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SUPLEMENTO

SUMÁRIO

AGÊNCIA DA AVIAÇÃO CIVIL

Conselho de Administração

DELIBERAÇÃO N.º 11/2009

Ao abrigo do disposto no artigo 173º do Código Aeronáutico (Decreto-Legislativo nº 1/2001, de 20 Agosto) e da alínea *a*) do nº 2 do artigo 12 dos estatutos da Agencia de Aviação Civil aprovado pelo Decreto-Lei nº 24/2008, de 12 de Julho, o Conselho de Administração da AAC aprovou a 7 de Setembro de 2009 a Parte 15 – Serviços de Informação Aeronáutica dos regulamentos de aviação civil de Cabo Verde (CV CAR), em versão inglesa.

Este novo CV CAR visa regulamentar a prestação dos serviços de informação aeronáutica bem como normalizar a elaboração e a publicação de tais informações em conformidade com as normas do Anexo 15 à Convenção sobre a aviação civil internacional.

Uma versão inglesa, não oficial, será publicada no site da AAC, em www.aac.cv.

Conselho de Administração da Agência da Aviação Civil, na Praia, aos 7 de Setembro de 2009. – O Presidente, *Carlos Brazão Monteiro*.

REGULAMENTOS DE AVIAÇÃO CIVIL

CV-CAR PART 15

AERONAUTICAL INFORMATION SERVICES

15.A GENERAL

15.A.105 Applicability

(a) This Part prescribes:

1) the rules governing the certification and operation of organisations providing an aeronautical information service for Cabo Verde on behalf of the Authority; and

2) the requirements for the Cabo Verde Aeronautical Information Publications, Aeronautical Information Circulars and NOTAM.

15.A.110 Definitions

(a) For the purpose of Part 15 the following definitions shall apply:

Accuracy. A degree of conformance between the estimated or measured value and the true value.

Note.— *For measured positional data the accuracy is normally expressed in terms of a distance from a stated position within which there is a defined confidence of the true position falling.*

Aeronautical data. A representation of aeronautical facts, concepts or instructions in a formalized manner suitable for communication, interpretation or processing.

Aeronautical information. Information resulting from the assembly, analysis and formatting of aeronautical data.

Aeronautical Information Circular (AIC). A notice containing information that does not qualify for the origination of a NOTAM or for inclusion in the AIP, but which relates to flight safety, air navigation, technical, administrative or legislative matters.

Aeronautical Information Publication (AIP). A publication issued by or with the authority of a State and containing aeronautical information of a lasting character essential to air navigation.

Aeronautical information service (AIS). A service established within the defined area of coverage responsible for the provision of aeronautical information/data necessary for the safety, regularity and efficiency of air navigation.

AIP Amendment. Permanent changes to the information contained in the AIP.

AIP Supplement. Temporary changes to the information contained in the AIP which are published by means of special pages.

AIRAC. An acronym (aeronautical information regulation and control) signifying a system aimed at advance notification based on common effective dates, of circumstances that necessitate significant changes in operating practices.

AIS product. Aeronautical information provided in the form of the elements of the Integrated Aeronautical Information Package (except NOTAM and PIB), including aeronautical charts, or in the form of suitable electronic media.

Application. Manipulation and processing of data in support of user requirements (ISO 19104*).

ASHTAM. A special series NOTAM notifying by means of a specific format change in activity of a volcano, a volcanic eruption and/or volcanic ash cloud that is of significance to aircraft operations.

Assemble. A process of merging data from multiple sources into a database and establishing a baseline for subsequent processing.

Note.— *The assemble phase includes checking the data and ensuring that detected errors and omissions are rectified.*

ATS surveillance service. Term used to indicate a service provided directly by means of an ATS surveillance system.

ATS surveillance system. A generic term meaning variously, ADS-B, PSR, SSR or any comparable ground–based system that enables the identification of aircraft.

Note *- A comparable ground-based system is one that has been demonstrated, by comparative assessment or other methodology, to have a level of safety and performance equal to or better than monopulse SSR.*

Automatic dependant surveillance – broadcast (ADS-B). A means by which aircraft, aerodrome vehicles and other objects can automatically transmit and/or receive data such as identification, position and additional data, as appropriate, in a broadcast mode via a data link.

Automatic dependant surveillance – contract (ADS-C). A means by which the terms of an ADS-C agreement will be exchanged between the ground system and the aircraft, via a data link, specifying under what conditions ADS-C reports would be initiated, and what data would be contained in the reports.

