENDIX 1-6-02
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION

<p>Auditee: ARUBA</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>AIG/02 6.021; 6.023; 6.027; 6.029; 6.031; 6.033;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p>CE-1 CE-2 X CE-3 CE-4 CE-5 CE-6 CE-7 CE-8</p>	
<p>FINDING:</p> <p>There are no provisions in the legislation and regulations of Aruba for the following:</p> <ul style="list-style-type: none"> a) to grant the necessary powers to the investigators; b) to protect from disclosure the cockpit voice recorder (CVR), CVR transcript and all other investigation records as stipulated in ICAO Annex 13; and c) to ensure that accredited representatives of all the States concerned (as per ICAO Annex 13) will be permitted to participate in investigations conducted by Aruba (the current regulation states that they may be permitted to participate). 	
<p>RECOMMENDATION:</p> <p>Aruba should introduce provisions in its legislation or regulations, as applicable:</p> <ul style="list-style-type: none"> a) to grant the necessary powers to the investigators; b) to protect from disclosure the CVR, CVR transcript and all other investigation records as stipulated in ICAO Annex 13; and c) to ensure that accredited representatives of all the States concerned (as per ICAO Annex 13) will be permitted to participate in investigations conducted by Aruba. 	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3C-6-2 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 01/07/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

APPENDIX 1-6-03
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION

<p>Auditee: ARUBA</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>AIG/03 6.355;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 X CE-3 CE-4 CE-5 CE-6 CE-7 CE-8</p>	
<p>FINDING:</p> <p>There are no provisions in the legislation and regulations to ensure the protection of the wreckage against unauthorized access. In addition, no formal arrangements have been made to ensure that a secured hangar or storage facility would be available, if needed by the investigators, to maintain safe custody of the wreckage for the necessary duration.</p>	
<p>RECOMMENDATION:</p> <p>Aruba should introduce regulatory provisions to ensure the protection of the wreckage against unauthorized access. In addition, Aruba should ensure that a secured hangar or storage facility would be available, if needed by the investigators, to maintain safe custody of the wreckage for the necessary duration</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3C-6-3 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 01/07/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

APPENDIX 1-6-04
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION

Auditee: ARUBA Audit Period: 01/04/2008 - 18/04/2008	AIG/04 6.101; 6.105;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 CE-3 X CE-4 CE-5 CE-6 CE-7 CE-8	
FINDING: The <i>Aircraft Accident Regulation (AB 1995 n.72)</i> establishes the “Aviation Board” as the entity responsible for aircraft accident and incident investigations in Aruba. In any accident or incident investigation, the investigation would be performed by the two airworthiness inspectors of the DCA who are appointed permanently as investigator-in-charge and deputy investigator-in-charge and who report to the Aviation Board. Initially chaired by the State Public Prosecutor, the Aviation Board has since 28 March 2008 been chaired by a former Director of Civil Aviation and is now composed solely of individuals with experience in the field of civil aviation. However, the internal structure of the Aviation Board and the functions of all its members have not been clearly defined. In addition, there is no formal provision about the funding of the Aviation Board and of the investigations that it conducts.	
RECOMMENDATION: Aruba should clearly define the internal structure of the Aviation Board and the functions of all its members. It should also establish a process for the funding of the Aviation Board and the investigations that it conducts.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3C-6-4 of this report. <div style="text-align: right;">Estimated Implementation Date: 27/02/2009</div>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

APPENDIX 1-6-05
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION

<p>Auditee: ARUBA</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>AIG/05 6.135;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 CE-3 X CE-4 CE-5 CE-6 CE-7 CE-8</p>	
<p>FINDING:</p> <p>No measures have been established to ensure that the technical staff from the DCA or experts from any other organization in the State who are seconded for an aircraft accident or serious incident investigation are not in a situation of possible conflict of interest.</p>	
<p>RECOMMENDATION:</p> <p>The Aviation Board should establish measures to ensure that the technical staff from the DCA or experts from any other organization in the State who are seconded for an aircraft accident or serious incident investigation are not in a situation of possible conflict of interest.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3C-6-5 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 27/02/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

APPENDIX 1-6-06
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION

<p>Auditee: ARUBA</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>AIG/06 6.201; 6.205; 6.207; 6.373;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 CE-3 CE-4 CE-5 X CE-6 CE-7 CE-8</p>	
<p>FINDING:</p> <p>The technical staff of the DCA who carry out investigation tasks have not been provided with all the necessary investigation equipment and protective equipment. In addition, the procedures in place do not sufficiently protect the investigators against contamination by biohazards, as no arrangement is in place for the de-contamination (or disposal) of clothes and equipment used by the investigators.</p>	
<p>RECOMMENDATION:</p> <p>The Aviation Board should:</p> <ul style="list-style-type: none"> a) ensure that the technical staff who carry out investigation tasks are provided with the necessary investigation equipment and b) protective equipment; b) establish procedures to ensure that investigation field kits and essential personal items are readily available for the technical staff so they can proceed without delay to the accident site; and c) establish procedures to protect the investigators against contamination by biohazards, including arrangements for the de-contamination (or disposal) of clothes and equipment used by the investigators. 	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3C-6-6 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 27/02/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

APPENDIX 1-6-07
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION

Auditee: ARUBA Audit Period: 01/04/2008 - 18/04/2008	AIG/07 6.303; 6.343; 6.345; 6.357; 6.363; 6.423;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 CE-3 CE-4 CE-5 X CE-6 CE-7 CE-8 X	
FINDING: The inspector of the DCA who is permanently appointed as the investigator-in-charge has developed a manual entitled “ <i>Air Safety Investigation Manual</i> ,” that was first issued in December 2006. However, the manual has not been reviewed by the Aviation Board to ensure that policies and guidelines are established for the various categories of accidents and serious incidents in order to help determine how such accidents and serious incidents should be investigated and whether or not the investigation should be delegated to another State. In addition, the manual has not been finalized; some procedures and guidelines still need to be amended or expanded, such as in the following areas: <ul style="list-style-type: none"> a) the conduct of technical examinations and tests; b) the safeguarding and use of ATS recordings; c) the read-out and analysis of flight recorders, in accordance with Attachment D to ICAO Annex 13; and d) the development and issuance of safety recommendations. 	
RECOMMENDATION: The Aviation Board should review the content of the <i>Air Safety Investigation Manual</i> to ensure that it reflects its policy and that it is clear, accurate and comprehensive. In particular, the Aviation Board should ensure that policies and guidelines are established for the various categories of accidents and serious incidents in order to help determine how such occurrences should be investigated or whether the investigation should be delegated to another State. <p>The Aviation Board should also ensure that the manual is amended or expanded to fully address the various aspects of an investigation, and in particular, in the following areas:</p> <ul style="list-style-type: none"> a) the conduct of technical examinations and tests; b) the safeguarding and use of ATS recordings; c) the read-out and analysis of flight recorders, in accordance with Attachment D to ICAO Annex 13; and d) the development and issuance of safety recommendations. 	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3C-6-7 of this report. <p style="text-align: right;">Estimated Implementation Date: 27/02/2009</p>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

APPENDIX 1-6-08
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION

Auditee: ARUBA Audit Period: 01/04/2008 - 18/04/2008	AIG/08 6.359; 6.375; 6.377;								
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.									
<table border="0" style="width: 100%; text-align: center;"> <tr> <td>CE-1</td> <td>CE-2</td> <td>CE-3</td> <td>CE-4</td> <td>CE-5 X</td> <td>CE-6</td> <td>CE-7</td> <td>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: No formal arrangements have been made to facilitate coordination between the investigator-in charge and the judicial authorities. In addition, no formal arrangements have been made with the appropriate authorities to ensure that: <ul style="list-style-type: none"> a) autopsy examinations are carried out when needed; and b) medical examination of flight crew, passengers and involved aviation personnel is performed when needed. 									
RECOMMENDATION: The Aviation Board should ensure that formal arrangements are made with the appropriate authorities: <ul style="list-style-type: none"> a) to facilitate coordination between the investigator-in charge and the judicial authorities; b) to carry out autopsy examinations when needed; and c) to perform medical examination of flight crew, passengers and involved aviation personnel when needed. 									
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3C-6-8 of this report. <div style="text-align: right;">Estimated Implementation Date: 27/02/2009</div>									
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.									

**APPENDIX 1-6-09
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION**

<p>Auditee: ARUBA</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>AIG/09 6.379;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 CE-3 CE-4 CE-5 X CE-6 CE-7 CE-8</p>	
<p>FINDING:</p> <p>There is no comprehensive guidance for carrying out examinations of aircraft parts and components, including guidance on the facilities to be considered for the examinations and the specific duties of the investigators during the preparation, conduct and analysis of the examination.</p>	
<p>RECOMMENDATION:</p> <p>The Aviation Board should establish comprehensive guidance for carrying out examinations of aircraft parts and components, including guidance on the facilities to be considered for the examinations and the specific duties of the investigators during the preparation, conduct and analysis of the examinations.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3C-6-9 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 01/04/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

APPENDIX 1-6-10
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION

Auditee: ARUBA Audit Period: 01/04/2008 - 18/04/2008	AIG/10 6.397;								
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.									
<table style="width: 100%; border: none;"> <tr> <td style="text-align: center; border: none;">CE-1</td> <td style="text-align: center; border: none;">CE-2</td> <td style="text-align: center; border: none;">CE-3</td> <td style="text-align: center; border: none;">CE-4</td> <td style="text-align: center; border: none;">CE-5 X</td> <td style="text-align: center; border: none;">CE-6</td> <td style="text-align: center; border: none;">CE-7</td> <td style="text-align: center; border: none;">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: There are no procedures for sending an expert to a State of Occurrence in cases where Aruba, not being the State of Registry or the State of Operator, has suffered fatalities or serious injuries to its citizens during an accident that has occurred in another State.									
RECOMMENDATION: Aruba should establish procedures for sending an expert to a State of Occurrence in cases where Aruba, not being the State of Registry or the State of Operator, has suffered fatalities or serious injuries to its citizens during an accident that has occurred in another State.									
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3C-6-10 of this report. <div style="text-align: right;">Estimated Implementation Date: 01/07/2009</div>									
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.									

APPENDIX 1-6-11
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION

Auditee: ARUBA Audit Period: 01/04/2008 - 18/04/2008	AIG/11 6.405;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 CE-3 CE-4 CE-5 X CE-6 CE-7 CE-8	
FINDING: The review of the investigations carried out by Aruba showed that the investigation of a serious incident which occurred in 2005 had not been completed yet.	
RECOMMENDATION: The Aviation Board should establish a mechanism to ensure that investigation reports are completed and released within the established timeframe, unless justified by the complexity of the investigation.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3C-6-11 of this report. <p style="text-align: right;">Estimated Implementation Date: 30/04/2009</p>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

APPENDIX 1-6-12
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION

<p>Auditee: ARUBA</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>AIG/12 6.417;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 CE-3 CE-4 CE-5 X CE-6 CE-7 CE-8</p>	
<p>FINDING:</p> <p>There are no regulatory provisions and no procedures to prevent the circulation, publication, or unauthorized access to a draft report or any of its parts or to any documents obtained during an investigation without the express consent of the State which conducted the investigation, unless such reports or documents have already been published or released by said State.</p>	
<p>RECOMMENDATION:</p> <p>Aruba should promulgate regulatory provisions and establish procedures to prevent the circulation, publication, or unauthorized access to a draft report or any of its parts or to any documents obtained during an investigation without the express consent of the State which conducted the investigation, unless such reports or documents have already been published or released by said State.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3C-6-12 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 15/07/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

**APPENDIX 1-6-13
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION**

<p>Auditee: ARUBA</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>AIG/13 6.425;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p>CE-1 CE-2 CE-3 CE-4 CE-5 CE-6 CE-7 CE-8 X</p>	
<p>FINDING:</p> <p>In December 2006, a safety recommendation was issued to the DCA by the investigation authority of another State as a result of an investigation into the accident of an aircraft registered in Aruba. However, while the DCA had taken some actions to address the safety recommendation, the DCA did not inform the State that issued the safety recommendation.</p>	
<p>RECOMMENDATION:</p> <p>Aruba should establish and implement procedures to inform a State which has issued a safety recommendation to Aruba of the preventive action that Aruba has taken, the action under consideration, or the reason why no action will be taken</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3C-6-13 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 30/04/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

APPENDIX 1-6-14
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION

<p>Auditee: ARUBA</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>AIG/14 6.507; 6.509; 6.511;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 CE-3 CE-4 CE-5 CE-6 CE-7 CE-8 X</p>	
<p>FINDING:</p> <p>Aruba has not established an electronic database to store the accident and incident information that it receives through the reporting mechanisms in place.</p>	
<p>RECOMMENDATION:</p> <p>Aruba should establish and maintain a centralized database to store the accident and incident information that it receives through the reporting mechanisms in place. This database should use a taxonomy compatible with that of the ICAO accident and incident reporting system (ADREP) and with the database developed by the European Co-ordination Centre for Aviation Incident Reporting Systems (ECCAIRS). Aruba should also carry out analyses of the accident and incident information received in order to identify any preventive action necessary.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3C-6-14 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 30/06/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

**APPENDIX 1-6-15
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION**

<p>Auditee: ARUBA</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>AIG/15 6.503; 6.505;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 X CE-3 CE-4 CE-5 CE-6 CE-7 CE-8 X</p>	
<p>FINDING:</p> <p>Aruba has not established a voluntary incident reporting system to facilitate the collection of safety information that may not otherwise have been captured by the State's mandatory incident reporting system.</p>	
<p>RECOMMENDATION:</p> <p>Aruba should establish a voluntary incident reporting system, covering all civil aviation activities, in order to facilitate the collection of safety information that may not otherwise have been captured by a mandatory incident reporting system. For that purpose, Aruba should establish legislation, regulations and policies to ensure that the voluntary incident reporting system is non-punitive and that the sources of information are protected, as required by ICAO Annex 13.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3C-6-15 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 01/05/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

**APPENDIX 1-7-01
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES**

<p>Auditee: ARUBA</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>ANS/01 7.009;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 X CE-3 CE-4 CE-5 CE-6 CE-7 CE-8</p>	
<p>FINDING:</p> <p>The DCA has issued operating regulations, the <i>Aruba Rules of the Air</i> (AUA-ROA), as well as directives which are published in the AIP. However, except for regulations issued partially to implement ICAO Annex 11, Aruba has not promulgated regulations which give effect to the provisions of the ICAO Annexes 2, 3, 4, 10, 11, 12 and 15.</p>	
<p>RECOMMENDATION:</p> <p>Aruba should promulgate enabling regulations for the implementation of all ICAO Annexes related to ANS.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3C-7-1 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 30/04/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

APPENDIX 1-7-02
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES

Auditee: ARUBA Audit Period: 01/04/2008 - 18/04/2008	ANS/02 7.005;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 X CE-3 CE-4 CE-5 CE-6 CE-7 CE-8	
FINDING: Aruba has delegated the provision of SAR services to the Netherlands Antilles to comply with the Article 25 of the Chicago Convention. However, regulations to facilitate the assistance of aircraft in distress in the territory of Aruba have not yet been promulgated.	
RECOMMENDATION: Aruba should promulgate regulations to facilitate the assistance of aircraft in distress in the territory of Aruba.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3C-7-2 of this report. <p style="text-align: right;">Estimated Implementation Date: 15/08/2008</p>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

**APPENDIX 1-7-03
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES**

Auditee: ARUBA Audit Period: 01/04/2008 - 18/04/2008	ANS/03 7.035; 7.037; 7.043; 7.051; 7.053; 7.057; 7.059; 7.061; 7.063; 7.065; 7.067; 7.069; 7.071; 7.073; 7.265; 7.267; 7.269; 7.271; 7.273; 7.275; 7.277; 7.279; 7.281; 7.283; 7.285; 7.287; 7.289; 7.373; 7.375; 7.377; 7.379; 7.381; 7.383; 7.385; 7.387; 7.389; 7.391; 7.395;
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DOCUMENT REFERENCE:

Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.

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

The DCA has established an inspector position to undertake the functions of safety oversight of ATS service provision at the Queen Beatrix International Airport. However, the safety oversight mechanism has not been completed and furthermore, it does not include aeronautical information services (AIS) and communication, navigation and surveillance (CNS). A mechanism for the safety oversight of ANS providers in the Netherlands Antilles regarding services provided by the Netherlands Antilles in the territory of Aruba and its airspace has also not been established.

RECOMMENDATION:

The DCA should establish and implement an effective safety oversight system covering all ANS provided in Aruba, including ATS, AIS, CNS and aeronautical telecommunications, by taking into account the following requirements:

- a) a manual/handbook for the ANS inspectorate staff which incorporates applicable procedures;
- b) a sufficient number of qualified inspectorate staff;
- c) clearly documented functions and job descriptions for the inspectorate staff; and
- d) minimum qualification requirements for the inspectorate staff, a training programme which details all required training, a training plan for execution of the training programme, and on-the-job training for the inspectorate staff before assignment of their inspectorate tasks and responsibilities.

In addition, Aruba should establish a formal arrangement with the Netherlands Antilles for the safety oversight of ANS providers in the Netherlands Antilles that are providing services in the territory of Aruba and its airspace, covering requirements that will ensure effective safety oversight.

CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:

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

Estimated Implementation Date: 01/11/2009

COMMENTS BY ICAO:

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

APPENDIX 1-7-04
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES

Auditee: ARUBA Audit Period: 01/04/2008 - 18/04/2008	ANS/04 7.081; 7.083; 7.085; 7.087; 7.089; 7.091;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 CE-3 CE-4 CE-5 CE-6 X CE-7 CE-8	
FINDING: Aruba does not ensure that the service provider responsible for ATS with regard to the Aruba airspace has developed policy and procedures to ensure that the ATS system has sufficient capacity, including sufficient staff, to ensure the provision of an adequate ATS system.	
RECOMMENDATION: The DCA should ensure that the service provider responsible for ATS with regard to Aruba airspace has developed policy and procedures to ensure that the ATS system has sufficient capacity, including sufficient qualified staff, to ensure the provision of an adequate ATS system. In addition, the DCA should consider the following requirements: a) development of job descriptions for the ATS staff; b) recruitment and retention of adequately qualified and experienced ATS staff; and c) a training programme, including refresher training, continued competency of air traffic controllers on new equipment, training records, procedures and updated communications.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3C-7-4 of this report. <div style="text-align: right;">Estimated Implementation Date: 30/06/2009</div>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

APPENDIX 1-7-05
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES

Auditee: ARUBA Audit Period: 01/04/2008 - 18/04/2008	ANS/05 7.131; 7.133; 7.135; 7.137; 7.139;
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DOCUMENT REFERENCE:

Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.

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

An ATS letter of agreement has been signed between Aruba and Curaçao specifying coordination and communication procedures between the two ATS units. However, policies and procedures have not been established and implemented concerning the:

- a) coordination between ATS and non-ATS entities including military authorities;
- b) establishment of communication requirements in accordance with provisions of Chapter 6 of ICAO Annex 11;
- c) provision of meteorological (MET) information to the Beatrix Control Tower, Curaçao Approach, and pilot briefing offices; and
- d) provision of information on aerodrome conditions and the operational status of associated facilities to the Beatrix Control Tower and Curaçao Approach.

RECOMMENDATION:

The DCA should establish and implement policies and procedures concerning the:

- a) coordination between ATS and non-ATS entities including military authorities;
- b) establishment of communication requirements in accordance with provisions of Chapter 6 of ICAO Annex 11;
- c) provision of meteorological (MET) information to the Beatrix Control Tower, Curaçao Approach, and pilot briefing offices; and
- d) provision of information on aerodrome conditions and the operational status of associated facilities to the Beatrix Control Tower and Curaçao Approach.

CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:

Corrective action plan and comments submitted by the State are found at Appendix 3C-7-5 of this report.

Estimated Implementation Date: 31/07/2009

COMMENTS BY ICAO:

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

APPENDIX 1-7-06
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES

<p>Auditee: ARUBA</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>ANS/06 7.151; 7.155; 7.157; 7.159;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;"> CE-1 CE-2 X CE-3 CE-4 CE-5 X CE-6 CE-7 CE-8 </p>	
<p>FINDING:</p> <p>The DCA has established procedures in the air traffic control (ATC) manual for providing emergency service to aircraft and it has published procedures for radio communication in the Aruba AIP. However, the procedures do not specifically cover strayed aircraft, and there are no arrangements with ATS in the Netherlands Antilles to ensure the provision of services to aircraft in event of emergency and other in-flight contingencies.</p>	
<p>RECOMMENDATION:</p> <p>The DCA should:</p> <ul style="list-style-type: none"> a) establish detailed procedures to assist and to safeguard strayed or unidentified aircraft; and b) ensure that procedures are also established by the Netherlands Antilles to assist aircraft in event of emergency and other in-flight contingencies . 	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3C-7-6 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 30/08/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

APPENDIX 1-7-07
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES

Auditee: ARUBA Audit Period: 01/04/2008 - 18/04/2008	ANS/07 7.153;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 CE-3 CE-4 CE-5 X CE-6 CE-7 CE-8	
FINDING: The ATS unit of the DCA has established a back-up agreement with the ATS provider in the Netherlands Antilles in case of loss of communication at the Queen Beatrix ATS. However, full contingency plans for implementation in the event of disruption or potential disruption of ATS or related services have not been developed.	
RECOMMENDATION: The DCA should ensure that contingency plans are developed and promulgated for implementation in the event of disruption or potential disruption of ATS or related services in accordance with the requirements of ICAO Annex 11, taking into account guidance material in Attachment D of ICAO Annex 11.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3C-7-7 of this report. <div style="text-align: right;">Estimated Implementation Date: 27/02/2009</div>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

APPENDIX 1-7-08
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES

<p>Auditee: ARUBA</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>ANS/08 7.161; 7.163; 7.165; 7.167; 7.169; 7.171; 7.173; 7.175; 7.177; 7.181; 7.183; 7.185; 7.187;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p>CE-1 CE-2 X CE-3 X CE-4 CE-5 X CE-6 X CE-7 X CE-8 X</p>	
<p>FINDING:</p> <p>To raise awareness about safety management system (SMS), the DCA organized an SMS training course and invited the civil aviation community of Aruba to the course. However, no effective ATS safety programme has been implemented and no SMS has been established.</p>	
<p>RECOMMENDATION:</p> <p>The DCA should implement a safety programme in order to achieve an acceptable level of safety in the provision of ATS. In addition, as part of the safety programme, the DCA should require that an ATS provider to implement an SMS acceptable to the State that, at the minimum, provides the following:</p> <ul style="list-style-type: none"> a) identification of safety hazards; b) assurance that remedial action necessary to maintain an acceptable level of safety is implemented; c) continuous monitoring and regular assessment of the safety level achieved; and d) a commitment to make continuous improvement to the overall level of safety. 	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3C-7-8 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 30/08/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

APPENDIX 1-7-09
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES

Auditee: ARUBA Audit Period: 01/04/2008 - 18/04/2008	ANS/09 7.189;								
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.									
<table border="0" style="width: 100%;"> <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>		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: The ATS unit of the DCA participates in the Queen Beatrix International Airport safety team. However, the DCA has not established or implemented a runway safety programme.									
RECOMMENDATION: The DCA should establish and implement a runway safety programme and ensure that it includes provisions regarding radiotelephony, phraseology, language proficiency, ATC procedures, standard and performance requirements for equipment, aerodrome lighting and marking, aerodrome charts, operational aspects, situational awareness, and human factors.									
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3C-7-9 of this report. <div style="text-align: right;">Estimated Implementation Date: 31/07/2009</div>									
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.									

**APPENDIX 1-7-10
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES**

<p>Auditee: ARUBA</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>ANS/10 7.301; 7.303; 7.305; 7.309;</p>								
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>									
<table border="0" style="width: 100%; text-align: center;"> <tr> <td>CE-1</td> <td>CE-2</td> <td>CE-3</td> <td>CE-4</td> <td>CE-5</td> <td>CE-6 X</td> <td>CE-7 X</td> <td>CE-8</td> </tr> </table>		CE-1	CE-2	CE-3	CE-4	CE-5	CE-6 X	CE-7 X	CE-8
CE-1	CE-2	CE-3	CE-4	CE-5	CE-6 X	CE-7 X	CE-8		
<p>FINDING:</p> <p>The DCA has established job descriptions for the AIS technical staff at the Queen Beatrix International Airport. A training programme has also been established, but does not include recurrent training.</p>									
<p>RECOMMENDATION:</p> <p>The DCA should ensure that recurrent training is included in the training programme for AIS technical staff.</p>									
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3C-7-10 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 27/02/2009</p>									
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>									

**APPENDIX 1-7-11
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES**

<p>Auditee: ARUBA</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>ANS/11 7.311; 7.359;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 CE-3 X CE-4 CE-5 CE-6 CE-7 CE-8</p>	
<p>FINDING:</p> <p>The DCA has no mechanism to ensure that aeronautical data quality requirements related to publication resolution and data integrity are in accordance with the provisions of Tables 1 to 5 in Appendix 7 of ICAO Annex 15, and that aeronautical data quality requirements related to the data integrity and charting resolution are in accordance with the provisions of Tables 1 to 5 in Appendix 6 of ICAO Annex 4.</p>	
<p>RECOMMENDATION:</p> <p>The DCA should ensure that aeronautical data quality requirements related to publication resolution and data integrity are in accordance with the provisions of Tables 1 to 5 in Appendix 7 of ICAO Annex 15, and that aeronautical data quality requirements related to the data integrity and charting resolution are in accordance with the provisions of Tables 1 to 5 in Appendix 6 of ICAO Annex 4.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3C-7-11 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 01/08/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

APPENDIX 1-7-12
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES

<p>Auditee: ARUBA</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>ANS/12 7.415; 7.417; 7.419; 7.421; 7.423; 7.425; 7.427; 7.429; 7.431; 7.433; 7.435; 7.437;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p>CE-1 CE-2 CE-3 X CE-4 X CE-5 CE-6 CE-7 X CE-8 X</p>	
<p>FINDING:</p> <p>There is no oversight mechanism established to ensure that services provided by the MDNAA comply with the provisions of ICAO Annex 3.</p>	
<p>RECOMMENDATION:</p> <p>The DCA should ensure that the MDNAA establishes an oversight mechanism to ensure that services provided to international air navigation comply with the provisions of ICAO Annex 3.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3C-7-12 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 30/08/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

**APPENDIX 1-7-13
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES**

<p>Auditee: ARUBA</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>ANS/13 7.451;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 CE-3 CE-4 CE-5 CE-6 CE-7 X CE-8</p>	
<p>FINDING:</p> <p>The MET service provider has not established a properly organized quality system.</p>	
<p>RECOMMENDATION:</p> <p>The DCA should ensure that the MET service provider has established a properly organized quality system.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3C-7-13 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 01/08/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

APPENDIX 1-7-14
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES

Auditee: ARUBA Audit Period: 01/04/2008 - 18/04/2008	ANS/14 7.455;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 CE-3 CE-4 CE-5 CE-6 X CE-7 CE-8	
FINDING: The DCA does not ensure that the MDNAA has established a training programme for its MET technical staff.	
RECOMMENDATION: The DCA should ensure that the MDNAA establishes and implements a training programme for its MET technical staff.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3C-7-14 of this report.	
COMMENTS BY ICAO: The corrective action plan submitted by the State partially addresses this ICAO finding and recommendation. The State has not provided details on the training programme for the MET technical staff.	

**APPENDIX 1-7-15
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES**

<p>Auditee: ARUBA</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>ANS/15 7.463; 7.467;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 X CE-3 CE-4 CE-5 CE-6 X CE-7 CE-8</p>	
<p>FINDING:</p> <p>The DCA does not ensure that the MDNAA has laid down staff instructions regulating the issuance of special air-reports and criteria for special observations.</p>	
<p>RECOMMENDATION:</p> <p>The DCA should ensure that provisions about the relay of special air-reports to the relevant MET offices are abided and that criteria for special observations are established.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3C-7-15 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 31/08/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

**APPENDIX 1-7-16
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES**

Auditee: ARUBA Audit Period: 01/04/2008 - 18/04/2008	ANS/16 7.485;								
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.									
<table style="width: 100%; border: none;"> <tr> <td style="text-align: center; border: none;">CE-1</td> <td style="text-align: center; border: none;">CE-2</td> <td style="text-align: center; border: none;">CE-3 X</td> <td style="text-align: center; border: none;">CE-4</td> <td style="text-align: center; border: none;">CE-5</td> <td style="text-align: center; border: none;">CE-6</td> <td style="text-align: center; border: none;">CE-7</td> <td style="text-align: center; border: none;">CE-8</td> </tr> </table>		CE-1	CE-2	CE-3 X	CE-4	CE-5	CE-6	CE-7	CE-8
CE-1	CE-2	CE-3 X	CE-4	CE-5	CE-6	CE-7	CE-8		
FINDING: The Kingdom of Netherlands has promulgated the <i>Kingdom Act No 98 of 25 February 2008</i> to govern the provision of Search and Rescue (SAR) services in the Netherlands Antilles and Aruba. The services are accordingly provided by the Coast Guard which is the responsible authority under the Ministry of Defence and which has available resources, communications facilities and a workforce skilled in coordination and operational functions. The services are being provided, in principle, in accordance with ICAO Annex 12. However, no executing and associated operating regulations have been promulgated.									
RECOMMENDATION: Aruba should promulgate the executing and associated operating regulations governing the provision of SAR services in accordance with the <i>Kingdom Act No 98 of 25 February 2008</i> .									
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3C-7-16 of this report. <div style="text-align: right;">Estimated Implementation Date: 31/07/2009</div>									
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.									

APPENDIX 1-7-17
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES

<p>Auditee: ARUBA</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>ANS/17 7.487; 7.489; 7.491; 7.493; 7.495; 7.497; 7.499; 7.501; 7.503; 7.505; 7.507;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p>CE-1 CE-2 CE-3 X CE-4 X CE-5 CE-6 CE-7 X CE-8 X</p>	
<p>FINDING:</p> <p>The DCA has not established a mechanism to ensure oversight of the provision of SAR services.</p>	
<p>RECOMMENDATION:</p> <p>DCA should establish a mechanism to ensure effective oversight of the provision of SAR services provided by the Coastguard.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3C-7-17 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 30/08/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

**APPENDIX 1-7-18
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES**

<p>Auditee: ARUBA</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>ANS/18 7.517; 7.521; 7.523; 7.525; 7.527; 7.529; 7.531; 7.533; 7.535; 7.537; 7.539; 7.541; 7.543; 7.545;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p>CE-1 CE-2 CE-3 X CE-4 CE-5 X CE-6 X CE-7 X CE-8</p>	
<p>FINDING:</p> <p>The DCA has not established a mechanism to ensure that the SAR operations provided by the Coast Guard are conducted in accordance with provisions of ICAO Annex 12.</p>	
<p>RECOMMENDATION:</p> <p>The DCA should ensure that the SAR operations provided by the Coast Guard are conducted in accordance with provisions of ICAO Annex 12. In addition, it should give due consideration to the following:</p> <ul style="list-style-type: none"> a) coordination with SAR entities in other States; b) organization, facilities and equipment related to SAR services; c) assistance to other rescue coordination centres (RCCs) when requested; d) agreements with adjacent States; e) participation of public and private entities which do not form part of the SAR organization; f) adequate numbers of qualified staff; g) training of the staff; h) staff proficiency in the English language; and i) designation of SAR point of contact for the receipt of COSPAS-SARSAT distress data. 	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3C-7-18 of this report.</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State partially addresses this ICAO finding and recommendation. The State has not addressed the operational issues related to the SAR service provision (which cannot be covered by provisions in the ANS inspectorate manual or handbook).</p>	

**APPENDIX 1-8-01
FINDINGS AND RECOMMENDATIONS RELATED TO
AERODROMES**

Auditee: ARUBA Audit Period: 01/04/2008 - 18/04/2008	AGA/01 8.001; 8.005; 8.007; 8.111; 8.163; 8.167; 8.189; 8.229; 8.271; 8.275; 8.291; 8.293; 8.303; 8.305; 8.307; 8.315; 8.337;						
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.							
CE-1 X	CE-2 X	CE-3	CE-4	CE-5	CE-6	CE-7	CE-8
FINDING: Aruba has not promulgated aerodrome regulations which provide for the certification of aerodromes and the implementation of the provisions of ICAO Annex 14, including but not limited to the following: <ul style="list-style-type: none"> a) runway end safety area; b) holding bays, runway-holding positions, intermediate holding positions and road-holding position; c) prohibition of the location of equipment or installations, other than those used for navigation purposes, on a runway strip, clearway or certain areas associated with a precision approach runway; d) apron markings to take into account the required safe clearances; e) the measurement of friction characteristics and appropriate corrective maintenance; and f) the continuing oversight of the aerodrome operator and associated service providers by the DCA. 							
RECOMMENDATION: Aruba should promulgate aerodrome regulations to provide for the certification of aerodromes and the implementation of ICAO Annex 14 provisions.							
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3C-8-1 of this report. <div style="text-align: right;">Estimated Implementation Date: 15/08/2008</div>							
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.							

APPENDIX 1-8-02
FINDINGS AND RECOMMENDATIONS RELATED TO
AERODROMES

Auditee: ARUBA Audit Period: 01/04/2008 - 18/04/2008	AGA/02 8.033; 8.035;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 CE-3 X CE-4 CE-5 CE-6 CE-7 CE-8	
FINDING: Within its Air Traffic Services Division, the DCA has established an aerodrome unit which is entrusted with aerodrome certification and surveillance. However, the related duties, responsibilities and job descriptions have not been established.	
RECOMMENDATION: The DCA should establish the duties, responsibilities and job descriptions for the aerodrome unit.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3C-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 this ICAO finding and recommendation.	

**APPENDIX 1-8-03
FINDINGS AND RECOMMENDATIONS RELATED TO
AERODROMES**

<p>Auditee: ARUBA</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>AGA/03 8.039;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p>CE-1 CE-2 CE-3 X CE-4 CE-5 CE-6 CE-7 CE-8</p>	
<p>FINDING:</p> <p>The Kingdom of the Netherlands has established a “Kingdom pool of experts” to provide expertise within the Kingdom. However, no internal procedure has been established to make use of this pool of experts and no delegation has been formalized. The DCA does not have sufficient technical personnel in the area of aerodromes to carry out its safety oversight responsibilities.</p>	
<p>RECOMMENDATION:</p> <p>The DCA should ensure that the aerodrome unit has sufficient technical personnel to carry out its safety oversight responsibilities or that it develops internal procedures to make use of the Kingdom pool of experts by formalizing the required delegations.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3C-8-3 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 31/01/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

**APPENDIX 1-8-04
FINDINGS AND RECOMMENDATIONS RELATED TO
AERODROMES**

<p>Auditee: ARUBA</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>AGA/04 8.051; 8.053; 8.055;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p>CE-1 CE-2 CE-3 CE-4 X CE-5 CE-6 CE-7 CE-8</p>	
<p>FINDING:</p> <p>A formal training programme has been established detailing the type of training that should be provided to the aerodrome regulatory staff. However, this training programme does not include recurrent training. In addition, no periodic training plans have been developed detailing and prioritizing the type of training to be provided during a prescribed period.</p>	
<p>RECOMMENDATION:</p> <p>The DCA should amend the training programme of the aerodrome regulatory staff to include recurrent training. It should also draw up periodic training plans which describe and prioritize the type of training to be provided during a prescribed period to ensure the comprehensive implementation of the formal training programme.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3C-8-4 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 31/03/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

**APPENDIX 1-8-05
FINDINGS AND RECOMMENDATIONS RELATED TO
AERODROMES**

Auditee: ARUBA Audit Period: 01/04/2008 - 18/04/2008	AGA/05 8.063;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 CE-3 CE-4 CE-5 X CE-6 CE-7 CE-8	
FINDING: The DCA has not implemented a process for issuing publications (including guidance material) to ensure that aerodrome operators are informed about the State regulations and supporting requirements which have to be met for the issuance of an aerodrome certificate.	
RECOMMENDATION: The DCA should implement a process for issuing publications (including guidance material) to ensure that aerodrome operators are informed about the State regulations and supporting requirements which have to be met for the issuance of an aerodrome certificate	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3C-8-5 of this report. <p style="text-align: right;">Estimated Implementation Date: 31/03/2009</p>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

**APPENDIX 1-8-06
FINDINGS AND RECOMMENDATIONS RELATED TO
AERODROMES**

<p>Auditee: ARUBA</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>AGA/06 8.099;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 CE-3 CE-4 CE-5 X CE-6 CE-7 CE-8</p>	
<p>FINDING:</p> <p>The DCA only recently developed its aerodrome certification procedures. However, it has not established procedures for acceptance of non-compliance to the stated requirements, a risk assessment mechanism, and notification procedure.</p>	
<p>RECOMMENDATION:</p> <p>The DCA should establish procedures for acceptance of non-compliance to the stated requirements, a risk assessment mechanism, and notification procedure.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3C-8-6 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 31/03/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

APPENDIX 1-8-07
FINDINGS AND RECOMMENDATIONS RELATED TO
AERODROMES

Auditee: ARUBA Audit Period: 01/04/2008 - 18/04/2008	AGA/07 8.069;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 CE-3 CE-4 CE-5 X CE-6 CE-7 CE-8	
FINDING: The DCA has not developed guidance material and procedures for each technical specialist area.	
RECOMMENDATION: The DCA should develop guidance material and procedures for each technical specialist area	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3C-8-7 of this report. <p style="text-align: right;">Estimated Implementation Date: 31/03/2009</p>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

**APPENDIX 1-8-08
FINDINGS AND RECOMMENDATIONS RELATED TO
AERODROMES**

<p>Auditee: ARUBA</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>AGA/08 8.131; 8.135;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 CE-3 CE-4 CE-5 X CE-6 X CE-7 CE-8</p>	
<p>FINDING:</p> <p>The DCA does not have a process for verifying the accuracy of aerodrome data in order to ensure their compliance with the established regulations. It also does not have a quality system for ensuring that the accuracy, integrity and protection requirements for aeronautical data as reported by the aerodrome operator are met throughout the data transfer process.</p>	
<p>RECOMMENDATION:</p> <p>The DCA should:</p> <ul style="list-style-type: none"> a) establish a process for verifying the accuracy of aerodrome data in order to ensure their compliance with the established regulations; and b) ensure that a quality system is in place to verify that the accuracy, integrity and protection requirements for aeronautical data as reported by the aerodrome operator are met throughout the data transfer process 	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3C-8-8 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 01/08/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

**APPENDIX 1-8-09
FINDINGS AND RECOMMENDATIONS RELATED TO
AERODROMES**

Auditee: ARUBA Audit Period: 01/04/2008 - 18/04/2008	AGA/09 8.137; 8.139;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 X CE-3 CE-4 CE-5 CE-6 CE-7 CE-8	
FINDING: Aruba has not established requirements for the determination and reporting of pavement bearing strength. In addition, there are no established criteria and associated industry guidelines to regulate the use of a pavement by an aircraft with an aircraft classification number (ACN) higher than the reported pavement classification number (PCN).	
RECOMMENDATION: Aruba should establish: <ul style="list-style-type: none"> a) requirements for the determination and reporting of pavement bearing strength; and b) criteria and associated industry guidelines to regulate the use of a pavement by an aircraft with an ACN higher than the reported PCN. 	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3C-8-9 of this report. <div style="text-align: right;">Estimated Implementation Date: 30/04/2009</div>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

**APPENDIX 1-8-10
FINDINGS AND RECOMMENDATIONS RELATED TO
AERODROMES**

Auditee: ARUBA Audit Period: 01/04/2008 - 18/04/2008	AGA/10 8.143; 8.145; 8.147;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 CE-3 CE-4 CE-5 CE-6 CE-7 X CE-8	
FINDING: The DCA does not ensure that the aerodrome operator <ul style="list-style-type: none"> a) monitors and reports the condition of the movement areas and related facilities; b) assess coverage of water on runway surfaces, taking into account the need for aircraft crews to make operational adjustments in accordance with performance requirements in some flight manuals. c) has a process for determining and providing relevant information that a runway, or part of it, may be slippery when wet, including the minimum friction level for reporting of slippery runway conditions and the type of friction measuring device used. 	
RECOMMENDATION: The DCA should ensure that the aerodrome operator: <ul style="list-style-type: none"> a) monitors and reports the condition of the movement areas and related facilities; b) assess coverage of water on runway surfaces, taking into account the need for aircraft crews to make operational adjustments in accordance with performance requirements in some flight manuals. c) has a process for determining and providing relevant information that a runway, or part of it, may be slippery when wet, including the minimum friction level for reporting of slippery runway conditions and the type of friction measuring device used. 	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3C-8-10 of this report. <div style="text-align: right;">Estimated Implementation Date: 30/09/2009</div>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

**APPENDIX 1-8-11
FINDINGS AND RECOMMENDATIONS RELATED TO
AERODROMES**

<p>Auditee: ARUBA</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>AGA/11 8.151; 8.153; 8.155;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p>CE-1 CE-2 CE-3 CE-4 CE-5 CE-6 X CE-7 X CE-8</p>	
<p>FINDING:</p> <p>The DCA does not ensure that the aerodrome operator:</p> <ul style="list-style-type: none"> a) provides contact information for the removal of disabled aircraft; b) provides information concerning the level of protection available for aircraft Rescue Fire Fighting (RFF); and c) notifies significant changes in the level of protection available for aircraft RFF to ATS and AIS. 	
<p>RECOMMENDATION:</p> <p>The DCA should ensure that the aerodrome operator:</p> <ul style="list-style-type: none"> a) provides contact information for the removal of disabled aircraft; b) provides information concerning the level of protection available for aircraft RFF; and c) notifies significant changes in the level of protection available for aircraft RFF to ATS and AIS. 	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3C-8-11 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 30/09/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

**APPENDIX 1-8-12
FINDINGS AND RECOMMENDATIONS RELATED TO
AERODROMES**

Auditee: ARUBA Audit Period: 01/04/2008 - 18/04/2008	AGA/12 8.119; 8.121;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 CE-3 CE-4 CE-5 X CE-6 CE-7 CE-8	
FINDING: The DCA does not provide guidance to its technical staff on the initial review and approval/acceptance of an aerodrome manual. It also does not have a process in place for the review and approval/acceptance by the technical staff of the subsequent amendments to the aerodrome manual.	
RECOMMENDATION: The DCA should: a) provide guidance to its technical staff on the initial review and approval/acceptance of an aerodrome manual; and b) develop a process for the review and approval/acceptance by its technical staff of the subsequent amendments to the aerodrome manual.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3C-8-12 of this report. <p style="text-align: right;">Estimated Implementation Date: 01/08/2009</p>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

**APPENDIX 1-8-13
FINDINGS AND RECOMMENDATIONS RELATED TO
AERODROMES**

<p>Auditee: ARUBA</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>AGA/13 8.327; 8.331; 8.333;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</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>Aruba does not require the aerodrome operator to perform a bird strike hazard assessment and to take appropriate action to decrease the hazard of bird strikes. In addition, Aruba has not established a requirement for control of the development of facilities likely to attract birds on or in the vicinity of an aerodrome.</p>	
<p>RECOMMENDATION:</p> <p>Aruba should require the aerodrome operator to perform a bird strike hazard assessment and to take appropriate action to decrease the hazard of bird strikes. In addition, Aruba should establish a requirement for the control of the development of facilities likely to attract birds on or in the vicinity of an aerodrome.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3C-8-13 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 01/08/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

**APPENDIX 1-8-14
FINDINGS AND RECOMMENDATIONS RELATED TO
AERODROMES**

<p>Auditee: ARUBA</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>AGA/14 8.361; 8.365;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 X CE-3 CE-4 CE-5 CE-6 CE-7 CE-8</p>	
<p>FINDING:</p> <p>Aruba does not require the implementation of an SMS as part of the aerodrome certification process. It also does not require aerodrome operators to ensure that organizations performing activities at the aerodrome comply with the safety requirements laid down by the aerodrome operators.</p>	
<p>RECOMMENDATION:</p> <p>Aruba should require the implementation of an SMS as part of the aerodrome certification process. It should also require the aerodrome operators to ensure that organizations performing activities at the aerodrome comply with the safety requirements laid down by the aerodrome operators.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3C-8-14 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 15/08/2008</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

**APPENDIX 1-8-15
FINDINGS AND RECOMMENDATIONS RELATED TO
AERODROMES**

<p>Auditee: ARUBA</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>AGA/15 8.367; 8.369; 8.375;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 X CE-3 CE-4 CE-5 X CE-6 CE-7 X CE-8</p>	
<p>FINDING:</p> <p>Aruba has not promulgated a regulatory statement defining the circumstances and rationale for the use of aeronautical studies/risk assessment. In addition, the DCA has not developed and issued guidance to the aerodrome operator and to the DCA aerodrome regulatory staff about the use and evaluation of aeronautical studies/risk assessments as well as the evaluation of the outcomes of the assessments/studies.</p>	
<p>RECOMMENDATION:</p> <p>Aruba should promulgate a regulatory statement defining the circumstances and rationale for the use of aeronautical studies/risk assessment. In addition, the DCA should develop and issue guidance to the aerodrome operator and to the DCA aerodrome regulatory staff on the use and evaluation of aeronautical studies/risk assessments as well as the evaluation of the outcomes of the assessments/studies.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3C-8-15 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 01/08/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

**APPENDIX 1-8-16
FINDINGS AND RECOMMENDATIONS RELATED TO
AERODROMES**

<p>Auditee: ARUBA</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>AGA/16 8.251; 8.253; 8.255; 8.259;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 X CE-3 CE-4 CE-5 CE-6 CE-7 X CE-8</p>	
<p>FINDING:</p> <p>Aruba does not require the aerodrome operator to establish a preventive maintenance programme, to measure friction characteristics, and to conduct appropriate corrective maintenance. In addition, the DCA does not ensure that the aerodrome operator establishes maintenance performance level objectives for visual aids as part of its preventive maintenance programme.</p>	
<p>RECOMMENDATION:</p> <p>Aruba should require the aerodrome operator to establish a preventive maintenance programme in the interest of the safety, efficiency and regularity of aircraft operations and to include, in this programme, precautions about surface debris and regularity on runway, taxiway and apron pavements and taxiway shoulders. It should also include the measurement of friction characteristics and the conduct of appropriate corrective maintenance. In addition, the DCA should ensure that the aerodrome operator establishes maintenance performance level objectives for visual aids as part of its preventive maintenance programme.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3C-8-16 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 01/08/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

**APPENDIX 1-8-17
FINDINGS AND RECOMMENDATIONS RELATED TO
AERODROMES**

<p>Auditee: ARUBA</p> <p>Audit Period: 01/04/2008 - 18/04/2008</p>	<p>AGA/17 8.401; 8.411;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 CE-3 CE-4 CE-5 CE-6 CE-7 X CE-8 X</p>	
<p>FINDING:</p> <p>The DCA has developed a formal surveillance programme. However, the DCA has not established a formal inspection process to perform continuing surveillance of the aerodrome operator. In addition, there are no documented procedures to deal with deficiencies identified during the audits or inspections.</p>	
<p>RECOMMENDATION:</p> <p>The DCA should establish a formal inspection process to perform continuing surveillance of the aerodrome operator. In addition, the DCA should establish and implement procedures to deal with deficiencies identified during the audits or inspections.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3C-8-17 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 01/08/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

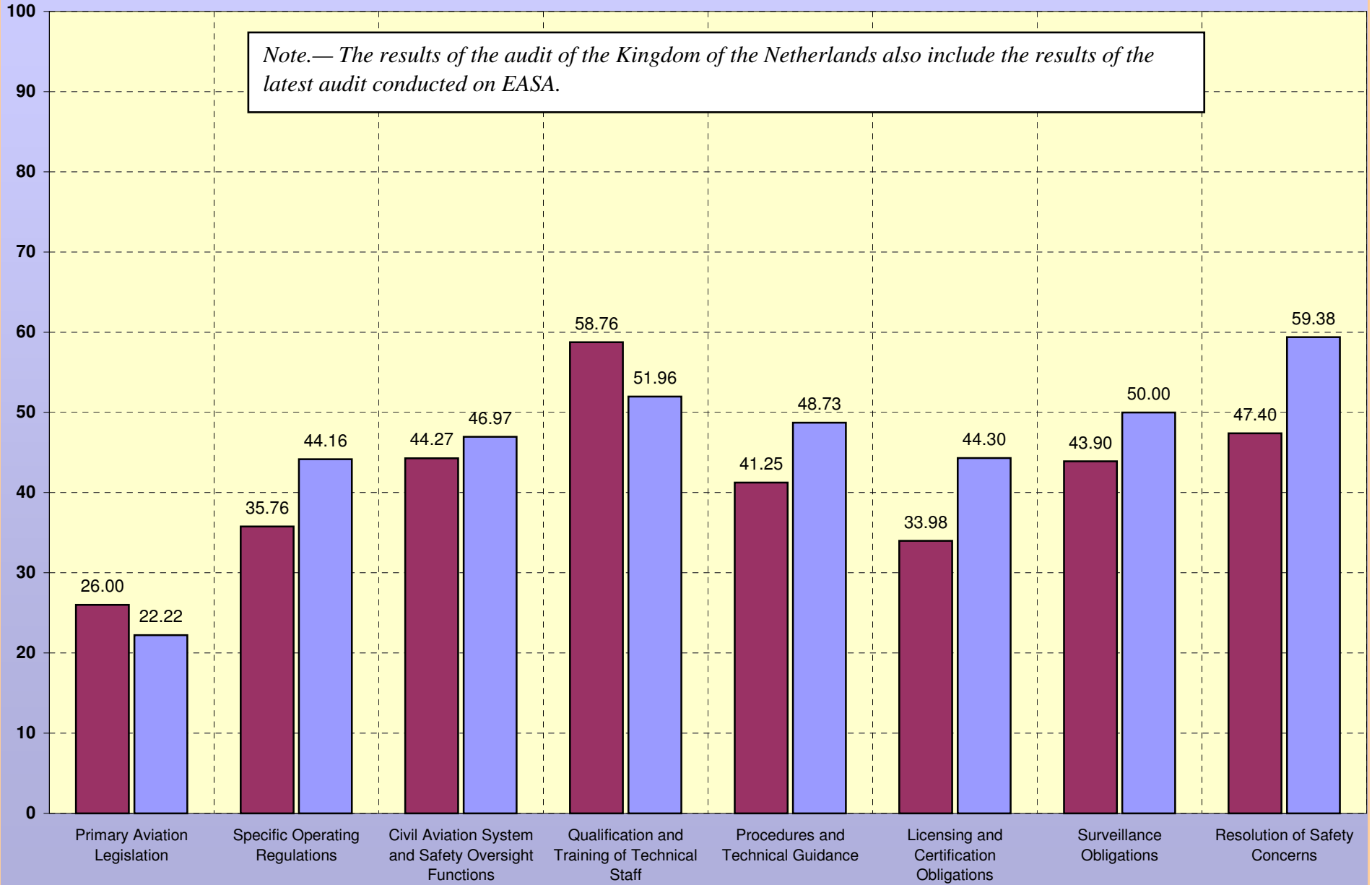
APPENDIX 2

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

■ Global: (123) Audited States: 41.41%

■ Audit of: NETHERLANDS, KINGDOM OF THE 45.96%

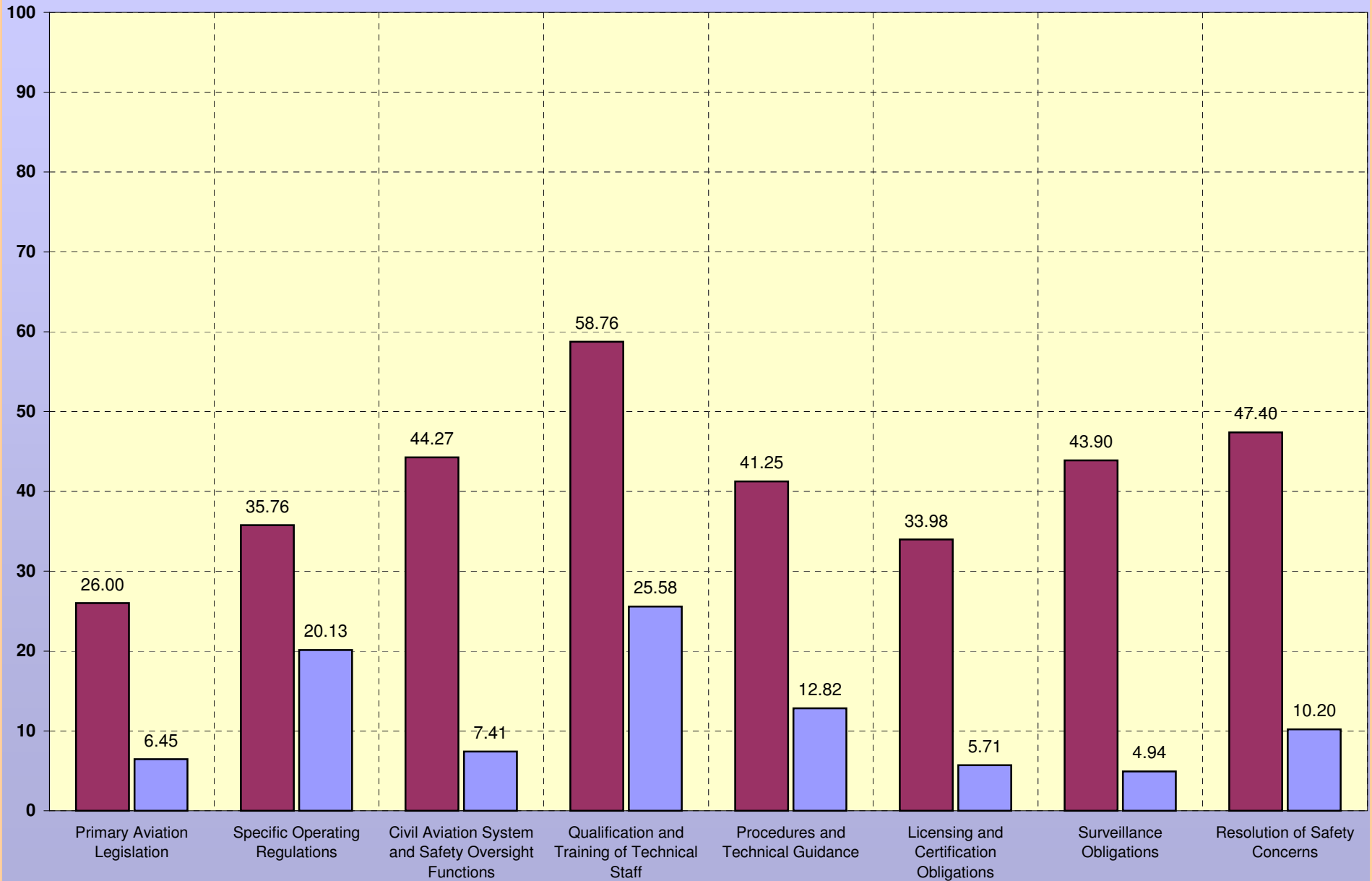
Note.— The results of the audit of the Kingdom of the Netherlands also include the results of the latest audit conducted on EASA.