Note *– The abbreviated term "ADS contract" is commonly used to refer to ADS event contract, ADS demand contract, ADS periodic contract or an emergency mode.*

Automatic terminal information service (ATIS). The automatic provision of current, routine information to arriving and departing aircraft throughout 24 hours or a specific portion thereof.

Data link-automatic terminal service (D-ATIS). The provision of ATIS via data link.

Voice-automatic terminal information service (Voice-ATIS). The provision of ATIS by means of continuous and repetitive voice broadcasts.

Bare Earth. Surface of the Earth including bodies of water and permanent ice and snow, and excluding vegetation and man-made objects.

Calendar. Discrete temporal reference system that provides the basis for defining temporal position to a resolution of one day (ISO 19108*).

Canopy. Bare Earth supplemented by vegetation height.

Control-pilot data link communications (CPDLC). A means of communication between controller and pilot, using data link for ATC communications.

Culture. All man-made features constructed on the surface of the Earth, such as cities, railways and canals

Cyclic redundancy check (CRC). A mathematical algorithm applied to the digital expression of data that provides a level of assurance against loss or alteration of data.

Danger area. An airspace of defined dimensions within which activities dangerous to the flight of aircraft may exist at specified times.

Database. One or more files of data so structured that appropriate applications may draw from the files and update them.

Note.— *This primarily refers to data stored electronically and accessed by computer rather than in files of physical records.*

Data product. Data set or data set series that conforms to a data product specification (ISO 19131*).

Data product specification. Detailed description of a data set or data set series together with additional information that will enable it to be created, supplied to and used by another party (ISO 19131*).

Note.— *A data product specification provides a description of the universe of discourse and a specification for mapping the universe of discourse to a data set. It may be used for production, sales, end-use or other purpose.*

Data quality. A degree or level of confidence that the data provided meets the requirements of the data user in terms of accuracy, resolution and integrity.

Data set. Identifiable collection of data (ISO 19101*).

Data set series. Collection of data sets sharing the same product specification (ISO 19115*).

Datum. Any quantity or set of quantities that may serve as a reference or basis for the calculation of other quantities (ISO 19104*).

Digital Elevation Model (DEM). The representation of terrain surface by continuous elevation values at all intersections of a defined grid, referenced to common datum.

Note.— *Digital Terrain Model (DTM) is sometimes referred to as DEM.*

Direct transit arrangements. Special arrangements approved by the public authorities concerned by which traffic which is pausing briefly in its passage through the Contracting State may remain under their direct control.

Ellipsoid height (Geodetic height). The height related to the reference ellipsoid, measured along the ellipsoidal outer normal through the point in question.

Feature. Abstraction of real world phenomena (ISO 19101*).

Feature attribute. Characteristic of a feature (ISO 19101*).

Note.— *A feature attribute has a name, a data type and a value domain associated with it.*

Feature operation. Operation that every instance of a feature type may perform (ISO 19110*).

Note.— *An operation upon the feature type dam is to raise the dam. The result of this operation is to raise the level of water in the reservoir.*

Feature relationship. Relationship that links instances of one feature type with instances of the same or a different feature type (ISO 19101*).

Feature type. Class of real world phenomena with common properties (ISO 19110*).

Note.— *In a feature catalogue, the basic level of classification is the feature type*

Geodesic distance. The shortest distance between any two points on a mathematically defined ellipsoidal surface.

Geodetic datum. A minimum set of parameters required to define location and orientation of the local reference system with respect to the global reference system/frame.

Geoid. The equipotential surface in the gravity field of the Earth which coincides with the undisturbed mean sea level (MSL) extended continuously through the continents.

Note.— *The geoid is irregular in shape because of local gravitational disturbances (wind tides, salinity, current, etc.) and the direction of gravity is perpendicular to the geoid at every point.*

Geoid undulation. The distance of the geoid above (positive) or below (negative) the mathematical reference ellipsoid.

Note.— *In respect to the World Geodetic System — 1984 (WGS-84) defined ellipsoid, the difference between the WGS-84 ellipsoidal height and orthometric height represents WGS-84 geoid undulation.*

Gregorian calendar. Calendar in general use; first introduced in 1582 to define a year that more closely approximates the tropical year than the Julian calendar (ISO 19108*).

Note.— *In the Gregorian calendar, common years have 365 days and leap years 366 days divided into twelve sequential months.*

Height. The vertical distance of a level, point or an object considered as a point, measured from a specific datum.

Heliport. An aerodrome or a defined area on a structure intended to be used wholly or in part for the arrival, departure and surface movement of helicopters.

Human Factors principles. Principles which apply to aeronautical design, certification, training, operations and maintenance and which seek safe interface between the human and other system components by proper consideration to human performance.