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

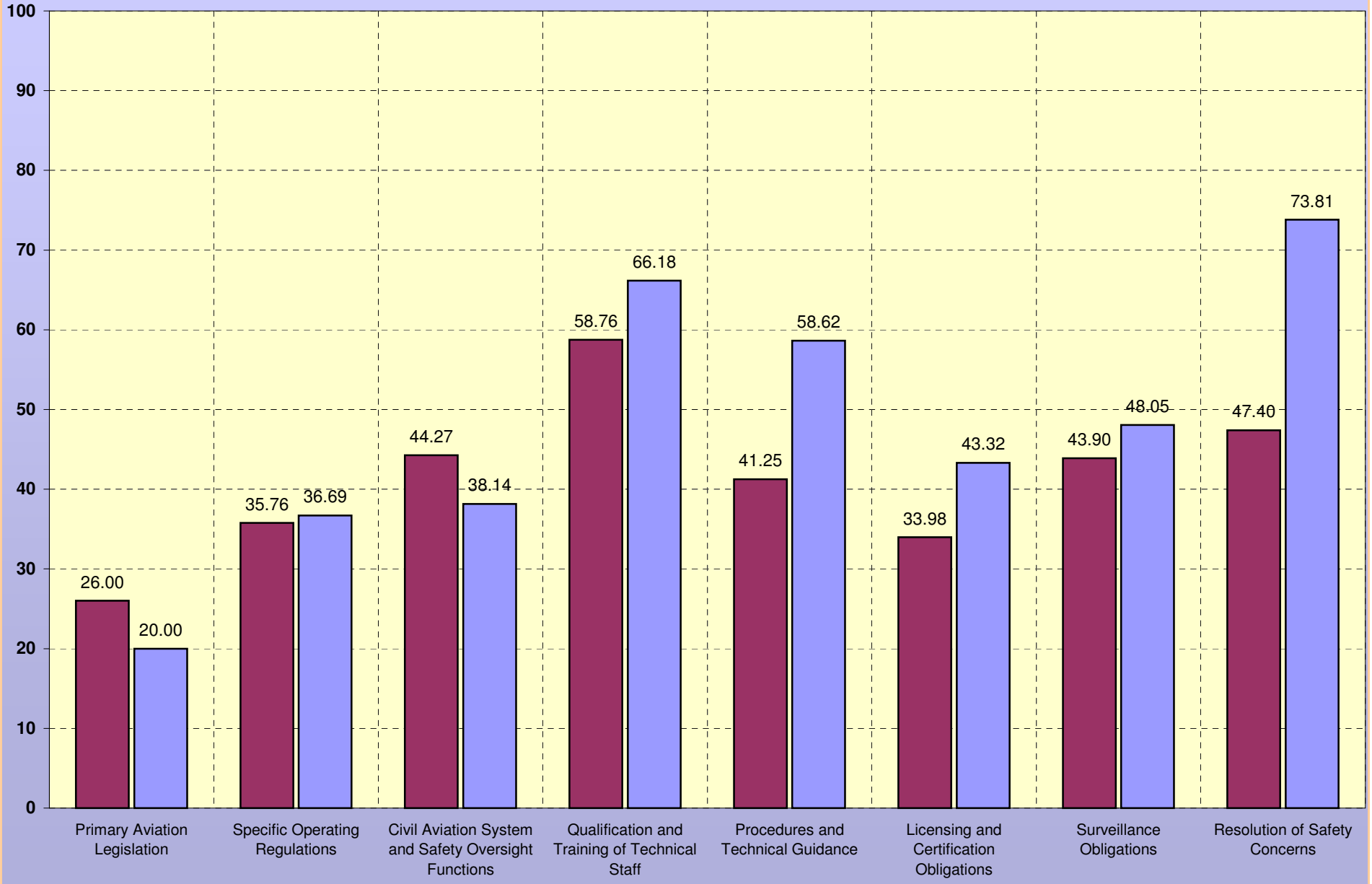
■ Global: (123) Audited States: 41.41%

■ Audit of: NETHERLANDS EUROPE 11.65%



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

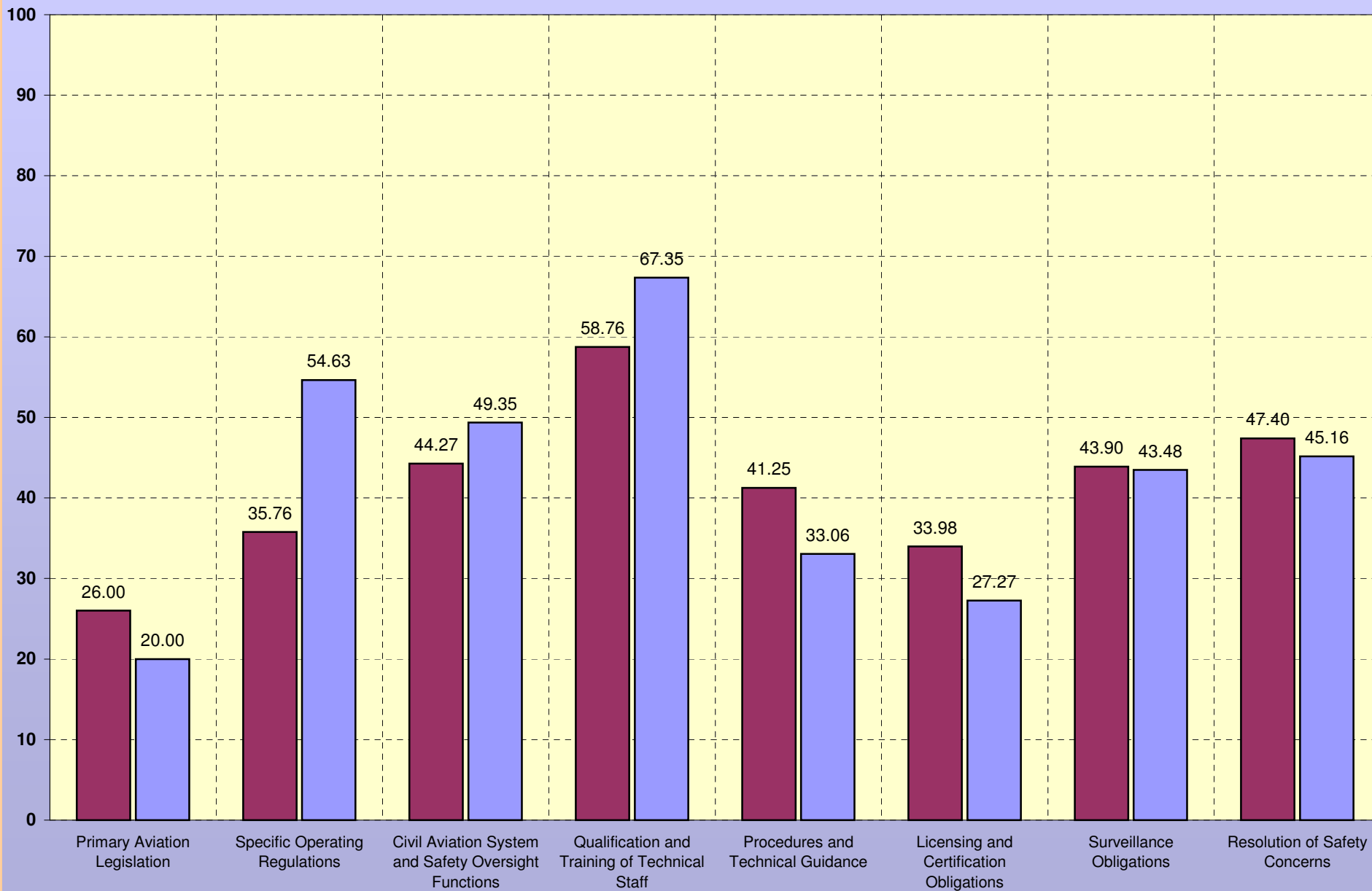
■ Global: (123) Audited States: 41.41% ■ Audit of: NETHERLANDS ANTILLES 48.10%



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

■ Global: (123) Audited States: 41.41%

■ Audit of: ARUBA 42.53%



APPENDIX 3

Part A:

THE NETHERLANDS

TABLE OF ABBREVIATIONS

:

DGLM	Directorate-General for Civil Aviation and Maritime Affairs
DGLM/LVV	Directorate-General for Civil Aviation and Maritime Affairs, Aviation Safety Division
DGLM/LVK	Directorate-General for Civil Aviation and Maritime Affairs, Air Traffic Management Division
HDJZ	Directorate for legal affairs
CAA-NL	Civil Aviation Authority the Netherlands
CAA-NL/LuLu	Civil Aviation Authority the Netherlands, Aerodromes and Air Navigation Services Inspectorate
CAA-NL/LOB	Civil Aviation Authority the Netherlands, Flight Operations Inspectorate
CAA-NL/LTB	Civil Aviation Authority the Netherlands, Airworthiness Inspectorate
EASA	European Aviation Safety Agency
DSB	Dutch Safety Board
LVNL	Air Traffic Control the Netherlands
MLA	Military Aviation Authority
MUAC	Maastricht Upper Area Control Centre
RWS NZ	Directorate-General for Public Works and Water Management, Directorate North Sea

APPENDIX 3A-1-1

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS
RELATED TO PRIMARY AVIATION LEGISLATION AND
CIVIL AVIATION REGULATIONS**

AUDIT FINDING LEG/01		
Please refer to Appendix 1A-1-01 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The Ministry of Transport, Public Works and Water Management agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The remaining Compliance Checklists will be reviewed (CC's for Annex 1, 6, 8 and 10) and the differences will be identified. The differences will be notified to ICAO	DGLM/LVV	19-12-2008
The procedure for the review of State Letters will be amended with the procedure for the filing of differences and the amendment of Dutch regulations following the amendment of Annexes	DGLM/LVV	31-12-2008
As soon as all differences for all annexes have been identified, the significant differences will be selected. These significant differences will be published in the AIP	DGLM/LVV	27-3-2009

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APPENDIX 3A-1-2

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS
RELATED TO PRIMARY AVIATION LEGISLATION AND
CIVIL AVIATION REGULATIONS**

AUDIT FINDING LEG/02		
Please refer to Appendix 1A-1-02 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The Netherlands agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The European Commission recently launched an initiative to better coordinate the responses to ICAO State Letters, where EASA will discuss with the Member States and advise the Member States on the response that can be given to ICAO. Furthermore, amendments of specific regulations in the "EU domain" (at this moment Airworthiness, Operations and Flight Crew Licensing) will be proposed by EASA.	DGLM/LVV	30-6-2009
The Netherlands will develop a project- and implementation plan in the area of air navigation services in order to better coordinate with other EU Member States the processing and subsequent amendment of its specific regulations regarding air navigation services as a result of amendments to ICAO Annexes	DGLM/LVK and CAA-NL	31-12-2009

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APPENDIX 3A-1-3

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS
RELATED TO PRIMARY AVIATION LEGISLATION AND
CIVIL AVIATION REGULATIONS**

AUDIT FINDING LEG/03		
Please refer to Appendix 1A-1-03 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
<p>The Netherlands agrees with the findings of the ICAO audit team on the implementation of ICAO Article 83bis. The corrective actions to be taken mainly concern legislation on personnel licensing, flight operations and airworthiness. The authority on airworthiness is partly delegated to the European level. However, Regulation 1592/2002, recently replaced by Regulation 216/2008 (EASA), amongst others refers to the possibility of delegation of supervisory authority on airworthiness to third States. In such cases the rules of these European regulations are not applicable. The rules are also not applicable on a small part of the aviation sector, the EASA Annex II aircraft. However, the EASA Annex II aircraft mainly concern historical and MLA (small) aircraft which hardly qualify for international leasing, a condition essential for the application of article 83bis. In order to fulfil the article 83bis requirements the legislation will be amended in order to include provisions allowing for the transfer of duties resulting from 83bis agreements between the Netherlands and another state, and provisions allowing for the recognition of relevant documents issued by states of the operator resulting from agreements under article 83bis between states party to the Article 83bis Protocol.</p>		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
1a. On personnel licensing: the Netherlands will write and adopt a ministerial regulation based upon article 2.8 of the Aviation act allowing for the recognition of relevant documents of the state of the operator.	HDJZ and CAA-NL/LOB	1-3-2009
1b. On personnel licensing: The Netherlands will amend the Act on Aviation, explicitly allowing for the transfer of duties and responsibilities under article 83bis	HDJZ and CAA-NL/LOB	31-12-2010

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APPENDIX 3A-1-3 (CONT.)

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS
RELATED TO PRIMARY AVIATION LEGISLATION AND
CIVIL AVIATION REGULATIONS**

CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
2. On flight operations: The Netherlands will amend the Act on Aviation and the Decree on flight operations allowing for the transfer of duties and responsibilities and recognition of documents.	HDJZ and CAA-NL/LOB	31-12-2010
3. On airworthiness: The Netherlands will amend the Act on aviation and a ministerial regulation allowing for the transfer of duties and responsibilities and recognition of documents concerning EASA Annex II aircraft.	HDJZ and CAA-NL/LTB	31-12-2010

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APPENDIX 3A-2-1

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS
RELATED TO CIVIL AVIATION ORGANIZATION**

AUDIT FINDING ORG/01		
Please refer to Appendix 1A-2-01 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The CAA-NL agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The formal training programme for the technical staff of the CAA-NL will be developed where it does not yet exist (aerodromes and dangerous goods) and will be evaluated and updated in the other areas	CAA-NL	31-3-2009
The detailed training programme for the inspectors in the Flight Operations Inspectorate will be updated with the details of the necessary recurrent training.	CAA-NL/LOB	31-1-2009
Training records are available for all staff of the CAA-NL. However, the system for the maintenance of training records has to mature. The procedure for the maintenance of training records will be updated in order to include the OJT in the training records.	CAA-NL	31-3-2009

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APPENDIX 3A-3-1

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS
RELATED TO PERSONNEL LICENSING AND TRAINING**

AUDIT FINDING PEL/01		
Please refer to Appendix 1A-3-01 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The CAA-NL agrees with the finding of the ICAO audit team and will perform audits at the medical examiners.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Visits to the medical examiners and the medical centers will be part of the surveillance system. Audit checklist will be developed before October 2008. The first audit of a medical examiner is planned for October 2008 and an audit schedule will be developed.	CAA-NL/LOB	31-1-2009

* Text reproduced as submitted by the Netherlands

APPENDIX 3A-3-2

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS
RELATED TO PERSONNEL LICENSING AND TRAINING**

AUDIT FINDING PEL/02		
Please refer to Appendix 1A-3-02 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The CAA-NL agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The formal letter, which was used by the CAA-NL, was rewritten and the concept was presented and discussed during the ICAO audit. This concept was acceptable to the ICAO auditor and will be used in future cases. The implementation will take place as soon as such a request for the validation of foreign flight crew licenses is made. The necessary procedure will be written and adopted into the Handboek LOB	CAA-NL/LOB	31-12-2008

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APPENDIX 3A-4-1

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS
RELATED TO AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION**

AUDIT FINDING OPS/01		
Please refer to Appendix 1A-4-01 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
<p>The Ministry of Transport, Public Works and Water Management cannot agree with the finding related to the selection and appointment of flight dispatch ground instructors and cabin crew instructors. Currently there are no requirements for this in EU-OPS and there used to be no requirements in JAR-OPS.</p> <p>The Ministry of Transport, Public Works and Water Management agrees with the finding of the ICAO audit team related to the carriage on board of a certified true copy of the AOC.</p>		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>At this moment there are no formal European regulations in the areas of:</p> <ul style="list-style-type: none"> - The selection and appointment of flight dispatch ground instructors; - The selection and appointment of cabin crew instructors and the maintenance of their qualifications, skills and knowledge; <p>The policy of the Ministry of Transport, Public Works and Water Management is not to deviate from European regulations or introduce more regulations on top of the European regulations. Therefore, the Netherlands will file a difference with ICAO on these subjects.</p>	DGLM/LVV	31-12-2008
<p>The carriage on board of a certified true copy of the AOC:</p> <p>An attachment will be developed and attached to the AOC according to the "discussion document" of ICAO related to the Annex 6 requirement for a copy of the AOC. At the same time new AOC's will be stamped with an official stamp of the CAA NL.</p>	CAA-NL/LOB	31-12-2008

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APPENDIX 3A-4-2

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS
RELATED TO AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION**

AUDIT FINDING OPS/02		
Please refer to Appendix 1A-4-02 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The Netherlands agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The Netherlands will determine the designated authority responsible for the transport of dangerous goods by air	DGLM/LVV	28-11-2008
A letter of notification will be sent to ICAO	DGLM/LVV	31-12-2008

* Text reproduced as submitted by the Netherlands

APPENDIX 3A-5-1

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS
RELATED TO AIRWORTHINESS OF AIRCRAFT**

AUDIT FINDING AIR/01		
Please refer to Appendix 1A-5-01 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The CAA-NL understands and agrees with the finding and recommendation and will start appropriate action. EASA will also be involved in solving this finding. Corrective action is divided in separate actions.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>a) Maintenance control manual. The requirement for the submission by the air operator of an operator maintenance control manual for review and acceptance to the State of Registry and the State of the Operator must be introduced in Part M. The Netherlands will start this action.</p> <p>Note: According to CAA-NL this requirement is already for some elements implemented in EU regulations, but has to be supplemented with the requirement that in case a NL (EU) registered aircraft will be operated by a non EU operator the non EU operator has to send his manual to the EU state or in case an EU operator operates a non EU aircraft the manual has to be forwarded to the State of the operator. This opinion was presented to EASA and currently EASA is of the opinion that this requirement is implemented in Part M, however CAA-NL still wants to discuss this issue with EASA.</p>	CAA-NL LTB	1-6-2009
<p>a) Maintenance control manual. Implementation of the requirement in EU regulation (Part M), when necessary after discussion with EASA.</p> <p>EASA is now planning to use the task MDM.057, called 'Miscellaneous' part-M in order to introduce the requirement for the Maintenance Control Manual. This task is expected to start in the first quarter of 2010 and end in the third quarter of 2012.</p>	EASA	1-10-2012

* Text reproduced as submitted by the Netherlands

APPENDIX 3A-5-1 (CONT.)

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS
RELATED TO AIRWORTHINESS OF AIRCRAFT**

CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>b1) Periodic weighing. The requirement for periodic weighing of non-commercial aircraft under EU regulations must be implemented in EU regulation. The Netherlands will start this action. The Netherlands will start the action to change the EU-regulations to implement a requirement for non-commercial non Annex II aircraft. The interval period has to be discussed within EASA.</p>	CAA-NL LTB	1-1-2011
<p>b1) Periodic Weighing. Implementation of the requirement in EASA regulation. After consultation with EASA this requirement must be implemented in EU-OPS / Part-OPS. As a part of this within EASA the interval has to be defined.</p>	EASA	1-1-2011
<p>b2) Periodic Weighing Annex II aircraft. The requirement for periodic weighing of Annex II aircraft must be implemented in NL regulation. The Netherlands will start this action.</p>	CAA-NL LTB	1-1-2011
<p>b2) Periodic Weighing Annex II aircraft. Implementation of the requirement in NL regulation. As a part of this within NL the interval has to be defined.</p>	HDJZ	1-1-2011

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APPENDIX 3A-5-2

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS
RELATED TO AIRWORTHINESS OF AIRCRAFT**

AUDIT FINDING AIR/02		
Please refer to Appendix 1A-5-02 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The CAA-NL agrees with the finding of the ICAO audit team. The last sentence of the finding should read: "Currently, the CAA-NL issues a Certificate of Airworthiness not older than 60 days as a substitute for an Export Airworthiness Approval."		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The current regulation will be amended. Today only in the case of a bilateral an Export CoA will be issued. Implemented will be the possibility to issue an Export CoA if there is a bilateral or in case CAA-NL and another CAA come to an agreement.	HDJZ	1-10-2009
The CAA-NL will amend procedures on CoA or prepare a new procedure on Export CoA.	CAA-NL/LTB	1-4-2009
The CAA-NL will develop models for Export CoA containing the required information.	CAA-NL/LTB	1-4-2009

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APPENDIX 3A-6-1

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS
RELATED TO AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION**

AUDIT FINDING AIG/01		
Please refer to Appendix 1A-6-01 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The Netherlands agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The Dutch Safety Board has made a list of necessary amendments for applicable Dutch legislation and regulations. This list is forwarded to the Ministry of Internal Affairs (the responsible Ministry for the Act on Accident Investigation)	DSB	31-12-2008
The legislation on accident investigation will be amended according to the list produced by the Dutch Safety Board in cooperation between the Ministry of Transport and the Ministry of Internal Affairs. The Netherlands will amend the Decree on the Dutch Safety Board (Besluit OVV). In article 9 the obligation to notify to the Dutch Safety Board as soon as possible all accidents and serious incidents will be added. This amendment will be prepared in cooperation with the Ministry of Internal Affairs and the Dutch Safety Board.	HDJZ	31-12-2009

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APPENDIX 3A-6-2

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS
RELATED TO AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION**

AUDIT FINDING AIG/02		
Please refer to Appendix 1A-6-02 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DSB agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The Dutch Safety Board and the LVNL established an effective reporting mechanism, which will be formalized. Based on the new AIC-B/12-07 "Reporting of serious incidents and accidents to the Dutch Safety Board", the Dutch Safety Board together with the LVNL will make a practical list of "immediate and non-immediate" reportable occurrences for ATC-personnel. The list will be inserted in the handbook of the Dutch Safety Board and the handbook of LVNL. IVW will be informed of the implementation.	DSB	31-10-2008
The Dutch Safety Board will establish effective coordination mechanisms with the LVNL, the CAA-NL and other stakeholders to help ensure that all serious incidents are reported as soon as possible to the Board.	DSB	31-10-2008
In addition, the CAA-NL will ensure that all industry and service providers comply with occurrence reporting requirements, and in particular immediately report serious incidents to the Dutch Safety Board, and provide all necessary information to the Board.	CAA-NL	31-10-2008

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APPENDIX 3A-6-3

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS
RELATED TO AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION**

AUDIT FINDING AIG/03		
Please refer to Appendix 1A-6-03 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DSB agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The Dutch Safety Board will establish a formal process for reviewing ICAO State letters forwarded by the Directorate-General for Civil Aviation and Maritime Affairs (by the relevant technical and legal experts), assessing the need for any amendment of the national legislation and regulations, and informing the Directorate-General for Civil Aviation and Maritime Affairs whether there are differences with the ICAO SARPs that should be forwarded to ICAO.	DSB	31-12-2008
The Dutch Safety Board will develop, in co-ordination with the Directorate-General for Civil Aviation and Maritime Affairs, an internal process for the assessment and implementation of ICAO documents on "DSB applicable legislation" and practices. (Check location electronic publications on ICAO website)	DSB	31-12-2008
The Directorate-General for Civil Aviation and Maritime Affairs had updated the internal process of reviewing ICAO State letters with the CAA-NL. The Dutch Safety Board will establish an internal procedure for the exchange of information of received ICAO State Letters and documents with a Focal Point. This procedure will be inserted in the Handbook.	DSB	31-12-2008

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APPENDIX 3A-6-4

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS
RELATED TO AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION**

AUDIT FINDING AIG/04		
Please refer to Appendix 1A-6-04 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DSB agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>The Dutch Safety Board will partly outsource General Aviation investigations (serious incidents and accidents) in order to:</p> <ul style="list-style-type: none"> - Minimize the backlog of these investigations and - Complete new General Aviation investigations in a timely manner. 	DSB	1-3-2009
<p>The Dutch Safety Board will explore and evaluate these outsourcing possibilities with the purpose to optimize the available investigation capacity in order that:</p> <ul style="list-style-type: none"> - all investigation tasks are completed in a timely manner - in-depth investigations are carried out into serious incidents that are likely to yield safety benefits; and - the necessary investigation guidance material can be developed and maintained. 	DSB	1-10-2009
<p>Besides the above mentioned actions, the Dutch Safety Board will carry out a survey in order to determine the need for additional investigation capacity regarding requests from the overseas countries of the Kingdom of the Netherlands.</p>	DSB	1-10-2009

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APPENDIX 3A-6-5

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS
RELATED TO AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION**

AUDIT FINDING AIG/05		
Please refer to Appendix 1A-6-05 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DSB agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The Dutch Safety Board will review the job descriptions and associated qualification requirements in order to introduce, as far as aviation investigators are concerned, details on the specific aviation-related functions and tasks carried out by the investigators, and on the specific aviation-related qualifications and experience for an aviation investigator.	DSB	31-12-2008

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APPENDIX 3A-6-6

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS
RELATED TO AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION**

AUDIT FINDING AIG/06		
Please refer to Appendix 1A-6-06 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DSB agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The Dutch Safety Board will establish means, such as letters of agreement, to clarify the entitlements of the various types of participants in the investigations under its conduct.	DSB	31-12-2008
DSB studies the existing procedures of other investigation authorities. These procedures have been received recently. DSB will establish its own procedures, which will be inserted in the Handbook.	DSB	31-12-2008

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APPENDIX 3A-6-7

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS
RELATED TO AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION**

AUDIT FINDING AIG/07		
Please refer to Appendix 1A-6-07 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DSB agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Training records will be updated. The establishment and implementation of a formal training programme and a monitoring mechanism based on the ICAO Circular 298 "Training Guidelines for Aircraft Accident Investigators" is in development.	DSB	31-12-2008
The Dutch Safety Board will establish and implement a formal training programme for its aviation investigators, including the details of the initial/basic training, OJT and advanced or specialized training to be delivered to them.	DSB	31-12-2008
The Dutch Safety Board will also establish periodic training plans based on this training programme and on the training needs identified for each investigator, and monitor the effective implementation of these training plans. Comprehensive training records will also be adequately maintained to easily monitor the competence and currency of the investigators.	DSB	31-12-2008

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APPENDIX 3A-6-8

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS
RELATED TO AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION**

AUDIT FINDING AIG/08		
Please refer to Appendix 1A-6-08 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DSB agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The Dutch Safety Board will establish and implement a mechanism to ensure that all documents used by its staff are up-to-date.	DSB	31-7-2008
The Dutch Safety Board will develop procedures for document control to be inserted in the Handbook.	DSB	31-10-2008

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APPENDIX 3A-6-9

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS
RELATED TO AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION**

AUDIT FINDING AIG/09		
Please refer to Appendix 1A-6-09 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DSB agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The Dutch Safety Board will review the "Dutch Safety Board Investigation Handbook" to introduce, whenever relevant, more detailed guidelines or instructions, in particular regarding the conduct of technical examinations and testing.	DSB	31-12-2008
The Dutch Safety Board will add lists with necessary guidelines or instructions for this purpose to the Handbook.	DSB	31-12-2008

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APPENDIX 3A-6-10

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS
RELATED TO AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION**

AUDIT FINDING AIG/10		
Please refer to Appendix 1A-6-10 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DSB agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The Dutch Safety Board will align its definition of "investigator-in-charge" with the definition contained in ICAO Annex 13.	DSB	31-10-2008
The Handbook will be amended in order to remove the discrepancy with the definition on Investigator in charge.	DSB	31-10-2008

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APPENDIX 3A-6-11

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS
RELATED TO AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION**

AUDIT FINDING AIG/11		
Please refer to Appendix 1A-6-11 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DSB agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The Dutch Safety Board will establish means to ensure that a secure hangar would be available for the storage of aircraft wreckage if the need arises.	DSB	31-10-2008
The existing procedures of the Dutch Safety Board and its contract with the Royal Netherlands Air Force will be examined. The Handbook will be updated with the results.	DSB	31-10-2008

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APPENDIX 3A-6-12

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS
RELATED TO AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION**

AUDIT FINDING AIG/12		
Please refer to Appendix 1A-6-12 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DSB agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The Dutch Safety Board, in coordination with the IVW, will amend the agreement between the two organizations to cover the appointment of an expert from the Netherlands (according to the definition in paragraph 5.27 of ICAO's Annex 13) in cases where the Netherlands has suffered fatalities or serious injuries to its citizens.	DSB	30-9-2008
Therefore the agreement with the IVW on the appointment of accredited representatives will be extended. The new agreement will also cover the appointment of experts. The new agreement will be inserted in the Handbook.	DSB	31-10-2008

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APPENDIX 3A-6-13

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS
RELATED TO AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION**

AUDIT FINDING AIG/13		
Please refer to Appendix 1A-6-13 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DSB agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The Dutch Safety Board will ensure that safety recommendations issued as part of the final report, or at any time during the investigation, are based on the analysis of the investigated occurrence. The Handbook will be adjusted to ensure that publication of unfounded recommendations will be prevented.	DSB	31-12-2008

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APPENDIX 3A-6-14

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS
RELATED TO AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION**

AUDIT FINDING AIG/14		
Please refer to Appendix 1A-6-14 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DSB agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The Dutch Safety Board will establish a mechanism to ensure that initial notifications and data reports are effectively and timely forwarded to the States concerned and to ICAO when required by ICAO Annex 13, Chapter 7.	DSB	31-10-2008
The Dutch Safety Board will develop a Quick Reference Checklist for investigators, to be inserted in the Handbook.	DSB	31-10-2008

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APPENDIX 3A-7-1

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS
RELATED TO AIR NAVIGATION SERVICES**

AUDIT FINDING ANS/01		
Please refer to Appendix 1A-7-01 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The Netherlands agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The Netherlands will reconsider the direct applicability of the regulation. It is expected that relevant military requirements (based on the common requirements) will be incorporated in national regulation at the end of this year.	MLA	1-1-2009
The state will make an agreement between de Military NSA and the Civil NSA regarding cooperation in safety oversight. Both parties will define their responsibilities in safety oversight for the Dutch Airspace in this agreement.	MLA, CAA-NL	1-6-2009
The Netherlands will arrange the authorization for the NSA in the framework of the single European Sky. At the end of this year the Ministry of Defense and the Ministry of Transport, Public Works and Water Management will clearly define the mandate for the safety oversight in the Dutch Airspace. The mandate will be arranged in an agreement.	MLA	1-6-2009

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APPENDIX 3A-7-2

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS
RELATED TO AIR NAVIGATION SERVICES**

AUDIT FINDING ANS/02		
Please refer to Appendix 1A-7-02 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The Netherlands agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The Dutch government in the NSA-C will ask for the signing of the procedure. Besides that, the German government under scribed the procedure for the oversight activities on MUAC.	CAA-NL/LuLu	1-8-2008

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APPENDIX 3A-7-3

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS
RELATED TO AIR NAVIGATION SERVICES**

AUDIT FINDING ANS/03		
Please refer to Appendix 1A-7-03 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The Netherlands agrees with the finding of the ICAO audit team		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
DGLM and CAA-NL will put a procedure in place that acts on deficiencies identified in EANPG. DGLM will (temporarily) attend EANPG in order to make sure that no actions are lost meanwhile.	DGLM	31-12-2008

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APPENDIX 3A-7-4

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS
RELATED TO AIR NAVIGATION SERVICES**

AUDIT FINDING ANS/04		
Please refer to Appendix 1A-7-04 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The Netherlands agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The State ensures that the role of the respective NSA in the delegated airspace in the nearby future is clearly and formally defined. Therefore the Dutch CAA will coordinate an implementation plan with CAA UK, CAA Germany, CAA Denmark and CAA Belgium. The main goal of this implementation plan is define the responsibilities (including mandate) in the safety oversight for each entity and the coordination between the CAAs/NSAs.	CAA-NL/LuLu	31-12-2009

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APPENDIX 3A-7-5

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS
RELATED TO AIR NAVIGATION SERVICES**

AUDIT FINDING ANS/05		
Please refer to Appendix 1A-7-05 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The CAA-NL agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The CAA-NL will perform contingency audits at MUAC and the LVNL. The scope of this audit is to review and test the new contingency procedures that are promulgated by the ANSPs.	CAA-NL/LuLu	31-12-2008

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APPENDIX 3A-7-6

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS
RELATED TO AIR NAVIGATION SERVICES**

AUDIT FINDING ANS/06		
Please refer to Appendix 1A-7-06 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The Netherlands agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The Aerodromes and ANS Inspectorate will establish a quality system for ensuring the accuracy, the integrity and protection of aeronautical data (including publication). Therefore the CAA-NL has developed a project plan to solve this item. The main goal of the corrective action plan is that the aeronautical data in compliance is with the applicable SARPs (ANNEX 4, 14 and 15). The corrective action plan (Projectplan AIS-TASKFORCE) contains different steps with a specified planning for 2009 and 2010.	CAA-NL/LuLu	1-7-2010

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APPENDIX 3A-7-7

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS
RELATED TO AIR NAVIGATION SERVICES**

AUDIT FINDING ANS/07		
Please refer to Appendix 1A-7-07 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The Ministry of Transport, Public Works and Water Management agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The Ministry of Defence has developed KLu-Material-Orders. These Material Orders contain the requirements for flight inspections of navigation aids. The KLu-Material-Orders are based on civil (ICAO) standards and recommended practices. The Material Orders are made available for the Ministry of Transport.	MLA	1-12-2009
Flight checking of the ILS is outsourced by the Ministry of Defence to AFI Flight Inspection GmbH.	MLA	1-12-2009

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APPENDIX 3A-7-8 (CONT.)

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS
RELATED TO AIR NAVIGATION SERVICES**

CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The CAA-NL has a mechanism to maintain the training records of the inspectors. The MET inspectorate staff will make use of the same mechanism, the knowledge management tool.	CAA-NL LuLu	31-12-2009

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APPENDIX 3A-7-9

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS
RELATED TO AIR NAVIGATION SERVICES**

AUDIT FINDING ANS/09		
Please refer to Appendix 1A-7-09 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The Netherlands agrees with the finding of the ICAO audit team		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The CAA-NL, Aerodromes and ANS Inspectorate will advise on the different possibilities to establish the safety oversight function in the NL coastguard	CAA-NL LuLu	29-9-2008
The Dutch Coastguard will select the best way to establish the oversight function and will propose this to the 'Raad voor de Kustwacht' (Coastguard Board).	RWS NZ	31-12-2008
RWS NZ will create the legal basis for the oversight function.	RWS NZ	30-6-2009
Once the legal basis has been created and the way to establish the oversight function has been selected, the oversight will be developed, including: - the assignment or recruitment of a sufficient number of qualified inspectorate staff - the development of functions, job descriptions and minimum qualifications requirements - the development and implementation of a training programme detailing the types of training - the development of a training plan where priorities have been selected	RWS NZ	30-6-2010

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APPENDIX 3A-7-9 (CONT.)

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS
RELATED TO AIR NAVIGATION SERVICES**

CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<ul style="list-style-type: none">- the requirement that inspectorate staff has to complete OJT training before taking up their tasks- the development of a manual or handbook for the inspectorate staff- the establishment of a mechanism for the elimination of deficiencies.		

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APPENDIX 3A-7-10

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS
RELATED TO AIR NAVIGATION SERVICES**

AUDIT FINDING ANS/10		
Please refer to Appendix 1A-7-10 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The Netherlands Coast Guard agrees with the finding of the ICAO audit team		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The Coastguard and RWS NZ will develop a training plan for RCC personnel.	RWS NZ	31-12-2009
The requirement for the proficiency in the use of the English language will be made part of the description of the functions in the RCC. Furthermore, the proficiency requirements for the use of the English language will be made part of the training programme and plan.	RWS NZ	31-12-2009

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APPENDIX 3A-8-1

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS
RELATED TO AERODROMES**

AUDIT FINDING AGA/01		
Please refer to Appendix 1A-8-01 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The Ministry of Transport, Public Works and Water Management agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>The Ministry of Transport, Public Works and Management will promulgate regulations to implement all of the provisions of ICAO Annex 14, in particular in the following areas:</p> <ul style="list-style-type: none"> a) determination and reporting of pavement strengths; b) holding bays; c) provisions of primary and secondary power supplies; d) to prohibit equipment or installations, other than those used for navigation purposes, being located on a runway strip, clearway or certain areas associated with a precision approach; e) apron markings that take into account the clearances specified in Annex 14; f) high intensity center line lights and interlocking protection for a runway forming part of a standard taxiway route; and g) restriction of construction in the proximity of electrical systems during low visibility. <p>These regulations will be formulated in the regulation on the safe use and certification of aerodromes (Regeling Veilig Gebruik en Certificering Luchthavens).</p> <p>Secondly the Ministry will implement this aspect in a quality system on the implementation of changes and new elements of ICAO, Annex 14, SARPs. The process will be in place before 2009.</p>	CAA-NL/LuLu	30-6-2009
	CAA-NL/LuLu	1-1-2009

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APPENDIX 3A-8-2

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS
RELATED TO AERODROMES**

AUDIT FINDING AGA/02		
Please refer to Appendix 1A-8-02 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The Aerodromes and ANS Inspectorate agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The Aerodromes and ANS Inspectorate will develop guidance material and a procedure for technical specialist areas;	CAA-NL/LuLu	2-3-2009
The Aerodromes and ANS Inspectorate will develop guidance material for the industry on the use of aeronautical studies and other technical areas. The information will be made available on the IVW website.	CAA-NL/LuLu	1-6-2009

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APPENDIX 3A-8-3

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS
RELATED TO AERODROMES**

AUDIT FINDING AGA/03		
Please refer to Appendix 1A-8-03 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The Netherlands agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The Netherlands will certify all of its international and public use aerodromes in accordance with the national regulations. The CAA-NL pursues the certification in accordance with the Regeling Certificering Luchtvaartterreinen and includes all Dutch aerodromes. Only four small aerodromes are not yet certified. Our aim is to certify the four aerodromes before 2009-06-01.	CAA-NL/LuLu	1-6-2009
However, the current Dutch Certification legislation cannot be enforced. Therefore it is also possible that the Netherlands has to correct the Regeling Certificering Luchtvaartterreinen and an exemption for the certification of those small aerodromes has to be made	DGLM/LVV	31-12-2009

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APPENDIX 3A-8-4

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS
RELATED TO AERODROMES**

AUDIT FINDING AGA/04		
Please refer to Appendix 1A-8-04 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The Aerodrome Standards and Certification Unit of the CAA-NL agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>The Aerodromes and Airspace Inspectorate will keep up-to-date copies (at hand or digital) of aerodrome manuals to ensure their availability to all of the regulatory staff and for the preparation phase of their surveillance programme in accordance with their established checklist. The Aerodrome Standards and Certification Unit will establish a procedure for the subsequent amendments to the aerodrome manuals.</p> <ul style="list-style-type: none">- planning before 2008-10-01- exchange with the aerodromes- administration rules- formalization- final implementation 2009-01-01	CAA-NL/LuLu	1-1-2009

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APPENDIX 3A-8-5

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS
RELATED TO AERODROMES**

AUDIT FINDING AGA/05		
Please refer to Appendix 1A-8-05 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The Netherlands agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The Netherlands will ensure that the military aerodromes used for international civil operations will be certified. The criteria and a formal method to ensure acceptability of these aerodromes will be developed. Since October 2007 there is close cooperation between the Military Aviation Authority and the CAA-NL concerning the certification of 2 military aerodromes with international civil operations (De Kooy and Eindhoven). Final agreements will be concluded for the certification process.	CAA-NL/LuLu	1-1-2009
A plan and arrangement for the certification of the 2 military aerodromes with international civil operations will be made in 2008. Implementation of the certification of the 2 military aerodromes (De Kooy and Eindhoven) is foreseen in 2009.	CAA-NL/LuLu	31-12-2009

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APPENDIX 3A-8-6

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS
RELATED TO AERODROMES**

AUDIT FINDING AGA/06		
Please refer to Appendix 1A-8-06 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The Aerodromes and ANS Inspectorate agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The Aerodromes and ANS Inspectorate will establish a quality system to ensure that the accuracy, integrity and protection requirements for aeronautical data reported by the aerodrome operator are met throughout the data transfer process. Therefore the CAA-NL has developed a project plan to solve this item. The main goal of the corrective action plan is that the aeronautical data will be in compliance with the SARPs (ANNEX 4, 14 and 15). The corrective action plan (Projectplan AIS-TASKFORCE) contains different steps with a specified planning for 2009.	CAA-NL/LuLu	1-7-2010

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APPENDIX 3A-8-7

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS
RELATED TO AERODROMES**

AUDIT FINDING AGA/07		
Please refer to Appendix 1A-8-07 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The Netherlands agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The Ministry of Transport, Public Works and Management will promulgate requirements and the Aerodromes and Airspace Inspectorate will ensure that aerodrome operators observe human factors principles during the development of the aerodrome emergency plan.	CAA-NL/LuLu	1-8-2009
The Aerodromes and Airspace Inspectorate will manage this subject within the current national regulation "Brandweerregeling burgerluchtvaartterreinen 2004" and will subsequently transfer the requirements to the new regulation on the safe use and certification of aerodromes (Regeling Veilig Gebruik Luchthavens).	CAA-NL/LuLu	1-7-2009

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APPENDIX 3A-8-8

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS
RELATED TO AERODROMES**

AUDIT FINDING AGA/08		
Please refer to Appendix 1A-8-08 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The Ministry of Transport, Public Works and Water Management follows the system of certification of aerodromes. Therefore the responsibility for establishment of procedures for the timely removal of snow, slush and ice lies with the aerodrome operator.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Besides the certification path where the CAA-NL will ensure that the procedures are in place, the CAA-NL will promulgate, as a new element, guidance material to the aerodrome operators for the timely removal of snow, slush and ice.	CAA-NL/LuLu	31-12-2008
The aerodrome operator holds the first responsibility to imbed these procedures in its operations. Within the certification process the CAA-NL will check whether or not the procedures are in place.	CAA-NL/LuLu	1-8-2009

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APPENDIX 3A-8-9

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS
RELATED TO AERODROMES**

AUDIT FINDING AGA/09		
Please refer to Appendix 1A-8-09 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The Ministry of Transport, Public Works and Water Management follows the system of certification of aerodromes. Therefore the responsibility for establishment adequate plans for the removal of disabled aircraft lies with the aerodrome operator. The Netherlands is of the opinion that this is more an economical issue than a safety issue.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Surveying the Typical plan for the removal of disabled aircraft, including coordination functions will be embedded within this procedure of certification.	CAA-NL/LuLu	1-8-2009
Secondly, the Aerodromes and Airspace Inspectorate will include this subject in the new regulation on the safe use and certification of aerodromes (Regeling Veilig Gebruik en Certificering Luchthavens)	CAA-NL/LuLu	1-8-2009
Third, besides of the certification path the CAA-NL will make available guidance material for the aerodrome operators on the internet site.	CAA-NL/LuLu	1-3-2009

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APPENDIX 3A-8-10

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS
RELATED TO AERODROMES**

AUDIT FINDING AGA/10		
Please refer to Appendix 1A-8-10 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The CAA-NL does agree with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The Aerodromes and ANS Inspectorate of the CAA-NL will ensure that aerodrome operators have procedures in place for temporary or permanently closing runways and taxiways to prevent the inadvertent entry of aircraft and vehicles onto a closed runway or taxiway. This will be included as a standard element in the certification procedure.	CAA-NL/LuLu	1-8-2009
The Aerodromes and ANS Inspectorate will also include this subject in the new regulation on the safe use and certification of aerodromes (Regeling Veilig Gebruik en Certificering Luchthavens).	CAA-NL/LuLu	1-8-2009
Within the certification process and regular inspections the CAA-NL will ensure that aerodrome operators define performance levels objectives for visual aids, including when lights are deemed to be unserviceable.	CAA-NL/LuLu	31-8-2008

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Part B:

**THE
NETHERLANDS
ANTILLES**

APPENDIX 3B-1-1

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO PRIMARY AVIATION LEGISLATION AND
CIVIL AVIATION REGULATIONS**

AUDIT FINDING LEG/01		
Please refer to Appendix 1B-1-01 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The Netherlands Antilles will promulgate the regulations in question and ensure that they are in line with the ICAO SARPs. The following ICAO Annexes will be transposed in the CARNA parts mentioned below:	DCANA	
ICAO Annex 1 CARNA Part 2 PEL	LEG/OPS	Before August 2009
ICAO Annex 1 CARNA Part 3 ATO's	LEG/OPS	Before August 2009
ICAO Annex 6 CARNA Part 10 Foreign Air Operator	LEG/OPS/ AIR	Before February 2009
ICAO Annex 6 CARNA Part 11 Aerial Work	LEG/OPS	Before November 2009
ICAO Annex 12 CARNA Part 12 SAR	LEG	Before December 2009
ICAO Annex 13 CARNA Part 13 AIG	LEG/AIR/OPS	Before March 2009
The DCANA will follow its established procedures for the identification of differences, if any. Furthermore, the DCANA will follow its established procedures for the notification of differences, if any, to ICAO and provide information to the AIS section of the NAATC Inc. for the publication of said differences in accordance with ICAO Annex 15. This will be done as mentioned on the next page.	DCANA	

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APPENDIX 3B-1-1 (CONT.)

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO PRIMARY AVIATION LEGISLATION AND
CIVIL AVIATION REGULATIONS**

Identification of possible differences between national regulations and ICAO Annexes including the latest amendments.*				
ICAO Annex	National regulation	Action Office DCANA	Estimated implementation date	Notification of differences to ICAO and Information to AIS for publication of differences in accordance with ICAO Annex 15
1	CARNA Part 2	OPS	Before August 2009	September 2009
2	Government Decree on Air Traffic and Ministerial Decrees pursuant to it	ATS/AD	Before January 2009	March 2009
3	Act 2003 no. 59 and Ministerial Decree 2008 Nr. 20	ATS/AD	Before January 2009	March 2009
4	Ministerial Decree 2008 Nr. 20	ATS/AD	Before January 2009	March 2009
5	CARNA Part 20	AIR	Before January 2009	March 2009
6	CARNA Parts 7, 8 and 9	OPS	Before June 2009	August 2009
7	CARNA Part 4	AIR	Before January 2009	March 2009
8	CARNA Parts 5 and 6	AIR	Before January 2009	March 2009
10	CARNA Part 24	ATS/AD	Before January 2009	March 2009
11	Government Decree on Air Traffic and Ministerial Decrees pursuant to it	ATS/AD	Before January 2009	March 2009
12	CARNA Part 12	LEG	Before December 2009	December 2009
13	CARNA Part 13	AIR/OPS	Before April 2009	June 2009
14	CARNA Part 14	ATS/AD	Before January 2009	March 2009

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APPENDIX 3B-1-1 (CONT.)

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO PRIMARY AVIATION LEGISLATION AND
CIVIL AVIATION REGULATIONS**

Identification of possible differences between national regulations and ICAO Annexes including the latest amendments.*				
ICAO Annex	National regulation	Action Office DCANA	Estimated implementation date	Notification of differences to ICAO and Information to AIS for publication of differences in accordance with ICAO Annex 15
15	Ministerial Decree 2008 Nr. 20	ATS/AD	Before January 2009	March 2009
16	Ministerial Decree 2008 Nr. 24	AIR	Before January 2009	March 2009
18	Ministerial Decree 2007 Nr. 38	DG	Before March 2009	April 2009

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APPENDIX 3B-1-2

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO PRIMARY AVIATION LEGISLATION AND
CIVIL AVIATION REGULATIONS**

AUDIT FINDING LEG/02		
Please refer to Appendix 1B-1-02 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The DCANA will establish and implement a policy for the issuance of exemptions, particularly for the areas of aircraft operations and aerodromes.	LEG/ATS/AD and OPS	Before June 2009
The DCANA will establish and implement a procedure for the issuance of exemptions, particularly for the areas of aircraft operations and aerodromes.	LEG/ATS/AD and OPS	Before June 2009

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APPENDIX 3B-1-3

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO PRIMARY AVIATION LEGISLATION AND
CIVIL AVIATION REGULATIONS**

AUDIT FINDING LEG/03		
Please refer to Appendix 1B-1-03 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>The DCANA in coordination with the AIS section of NAATC inc. has established the English version of the provisions in the Government Decree on Air Traffic and Ministerial Decree No.. 89 regarding the interception of civil aircraft above the territory of the Netherlands Antilles.</p> <p>The AIS section of the NAATC Inc. will publish the above mentioned provisions in the AIP of the Netherlands Antilles.</p>	DCANA in coordination with the AIS section of NAATC Inc.	<p>Implemented September 2008</p> <p>November 2008</p>

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APPENDIX 3B-1-4

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO PRIMARY AVIATION LEGISLATION AND
CIVIL AVIATION REGULATIONS**

AUDIT FINDING LEG/04		
Please refer to Appendix 1B-1-04 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
Article 129 of the Government Decree on Safety Oversight (<i>Landsbesluit Toezicht Luchtvaart P.B. 2003 no. 56</i>) already covers the provisions concerning the transfer of the State of Registry's tasks and functions to the State of Operator. Paragraph 1 of the above-mentioned article deals with the transfer of tasks and functions of the Netherlands Antilles as the State of Registry to the State of Operator. Paragraph 2 of the above-mentioned article deals with the transfer of tasks and functions of a foreign country as the State of Registry to the Netherlands Antilles as the State of Operator.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The DCANA will develop and implement guidance and procedures for the transfer and acceptance of tasks and functions to/from another State in accordance with Article 83 bis.	DCANA AIR/OPS	Before February 2009

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APPENDIX 3B-2-1

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO CIVIL AVIATION ORGANIZATION**

AUDIT FINDING ORG/01		
<p>Please refer to Appendix 1B-2-01 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.</p>		
STATE'S COMMENTS AND OBSERVATIONS*		
<p>The DCANA employs three (3) inspectors for the area of personnel licensing and aircraft operations. Taking into account the volume of civil aviation activity, this number of inspectors is enough to carry out the safety oversight responsibilities properly. As far as personnel licensing is concerned each section (ANS, AIR and OPS) handles its own personnel licensing.</p> <p>Most of the DCANA technical staff has been with the Directorate for many years. One of the airworthiness inspectors has been in that position for 25 years now, another airworthiness inspector for 15 years, one operations inspector for 12 years, AVSEC/DG inspector for 11 years and one ATS/AGA inspector for 10 years.</p> <p>So although we had the situation that two newly hired inspectors left the DCANA's services within a period of two years for a better position elsewhere (one operations inspector to fly for a major airline in the Far East and one ATS/AGA inspector for a position as Director Operations at one of the airports of the Netherlands Antilles) in general the DCANA has not experienced a high rate of turnover.</p>		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>Since the audit the DCANA has hired two new inspectors one operations and one ATS/AGA inspector. At the moment the DCANA employs the following inspectors: 2 ATS/AGA, 2 OPS, 3 AIR and 1 DG. There is a vacancy for one OPS inspector. The DCANA will continue to do whatever it takes to fill vacancies.</p> <p>In this frame-work the DCANA also had the job descriptions and the salary scale that goes with it revised by a specialized firm. This way the DCANA hopes to be in a better position to maintain its present staff and attract new personnel when needed.</p>		

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APPENDIX 3B-2-1 (CONT.)

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO CIVIL AVIATION ORGANIZATION**

CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
It is worthwhile mentioning that based on a co-operation agreement between the Ministers of Traffic and Transport of the respective parts of the Kingdom an inspectors pool has been established. The three Civil Aviation Authorities of the Kingdom can make an appeal on this pool if needed.		

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APPENDIX 3B-2-2

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO CIVIL AVIATION ORGANIZATION**

AUDIT FINDING ORG/02		
Please refer to Appendix 1B-2-02 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>The DCANA will adapt, complete and implement the training programme in the areas of aerodrome, personnel licensing, aircraft operations and dangerous goods. The DCANA will use the programme that is in place for the area of airworthiness as a template.</p> <p>The system used for the maintenance of the training records in the area of airworthiness will be used as a template for the maintenance of training records in the areas of PEL, AGA, OPS and DG.</p>	<p>AGA PEL OPS DG</p>	<p>1. Training programmes and system for the maintenance of records will be completed before November 30, 2008.</p> <p>2. Initial and on-the-job training provided right now to the newly hired inspectors</p>

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APPENDIX 3B-2-3

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO CIVIL AVIATION ORGANIZATION**

AUDIT FINDING ORG/03		
Please refer to Appendix 1B-2-03 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The regulatory staff of the DCANA has fast, broadband internet service to its disposal. Each (technical) staff member has the disposal of a password to access the secured ICAO site. This way most current ICAO documents are just a mouse click away.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<ol style="list-style-type: none"> 1. The DCANA has made an inventory of the necessary documents that are not on the web sites and that are currently either not available at the DCANA or not up to date. 2. Based on this inventory the necessary documents will be ordered with a subscription service. 3. The DCANA will revise its registration system to ensure the receipt, control, distribution and maintenance of the technical documentation. 4. The documents that were not up to date have been identified and will be marked "For reference purposes only". <p>They will be replaced upon arrival of the new documents.</p>	DCANA	<ol style="list-style-type: none"> 1. Completed 2. Part of the documents will be ordered in November 2008 the remainder in 2009 3. Before January 2009

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APPENDIX 3B-3-1

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO PERSONNEL LICENSING AND TRAINING**

AUDIT FINDING PEL/01		
Please refer to Appendix 1B-3-01 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>a) The DCANA will amend the procedures in the Guidance Manuals and Inspector Handbooks to include the assessment of the pilot applications for the provision of licenses and ratings.</p> <p>The legal basis for these procedures will be laid down in the (now draft) Civil Aviation Regulations Netherlands Antilles (CARNA) Part 2, Section 2.2.</p>	OPS	Before August 2009
<p>b) The Aviation Act (Official Gazette of 2001 No. 151) under article gives the possibility of the appeal of all DCA-NA decisions including those on licensing issues.</p> <p>Procedures based on the CARNA Part 2 draft are currently under development and will be implemented the same time the CARNA Part 2 is enacted into law.</p>	OPS	Before August 2009
<p>c) The CARNA Part 2 draft also includes the requirements for the "Validation and Conversion of Foreign Licences, Ratings, Authorizations and Certificates" under Subsection 2.2.4.</p> <p>Procedures based on the CARNA Part 2 draft are currently under development and shall be implemented the same time the CARNA Part 2 is enacted into law.</p>	OPS	Before August 2009

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APPENDIX 3B-3-2

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO PERSONNEL LICENSING AND TRAINING**

AUDIT FINDING PEL/02		
Please refer to Appendix 1B-3-02 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The draft CARNA Part 2 Section 2.2.1 and its implementing standards regulate the re-establishment of privileges of expired pilot's licences. The processes required for implementing the policy, the procedures and the guidelines plus forms are being identified, developed and documented. These procedures will be implemented the same time the CARNA Part 2 is enacted into law.	OPS	Before August 2009
The draft CARNA Part 2 Section 2.2.3 and its implementing standards regulate the exemptions and credits for military pilots and parachute riggers. These will form the requirements necessary in order to grant them civil aviation pilots licenses and ratings. The processes required for implementing the policy, the procedures and the guidelines plus forms are being identified, developed and documented. These procedures will be implemented the same time the CARNA Part 2 is enacted into law.	OPS	Before August 2009

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APPENDIX 3B-3-3

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO PERSONNEL LICENSING AND TRAINING**

AUDIT FINDING PEL/03		
Please refer to Appendix 1B-3-03 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The DCANA is drafting a procedure with guidelines and forms to systematically contact the issuing State to gather the information necessary to ensure validity of the License and determine the compliance of the original foreign license to the requirements of Annex 1 as well.	OPS	Before March 2009
These same procedures are addressing the additional requirements to be met by the applicant in case the license of the applicant is not in full compliance with Annex 1. The CARNA Part 2 Section 2.2 shall form the legal basis for these procedures which will be implemented and maintained.	OPS	Before March 2009

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APPENDIX 3B-3-4

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO PERSONNEL LICENSING AND TRAINING**

AUDIT FINDING PEL/04		
Please refer to Appendix 1B-3-04 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The draft CARNA Part 2 Chapter 2.11 and its corresponding implementing Standards will include the requirements on how to conduct a medical examination and the submission of signed reports to the DCANA. Further procedures are being drafted as well, for the conduct of a medical examination and the submission of signed reports to the DCANA.	OPS	Before August 2009
The abovementioned draft is also regulating the requirements and standards and the establishment of an appeal body for the evaluation of medical reports and cases in which medical standards prescribed in ICAO Annex 1 chapter 6 are not fully met by a license holder.	OPS	Before August 2009

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APPENDIX 3B-3-5

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO PERSONNEL LICENSING AND TRAINING**

AUDIT FINDING PEL/05		
Please refer to Appendix 1B-3-05 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The draft CARNA Part 2 Section 2.11.1.3 regulates the criteria on the initial and refresher aviation medicine training plus the intervals necessary to guarantee the AME's proficiency. The scope, requirements and procedures governing these trainings are being developed and will be documented in a separate handbook for the use of the AME and the DCANA OPS inspection division as well. This handbook will be approved, implemented and maintained in accordance with set standards.	OPS	Before August 2009

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APPENDIX 3B-3-6

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO PERSONNEL LICENSING AND TRAINING**

AUDIT FINDING PEL/06		
Please refer to Appendix 1B-3-06 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The DCANA has an agreement with the Inspector of Public Health as a medical assessor to perform oversight duties on the AME's on behalf of the DCANA.	OPS	Completed April 2008
The scope, requirements and procedures governing the oversight duties performed by the Inspector of Public Health are being developed and will be implemented when the CARNA Part 2 is enacted.	OPS	Before August 2009
The (now draft) CARNA Part 2 Section 2.11.1.3 will form the legal basis for this arrangement and the draft procedure handbook, named "Handbook Aviation Medicine Supervision", will provide the necessary procedures to accomplish this task.	OPS	Before July 2009
The (now draft) CARNA Part 2 Section 2.2.9 (Suspension or Revocation of a License, Rating, Authorization or Certificate), when enacted, will form the legal basis for actions that can be taken in case sufficient evidence exists to demonstrate that a medical examiner has not performed his duties in accordance with the established procedures.		