Integrated Aeronautical Information Package. A package which consists of the following elements:

a) AIP, including amendment service;

1) Supplements to the AIP;

2) NOTAM and PIB;

3) AIC; and

4) checklists and lists of valid NOTAM

Integrity (aeronautical data). A degree of assurance that an aeronautical data and its value has not been lost or altered since the data origination or authorized amendment.

International airport. Any airport designated by the Contracting State in whose territory it is situated as an airport of entry and departure for international air traffic, where the formalities incident to customs, immigration, public health, animal and plant quarantine and similar procedures are carried out.

International NOTAM office (NOF). An office designated by a State for the exchange of NOTAM internationally.

Logon address. A specified code used for data link logon to an ATS unit.

Manoeuvring area. That part of an aerodrome to be used for the take-off, landing and taxiing of aircraft, excluding aprons.

Metadata. Data about data (ISO 19115*).

Note.— *Data that describes and documents data.*

Movement area. That part of an aerodrome to be used for the take-off, landing and taxiing of aircraft, consisting of the manoeuvring area and the apron(s).

Minimum en-route altitude (MEA). The altitude for an en-route segment that provides adequate reception of navigation and communication signals and provide the required obstacle clearance.

Minimum obstacle clearance altitude (MOCA). The minimum altitude for a defined segment of flight that provides the required obstacle clearance.

NOTAM. A notice distributed by means of telecommunication containing information concerning the establishment, condition or change in any aeronautical facility, service, procedure or hazard, the timely knowledge of which is essential to personnel concerned with flight operations.

Obstacle. All fixed (whether temporary or permanent) and mobile objects, or parts thereof, that are located on an area intended for the surface movement of aircraft or that extend above a defined surface intended to protect aircraft in flight.

Obstacle/terrain data collection surface. A defined surface intended for the purpose of collecting obstacle/terrain data.

Orthometric height. Height of a point related to the geoid, generally presented as an MSL elevation.

Portrayal. Presentation of information to humans (ISO 19117*).

Position (geographical). Set of coordinates (latitude and longitude) referenced to the mathematical reference ellipsoid which define the position of a point on the surface of the Earth.

Post spacing. Angular or linear distance between two adjacent elevation points.

Precision. The smallest difference that can be reliably distinguished by a measurement process.

Note.— *In reference to geodetic surveys, precision is a degree of refinement in performance of an operation or a degree of perfection in the instruments and methods used when taking measurements.*

Pre-flight information bulletin (PIB). A presentation of current NOTAM information of operational significance, prepared prior to flight.

Prohibited area. An airspace of defined dimensions, above the land areas or territorial waters of a State, within which the flight of aircraft is prohibited.

Quality. Degree to which a set if inherent characteristics fulfils requirements (ISO 9000*).

Note 1 *– The term "quality" can be used with adjectives such as poor, good or excellent.*

Quality assurance. All the planned and systematic activities implemented within the quality system, and demonstrated as needed, to provide adequate confidence that an entity will fulfil requirements for quality (ISO 9000*).

Quality control. The operational techniques and activities that are used to fulfil requirements for quality (ISO 9000*).

Quality management. All activities of the overall management function that determine the quality policy, objectives and responsibilities, and implementing them by means such as quality planning, quality control, quality assurance and quality improvement within the quality system (ISO 9000*).

Relief. The inequalities in elevation of the surface of the Earth represented on aeronautical charts by contours, hypsometric tints, shading or spot elevations.

Requirement. Needs or expectation that is stated, generally implied or obligatory (ISO 9000*).

Note 1 *– "Generally implied" means that it is custom or common practice for the organization, its customers and other interested parties, that the need or expectation under consideration is implied.*

Note 2 *– A qualifier can be used to denote a specific type of requirement, e.g. product requirement, quality management requirement, customer requirement.*

Note 3 *– A specific requirement is one which is stated, for example, in a document.*

Note 4 *– Requirements can be generated by different interested parties.*

Resolution. A number of units or digits to which a measured or calculated value is expressed and used.

Restricted area. An airspace of defined dimensions, above the land areas or territorial waters of a State, within which the flight of aircraft is restricted in accordance with certain specified conditions.

Route stage. A route or portion of a route flown without an intermediate landing.

Station declination. An alignment variation between the zero degree radial of a VOR and true north, determined at the time the VOR station is calibrated.

Terrain. The surface of the Earth containing naturally occurring features such as mountains, hills, ridges, valleys, bodies of water, permanent ice and snow, and excluding obstacles.