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APPENDIX 3B-3-6 (CONT.)

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO PERSONNEL LICENSING AND TRAINING**

CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>The procedures to be followed by the DCANA with regard to the abovementioned actions will be developed and documented in the “Handbook Aviation Medicine Supervision”. Implementation will follow after enactment of CARNA Part 2.</p> <p>Under a cooperation agreement between the three parties of the Kingdom, the inspectorate of the Dutch CAA will perform an oversight visit on all 5 AME’s here in the Netherlands Antilles in the week of 03 November 2008 on both Curacao and St. Maarten. The visit will be conducted by AME’s of the Dutch Air Force on behalf of the Dutch CAA.</p>		

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APPENDIX 3B-3-7

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO PERSONNEL LICENSING AND TRAINING**

AUDIT FINDING PEL/07		
Please refer to Appendix 1B-3-07 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The 'Handbook on Aviation Examination' is being updated with procedures and instructions for the nomination of written examiners and guidance on the preparation of theoretical exams as it now deals only with the practical examination part.	OPS	Before May 2009

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APPENDIX 3B-3-8

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO PERSONNEL LICENSING AND TRAINING**

AUDIT FINDING PEL/08		
Please refer to Appendix 1B-3-08 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>A draft amendment to the Aviation Examination Regulation (Official Gazette of A0 2000 N0 123) will be the regulatory basis for the implementation of this procedure.</p> <p>This amendment will provide formal criteria for the knowledge, experience and training of the examiners for both theoretical and practical examination.</p> <p>The abovementioned amendment will also provide formal criteria for the action the DCANA can take in the event that sufficient evidence exists to demonstrate that a flight examiner has not performed his/her duties in accordance with the prescribed procedures.</p> <p>The procedures to be followed by the DCANA with regard to the abovementioned actions will be developed, documented, approved and incorporated in the "Handbook on Aviation Examination".</p>	OPS	Before March 2009

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APPENDIX 3B-3-9

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO PERSONNEL LICENSING AND TRAINING**

AUDIT FINDING PEL/09		
Please refer to Appendix 1B-3-09 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The DCANA is working to implement a central archives (records) management system for all certification and licensing processes with the help of the Central Government Archiving Office. This process is still ongoing and all the required processes are being identified and documented.	OPS	Before October 2009
The Netherlands Antilles will establish, implement and maintain an effective filing system for storing for review all the documents related to the certification process for obtaining an air operator certificate (AOC) as well as for tracking all the past deficiencies or lack of compliance to regulations.	OPS	Before October 2009
The procedures stemming from the abovementioned processes will be approved and documented in the DCANA inspection guidance manuals and inspector handbooks.	OPS	Before October 2009

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APPENDIX 3B-3-10

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO PERSONNEL LICENSING AND TRAINING**

AUDIT FINDING PEL/10		
<p>Please refer to Appendix 1B-3-10 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.</p>		
STATE'S COMMENTS AND OBSERVATIONS*		
<p>The DCANA concurs with the finding of the ICAO audit team.</p>		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>The draft CARNA Part 3 'Approved Training Organisations' (ATO), is currently being reviewed by the OPS/AIR/ATS divisions. When enacted it will provide all the legal requirements for certification of Training Organisations.</p>	OPS/AIR/ATS	Before August 2009
<p>The DCANA will establish, instruct, implement, approve and maintain the procedures for the certification of training organizations derived from CARNA Part 3.</p> <p>The draft CARNA Part 3 will provide the formal legal basis for the designation of the instructors taking into account their qualifications and competency.</p>		
<p>The corresponding procedures derived from the CARNA Part 3 for certification, continued validity and oversight of ATO's are currently being developed and will be approved and documented in the Inspector Guidance Manuals and Inspector Handbooks.</p> <p>These Manuals will include the procedures and guidelines for the designation of the instructors taking into account their qualifications and competency.</p>	OPS/AIR/ATS	Before October 2009

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APPENDIX 3B-3-11

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO PERSONNEL LICENSING AND TRAINING**

AUDIT FINDING PEL/11		
Please refer to Appendix 1B-3-11 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The (now draft) CARNA Part 2 Section 2.2.9 (Suspension or Revocation of a License, Rating, Authorization or Certificate), when enacted, will form the legal basis for actions that can be taken in case someone performed his/her duties in contradiction to the prescribed procedures and privileges of his/her license.	OPS/AIW/LEG	Before August 2009
The DCA-NA is also exploring the possibility of the application of fines as another possibility for action against handling of licensed personnel in the manner described above.	DCANA	Before August 2009
The procedures describing the processes necessary for the application of the abovementioned actions will be identified, flow-charted where needed and documented and implemented via amendments in the Inspector Handbooks and guidance manuals.	DCANA	Before August 2009

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APPENDIX 3B-4-1

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION**

AUDIT FINDING OPS/01		
Please refer to Appendix 1B-4-01 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
<p>The DCANA concurs partially with finding of the ICAO audit team with regard to the following. The CARNA Part 8 Section 8.10 and more specifically under following paragraphs, does provide a formal requirement for competency and qualification of e check airman.</p> <p>8.10.1.36 Check Airman Training 8.10.1.39 Check Airman Pilot Qualifications 8.10.1.40 Check Airman Designation 8.10.1.41 Check Airman Limitations 8.10.1.43 Line Qualifications: Check Airman and Instructors IS: 8.10.1.36 Check Airman Training (requirements)</p> <p>The areas of renewal of the designation and the process for the resolution of deficiencies or concerns identified in the tasks delegated to the check airman are indeed missing.</p>		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The DCANA has drafted a proposal for the amendment of the CARNA Part 8 for the renewal of the check airman designation.	OPS	Before March 2009
The procedures required for the process for the resolution of deficiencies or concerns identified in the tasks delegated to the check airman, are being drafted and will become part of the Guidance Manuals after the necessary approvals.	OPS	Before March 2009

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APPENDIX 3B-4-2

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION**

AUDIT FINDING OPS/02		
Please refer to Appendix 1B-4-02 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The DCANA is working to implement a central archives (records) management system for all certification and licensing documents with the help of the Central Government Archiving Office. This process is still ongoing and all the required processes are being identified and documented.	DCANA	Before October 2009
The DCANA will establish, implement and maintain an effective filing system for storing for review all the documents related to the certification process for obtaining an air operator certificate (AOC) as well as for tracking all the past deficiencies or lack of compliance to regulations.	DCANA	Before October 2009
The procedures stemming from the abovementioned processes will be documented in the DCANA approved inspection guidance manuals and inspector handbooks.	DCANA	Before October 2009

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APPENDIX 3B-4-3

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION**

AUDIT FINDING OPS/03		
Please refer to Appendix 1B-4-03 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
a) The existing procedure laid down in the Guidance Manuals and Inspector Handbooks is being amended to have all MEL approval processes identified, flow-charted where needed and documented to study and approve a Minimum Equipment List (MEL).	OPS/AIR	Before March 2009
b) The existing procedure laid down in the Guidance Manual for the approval of an air carrier training manual will be amended to include all the new requirements of CARNA Parts to ensure that all the necessary requirements are included in the operator's training manual. The operators will be informed accordingly with a Directorate Order.	OPS	Before March 2009
c) The existing procedure laid down in the Guidance Manual for the acceptance of aircraft leasing by air carriers will be amended and submitted for approval and published for implementation by the above mentioned revision of the manual.	OPS/AIR	Before March 2009

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APPENDIX 3B-4-4

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION**

AUDIT FINDING OPS/04		
Please refer to Appendix 1B-4-04 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The DCANA will amend its Guidance Manuals and Inspector Handbooks to include procedures and guidelines in the areas of cabin crew training programme approval, selection of the cabin crew instructors, approval of flight dispatcher training programmes, selection of flight dispatcher instructors, approval of ground handling arrangements, approval of operation security measures and approbation of security training programmes.	OPS	Before March 2009

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APPENDIX 3B-4-5

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION**

AUDIT FINDING OPS/05		
Please refer to Appendix 1B-4-05 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The DCANA is currently drafting a proposal on promulgation implementation of an Aviation Safety Management System regulation in accordance with ICAO Annex 6 Part I chapter 3.		
The DCANA will develop and implement procedures to ensure that at regular intervals, its operators maintain up-to-date and sufficient documentation concerning flight data recorder (FDR) parameter allocation, conversion equations, periodic calibration and other serviceability information.	AIR/OPS	Before March 2009
The DCANA will introduce provisions in its draft CARNA Part 13 to ensure that the operators include in their operations manual instructions the preservation of flight recorder records and associated flight recorder in case the aeroplane becomes involved in an accident or incident and their safe custody pending their disposition as determined in accordance with ICAO Annex 13.	AIR/OPS	Before March 2009

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APPENDIX 3B-4-5 (CONT.)

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION**

CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The DCANA will amend existing procedures documented in the Inspector Guidance Manuals and Inspector Handbooks to ensure that the air operators have implemented instructions approved by the DCANA for the preservation of flight recorder records and associated flight recorder in case the aeroplane becomes involved in an accident or incident and their safe custody pending their disposition as determined in accordance with ICAO Annex 13.		

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APPENDIX 3B-4-6

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION**

AUDIT FINDING OPS/06		
Please refer to Appendix 1B-4-06 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The DCANA has drafted a proposal for the amendment of CARNA Part 9 to ensure that all air operators have established procedures and training requirements for the avoidance of controlled flight into terrain (CFIT), for the use of the ground proximity warning system (GPWS) and the use of the airborne collision avoidance system (ACAS).	OPS	Before March 2009
The abovementioned amendment will form the legal basis for implementation of the procedures required for approval of the abovementioned air operator's procedures and training requirements. The DCANA Guidance Manuals and Inspector Handbooks will be amended to include the procedures for the approval of all air operator's procedures and training requirements regarding the CFIT, GPWS and ACAS.	OPS	Before March 2009

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APPENDIX 3B-4-7 (CONT.)

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION**

CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
A training provided by ICAO in Bogota, Colombia in November 2008 on the use of the ADREP/ECCAIRS Systems computer program will be attended by inspectors of the DCANA.	OPS/AIR/ATS	17-21 November 2008

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APPENDIX 3B-4-8

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION**

AUDIT FINDING OPS/08		
Please refer to Appendix 1B-4-08 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The DCANA has drafted a proposal for the amendment of CARNA Part 9 Section 9.3 to include the requirements that will ensure that all air operators have established a route guide to be used by its flight crew for each flight.	OPS	Before March 2009
The procedures, required for the AOC certification process, as laid down in the Guidance Manuals are being amended to include the procedures to ensure that all air operators have established a route guide to be used by its flight crew for each flight.	OPS	Before March 2009

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APPENDIX 3B-4-9

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION**

AUDIT FINDING OPS/09		
Please refer to Appendix 1B-4-09 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>The legal basis for the contents of an Air Carrier Training Manual which includes requirements for initial and recurrent training, conversion, recency of experience, differences and other specialized training is found in CARNA Part 9, Section 9.3 plus CARNA Part 9 Implementing Standards.</p> <p>The DCANA will amend existing procedures documented in the Inspector Guidance Manuals and Inspector Handbooks to include procedures for checking the flight crew training manual and to include provisions to ensure that said manual contains all the training programmes and syllabi for initial and recurrent training, conversion, recency of experience, differences and other specialized training.</p> <p>The DCANA will amend existing procedures documented in the Inspector Guidance Manuals and Inspector Handbooks to ensure that the air operators have implemented an ACAS training programme as approved by the DCANA and that the training provided and the documentation used by a different training organization correctly reflect the operators' own flight safety documentation system.</p>	OPS	Before March 2009

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APPENDIX 3B-4-10

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION**

AUDIT FINDING OPS/10		
Please refer to Appendix 1B-4-10 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The DCANA has drafted a proposal for the amendment of the CARNA Part 8 for the inclusion of the legal requirement to have flight crews to record and report volcanic ash activities.	OPS	Before March 2009
The DCANA will amend existing procedures documented in the Inspector Guidance Manuals and Inspector Handbooks to ensure that the air operators have implemented approved procedures by the DCANA for the recording and reporting of volcanic ash activities.	OPS	Before March 2009

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APPENDIX 3B-4-11

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION**

AUDIT FINDING OPS/11		
Please refer to Appendix 1B-4-11 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The DCANA has drafted a proposal for the amendment of the CARNA Part 8 for the inclusion of the requirement for crew briefings, and the inclusion of reviewing of the information contained in AIRAC's and AIC's during the flight preparation.	OPS	Before March 2009
The DCANA will amend existing procedures documented in the Inspector Guidance Manuals and Inspector Handbooks to ensure that the air operators have implemented procedures approved by the DCANA for the preparation and dissemination of the information contained in the AIRAC's, AIC's, and the conduct of briefings as an integral part of standard operating procedures (SOPs).	OPS	Before March 2009

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APPENDIX 3B-4-12

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION**

AUDIT FINDING OPS/12		
Please refer to Appendix 1B-4-12 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>The DCANA has adopted the procedure used by the FAA (US) as laid down in the Inspectors Handbook Order 8400.10 Volume 4, to check the method of determination of operating minima for aeroplane operators in the following areas:</p> <ul style="list-style-type: none"> - Air navigation & Communications; - All-weather Terminal Area Operations; - Airplane Performance and Airport Data; - Ground De-Icing and Anti-Icing Programs; - Low Visibility Taxi Operations 	OPS	Before December 2008

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APPENDIX 3B-4-13

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION**

AUDIT FINDING OPS/13		
Please refer to Appendix 1B-4-13 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The DCANA will establish under article 18.8.1 of the Regulation 2007 No. 38 the requirement for the air operator to retain the NOTOC on the ground for at least 3 months and to have it readily accessible to the aerodrome of last departure and next scheduled arrival for each flight on which dangerous goods are carried.	OPS/DG	Before March 2009
The DCANA will update the Dangerous Goods Inspectors Procedures Guidance Manual to incorporate the procedures to ensure that:		
a) the air operator authorized to transport dangerous goods has established adequate in-flight procedures for emergency response for aircraft incidents involving dangerous goods; and	OPS/DG	Before December 2008
b) the air operator has developed procedures to convey information to emergency services and appropriate authorities in the event of an incident or accident of an aircraft carrying dangerous goods.	OPS/DG	Before December 2008

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APPENDIX 3B-4-14

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION**

AUDIT FINDING OPS/14		
Please refer to Appendix 1B-4-14 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>The DCANA will establish, implement and maintain a surveillance policy worked out in the Dangerous Goods Inspector's Procedures Guidance Manual for auditing/ inspection of the aerodromes, operators, and any other agency which perform, on behalf of the operator, the act of accepting, handling, unloading, transferring or other processing of cargo.</p> <p>This policy will include the entities to be inspected, type of action (full or partial audit/ inspection), frequency of the actions, results of the actions, dates planned for the different actions, resources needed.</p> <p>Every first of December the schedule for the coming year will be presented to the Director for approval. The Dangerous Goods surveillance programme will be adjusted to incorporate the policy mentioned in the paragraph above.</p>	<p>OPS DG</p>	<p>Before March 2009</p>

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APPENDIX 3B-4-15

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION**

AUDIT FINDING OPS/15		
Please refer to Appendix 1B-4-15 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>The DCANA will establish in Regulation 2007 No. 38 under article 18.9 the following article:</p> <p>Initial and recurrent dangerous goods training programmes must be established and maintained by or on behalf of:</p> <ul style="list-style-type: none"> a) shippers of dangerous goods, including packers and persons or organizations undertaking the responsibilities of the shipper; b) operators authorized to carry dangerous goods by air; c) operators not authorized to carry dangerous goods by air; d) ground handling agencies which perform, on behalf of the operator, the act of accepting, handling, loading, unloading, transferring or other processing of cargo, mail or stores; e) ground handling agencies located at an airport which perform, on behalf of the operator, the act of processing passengers; f) agencies, not located at an airport, which perform, on behalf of the operator, the act of checking in passengers; g) freight forwarders; 	<p>OPS DG</p>	<p>Before March 2009</p>

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APPENDIX 3B-4-15 (CONT.)

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION**

CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>h) agencies engaged in the security screening of passengers and their baggage and/or cargo, mail or stores; and</p> <p>i) any other organization or agency involved in the transport of dangerous goods by air.</p> <p>Above-mentioned training programmes must be approved by the Directorate of Civil Aviation.</p> <p>The Directorate of Civil Aviation through Advisory Circulars will promulgate additional guidance material.</p>		

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APPENDIX 3B-4-16

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION**

AUDIT FINDING OPS/16		
Please refer to Appendix 1B-4-16 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The DCANA will develop enforcement procedures to be followed in case of violations related to the transport of dangerous goods by air. The relevant penalty clauses will also be reviewed.	DG	Before March 2009

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APPENDIX 3B-4-17

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION**

AUDIT FINDING OPS/17		
Please refer to Appendix 1B-4-17 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The Government Decree on Scheduled and Non-Scheduled Air Transport published in the Official Gazette of 2005 No. 37, article 6 paragraph 4 and 6, are the legal requirements that allow for monitoring of an air operator's financial condition.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The DCANA will amend the existing procedures documented in the Inspector Guidance Manuals and Inspector Handbooks with a process based system to ensure compliance with our oversight inspection schedule to ensure that all aircraft operations comply with national regulations and international standards.	OPS	
The DCANA will develop and implement a programme that will allow for the monitoring and determination of an air operator's financial condition through active analysis and evaluation of the information provided and the monitoring of unfavourable trends.	Director LEG	Before March 2009

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APPENDIX 3B-4-18

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION**

AUDIT FINDING OPS/18		
Please refer to Appendix 1B-4-18 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The DCANA OPS oversight surveillance programme has been amended with a more effective process based system that also includes the procedures for handling deficiencies identified during the conduct of inspections and the monitoring of follow-up actions regarding implementation of corrections addressing the deficiencies mentioned above.	OPS	Completed

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APPENDIX 3B-5-1

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIRWORTHINESS OF AIRCRAFT**

AUDIT FINDING AIR/01		
Please refer to Appendix 1B-5-01 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The DCANA will establish procedures and guidelines in its airworthiness procedures manual referring to CARNA Part 5 for modifications and repair to be approved.	AIR	Before December 2008
The aircraft holders and aircraft owners will be informed accordingly and have their procedures manuals amended and approved by the DCANA accordingly.	AIR	Before December 2008
The DCANA will ensure that aircraft owner/holder updates its administration with the modifications and repairs in the aircraft administration.	AIR	Before December 2008

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APPENDIX 3B-5-2

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIRWORTHINESS OF AIRCRAFT**

AUDIT FINDING AIR/02		
Please refer to Appendix 1B-5-02 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The DCANA will develop and implement procedures for the reporting of unapproved parts to the Type Certificate Holders and Regulatory Agencies in its airworthiness procedures manual.	AIR	Before January 2009
The DCANA will develop industry guidelines and supervise the relevant implementation for proper usage of parts removed from aircraft not longer in service and the disposal of scrapped parts and ensures that these guidelines will be adopted and applied by aircraft holders and aircraft owners.	AIR	Before January 2009

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APPENDIX 3B-5-3

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIRWORTHINESS OF AIRCRAFT**

AUDIT FINDING AIR/03		
Please refer to Appendix 1B-5-03 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The DCANA will amend and approve the developed procedure and checklist in the AIH Section One Chapter 4, to encompass all the items as described in the ICAO guidance material.	AIR	Before December 2008
The DCANA will ensure that the aircraft holder and aircraft owners maintenance procedures manual (as far as required) encompasses also all the items as described in the ICAO guidance material.	AIR	Before December 2008

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APPENDIX 3B-5-4

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIRWORTHINESS OF AIRCRAFT**

AUDIT FINDING AIR/04		
Please refer to Appendix 1B-5-04 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The DCANA Director will evaluate availability and furnish the Airworthiness Inspectors with hard copies or direct on line internet access to all necessary airworthiness documents with the subscription service (where applicable) for the aircraft types registered in the Netherlands Antilles in the centralized library accessible to all inspectors.	AIR/DIR	Before April 2009

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APPENDIX 3B-5-5

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIRWORTHINESS OF AIRCRAFT**

AUDIT FINDING AIR/05		
Please refer to Appendix 1B-5-05 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The DCANA will amend and approve said established policy and procedures manual to reflect the coordination of action(s) with the State of Design and in doing so meet among other things the reporting obligations in accordance with CARNA Part 5.	AIR	Before December 2008

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APPENDIX 3B-6-1

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION**

AUDIT FINDING AIG/01		
Please refer to Appendix 1B-6-01 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>The Netherlands Antilles has introduced provisions in its draft Civil Aviation Regulations Netherlands Antilles (CARNA) PART 13 that will replace the Decree No. 76 of 28 February of 1938 and which will be in compliance with ICAO Annex 13, to ensure that:</p> <p>a) all aircraft accident and serious incidents are investigated by an authority which is independent in the conduct of its investigations;</p> <p>b) the only objective of investigations is the prevention of accidents and incidents; and</p> <p>c) the investigation remains separate from any administrative or judicial proceeding that may apportion blame or liability.</p>	DCANA AIG	<p>A. Before March 2009</p> <p>B. Before March 2009</p> <p>C. Before March 2009</p>

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APPENDIX 3B-6-2

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION**

AUDIT FINDING AIG/02		
Please refer to Appendix 1B-6-02 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>The Netherlands Antilles has introduced provisions in its draft Civil Aviation Regulations Netherlands Antilles (CARNA) PART 13 that will replace the Decree No. 76 of 28 February of 1938 and form the comprehensive legal and regulatory framework to enable the conduct of aircraft accidents and serious incident investigations in compliance with ICAO Annex 13</p> <p>a) to grant the necessary powers to the investigators;</p> <p>b) to protect from disclosure the elements listed in paragraph 5.12 of ICAO Annex 13;</p> <p>c) to permit the participation of accredited representatives of all the States concerned (as per ICAO Annex 13) in the investigations conducted by the Netherlands Antilles;</p> <p>d) to re-open an investigation when new and significant evidence becomes available.</p>	DCANA AIG	<p>A. Before March 2009</p> <p>B. Before March 2009</p> <p>C. Before March 2009</p> <p>D. Before March 2009</p>

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APPENDIX 3B-6-3

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION**

AUDIT FINDING AIG/03		
Please refer to Appendix 1B-6-03 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>a) The Netherlands Antilles will establish the internal structure, including reporting lines, of its investigation authority;</p> <p>b) The Netherlands Antilles will define the respective functions of the DCANA experts seconded to the investigation, and of the members of the investigation authority (Netherlands Antilles Aviation Safety Board NAASB that conducts the investigation);</p> <p>c) The Netherlands Antilles has introduced provisions in its draft Civil Aviation Regulations Netherlands Antilles (CARNA) PART 13 that will replace the Decree No. 76 of 28 February of 1938, to ensure that technical staff from the DCANA or experts from any other organization in the State that are seconded for an aircraft accident or serious incident investigation, are not in a situation of possible conflict of interest; and</p> <p>d) Provide investigator credentials to the relevant staff (in particular to the DCANA experts seconded to the investigation) and means to clarify the proper delegation of authority to the various participants in the investigation.</p>	DCANA AIG	<p>A. Before April 2009</p> <p>B. Before April 2009</p> <p>C. Before March 2009</p> <p>D. Before March 2009</p>

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APPENDIX 3B-6-3 (CONT.)

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION**

CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>The Netherlands Antilles has introduced provisions in its draft Civil Aviation Regulations Netherlands Antilles (CARNA) PART 13 that will replace the Decree No. 76 of 28 February of 1938 in order for the Minister of Traffic and Transport to be able to issue investigator credentials to the relevant staff (in particular to the DCANA experts seconded to the investigation) and means to clarify the proper delegation of authority to the various participants in the investigation.</p>		

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APPENDIX 3B-6-4

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION**

AUDIT FINDING AIG/04		
Please refer to Appendix 1B-6-04 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Formal arrangements will be made with the Netherlands Antilles airport authorities and third parties to ensure that a secured place or storage facility would be available at each airport in the Netherlands Antilles, if needed by the investigators, to maintain safe custody of the wreckage for the necessary duration. In addition the DCANA has some storage capacity available at its premises for smaller parts if needed.	DCANA AIG	Before April 2009

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APPENDIX 3B-6-5

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION**

AUDIT FINDING AIG/05		
Please refer to Appendix 1B-6-05 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
a) The DCANA is in the process of ordering the necessary investigation and protective equipment for its technical staff that carries out investigation tasks.	DCANA AIG	A: Before April 2009
b) The DCANA has established procedures in its Aviation Accident, Serious Incident and Incident Investigation Handbook to ensure that investigation field kits and essential personal items are readily available for the technical staff to proceed without delay to the accident site.		B. Before April 2009

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APPENDIX 3B-6-6

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION**

AUDIT FINDING AIG/06		
Please refer to Appendix 1B-6-06 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>The Netherlands Antilles has established training requirements for its technical staff in the Aviation Accident, Serious Incident and Incident Investigation Handbook.</p> <p>The DCANA will establish and maintain a training schedule in accordance with the training requirements for each technical staff member that can be seconded to carry out investigation.</p> <p>Training files will be established and maintained for all technical staff members carrying out investigation tasks in the Netherlands Antilles.</p>	DCANA AIG	Before 1 January 2009

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APPENDIX 3B-6-7

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION**

AUDIT FINDING AIG/07		
Please refer to Appendix 1B-6-07 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>a) The Aviation Accident, Serious Incident and Incident Investigation Handbook will be revised to provide the necessary guidance and instructions to the staff carrying out investigation tasks.</p> <p>b) To assure that all necessary steps and requirements are covered during the course of an investigation, check lists will be developed and incorporated as an appendix to the Aviation Accident, Serious Incident and Incident Investigation Handbook.</p> <p>c) The procedure manual for aviation accident and incident investigation will be approved and signed by the appropriate authorities.</p>	<p>DCANA AIG</p>	<p>A. Before March 2009</p> <p>B. Before April 2009</p> <p>C. Before April 2009</p>

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APPENDIX 3B-6-8

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION**

AUDIT FINDING AIG/08		
Please refer to Appendix 1B-6-08 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
ICAO has been provided with a telephone number	DCANA	Completed

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APPENDIX 3B-6-9

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION**

AUDIT FINDING AIG/09		
Please refer to Appendix 1B-6-09 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>The Netherlands Antilles will establish, implement and maintain the necessary policies, procedures and guidelines to ensure:</p> <p>a) the immediate reception and processing of aircraft accident and incident notifications forwarded within the State or from other States, during office and out-of-office hours; and</p> <p>b) the effective and timely forwarding of aircraft accident and serious incident notifications to the States concerned and, when applicable, to ICAO.</p>	DCANA AIG	<p>A) Before April 2009</p> <p>B) Before April 2009</p>

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APPENDIX 3B-6-10

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION**

AUDIT FINDING AIG/10		
Please refer to Appendix 1B-6-10 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
In April 2008 the DCANA introduced the Aviation Accident, Serious Incident and Incident Investigation Handbook. This handbook will be revised and completed.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
a) The Netherlands Antilles will revise and complete the Aviation Accident, Serious Incident and Incident Investigation Handbook with the necessary policies, procedures or guidelines regarding the conduct of aircraft and serious incident investigations occurred in Netherlands Antilles.	DCANA AIG	A: Before April 2009
b) The Netherlands Antilles has introduced provisions in its draft Civil Aviation Regulations Netherlands Antilles (CARNA) PART 13 and the necessary policies, procedures or guidelines for the participation of the representatives from the Netherlands Antilles in aircraft accident and serious incident investigations conducted by other States when the Netherlands Antilles is involved as the State of Registry or the State of the Operator.		B: Before March 2009

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APPENDIX 3B-6-11

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION**

AUDIT FINDING AIG/11		
Please refer to Appendix 1B-6-11 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>The Netherlands Antilles has introduced provisions in its draft Civil Aviation Regulations Netherlands Antilles (CARNA) PART 13 to ensure that autopsy examinations and medical examination of flight crew, passengers and involved aviation personnel will be carried out when needed</p> <p>The Netherlands Antilles will ensure that formal arrangements are made:</p> <p>a) to facilitate coordination between the investigator-in charge (IIC) and the judicial authorities;</p> <p>b) to carry out autopsy examinations when needed for the investigation; and</p> <p>c) to perform medical examination of flight crew, passengers and involved aviation personnel when needed.</p>	DCANA AIG	<p>Before March 2009</p> <p>A: Before April 2009</p> <p>B: Before April 2009</p> <p>C: Before April 2009</p>

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APPENDIX 3B-6-12

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION**

AUDIT FINDING AIG/12		
Please refer to Appendix 1B-6-12 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The Netherlands Antilles has introduced provisions in its draft Civil Aviation Regulations Netherlands Antilles (CARNA) PART 13 and in its Aviation Accident, Serious Incident and Incident Investigation Handbook, policies and procedures regarding the completion and release of final reports, the issuance of safety recommendations, and the completion and forwarding of preliminary and data reports as required by ICAO Annex 13, Chapter 7.	DCANA AIG	Before March 2009

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APPENDIX 3B-6-13

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION**

AUDIT FINDING AIG/13		
Please refer to Appendix 1B-6-13 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The Netherlands Antilles will introduce: A) provisions in its draft Civil Aviation Regulations Netherlands Antilles (CARNA) PART 13 and B) establish procedures in the Aviation Accident, Serious Incident and Incident Investigation Handbook, to prevent circulation, publication or unauthorized access to draft report or any part thereof or to any documents obtained during an investigation, without the express consent of the state which conducted the investigation, unless such reports or documents have been already published or released by said state	DCANA AIG	A) Before March 2009 B) Before April 2009

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APPENDIX 3B-6-14

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION**

AUDIT FINDING AIG/14		
Please refer to Appendix 1B-6-14 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The Netherlands Antilles will revise and complete its Aviation Accident, Serious Incident and Incident Investigation Handbook with procedures to ensure that a State which has issued a safety recommendation to the Netherlands Antilles will be informed, in a timely manner, of the preventive action that the Netherlands Antilles has taken, the action under consideration, or the reason why no action will be taken.	DCANA AIG	Before April 2009

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APPENDIX 3B-6-16

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION**

AUDIT FINDING AIG/16		
Please refer to Appendix 1B-6-16 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
A) The Netherlands Antilles will establish a voluntary incident reporting system, covering all civil aviation activities, in order to facilitate the collection of safety information that may not otherwise have been captured by a mandatory incident reporting system. B) For that purpose, the Netherlands Antilles will introduce provisions in its draft Civil Aviation Regulations Netherlands Antilles (CARNA) PART 13 to ensure that the voluntary incident reporting system is non-punitive and that the sources of information are protected, as required by ICAO Annex 13.	DCANA AIG	A) Before 1 July 2009 B) Before March 2009

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APPENDIX 3B-7-1

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIR NAVIGATION SERVICES**

AUDIT FINDING ANS/01		
Please refer to Appendix 1B-7-01 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The DCANA will establish, implement and maintain an ANS Inspection Manual referred to as "ATM/CNS Regulation and Implementation Guidance Manual" focused on: Procedures for the formulation and distribution of guidance material on air navigation regulations to air navigation service providers and operators. The Director will evaluate the ANS Inspection Manual for approval.	DCA	Before August 2009

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APPENDIX 3B-7-2

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIR NAVIGATION SERVICES**

AUDIT FINDING ANS/02		
Please refer to Appendix 1B-7-02 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>The DCANA will amend PB 2006 no. 11 in order to establish processes to ensure collection of and dissemination of safety critical information in an effective and efficient manner.</p> <p>The DCANA will ensure that ANSPS, including ATS, CNS, ADS, SAR, MET include the processes for the collection and dissemination of safety critical information in their respective operation manuals.</p> <p>The amended operation manuals must be submitted for approval by Director</p>	DCA	Before March 2009

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APPENDIX 3B-7-3

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIR NAVIGATION SERVICES**

AUDIT FINDING ANS/03		
Please refer to Appendix 1B-7-03 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>The DCANA will implement and maintain an effective safety oversight system of all ANS providers in the Netherlands Antilles by ensuring:</p> <ul style="list-style-type: none"> a. an enhanced training curriculum and training program for ATS inspectors, including development of functions, job descriptions, and minimum qualifications requirements; b. by forming implementing and maintaining a competent network between the Netherlands Antilles, Aruba and the Netherlands so as to ensure a better mobility of inspectors and an increased inspectors pool c. providing the necessary training to the ATS inspectorate staff to facilitate the development of a manual/handbook for the ANS inspectorate staff that also incorporates applicable procedures for all functional areas to be covered. 	DCA	<p>February 2009</p> <p>Nov. 2008</p> <p>January 2009</p> <p>July 2009</p>

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APPENDIX 3B-7-4

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIR NAVIGATION SERVICES**

AUDIT FINDING ANS/04		
<p>Please refer to Appendix 1B-7-04 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.</p>		
STATE'S COMMENTS AND OBSERVATIONS*		
<p>The DCA concurs with the finding of the ICAO audit team.</p> <p>Air Navigation Service providers of the N.A. are required to produce an annual plan (see appendix B PB 2006 no. 11). The annual plan shall cover at least capacity.</p> <p><i>The requirement is to provide a description of the methodology, tools and inputs in determining infrastructure capacity, including the basis of forecasts employed, as well as any underlying assumption regarding airspace.</i></p>		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>The DCANA will produce and publish guidance material for the Air Navigation Service provider, including an instruction for Air Navigation service providers to comply with the specifications laid down in PB 2006 no. 11 within a 6-month time frame.</p> <p>The DCANA will ensure that ANSPs of the N.A. include and implement the specifications for the determination of their service capacity in their respective manuals.</p> <p>The amendment/revision of the operation manuals must be submitted for approval to DCANA</p>	<p>ANS</p>	<p>April 2009</p>

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APPENDIX 3B-7-5

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIR NAVIGATION SERVICES**

AUDIT FINDING ANS/05		
Please refer to Appendix 1B-7-05 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>The DCANA will ensure that the contingency plans are produced in accordance with PB 2006 no. 11 for implementation in the event of disruption or potential disruption of ATS or related are submitted to DCANA for approval and subsequently</p> <p>The DCANA will ensure that ATS providers include the contingency plans in their respective operations manuals.</p>	ANS	March 2009

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APPENDIX 3B-7-6

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIR NAVIGATION SERVICES**

AUDIT FINDING ANS/06		
Please refer to Appendix 1B-7-06 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
Article 35 of PB 2006 no. 11 specifies the necessary steps to be taken by air traffic control in case of a strayed aircraft. Article 36 of PB 2006 no. 11 specifies the steps to be taken in case of an unidentified aircraft.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The DCANA will instruct air navigation service providers to revise the ATS Operational Manual to include procedures to assist and to safeguard strayed or unidentified aircraft in accordance with the above mentioned articles. The DCANA will ensure compliance.	ANS	February 2009

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APPENDIX 3B-7-7

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIR NAVIGATION SERVICES**

AUDIT FINDING ANS/07		
Please refer to Appendix 1B-7-07 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The DCANA will ensure that ATC contingency procedures are established for:	ANS	March 2009
a) Radio communication contingencies;		
b) Emergency separation;		
c) Short-term conflict alert (STCA); and		
d) Minimum safe altitude warning (M SAW). Whereby the procedures laid down in Doc 4444 (Government Decree on Air Traffic P.B. 2006 No. 11) are followed.		
The DCANA will provide guidance material covering all the contingency measures indicated including an instruction of implementation target date to be complied with by air navigation service providers. The contingency measures must be subjected to the DCANA and subsequently included in the ATC Operational Manual for approval.		

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APPENDIX 3B-7-8

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIR NAVIGATION SERVICES**

AUDIT FINDING ANS/08		
<p>Please refer to Appendix 1B-7-08 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.</p>		
STATE'S COMMENTS AND OBSERVATIONS*		
<p>The DCANA concurs with the finding of the ICAO audit team.</p>		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>The DCANA will establish and implement a safety programme, in order to continually improve the safety level of ANSPS. This plan will include:</p> <ul style="list-style-type: none"> a. Enhanced monitoring of overall safety levels. b. Directives to ANSPS to improve incident investigation results and detection of any trend c. Safety reviews of ATS units d. SMS requirement for all ANSPS e. SMS gap analysis against PB 2006 No. 11 and directives issued by DCA. 	AN	May 2009
<p>Government Decree on Air Traffic (PB 2006 No. 11) requires ANSPS to implement a safety management system. In order to implement these requirement minimum SMS specifications will be developed by the DCANA and enacted by Ministerial Decree.</p>		May 2009
<p>The DCANA will include guidance material for SMS implementation in the ATM/CNS Regulation and Implementation Guidance Manual</p>		May 2009
<p>The ANSPS shall amend their Operational Manual accordingly and subsequently submit these manuals to the DCANA for approval.</p>		

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APPENDIX 3B-7-9

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIR NAVIGATION SERVICES**

AUDIT FINDING ANS/09		
Please refer to Appendix 1B-7-09 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>The DCANA will establish and implement a runway safety programme.</p> <p>The DCANA's action plan will focus on common contributory and causal factors relating to runway incursions, in particular those relating to ineffective communications. Consequently improving communications will be a matter of priority.</p> <p>The DCANA will establish a working group in which all organizations on the airside of aerodromes will be involved. This working group will analyse both incidents on the aerodrome as well as lessons learnt from shared incidents of other aerodromes and ATC units.</p> <p>The objective of this working group will be to produce recommendations based on the best practice to increase runway safety.</p> <p>The DCANA will take these recommendations into considerations when developing provisions for the establishing and implementing of runway safety programmes.</p> <p>The working group will also be tasked to try to establish one effective information resource, guaranteeing unambiguous, timely and reliable data.</p>	ANS	February 2009

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APPENDIX 3B-7-9 (CONT.)

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIR NAVIGATION SERVICES**

CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p><i>Adopted procedures</i> by the DCNA regarding radio telephony, phraseology, language proficiency, ATC procedures, standard and performance requirements for equipment, the production and use of aerodrome charts, operational aspects, situational awareness and human factors will be required by means of a Ministerial decree making use of article 59 of PB 2006 no. 11</p> <p>The relevant guidance material will be included in: “ATM/CNS Regulation and Implementation Guidance Manual”</p>		

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APPENDIX 3B-7-10

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIR NAVIGATION SERVICES**

AUDIT FINDING ANS/10		
Please refer to Appendix 1B-7-10 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
DCANA will draft an amendment to Art 74 of PB 2006 no 11 to ensure that DOC 8168 serves as basis for procedure design in the Netherlands Antilles. The DCANA will amend the inspector's manual and guidance material accordingly.	ANS	July 2009

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APPENDIX 3B-7-11

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIR NAVIGATION SERVICES**

AUDIT FINDING ANS/11		
Please refer to Appendix 1B-7-11 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The DCANA will require AIS service providers to develop and implement training programmes for the AIS technical staff in accordance with guidelines to be incorporated in AIS regulation and implementation guidance material manual. These training programmes must be submitted to the DCANA for approval.	ANS	July 2009

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APPENDIX 3B-7-12

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIR NAVIGATION SERVICES**

AUDIT FINDING ANS/12		
Please refer to Appendix 1B-7-12 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The DCANA will require the AIS provider responsible for the production and distribution of the AIP of the Netherlands Antilles to produce an action plan detailing the stages toward the full implementation of the provisions laid down in annex 15 and Document 8126 before July 2009.	ANS	July 2009

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APPENDIX 3B-7-13

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIR NAVIGATION SERVICES**

AUDIT FINDING ANS/13		
Please refer to Appendix 1B-7-13 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS		
No comments were submitted by the State.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>The DCANA will ensure that a properly organized quality system is established for AIS in order to address the provisions of ICAO Annex 15 with regard to the accuracy, integrity, traceability and timeliness of data. Government Decree on Air Traffic (PB 2006 no. 11) requires among other things the following:</p> <p>A provider of air navigation services shall establish and maintain a quality management system which covers all air navigation services it provides according to the following principles:</p> <ul style="list-style-type: none"> (a) it shall define the quality policy with a view to meet the users' requirements; (b) it shall set up a quality assurance program that contains procedures designed to verify that all operations are being conducted in accordance with applicable requirements, standards and procedures; (c) it shall provide evidence of the functioning of the quality system by means of manuals and monitoring documents; (d) it shall appoint management representatives to monitor compliance with, and adequacy of, procedures to ensure safe and efficient operational practices. 	ANS	July 2009

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APPENDIX 3B-7-13 (CONT.)

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIR NAVIGATION SERVICES**

CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<ul style="list-style-type: none">- The DCANA will develop specific guidance material in respect of quality assurance for AIS and procedures for compliance with Annex 4 and Annex 15 (Government Decree on Air Traffic PB 2006 no. 11).- The DCANA will ensure that the AIS service providers revise their Operational Manual and subsequently submit these manuals for approval by the DCANA.		

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APPENDIX 3B-7-14

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIR NAVIGATION SERVICES**

AUDIT FINDING ANS/14		
Please refer to Appendix 1B-7-14 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<ul style="list-style-type: none">- Government Decree on Air Traffic (PB 2006 no. 11) requires that aeronautical charts are produced in accordance with specifications laid down in Annex 4 and Document 8697 and distributed in accordance with Annex 15. - In this framework the DCANA will develop and incorporate procedures and guidance for the DCANA inspectors responsible for oversight in this field in the Inspectors Manual. - The DCANA will ensure that the AIS providers revise their Operational Manual and subsequently submit these manuals for approval by the DCANA.	ANS	July 2009

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APPENDIX 3B-7-15

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIR NAVIGATION SERVICES**

AUDIT FINDING ANS/15		
Please refer to Appendix 1B-7-15 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The Government Decree on Air Traffic (PB 2006 No. 11) contains the basic requirements for navigation aids with regard to integrity, accuracy, range, functionality, maintenance etc (article 64) as specified in Annex 10.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
1) The DCANA will evaluate whether the necessity exists for a Ministerial detailing the requirements for periodical flight inspections and how to deal with the results of flight inspections. 2) The DCANA will ensure that the Air Traffic Services Providers and Aerodrome authorities revise/amend their Operational Manuals accordingly and submit these manuals for approval by the DCANA.	ANS	February 2009

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APPENDIX 3B-7-16

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIR NAVIGATION SERVICES**

AUDIT FINDING ANS/16		
Please refer to Appendix 1B-7-16 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>The DCANA will ensure that the entity providing aeronautical telecommunication service will include as part of its quality assurance programme a training program for its technical staff.</p> <p>The Quality Assurance Programme including the training programme must be submitted to the DCANA for approval. The DCANA will see to it that the training programme/training schedule is implemented and maintained.</p>	ANS	February 2009

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APPENDIX 3B-7-17

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIR NAVIGATION SERVICES**

AUDIT FINDING ANS/17		
Please refer to Appendix 1B-7-17 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The DCANA will urge ATS to finalize the existing draft agreement regarding the requirement for Met services, in collaboration with the MET authorities, for the establishment of a formal agreement.	ANS	December 2008

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APPENDIX 3B-7-18

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIR NAVIGATION SERVICES**

AUDIT FINDING ANS/18		
Please refer to Appendix 1B-7-18 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The DCANA will ensure, that the Designated Meteorological Authority (The Meteorological Service of the Netherlands Antilles), as mentioned in PB 2003, No 59 (<i>Landsverordening Meteorologische Dienst</i>), establishes an oversight mechanism in order to ensure that the meteorological services provided for international air navigation are adequate and in accordance with the requirements of ICAO Annex 3.	DCANA	July 2009

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APPENDIX 3B-7-19

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIR NAVIGATION SERVICES**

AUDIT FINDING ANS/19		
Please refer to Appendix 1B-7-19 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Government Decree on Air Traffic (Appendix B) requires the MDNAA being a provider of Air Navigation Services to establish and maintain a quality management system, which complies with the provisions indicated. The DCANA will ensure that the MDNAA produces and submit a quality manual to the DCANA for approval. The DCANA will ensure that the Quality Manual is implemented and maintained.	DCANA	August 2009

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APPENDIX 3B-7-20

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIR NAVIGATION SERVICES**

AUDIT FINDING ANS/20		
Please refer to Appendix 1B-7-20 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The DCANA will ensure that the training programme will be implemented.	DCANA	May 2009

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APPENDIX 3B-7-21

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIR NAVIGATION SERVICES**

AUDIT FINDING ANS/21		
Please refer to Appendix 1B-7-21 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The DCANA will ensure that the provisions regarding the transmission of special air reports, including those on volcanic ash, are included in the Quality Manual of the MDNAA, which will be submitted to the DCANA for approval.	DCANA	NOV 2009

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APPENDIX 3B-7-22

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIR NAVIGATION SERVICES**

AUDIT FINDING ANS/22		
Please refer to Appendix 1B-7-22 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The DCANA will ensure that the MDNAA in consultation with the ATS authority establishes the criteria for special observations. These criteria will be laid down in the agreement between these authorities.	DCANA	Dec 2008

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APPENDIX 3B-7-23

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIR NAVIGATION SERVICES**

AUDIT FINDING ANS/23		
Please refer to Appendix 1B-7-23 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The DCANA will establish regulations in accordance with annex 12 and establish procedures in collaboration with SAR authorities for their implementation. The DCANA will draft in coordination with the other Parties in the Kingdom, regulations to be enacted as CARNA Part 12 SAR, which will contain the requirements of ICAO Annex 12.	LEG	December 2009

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APPENDIX 3B-7-24

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIR NAVIGATION SERVICES**

AUDIT FINDING ANS/24		
Please refer to Appendix 1B-7-24 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The Netherlands Antilles will encourage consultation between Parties in the Kingdom of the Netherlands to correct this finding.		

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APPENDIX 3B-7-25

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AIR NAVIGATION SERVICES**

AUDIT FINDING ANS/25		
Please refer to Appendix 1B-7-25 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The DCANA will ensure that the designated SAR point of contact for the receipt of Cospas – Sarsat distress will be Published in the AIP of the Netherlands Antilles.	DCANA	February 2009

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APPENDIX 3B-8-1

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AERODROMES**

AUDIT FINDING AGA/01		
Please refer to Appendix 1B-8-01 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team. All international aerodromes of the Netherlands Antilles for which no restrictions apply regarding aircraft operations, except the aerodrome at St. Eustatius, have been subjected to the certification process referred to in PB 2003 no. 56.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
1) The DCANA will urge the Management of the Airport of St. Eustatius to submit its application for certification and a certification plan in accordance with DCA procedures in order to start the certification process.	AGA	Before November 2008
2) The DCANA will continue furnishing the necessary guidance to the Flamingo International Airport, Bonaire, to enhance its efforts to become operational ready in order to re-apply for certification.		On-going

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APPENDIX 3B-8-2

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AERODROMES**

AUDIT FINDING AGA/02		
<p>Please refer to Appendix 1B-8-02 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.</p>		
STATE'S COMMENTS AND OBSERVATIONS*		
<p>The DCANA held presentations for aerodrome management on the various islands of the Netherlands Antilles regarding the requirements for aerodrome certification within the Netherlands Antilles. Further more the DCANA headed a committee which focussed on the design of aerodrome manuals for the different airports in the Netherlands Antilles. This committee met on a monthly basis discussing items and operational procedures to be included in the respective aerodrome manuals of airports. As a result of this the airports of Bonaire, Curacao and St. Maarten presented adequate aerodromes manuals in the format required by our national regulation together with an application for an aerodrome certification Based on the above the DCANA does not concur with the finding under point "f".</p> <p>The national regulation contains procedures for the initial review, amendment and approval of the aerodrome manual. Further more in the respective aerodrome manuals the amendment process and the approval of the aerodrome manual are laid down. The DCANA therefore can not agree with the finding pointed out under point a.</p>		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>1. The DCANA will ensure that procedures and guidance material with regard to the subjects mentioned under a to h will be developed and included in the Inspectors manual.</p> <p>2. The DCANA will ensure that the aerodrome authorities revise/amend their Operational Manual to include procedures with regard to the subjects mentioned under a to h. These manuals must be submitted to the DCANA for approval.</p>	<p>AGA</p>	<p>Before June 2009</p>

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APPENDIX 3B-8-3

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AERODROMES**

AUDIT FINDING AGA/03		
Please refer to Appendix 1B-8-03 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
<p>The DCANA concurs with the finding of the ICAO audit team.</p> <p>It must be observed however that A CHECK LIST IS INCLUDED AS APPENDIX 4 IN THE DCANA AERODROME CERTIFICATION PROGRAM MANUAL.</p>		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>The DCANA will amend the Aerodrome Manual to include:</p> <ol style="list-style-type: none"> 1. referral to State entities for clearance by said entities in accordance with article 4.3.3 of Document 9774 AN/969 where appropriate 2. coordination with the local ATS authority. 	AGA	Before Dec. 2008

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APPENDIX 3B-8-4

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AERODROMES**

AUDIT FINDING AGA/04		
Please refer to Appendix 1B-8-04 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<ul style="list-style-type: none">- The DCANA will amend the Aerodrome Certification Program Manual to include the instruction to always have on file an up to date copy of all aerodrome manuals. - The DCANA will ensure the aerodrome operators revise/amend the aerodrome manuals to include the obligation for periodic reviews to check amendment status and correctness of information in these manuals.	AGA	Before March 2009

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APPENDIX 3B-8-5

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AERODROMES**

AUDIT FINDING AGA/05		
Please refer to Appendix 1B-8-05 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The DCANA will establish a quality system for ensuring that the accuracy, integrity and protection requirements for the aeronautical data reported by the aerodrome operator are met throughout the data transfer process	AGA	Before March 2009

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APPENDIX 3B-8-6

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AERODROMES**

AUDIT FINDING AGA/06		
Please refer to Appendix 1B-8-06 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<ol style="list-style-type: none">1. The DCANA will draft an amendment to CARNA Part 14 (Aerodromes) to include minimum friction levels for reporting to ATC and AIS and maintenance friction level below which maintenance action shall be performed.2. The DCANA will amend the Aerodrome Certification Program Manual accordingly.3. The DCANA will ensure that the aerodrome operators amend their aerodrome manuals to include provisions regarding minimum friction levels and maintenance friction levels in accordance with CARNA Part 14 as amended.4. The aerodrome operators must submit the aerodrome manuals for approval.	AGA	before November 2008

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APPENDIX 3B-8-7

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AERODROMES**

AUDIT FINDING AGA/07		
Please refer to Appendix 1B-8-07 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
1) The DCANA will ensure that the aerodrome operators establish adequate plans for the arrangements for the designation of coordinators and the rapid availability and deployment of salvage and removal equipment. 2) The DCANA will ensure that aerodrome operators include the plans for removal of disabled aircraft in their respective Aerodrome Manuals and subsequently submit these amendments to the DCANA for approval.	AGA	Before January 2009

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APPENDIX 3B-8-8

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AERODROMES**

AUDIT FINDING AGA/08		
Please refer to Appendix 1B-8-08 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
1) The DCANA will ensure that the aerodrome operators comply with the RESA requirements of CARNA Part 14. 2) Where the standards for RESA in accordance with CARNA Part 14 have not been implemented yet, the DCANA will ensure that the runway surroundings are kept free of obstacles by the aerodrome operators.	AGA	Before March 2009

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APPENDIX 3B-8-9

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AERODROMES**

AUDIT FINDING AGA/09		
Please refer to Appendix 1B-8-09 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
All aerodromes within the Netherlands Antilles have primary and secondary power supplies available. The aerodromes have preventive maintenance and testing programmes in place. CARNA Part 14 provides for requirements regarding the design, construction and modification of aerodrome facilities and the safe operation of aerodromes.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The DCANA will amend the Aerodrome Certification Program Manual to include procedures for evaluation of aerodrome design, construction and modification. The DCANA will ensure that aerodrome operators revise/amend their Aerodrome Manuals to include the obligation to submit their plans in this respect to the DCANA for approval.	DCANA	Before December 2008.

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APPENDIX 3B-8-10

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AERODROMES**

AUDIT FINDING AGA/10		
Please refer to Appendix 1B-8-10 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
CARNA Part 14 contains requirement for lighting, signs and markings. The DCANA will ensure that the aerodrome operators comply with these requirements. The DCANA will ensure that the airport operators establish, implement and maintain an adequate runway safety programme. The DCANA will provide guidance to the airport operators for the implementation of such programme. The amendments to the runway safety programme must be submitted to the DCANA for approval.	AGA	Before February 2009

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APPENDIX 3B-8-11

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AERODROMES**

AUDIT FINDING AGA/11		
Please refer to Appendix 1B-8-11 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>The DCANA work with governments of the different islands for the establishment of obstacle limitation surfaces which are at least in conformance with the specifications of CARNA Part 14.</p> <p>The DCANA will ensure that aerodrome operators comply with the frangibility and height restriction requirements for equipment or installation located near or on a runway as well as on the non-graded portion of a runway strip.</p> <p>DCANA will ensure that the aerodrome operators include in the Aerodrome Manual requirements to guarantee that fixed objects do not protrude the obstacle limitation surfaces referred to in CARNA Part 14. These amendments of the Aerodrome Manual must be approved by the DCANA.</p>	DCANA	<p>Before August 2009</p> <p>Before December 2008</p>

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APPENDIX 3B-8-12

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AERODROMES**

AUDIT FINDING AGA/12		
Please refer to Appendix 1B-8-12 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
1) The DCANA will include in the Aerodrome Certification Program Manual procedures for the evaluation of actions taken by the aerodrome operators with regard to non-aeronautical lights which could pose a hazard to aircraft. 2) The DCANA will ensure that the aerodrome operators revise/amend the Aerodrome Manual to include procedures to extinguish, screen or otherwise modify non-aeronautical lights which could present a hazard to aircraft and procedures to define performance levels for visual aids as part of their preventive maintenance measures in accordance with CARNA Part 14. These amendments must be submitted to the DCANA for approval.	AGA	Before March 2009

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APPENDIX 3B-8-13

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AERODROMES**

AUDIT FINDING AGA/13		
Please refer to Appendix 1B-8-13 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<ol style="list-style-type: none">1. The DCANA will revise/amend the Aerodrome Certification Program Manual to include the requirement to ensure that aerodrome operators include human factor principles, coordination of specialist rescue services and periodic testing in accordance with CARNA Part 14 when developing aerodrome emergency plans.2. The DCANA will ensure that the aerodrome operators revise/amend the Aerodrome Manual to include human factor principles, periodic testing in accordance with CARNA Part 14 and coordination of specialist rescue services when developing aerodrome emergency plans.3. These amendments must be submitted to the DCANA for approval.	AGA	Before December 2008

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APPENDIX 3B-8-14

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AERODROMES**

AUDIT FINDING AGA/14		
Please refer to Appendix 1B-8-14 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<ol style="list-style-type: none"> 1. The DCANA will amend the Aerodrome Certification Program Manual to include the requirement to ensure that training programmes of the Airport Fire Fighting Services are in compliance with CARNA Part 14 including the requirement for live fire training in pressure fed fuel fires. 2. The DCANA will amend the Aerodrome Certification Program Manual to include the requirement to ensure that the approved training programmes and training schedules are carried out. 3. The DCANA will ensure that the aerodrome operators amend their Aerodrome Manuals to include the requirement to establish and execute a training programme in accordance with CARNA Part 14 including the requirement for live fire training in pressure fed fuel fires. 4. The aerodrome operators must submit these amendments to the DCANA for approval. 	AGA	Before March 2009

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APPENDIX 3B-8-15

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AERODROMES**

AUDIT FINDING AGA/15		
Please refer to Appendix 1B-8-15 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>1. All the aerodrome operators in the Netherlands Antilles will conduct a bird strike hazard assessment in accordance with CARNA Part 14 and submit the results before 15 December 2008.</p> <p>2. The DCANA will evaluate the assessment results in order to determine the necessity for aerodrome operators to implement and maintain mitigation measures using Airport Service Manual Part 3 as their basic guideline, The DCANA will ensure that aerodrome operators comply with notification to ATC and AIS. The adopted measures must be included in the Aerodrome Manual and submitted to DCANA for approval. The DCANA will continue to monitor the effectiveness of the mitigation process applied by individual aerodromes. The DCANA will submit bird strike reports to IBIS.</p>	AGA	<p>Before January 2009</p> <p>Before February 2009</p>

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APPENDIX 3B-8-16

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AERODROMES**

AUDIT FINDING AGA/16		
Please refer to Appendix 1B-8-16 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
CARNA Part 14 already defines the circumstances and rational under which aeronautical studies and/or risk assessments may be used. CARNA Part 14 also provides guidance material on how to develop and evaluate aeronautical studies.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The DCANA will amend the Aerodrome Certification Program Manual to include the items mentioned in CARNA Part 14 for which exemptions may be considered on the basis of aeronautical studies and a process to control the use of aeronautical studies in granting exemptions to the requirements as well as to publish the results in the AIP.	AGA	Before May 2009

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APPENDIX 3B-8-17

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AERODROMES**

AUDIT FINDING AGA/17		
Please refer to Appendix 1B-8-17 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCANA concurs with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The DCANA will conduct inspection of all aerodromes in accordance with the approved surveillance programme. During 2008 inspections have been carried out at three of the five aerodromes of the Netherlands Antilles. The other two will be inspected before the end of the year. Based on the findings the airport operators will have to submit a corrective action plan including a time frame to correct the deficiencies. This action plan will serve as a means to monitor progress. The DCANA will amend the Aerodrome Certification Program Manual to include procedures to deal effectively with deficiencies found during an inspection.	AGA	Before March 2009

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APPENDIX 3B-8-18

**CORRECTIVE ACTION PLAN PROPOSED BY THE NETHERLANDS ANTILLES
RELATED TO AERODROMES**

AUDIT FINDING AGA/18		
<p>Please refer to Appendix 1B-8-18 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.</p>		
STATE'S COMMENTS AND OBSERVATIONS*		
<p>The DCANA concurs with the finding of the ICAO audit team.</p> <p>The DGCA has always encouraged the exchange of safety information across the aviation industry, in particular aerodrome and air navigation services.</p>		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>The aerodromes in the Netherlands Antilles will be certified/re-certified in accordance with the requirements of CARNA Part 14 including the requirement for SMS implementation.</p> <p>The requirement to analyse accident and incidents occurrences and trends as well as to take appropriate actions to avoid re-occurrence, including policy, procedures and responsibilities to carry out these tasks and the exchange of safety information are key elements of the SMS.</p> <p>The DCANA will evaluate the most effective means to be employed to enable the exchange of safety information across the aerodrome industry.</p>	<p>AGA</p>	<p>Before March 2009</p>

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Part C:
ARUBA

TABLE OF ABBREVIATIONS

AASB Aruban Aviation Safety Board

DLA Department of Civil Aviation

DWJZ Government Legal Department (*Directie Wetgeving en Juridische Zaken*)

APPENDIX 3C-1-1

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO PRIMARY AVIATION LEGISLATION AND
CIVIL AVIATION REGULATIONS**

AUDIT FINDING LEG/01		
Please refer to Appendix 1C-1-01 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
Aruba agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The amendments to the Aviation State Ordinance (Aviation Act of Aruba) have been approved by the Parliament on 13 May 2008. The amended Ordinance now does have provisions for the promulgation of regulations in all civil aviation fields, including for the implementation of ICAO Annex 14.	DCA/DWJZ	13 May 2008
Published in the official government publication (Afkondigingsblad van Aruba), under the number 2008 no. 32.	DWJZ	29 May 2008
Implementation hereof can be seen in the promulgation and publication of the State Decree Aerodromes Regulation (AB 2008 no. 43, of 15 August 2008) and the State Decree Air Navigation Services (AB 2008 no. 44, of 15 August 2008)	DCA/DWJZ	15 August 2008

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APPENDIX 3C-1-2

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO PRIMARY AVIATION LEGISLATION AND
CIVIL AVIATION REGULATIONS**

AUDIT FINDING LEG/02		
Please refer to Appendix 1C-1-02 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCA agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The established procedures in the Safety Oversight Manual will be revised and implemented in amendment #2 to ensure that regulations are promulgated to implement ICAO SARPs;	DCA	27 February 2009
The established procedures in the Safety Oversight Manual will be revised and implemented in amendment #2 to systematically verify its compliance with the ICAO Annexes and amend its regulations in an effective and timely manner, when needed, for the implementation of amendments to ICAO Annexes;	DCA	27 February 2009
The established procedures in the Safety Oversight Manual will be revised and implemented in amendment #2 to ensure the identification and notification to ICAO of all existing differences with the ICAO SARPs;	DCA	27 February 2009
The established procedures in the Safety Oversight Manual will be revised and implemented in amendment #2 to ensure that all existing significant differences with the ICAO SARPs will be published in the AIP.	DCA	27 February 2009
Ensure that all existing significant differences with the ICAO SARPs are published in the AIP.	DCA	30 June 2009

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APPENDIX 3C-1-3

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO PRIMARY AVIATION LEGISLATION AND
CIVIL AVIATION REGULATIONS**

AUDIT FINDING LEG/03		
Please refer to Appendix 1C-1-03 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCA agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The established procedures in the Safety Oversight Manual will be revised and implemented in amendment #2 to better address any amendments of the foreign regulations that have been adopted by Aruba, in order to determine whether such amendments comply with ICAO SARPs	DCA	27 February 2009
Notification of differences to ICAO when applicable.	DCA	15 Augustus 2009

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APPENDIX 3C-1-4

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO PRIMARY AVIATION LEGISLATION AND
CIVIL AVIATION REGULATIONS**

AUDIT FINDING LEG/04		
Please refer to Appendix 1C-1-04 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
Aruba agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Promulgate provisions in its regulations article 55 sub 3 of the State Decree Air Navigation Services (AB 2008 no. 44, of 15 August 2008) requiring aircraft registered in Aruba or operated by an operator whose principal place of business or permanent residence is in Aruba, to comply with interception requirements of other States, in accordance with Article 3 bis of the Chicago Convention.	DCA/DWJZ	15 Augustus 2008

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APPENDIX 3C-1-5

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO PRIMARY AVIATION LEGISLATION AND
CIVIL AVIATION REGULATIONS**

AUDIT FINDING LEG/05		
Please refer to Appendix 1C-1-05 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
Aruba agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Aruba has amended the Aviation Act of Aruba (see LEG/01), particularly in articles 22b, paragraphs 1 and 2, to reflect the transfer of duties and responsibilities as envisaged by Article 83 bis when Aruba enters into an Article 83 bis agreement as State of the Operator or State of Registry;	DCA/DWJZ	29 May 2008
Aruba has amended the Aviation Act of Aruba (see LEG/01), particularly in articles 22b, paragraph 6, to recognize and accept transfer agreements duly effected under Article 83 bis of the Chicago Convention by third party States, thereby allowing for recognition of the validity of relevant documents issued or rendered valid by a foreign State of the Operator in such a case.	DCA/DWJZ	29 May 2008
Published in the official government publication (Afkondigingsblad van Aruba), under the number 2008 no. 32.	DWJZ	29 May 2008

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APPENDIX 3C-2-1

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO CIVIL AVIATION ORGANIZATION**

AUDIT FINDING ORG/01		
Please refer to Appendix 1C-2-01 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCA agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Aruba has developed a re-organizational decree for the DCA, whereby the ATS and Aerodromes Inspector will be in a separate Unit Strategic and Policy, to ensure that there is a clear separation between the entity providing ATS and the entity in charge of the safety oversight of the ATS provision	DCA	31 December 2008
The DCA will clearly define the functions and reporting lines of the units responsible for safety oversight of the ATS provision and of the aerodrome operator, in the re-organizational decree for the DCA.	DCA	31 December 2008

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APPENDIX 3C-2-2

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO CIVIL AVIATION ORGANIZATION**

AUDIT FINDING ORG/02		
Please refer to Appendix 1C-2-02 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCA agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The general cooperation agreement "Kingdom Pool of Technical Experts" will be revised adding additional procedure, addressing the exchange of inspectors within the Kingdom. This mechanism will ensure that sufficient human resources will be available to the DCA when needed within the Kingdom, especially for the areas of aerodromes and air navigation services, covering also CNS and AIS areas.	DCA	31 January 2009
Besides the existing ATS and Aerodromes Inspector, one additional inspector will be added in the Unit Strategic and Policy in the re-organized DCA structure.	DCA	30 March 2009

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APPENDIX 3C-3

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO PERSONNEL LICENSING AND TRAINING**

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APPENDIX 3C-4

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AIRCRAFT OPERATIONS
CERTIFICATION AND SUPERVISION**

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APPENDIX 3C-5-1

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AIRWORTHINESS OF AIRCRAFT**

AUDIT FINDING AIR/01		
Please refer to Appendix 1C-5-01 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
Aruba agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
A comprehensive review of the airworthiness related SARP's outlined in ICAO Annexes 6 and 8 has been carried out.	DCA	1 May 2008
Regulatory requirements regarding the approval of modifications and repairs have been added in article 16 of the State Decree " <i>Besluit Luchtvaartuigen</i> " – (Not published yet)	DCA/DWJZ	1 April 2009
The requirements to be met regarding the approval of modifications and repairs have been added in the Ministerial Regulation " <i>Regeling Luchtwaardigheid</i> ". (Not published yet)	DCA/DWJZ	1 May 2009
Regulatory requirements, for air operators to submit to the State of Registry and State of Operator an operator maintenance control manual for review and approval, have been added in article 18 of the State Decree " <i>Besluit Luchtvaartuigen</i> " (Not published yet).	DCA/DWJZ	1 April 2009

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APPENDIX 3C-5-1 (CONT.)

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AIRWORTHINESS OF AIRCRAFT**

CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Regulatory requirements, for operators of aeroplane over 5700 kg to monitor and assess maintenance and operational experience with respect to airworthiness, have been added in article 15 of the State Decree " <i>Besluit Luchtvaartuigen</i> " (Not published yet).	DCA/DWJZ	1 April 2009

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APPENDIX 3C-5-2

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AIRWORTHINESS OF AIRCRAFT**

AUDIT FINDING AIR/02		
Please refer to Appendix 1C-5-02 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCA agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The DCA has carried out a comprehensive audit of the technical library to should take action to determine in how far all the required technical publications is present and current.	DCA	1 June 2008
Obtain all remaining technical publications that are not present or current.	DCA	30 November 2008
Develop a procedure to ensure that all required publications are available and current. This will be incorporated in amendment number 2 of the DCA Safety Oversight Manual.	DCA	27 February 2009
The DCA is in the process of hiring a person that will be responsible for the technical library.	DCA	31 December 2008

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APPENDIX 3C-5-3

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AIRWORTHINESS OF AIRCRAFT**

AUDIT FINDING AIR/03		
Please refer to Appendix 1C-5-03 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCA agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Establish a procedure to transmit to the organization responsible for type design all information on faults malfunctions and defects for aircraft registered, being operated or receiving maintenance under an approval issued by the DCA.	DCA	30 November 2008
Train the applicable personnel of the Maintenance and Airworthiness Division on the new procedure to transmit to the organization responsible for type design all information on faults malfunctions and defects for aircraft registered, being operated or receiving maintenance under an approval issued by the DCA.	DCA	30 November 2008
Implement the procedure in order to transmit to the organization responsible for type design all information on faults malfunctions and defects for aircraft registered, being operated or receiving maintenance under an approval issued by the DCA.	DCA	31 December 2008

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APPENDIX 3C-5-4

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AIRWORTHINESS OF AIRCRAFT**

AUDIT FINDING AIR/04		
Please refer to Appendix 1C-5-04 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCA agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Establish an internal procedure regarding the reporting of unapproved parts to type certificate holders and regulatory agencies;	DCA	30 November 2008
Provide training to the appropriate personnel of the Maintenance & Airworthiness Division on the new procedure regarding the reporting of unapproved parts to type certificate holders and regulatory agencies.	DCA	30 November 2008
Implement the new internal procedure regarding the reporting of unapproved parts to type certificate holders and regulatory agencies.	DCA	31 December 2008
Establish industry guidelines regarding the reporting of unapproved parts to type certificate holders and regulatory agencies.	DCA	30 November 2008
Establish an internal procedure regarding the proper usage of parts removed from an aircraft that is no longer in service.	DCA	31 December 2008

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APPENDIX 3C-5-4 (CONT.)

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AIRWORTHINESS OF AIRCRAFT**

CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Provide training to the appropriate personnel of the Maintenance & Airworthiness Division on the new procedure regarding the proper usage of parts removed from an aircraft that is no longer in service.	DCA	31 December 2008
Implement the new procedure regarding the proper usage of parts removed from an aircraft that is no longer in service.	DCA	31 January 2009
Establish industry guidelines regarding the proper usage of parts removed from an aircraft that is no longer in service.	DCA	31 December 2008
Establish an internal procedure regarding the disposal of scrapped parts.	DCA	31 December 2008
Provide training to the appropriate personnel of the Maintenance & Airworthiness Division on the new procedure regarding the disposal of scrapped parts.	DCA	31 December 2008
Implement the new procedure regarding the disposal of scrapped parts.	DCA	31 January 2009
Establish industry guidelines regarding the disposal of scrapped parts.	DCA	31 January 2009

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APPENDIX 3C-5-5

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AIRWORTHINESS OF AIRCRAFT**

AUDIT FINDING AIR/05		
Please refer to Appendix 1C-5-05 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCA agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The DCA has conducted a fleet campaign to ensure all RVSM approvals issued comply with the minimum established requirements (applicable JAA leaflet).	DCA	15 May 2008
The DCA is re-writing the internal procedure for granting approvals for RVSM operation.	DCA	30 November 2008
Provide training to the appropriate personnel of the Maintenance & Airworthiness Division on the new procedure for granting approvals for RVSM operation.	DCA	30 November 2008
Implement the new procedure regarding for granting approvals for RVSM operation.	DCA	31 December 2008
Amend the procedure for granting validations for foreign maintenance organizations to include the requirement to receive surveillance information from the foreign civil aviation authority.	DCA	30 November 2008

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APPENDIX 3C-5-5 (CONT.)

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AIRWORTHINESS OF AIRCRAFT**

CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Provide training to the appropriate personnel of the Maintenance & Airworthiness Division on the amended procedure for granting validations for foreign maintenance organizations.	DCA	30 November 2008
Implement the amended procedure for granting validations for foreign maintenance organizations.	DCA	31 December 2008

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APPENDIX 3C-5-6

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AIRWORTHINESS OF AIRCRAFT**

AUDIT FINDING AIR/06		
Please refer to Appendix 1C-5-06 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCA agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Ensure that all AOC holders and AMO's have human factors training requirement included in their approved manuals.	DCA	1 June 2008
Assure that all required employees of AOC holders and AMO's have received human factors training.	DCA	1 September 2008

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APPENDIX 3C-6-1

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION**

AUDIT FINDING AIG/01		
Please refer to Appendix 1C-6-01 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
Aruba agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The Draft State Decree Aircraft Accident Investigation will supersede the existing Aircraft Accident Regulation. Herein is stated that serious incidents that have occurred in the Aruba, or to an Aruban aircraft outside the territory of Aruba, will have to be notified by those mentioned in the Decree, as soon as possible, to the Aruban Aviation Safety Board;	DCA/AASB/ DWJZ	1 July 2009
The Draft State Decree Aircraft Accident Investigation that will supersede the existing Aircraft Accident Regulation, specifies the timeframe that incidents other than serious incidents will have to be notified to the DCA or the AASB, including a mandatory reporting system.	DCA/AASB/ DWJZ	1 July 2009
Aruba will promulgate the State Decree Aircraft Accident Investigation in the official government publication (Afkondigingsblad van Aruba),	DWJZ	1 July 2009

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APPENDIX 3C-6-2

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION**

AUDIT FINDING AIG/02		
Please refer to Appendix 1C-6-02 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
Aruba agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Aruba has introduced provisions in its primary aviation act in article 20a, paragraph 7, as applicable to grant the necessary powers to the investigators;	DCA/DWJZ	29 May 2008
Aruba has introduced provisions in its primary aviation act in article 22b, as applicable to protect from disclosure the elements listed in paragraph 5.12 of ICAO Annex 13; and	DCA/DWJZ	29 May 2008
Aruba has introduced provisions in the Draft State Decree Aircraft Accident Investigation, as applicable to ensure that accredited representatives of all the States concerned (as per ICAO Annex 13) will be permitted to participate in investigations conducted by Aruba. It is now stated in the existing Regulation as should but it has to be shall.	DCA/AASB/ DWJZ	1 July 2009
Aruba will promulgate the State Decree Aircraft Accident Investigation in the official government publication (Afkondigingsblad van Aruba),	DWJZ	1 July 2009

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APPENDIX 3C-6-3

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION**

AUDIT FINDING AIG/03		
Please refer to Appendix 1C-6-03 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
Aruba agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Introduce regulatory provisions in the Draft State Decree Aircraft Accident Investigation to ensure the protection of the wreckage against unauthorized access.	AASB/DCA/ DWJZ	1 July 2009
The AASB is in the process of negotiating an agreement with the Aruba Airport Authority to ensure the availability of a secured hangar or storage facility, if needed by the investigators, to maintain safe custody of the wreckage for the necessary duration of the investigation.	AASB/DCA	30 April 2009
Aruba will promulgate the State Decree Aircraft Accident Investigation in the official government publication (Afkondigingsblad van Aruba),	DWJZ	1 July 2009

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APPENDIX 3C-6-4

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION**

AUDIT FINDING AIG/04		
Please refer to Appendix 1C-6-04 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
Aruba agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Clearly define the internal structure of the Aviation Board and the functions of all members thereof, in the Air Safety Investigation Manual (Volume 6);	AASB	31 December 2008
Establish a process for funding the Aviation Board in the annual Government Budget for the Ministry of Tourism and Transport.	AASB/DCA	31 December 2008
Aruba has introduced provisions in the primary aviation act in article 20a, paragraph 10, stating that when needed the provisions of article 4 paragraph 1, sub b and g, of the Kingdom Act of the Netherlands Accident and Investigation Act, can be used. The Kingdom Act states that assistance of the Netherlands can be requested by Aruba and the Netherlands Antilles and that this will be given.	DCA/DJWZ	29 May 2008
Establish a cooperation agreement between the AASB and the Netherlands Accident Investigation Board.	AASB	27 February 2009

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APPENDIX 3C-6-5

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION**

AUDIT FINDING AIG/05		
Please refer to Appendix 1C-6-05 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
Aruba agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Section 2.4.6.3 of the Safety Oversight System (signed by the Minister responsible for Transport) will be revised in amendment # 2 to better reflect the measures to ensure that technical staff from the DCA or experts from any other organization in the State that are seconded for an aircraft accident or serious incident investigation, are not in a situation of possible conflict of interest..	AASB/DCA	27 February 2009

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APPENDIX 3C-6-6

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION**

AUDIT FINDING AIG/06		
Please refer to Appendix 1C-6-06 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The AASB agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Ensure that the technical staff who carries out investigation tasks is provided with the necessary investigation equipment and protective equipment;	AASB	30 April 2009
Revise the Air safety Investigation Manual to establish procedures to ensure that investigation field kits and essential personal items are readily available for this technical staff to proceed without delay to the accident site;	AASB	31 December 2008
Revise the Air safety Investigation Manual to establish procedures to protect the investigators against contamination by biohazards, including arrangement is for the decontamination (or disposal) of clothes and equipment used by the investigators.	AASB	31 December 2008
Assure that all AASB employees have received training on these changes.	AASB	27 February 2009

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APPENDIX 3C-6-7

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION**

AUDIT FINDING AIG/07		
Please refer to Appendix 1C-6-07 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The AASB agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Review and amend the content of the Air Safety Investigation Manual to ensure that it reflects its policy, and that it is clear, accurate and comprehensive. In particular, the Aviation Board should ensure that policies and guidelines are established for the various categories of accidents and serious incidents, to help determine how they should be investigated, or whether the investigation should be delegated to another State.	AASB	31 December 2008
Ensure that the manual is amended or expanded when relevant, for the conduct of technical examinations and testing;	AASB	31 December 2008
Ensure that the manual is amended or expanded when relevant, for the safeguarding and use of ATS recordings;	AASB	31 December 2008
Ensure that the manual is amended or expanded when relevant, for the read-out and analysis of flight recorders, in accordance with Attachment D to ICAO Annex 13;	AASB	31 December 2008

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APPENDIX 3C-6-7 (CONT.)

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION**

CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Ensure that the manual is amended or expanded when relevant, for the development and issuance of safety recommendations;	AASB	31 December 2008
Assure that all AASB employees have received training on these changes.	AASB	27 February 2009

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APPENDIX 3C-6-8

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION**

AUDIT FINDING AIG/08		
Please refer to Appendix 1C-6-08 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
Aruba agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Aruba has introduced provisions in the primary aviation act in article 20b, paragraph 7, stating that a cooperation agreement will have to be signed between the AASB and the judicial authorities;	DCA/AASB/ DWJZ	29 May 2008
Establish the cooperation agreement between the AASB and the judicial authorities;	AASB	31 January 2009
Ensure that formal arrangements are made with the appropriate authorities - to carry out autopsy examinations are carried out when needed for the investigation;	AASB	27 February 2009
Ensure that formal arrangements are made with the appropriate authorities to perform medical examination of flight crew, passengers and involved aviation personnel when needed	AASB	27 February 2009

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APPENDIX 3C-6-9

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION**

AUDIT FINDING AIG/09		
Please refer to Appendix 1C-6-09 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The AASB agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The Air Safety Investigation Manual, Book II – Major Accident Investigation provides a comprehensive guidance for carrying out examination of aircraft parts and components, including guidance on the facilities to be considered for the examinations and the specific duties of the investigators during the preparation, conduct and analysis of the examinations	AASB	31 December 2008
The AASB will negotiate an agreement with the NTSB to carry out specific examinations when needed.	AASB	1 April 2009

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APPENDIX 3C-6-10

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION**

AUDIT FINDING AIG/10		
Please refer to Appendix 1C-6-10 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
Aruba agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Introduce regulatory provisions in the Draft State Decree Aircraft Accident Investigation for sending an Accredited Representative to the State of Occurrence when Aruba, not being the State of Registry or the State of the Operator, has suffered fatalities or serious injuries to its citizens during an accident occurred in another State.	DCA/AASB/ DWJZ	1 July 2009
Aruba will promulgate the State Decree Aircraft Accident Investigation in the official government publication (Afkondigingsblad van Aruba),	DWJZ	1 July 2009

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APPENDIX 3C-6-11

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION**

AUDIT FINDING AIG/11		
Please refer to Appendix 1C-6-11 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The AASB agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Amend the Air Safety Investigation Manual to incorporate a procedure to ensure that investigation reports are completed and released within the established timeframe, unless justified by the complexity of the investigation. This procedure includes among others description of the tracking system and assignment of responsibilities	AASB	31 December 2008
Implement a tracking system to ensure that investigation reports are completed and release within the established timeframe, unless justified by the complexity of the investigation.		30 April 2009

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APPENDIX 3C-6-12

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION**

AUDIT FINDING AIG/12		
Please refer to Appendix 1C-6-12 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
Aruba agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Promulgate regulatory provisions in the Draft State Decree Aircraft Accident Investigation and establish procedures for preventing from circulation, publishing, or giving unauthorized access to a draft report or any part thereof, or any documents obtained during an investigation without the express consent of the State which conducted the investigation, unless such reports or documents have been already published or released by that latter State.	DCA/AASB/ DWJZ	1 July 2009
Aruba will promulgate the State Decree Aircraft Accident Investigation in the official government publication (Afkondigingsblad van Aruba),	DWJZ	1 July 2009
The AASB will develop and implement procedures for preventing from circulation, publishing, or giving unauthorized access to a draft report or any part thereof, or any documents obtained during an investigation without the express consent of the State which conducted the investigation, unless such reports or documents have been already published or released by that latter State.	AASB	15 July 2009

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APPENDIX 3C-6-13

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION**

AUDIT FINDING AIG/13		
Please refer to Appendix 1C-6-13 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The AASB agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Establish and implement procedures for formally informing a State which has issued a safety recommendation to Aruba of the preventive action that Aruba has taken, the action under consideration, or the reason why no action will be taken	AASB	31 December 2008
Establish a follow-up system to monitor the implementation of recommendations	AASB	30 April 2009
Establish a procedure for receiving, following up and informing the AASB on safety recommendations issued or forwarded by the AASB to the DCA	DCA	30 April 2009

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APPENDIX 3C-6-14

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION**

AUDIT FINDING AIG/14		
Please refer to Appendix 1C-6-14 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
Aruba agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Establish and maintain a centralized database to store the accident and incident information that it receives through the reporting mechanisms in place. This database will use a taxonomy compatible with that of the ICAO accident and incident reporting system (ADREP) and with the database developed by the European Co-ordination Centre for Aviation Incident Reporting Systems (ECCAIRS). Aruba will also carry out analyses of the accident and incident information received in order to identify any preventive action necessary.	DCA/AASB	31 December 2008
Revise the Air Safety Investigation Manual to establish procedures for usage of the centralized database;	AASB/DCA	30 June 2009

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APPENDIX 3C-6-15

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION**

AUDIT FINDING AIG/15		
Please refer to Appendix 1C-6-15 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
Aruba agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Promulgate regulatory provisions in the Aviation Act in article 22b, paragraphs 1 and 2, to ensure that the voluntary incident reporting system is non-punitive and that the sources of information are protected, as required by ICAO Annex 13.	DCA/DWJZ	29 May 2008
Amend the Air Safety Investigation Manual to include a voluntary incident reporting system (including forms), covering all civil aviation activities, in order to facilitate the collection of safety information that may not otherwise have been captured by a mandatory incident reporting system.	AASB	31 December 2008
Ensure the necessary infrastructure is available (forms, phone number, e-mail, etc.) to the general public.	AASB	31 March 2009
Provide training to the DCA and AASB personnel of the voluntary reporting system.	AASB	15 April 2009
Inform the general public.	AASB	1 May 2009

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APPENDIX 3C-7-1

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AIR NAVIGATION SERVICES**

AUDIT FINDING ANS/01		
Please refer to Appendix 1C-7-01 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
Aruba agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Aruba has promulgated a Decree for Air Navigation Services (ANS), the <i>Landsbesluit Luchtverkeer, AB 2008 no. GT 44</i> , containing requirements for the implementation of ICAO Annexes 2 and 11 related to air navigation services. The <i>Aruba Rules of the Air (AUA-ROA)</i> has been superseded by the Decree of Air Navigation Services. The Air traffic Decree <i>Luchtverkeersbesluit, AB 1993 no. GT 49</i> has been withdrawn by the new decree.	DCA/DWJZ	15 August 2008.
Promulgate enabling regulations for the implementation of ICAO Annexes 4, 10 and 15 related to the Decree for ANS.	DCA/DWJZ	30 April 2009
Promulgate enabling regulations for the implementation of ICAO Annexes 3 and 12 related to Decree for ANS.	DCA/DWJZ	30 April 2009
Promulgate enabling regulations for the implementation of ICAO Annexes 2 and 11 related to the Decree for ANS.	DCA/DWJZ	30 April 2009

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APPENDIX 3C-7-2

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AIR NAVIGATION SERVICES**

AUDIT FINDING ANS/02		
Please refer to Appendix 1C-7-02 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
Aruba agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Aruba has promulgated regulations to facilitate the assistance of aircraft in distress in the territory of Aruba in Article 14 of the <i>Landsbesluit luchtverkeer AB 2008 no. GT 44</i> .	DCA/DWJZ	15 August 2008

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APPENDIX 3C-7-3

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AIR NAVIGATION SERVICES**

AUDIT FINDING ANS/03		
Please refer to Appendix 1C-7-03 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCA agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Establish and implement an effective safety oversight system covering all ANS provided in Aruba, including ATS, AIS, CNS and aeronautical telecommunications, by developing a manual/handbook for ANS inspectorate staff which incorporates applicable procedures;	DCA	31 March 2009
Establish and implement an effective safety oversight system covering all ANS provided in Aruba, including ATS, AIS, CNS and aeronautical telecommunications, by employing sufficient number of qualified inspectorate staff;	DCA	31 March 2009
The general cooperation agreement "Kingdom Pool of Technical Experts" will be revised adding additional procedure, addressing the exchange of inspectors within the Kingdom. This mechanism will ensure that sufficient human resources will be available to the DCA when needed within the Kingdom, especially for the areas of aerodromes and air navigation services.	DCA	31 January 2009

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APPENDIX 3C-7-3 (CONT.)

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AIR NAVIGATION SERVICES**

CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The DCA is in the process of hiring one additional ANS inspector, that will also cover AIS.	DCA	1 July 2009
The DCA has internally allocated a qualified CNS inspector	DCA	1 January 2009
The DCA ATS inspectors will conduct on site inspections and audits in the Netherlands, together with the Netherlands CAA, as part of their OJT program.	DCA	1 November 2009
Establish and implement an effective safety oversight system covering all ANS provided in Aruba, including ATS, AIS, CNS and aeronautical telecommunications, by clearly document functions and job description of the inspectorate staff;	DCA	27 February 2009
Establish and implement an effective safety oversight system covering all ANS provided in Aruba including ATS, AIS, CNS and aeronautical telecommunications, by, covering minimum qualification requirements for the inspectorate staff, a training programme in which required training is detailed, a training plan for execution of the training programme, and on-the-job training of inspectorate staff before assignment of their inspectorate tasks and responsibilities	DCA	31 March 2009
Establish a formal arrangement with the Netherlands Antilles for the safety oversight of ANS providers in the Netherlands Antilles that are providing services in the territory of Aruba and its airspace, covering requirements that will ensure effective safety oversight.	DCA	27 February 2009

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APPENDIX 3C-7-4

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AIR NAVIGATION SERVICES**

AUDIT FINDING ANS/04		
Please refer to Appendix 1C-7-04 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCA agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Develop a mechanism to ensure that the service provider responsible for ATS with regard to Aruba airspace, will develop policy and procedures to ensure that the ATS system has sufficient capacity including sufficient qualified staff, to ensure the provision of an adequate ATS system. This mechanism consist of a ATS certification regulation, ATS inspector handbook and ATS Surveillance program	DCA	30 June 2009
Develop job descriptions for ATS Staff of DCA;	DCA	27 February 2009
Develop recruitment requirements and ensure retention of adequately qualified and experienced ATS staff;	DCA	27 February 2009
Amend the existing Training Manual to include refresher training, continued competency of air traffic controllers on new equipment, training records, procedure and updated communications for the controllers of DCA.	DCA	27 February 2009

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APPENDIX 3C-7-5

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AIR NAVIGATION SERVICES**

AUDIT FINDING ANS/05		
Please refer to Appendix 1C-7-05 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCAC agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>Establish a DCA ATS working group to make recommendations concerning the establishment of policies and procedures to ensure:</p> <ol style="list-style-type: none"> 1. the coordination between ATS and non-ATS entities including military authorities; 2. establishment of communication requirements in accordance with provisions in Chapter 6. of Annex 11; 3. the provision of meteorological information to Beatrix Control Tower, Curacao Approach and pilot briefing offices; and 4. the provision of information on aerodrome conditions and the operational status of associated facilities to Beatrix Control Tower and Curacao Approach. 	DCA	27 February 2009
Analyse and implement the recommendation of the DCA ATS working group and prepare the necessary draft agreements and procedures.	DCA	30 April 2009
Conclude the necessary agreements and implement procedures.	DCA	31 July 2009

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APPENDIX 3C-7-6

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AIR NAVIGATION SERVICES**

AUDIT FINDING ANS/06		
Please refer to Appendix 1C-7-06 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCA agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The ATS Manual under development shall include strayed end unidentified aircraft, and other in-flight contingencies such as air-ground radio communication failure, emergency separation, etc.	DCA	31 July 2009
Establish an arrangement (Letter of Agreement) with ATS Netherlands Antilles to ensure the provision of services to aircraft in event of emergency and other in-flight contingencies.	DCA	27 February 2009
Provide training to the ATS personnel on ATS Manual	DCA	30 August 2009

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APPENDIX 3C-7-7

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AIR NAVIGATION SERVICES**

AUDIT FINDING ANS/07		
Please refer to Appendix 1C-7-07 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCA agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Develop and promulgate full contingency plans for implementation, in the event of disruption or potential disruption of ATS or related services in accordance with the requirements of Annex 11, 2.30, taking into account guidance material in Attachment D of Annex 11.	DCA	27 February 2009

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APPENDIX 3C-7-8

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AIR NAVIGATION SERVICES**

AUDIT FINDING ANS/08		
Please refer to Appendix 1C-7-08 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCA agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Implement a safety programme in order to achieve an acceptable level of safety in the provision of ATS.	DCA	30 April 2009
The SMS established by the ATS provider will be approved in accordance with the ATS Certification Regulation by the ATS inspector, and oversight will be conducted in accordance with the procedures to be established in the ATS inspector handbook.	DCA	30 August 2009
Require, as part of the safety programme, that an air traffic services (ATS) provider implements an SMS acceptable to the State that, at the minimum, provides identification safety hazards;	DCA	30 April 2009
Require, as part of the safety programme, that an ATS provider implements an SMS acceptable to the State that, at the minimum, provides assurance that remedial action necessary to maintain an acceptable level of safety is implemented;	DCA	30 April 2009

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APPENDIX 3C-7-8 (CONT.)

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AIR NAVIGATION SERVICES**

CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Require, as part of the safety programme, that an ATS provider implements an SMS acceptable to the State that, at a minimum, provides for continuous monitoring and regular assessment of the safety level achieved;	DCA	30 April 2009
Require, as part of the safety programme, that an ATS provider implements an SMS acceptable to the State that, at a minimum, provides a commitment to make continuous improvement to the overall level of safety.	DCA	30 April 2009
Incident reporting requirements for pilots established in article 24 of the State Decree “Besluit Luchtverkeer” and Ministerial Decree “Regeling Burgerluchtvaartinlichtingen”.	DCA/DWJZ	1 July 2009
The nature of incidents to be reported will be defined in the State Decree Aircraft Accident Investigation.	DCA/DWJZ	1 July 2009
The reporting procedure of ATC incidents will be incorporated in the ATS Manual under development which will have to be approved by the DCA	DCA	1 July 2009
Aruba will promulgate the State Decree Aircraft Accident Investigation and Ministerial decree “Regeling Burgerluchtvaartinlichtingen” in the official government publication (Afkondigingsblad van Aruba).	DWJZ	1 July 2009

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APPENDIX 3C-7-9

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AIR NAVIGATION SERVICES**

AUDIT FINDING ANS/09		
Please refer to Appendix 1C-7-09 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCA agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
A project group of DCA specialists will be established to provide recommendations regarding the requirements (format, content) of a runway safety programme.	DCA	27 February 2009
Develop a runway safety programme. This programme will focus on improving communications with emphasis on radiotelephony, phraseology, language proficiency, ATC procedures, standard and performance requirements for equipment, aerodrome lighting and marking, aerodrome charts, operational aspects, situational awareness and human factors.	DCA	27 April 2009
Perform training of the necessary DCA and ATS personnel regarding the runway safety programme.	DCA	1 June 2009
Implement the runway safety programme.	DCA	31 July 2009

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APPENDIX 3C-7-10

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AIR NAVIGATION SERVICES**

AUDIT FINDING ANS/10		
Please refer to Appendix 1C-7-10 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCA agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Include recurrent training in the training programme for AIS technical staff.	DCA	27 February 2009

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APPENDIX 3C-7-11

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AIR NAVIGATION SERVICES**

AUDIT FINDING ANS/11		
Please refer to Appendix 1C-7-11 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCA agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Aeronautical data quality requirements related to publication resolution and data integrity, in accordance with provision of Annex Appendix 7 of Tables 1 to 5 of Annex 15, and aeronautical data quality requirements related to the data integrity and charting resolution, in accordance with the provisions of Tables 1 to 5 in Appendix 6 of Annex 4 are being included in the Ministerial Decree "Regeling Luchtverkeersdienstverlening"	DCA	1 August 2009
Oversight by the DCA will be conducted in accordance with the procedures to be established in the ATS inspector handbook.	DCA	1 August 2009
Aruba will promulgate the Ministerial Decree Air Traffic Services "Regeling Luchtverkeersdienstverlening" in the official government publication (Afkondigingsblad van Aruba).	DWJZ	1 August 2009

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APPENDIX 3C-7-12

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AIR NAVIGATION SERVICES**

AUDIT FINDING ANS/12		
Please refer to Appendix 1C-7-12 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE’S COMMENTS AND OBSERVATIONS*		
The DCA agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
A proposed regulation covering meteorological aspects is being sent to DWJZ for publication: “Regeling Meteorologie”.	DCA	27 February 2009
Establish and implement an effective safety oversight system covering MET providers in Aruba and the NA, including MET by developing ATS manual/handbook for ANS inspectorate staff which incorporates applicable procedures;	DCA	31 March 2009
Through a LOA with MDNAA ensure that the MDNAA establishes an oversight mechanism to ensure that services provided to international air navigation comply with the provisions of ICAO Annex 3, including but not limited to, sufficient number of MET inspectors, their job descriptions and training programmes, etc.	DCA	30 April 2009
Establish a formal agreement with the DCANA for the safety oversight of the MDNAA that are providing services in the territory of Aruba and its airspace, covering requirements that will ensure effective safety oversight.	DCA	30 April 2009

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APPENDIX 3C-7-12 (CONT.)

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AIR NAVIGATION SERVICES**

CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Additional required Meteorological training will be provided to the ANS inspectors to qualify them as MET inspector	DCA	30 August 2009
DCA oversight will be conducted by the ANS Inspectors (with MET qualifications) in conjunction with the Inspector of DCANA.	DCA	31 May 2009
Aruba will promulgate the Ministerial Decree Air Traffic Services "Regeling Meteorologie" in the official government publication (Afkondigingsblad van Aruba).	DWJZ	31 March 2009

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APPENDIX 3C-7-13

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AIR NAVIGATION SERVICES**

AUDIT FINDING ANS/13		
Please refer to Appendix 1C-7-13 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCA agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Through a LOA with MDNAA and the agreement with the DCANA ensure that the MET service provider has established and maintained a properly organized quality system.	DCA	30 April 2009
Ensure that MDNAA develops and maintains a quality assurance system that has to be submitted to the DCANA for their approval, which also has to be accepted by the DCA	DCA	August 2009

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APPENDIX 3C-7-14

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AIR NAVIGATION SERVICES**

AUDIT FINDING ANS/14		
Please refer to Appendix 1C-7-14 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCA agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Through a LOA with MDNAA ensure that the MDNAA complies with the WMO technical regulation in respect of qualifications and training of personnel, including a training plan, which includes the following training: initial, OJT, recurrent and specialized.	DCA	30 April 2009

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APPENDIX 3C-7-15

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AIR NAVIGATION SERVICES**

AUDIT FINDING ANS/15		
Please refer to Appendix 1C-7-15 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCA agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Through a LOA with MDNAA ensure that provisions about the relay of special air-reports to the relevant MET offices are abided and that criteria for special observations are established.	DCA	30 April 2009
Ensure that MDNAA develops and maintains a quality assurance system (Quality Manual), which will also include provisions regarding the transmission of special air reports, including those on volcanic ash, that has to be submitted to the DCANA for their approval, which also has to be accepted by the DCA	DCA	31 August 2009

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APPENDIX 3C-7-16

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AIR NAVIGATION SERVICES**

AUDIT FINDING ANS/16		
Please refer to Appendix 1C-7-16 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCA agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Promulgate the executing and associated operating regulations governing the provision of SAR services in accordance with the Kingdom Act No. 98 of 25 February 2008.	DCA	30 April 2009
The DCA will establish regulations in accordance with annex 12 and establish procedures in collaboration with SAR authorities for their implementation.	DCA/DWJZ	31 July 2009
Aruba will promulgate the SAR regulation in the official government publication (Afkondigingsblad van Aruba),	DWJZ	30 August 2008

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APPENDIX 3C-7-17

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AIR NAVIGATION SERVICES**

AUDIT FINDING ANS/17		
Please refer to Appendix 1C-7-17 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCA agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Establish and implement an effective safety oversight system covering SAR providers in Aruba and the NA, including SAR by developing ATS manual/handbook for ANS inspectorate staff which incorporates applicable procedures;	DCA	31 March 2009
Establish a formal agreement with the DCANA for the safety oversight of the SAR provider based in Curacao that is providing services in the territory of Aruba and its airspace, covering requirements that will ensure effective safety oversight. This will also include local notification and procedures for activating the whole process with the SAR provider based in Curacao.	DCA	30 April 2009
Additional required SAR training will be provided to the ANS inspectors to qualify them as SAR inspector	DCA	30 August 2009
DCA oversight will be conducted by the ANS Inspectors (with SAR qualifications) in conjunction with the Inspector of DCANA.	DCA	31 May 2009

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APPENDIX 3C-7-18

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AIR NAVIGATION SERVICES**

AUDIT FINDING ANS/18		
Please refer to Appendix 1C-7-18 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCA agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Ensure through a LOA with DCA of the Netherlands Antilles to ensure that the SAR operations provided by the Coast Guard are conducted in accordance with provisions of Annex 12	DCA	30 April 2009
Establish and implement an effective safety oversight system covering SAR providers in Aruba and the NA, including SAR by developing ATS manual/handbook for ANS inspectorate staff which incorporates: <ol style="list-style-type: none"> 1. the coordination with SAR entities in other States; 2. organization, facilities and equipment related to SAR services; 3. the assistance to other rescue coordination centres (RCCs) when requested; 4. the participation of public and private entities, based on a letter of agreement, which do not form part of the SAR organization; 5. the adequate number of qualified staff and training of the staff; 6. the staff proficiency in the English language; and 7. designation of SAR point of contact for the receipt of Cospas-Sarsat distress data, which will be published in the AIP of Aruba. 	DCA	31 March 2009

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APPENDIX 3C-8-1

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AERODROMES**

AUDIT FINDING AGA/01		
Please refer to Appendix 1C-8-01 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
Aruba agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The amendments to the Aviation State Ordinance (Aviation Act of Aruba) have been approved by the Parliament on 13 May 2008. The amended Ordinance now has provisions for the promulgation of regulations in all civil aviation fields, including for the implementation of ICAO Annex 14.	DCA/DWJZ	13 May 2008
Aruba has developed and published the State Decree Aerodrome Regulation (AB 2008 no. 43), which covers requirements in accordance with Annex 14 on: a. Runway end safety area; b. holding bays, runway-holding positions, intermediate holding positions and road-holding position; c. prohibition of the location of equipment or installations, other than those used for navigation purposes, on a runway strip, clearway or certain areas associated with a precision approach runway; d. apron markings to take into account the required safe clearances; e. the measurement of friction characteristics and appropriate corrective maintenance and f. the continuing oversight of the aerodrome operator and associated service providers by the DCA	DWJZ	15 August 2008

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APPENDIX 3C-8-2

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AERODROMES**

AUDIT FINDING AGA/02		
Please refer to Appendix 1C-8-02 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCA agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Establish the duties of the aerodrome unit in the re-organizational State Decree for the DCA.	DCA	31 December 2008
Establish the responsibilities and job description of the aerodrome unit in the re-organizational State Decree for the DCA in the re-organizational State Decree for the DCA.	DCA	31 December 2008

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APPENDIX 3C-8-3

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AERODROMES**

AUDIT FINDING AGA/03		
Please refer to Appendix 1C-8-03 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCA agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Ensure that the aerodrome unit has sufficient technical personnel to carry out its safety oversight responsibilities	DCA	31 January 2009
The general cooperation agreement "Kingdom Pool of Technical Experts" will be revised adding additional procedure describing specifically when to make use of the Kingdom pool of inspectors. This mechanism will ensure that sufficient human resources will be available to the DCA when needed within the Kingdom, especially for the areas of aerodromes and air navigation services.	DCA	31 January 2009

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APPENDIX 3C-8-4

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AERODROMES**

AUDIT FINDING AGA/04		
Please refer to Appendix 1C-8-04 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCA agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Amend the training program of the aerodrome regulatory staff to include recurrent training.	DCA	27 February 2009
Establish and implement an effective safety oversight system covering all ANS provided in Aruba including AD, ATS, AIS, CNS and aeronautical telecommunications, by, covering minimum qualification requirements for the inspectorate staff, a training programme in which required training is detailed, a training plan for execution of the training programme, and on-the-job training of inspectorate staff before assignment of their inspectorate tasks and responsibilities	DCA	31 March 2009

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APPENDIX 3C-8-5

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AERODROMES**

AUDIT FINDING AGA/05		
Please refer to Appendix 1C-8-05 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCA agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
DCA will ensure that issuing publications (including guidance material) will be forwarded to the aerodrome operator, so they will be informed about the State regulations and supporting requirements which have to be met for the issuance of an aerodrome certificate.	DCA	27 February 2009
The DCA will hold a presentation for aerodrome management on the requirements for aerodrome certification in Aruba according to the State Decree Aerodrome Regulation (AB 2008 no. 43)	DCA	31 March 2009

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APPENDIX 3C-8-6

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AERODROMES**

AUDIT FINDING AGA/06		
Please refer to Appendix 1C-8-06 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCA agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Guidance material on the exemption from the standards , regulations or procedures for the acceptance of non-compliance, will be incorporated in the ATS Inspector Manual	DCA	31 March 2009
DCA will exempt the aerodrome operator only after carrying out an aeronautical study and where permitted by standards, as necessary, to ensure the level of safety equivalent to that established by the standard.	DCA	31 March 2009

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APPENDIX 3C-8-7

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AERODROMES**

AUDIT FINDING AGA/07		
Please refer to Appendix 1C-8-07 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCA agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The DCA will develop procedures and guidance material for acceptance of the aerodrome manual, assessing the aerodrome SMS, accepting of non-compliance etc, which will be included in the ATS Inspector Manual.	DCA	31 March 2009

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APPENDIX 3C-8-8

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AERODROMES**

AUDIT FINDING AGA/08		
Please refer to Appendix 1C-8-08 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCA agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The DCA will make arrangement with the government Survey Department for verification of accuracy of the aerodrome data to ensure their compliance with the established regulation.	DCA	1 August 2009
The DCA will implement a quality system to verify that the accuracy, integrity and protection requirements for aeronautical data reported by the aerodrome operator are met throughout the data transfer process, which will be incorporated in the Aerodrome Inspector Manual.	DCA	1 August 2009
The accuracy, integrity and protection requirements for aeronautical data reported by the aerodrome operator will be verified through the approval of the Aerodrome Manual and certification of the aerodrome.	DCA	1 August 2009

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APPENDIX 3C-8-9

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AERODROMES**

AUDIT FINDING AGA/09		
Please refer to Appendix 1C-8-09 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCA agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Establish requirements in the " <i>Regeling Luchtvaartterreinen</i> " for determination and reporting of pavement bearing strength.	DCA	30 April 2009
Establish criteria and associated industry guidelines in the " <i>Regeling Luchtvaartterreinen</i> " to regulate the use of a pavement by an aircraft with an ACN higher than the reported PCN.	DCA	30 April 2009

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APPENDIX 3C-8-10

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AERODROMES**

AUDIT FINDING AGA/10		
Please refer to Appendix 1C-8-10 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
Aruba agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The State Decree Aerodrome Regulation (AB 2008 no. 43) requires that the aerodrome operator monitors and reports the condition of the movement areas and related facilities.	DCA/DWJZ	15 August 2008
The State Decree Aerodrome Regulation (AB 2008 no. 43) requires that the aerodrome operator assesses coverage of water on runway surfaces, taking account of the need for aircraft crews to make operational adjustments in accordance with performance requirements in some flight manuals.	DCA/DWJZ	15 August 2008
Ensure that the aerodrome operator has a process for determining and providing relevant information that a runway, or part of, may be slippery when wet, including the minimum friction level for reporting of slippery runway conditions and the type of friction measuring device used.	DCA	31 January 2009
The re-certification process of the Aruba Airport Authority has initiated, with the submission of their Aerodrome Manual for DCA approval, which process is planned to be finalized in September 2009. This re-certification process involves Aerodrome Inspectors of the CAA Netherlands.	DCA	30 September 2009

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APPENDIX 3C-8-11

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AERODROMES**

AUDIT FINDING AGA/11		
Please refer to Appendix 1C-8-11 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
Aruba agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The DCA requires that the aerodrome operator provides contact information for the removal of disabled aircraft as published in the State Decree Aerodrome Regulation (AB 2008 no. 43).	DCA/DWJZ	15 August 2008
The DCA requires that the aerodrome operator provides information concerning the level of protection available for aircraft RFF as published in the State Decree Aerodrome Regulation (AB 2008 no. 43).	DCA/DWJZ	15 August 2008
The DCA requires that the aerodrome operator notifies significant changes in the level of protection available for aircraft RFF to ATS and AIS as published in the Aerodrome Regulation (AB 2008 no. 43).	DCA	15 August 2008
The re-certification process of the Aruba Airport Authority has initiated, with the submission of their Aerodrome Manual for DCA approval, which process is planned to be finalized in September 2009. This re-certification process involves Aerodrome Inspectors of the CAA Netherlands.	DCA	30 September 2009

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APPENDIX 3C-8-12

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AERODROMES**

AUDIT FINDING AGA/12		
Please refer to Appendix 1C-8-12 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCA agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Develop technical guidance material to assist its technical staff on the initial review and approval/acceptance of an aerodrome manual.	DCA	27 February 2009
Technical guidance material and the processes, including forms, to be use for initial review, renewal and continuance surveillance, will be incorporated in the Aerodrome Inspector Manual.	DCA	1 August 2009

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APPENDIX 3C-8-13

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AERODROMES**

AUDIT FINDING AGA/13		
Please refer to Appendix 1C-8-13 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCA agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Establish criteria and associated industry guidelines in the Ministerial Decree - " <i>Regeling Luchtvaartterreinen</i> " - to regulate the requirement for the aerodrome operator to perform a wild life hazard assessment and to take appropriate action to decrease the hazard of bird strike and the control of the development of facilities likely to attract birds on or in the vicinity of an aerodrome.	DCA	30 April 2009
Technical guidance material and the processes, including forms, to be used for the approval of the aerodrome manual and the continuance surveillance to ensure that the aerodrome operator performs a wild life hazard assessment and to take appropriate action to decrease the hazard of bird strike and the control of the development of facilities likely to attract birds on or in the vicinity of an aerodrome, will be incorporated in the Aerodrome Inspector Manual.	DCA	1 August 2009

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APPENDIX 3C-8-14

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AERODROMES**

AUDIT FINDING AGA/14		
Please refer to Appendix 1C-8-14 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCA agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Aruba requires the implementation of a SMS as part of the aerodrome certification process as published in the State Decree Aerodrome Regulation (AB 2008 no. 43).	DCA	15 August 2008
Aruba requires the aerodrome operator to ensure that organizations performing activities at the aerodrome comply with the safety requirements laid down by the aerodrome operator as published in the State Decree Aerodrome Regulation (AB 2008 no. 43).	DCA	15 August 2008

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APPENDIX 3C-8-15

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AERODROMES**

AUDIT FINDING AGA/15		
Please refer to Appendix 1C-8-15 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCA agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Establish criteria and associated industry guidelines in the Ministerial Decree - " <i>Regeling Luchtvaartterreinen</i> " - to regulate the requirement for the aerodrome operator on the use and evaluation of aeronautical studies/risk assessments as well as the evaluation of the outcomes of the assessments/studies.	DCA	30 April 2009
Develop and issue guidance to the aerodrome operator on the use and evaluation of aeronautical studies/risk assessments as well as the evaluation of the outcomes of the assessments/studies.	DCA	31 March 2009
Technical guidance material and the processes, including forms, to be used for the approval of the aerodrome manual and the continuance surveillance on the use and evaluation of aeronautical studies/risk assessments as well as the evaluation of the outcomes of the assessments/studies, will be incorporated in the Aerodrome Inspector Manual.	DCA	1 August 2009

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APPENDIX 3C-8-16

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AERODROMES**

AUDIT FINDING AGA/16		
Please refer to Appendix 1C-8-16 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
Aruba agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
The Aerodrome Regulation (AB 2008 no. 43) as published on 15 August 2008 includes requirements for the aerodrome operator to establish a preventive maintenance programme in the interests of safety, efficiency and regularity of aircraft operations and to include, in this programme, precautions about surface debris and regularity on runway, taxiway and apron pavements and taxiway shoulders, and measurement of friction characteristics and the conduct of appropriate corrective maintenance.	DCA/DWJZ	15 August 2008
Establish criteria and associated industry guidelines in the Ministerial Decree - " <i>Regeling Luchtvaartterreinen</i> " - to regulate the requirement for the aerodrome operator to establish maintenance performance level objectives for visual aids as part of its preventive maintenance programme.	DCA	30 April 2009

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APPENDIX 3C-8-16 (CONT.)

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AERODROMES**

CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>Technical guidance material and the processes, including forms, to be used for the approval of the aerodrome manual and the continuance surveillance to ensure that an aerodrome operator establishes a preventive maintenance programme in the interests of safety, efficiency and regularity of aircraft operations and to include, in this programme, precautions about surface debris and regularity on runway, taxiway and apron pavements and taxiway shoulders, measurement of friction characteristics and the conduct of appropriate corrective maintenance, and maintenance performance level objectives for visual aids as part of its preventive maintenance programme, will be incorporated in the Aerodrome Inspector Manual.</p>	<p>DCA</p>	<p>1 August 2009</p>

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APPENDIX 3C-8-17

**CORRECTIVE ACTION PLAN PROPOSED BY ARUBA
RELATED TO AERODROMES**

AUDIT FINDING AGA/17		
Please refer to Appendix 1C-8-17 of this report for the text of the finding and recommendations along with the related protocol questions which should be considered in order to fully address this audit finding.		
STATE'S COMMENTS AND OBSERVATIONS*		
The DCA agrees with the finding of the ICAO audit team.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Technical guidance material and the processes, including forms, to be used, during a formal inspection process of an aerodrome and for the performance of a continuing surveillance program on an aerodrome operator and how to deal with deficiencies identified during the audits or inspections, will be incorporated in the Aerodrome Inspector Manual.	DCA	1 August 2009

— END —

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