Note.— *In practical terms, depending on the method of data collection used, terrain represents the continuous surface that exists at the bare Earth, the top of the canopy or something in-between, also known as "first reflective surface".*

Traceability. Ability to trace the history, application or location of an entity by means of recorded identifications (ISO 9000*).

Validation. Confirmation, trough the provision of objective evidence, that the particular requirements for a specific intended use are fulfilled (ISO 9000*).

Verification. Confirmation, trough the provision of objective evidence that specified requirements have been fulfilled (ISO 9000*).

Note.— *Objective evidence is information which can be proved true, based on facts obtained through observation, measurement, test or other means*

VOLMET. Meteorological information for aircraft in flight.

Data link-VOLMET (D-VOLMET). Provision of current aerodrome routine meteorological reports (METAR) and aerodrome special meteorological reports (SPECI), aerodrome forecasts (TAF), SIGMET, special air-reports not covered by a SIGMET and, where available, AIRMET via data link.

VOLMET broadcast. Provision as appropriate, of current METAR, SPECI, TAF and SIGMET by means of continuous and repetitive voice broadcasts.

15.A.112 Abbreviations

(a) The following abbreviations are used in Part 15:

(1) ACAS - Airborne Collision Avoidance System

(2) ACC - Area Control Centre;

(3) AFTN - Aeronautical Fixed Telecommunication Network;

(4) ATC - Air Traffic Control

(5) ATIS - Automatic Terminal Information Service;

(6) CV AIP - Cabo Verde Aeronautical Information Publications;

(7) CPDLC - Control Pilot Data Link Communications;

(8) DME - Distance Measuring Equipment;

(9) FIR - Flight Information Region;

(10) GPS - Global Positioning System;

(11) GPWS - Ground Proximity Warning System;

(12) HF - High Frequency;

(13) ICAO - International Civil Aviation Organisation established under the Convention;

(14) ILS - Instrument Landing System;

(15) LLZ - Localiser;

(16) MCTOW - Maximum Certificated Take-off Weight;

(17) NDB - Non-Directional Radio Beacon;

(18) PAR - Precision Approach Radar;

(19) SSR - Secondary Surveillance Radar;

(20) TCAS - Traffic Alert and Collision Avoidance System;

(21) UTC - Co-ordinated Universal Time;

(22) VMC - Visual Meteorological Conditions.

15.A.115 Requirement for certificate

(a) As of 1 March 2012, no person shall provide an aeronautical information service for:

1) the Cabo Verde airspace; or

2) the areas of the Sal Oceanic FIR in which Cabo Verde is responsible for air traffic services — except under the authority of, and in accordance with the provisions of, an aeronautical information service certificate issued under this Part.

(b) Each person authorised to provide an aeronautical information service before the entry into force of these regulations, may continue to do so, subject to compliance with the requirements of this Part.

15.A.120 Application for certificate

(a) The applicant for the grant of an aeronautical information service certificate shall apply for such certificate:

1) in a form and manner specified by the Authority and containing;

2) the exposition required by 15.B.150;

3) the payment of the appropriate application fee prescribed by the Authority; and

4) any other information the Authority requires the applicant to submit.

(b) Each applicant shall make the application for an initial issue of a certificate at least 90 days before:

1) the date of intended operation, or;

2) the deadline determined in 15.A.115 a), whichever comes first.

15.A.125 Issue of Certificate

(a) The applicant is entitled to an aeronautical information service certificate if the Authority is satisfied that:

1) the applicant meets the requirements of Subpart 15.B; and

2) the applicant, and the applicant's senior person or persons required by 15.B.105 (a)(1) and (2) are fit and proper persons; and

3) the granting of the certificate is not contrary to the interests of aviation safety.

15.A.130 Privileges of certificate

The aeronautical information service certificate specifies the aeronautical information services that the certificate holder is authorised to provide.

14.A.135 Amendment and cancellation of certificate

(a) The Authority may amend any AIS certificate if:

1) The Authority determines that aviation safety and the public interest require the amendment; or

2) The AIS provider applies for an amendment.

(b) The Authority may, if the requirements of subsection 15.A.125 and subsection 15.C.110 are met, amend an AIS certificate, where there is a change in the services provided.

(c) If the Authority stipulates in writing that an emergency exists requiring immediate amendment in the public interest with respect to aviation safety, such an amendment is effective without stay on the date the holder of the AIS certificate receives notice.

(d) The AIS certificate holder may appeal the amendment, but shall operate in accordance with it, unless it is subsequently withdrawn.

(e) Amendments proposed by the Authority, other than emergency amendments, become effective 30 days after notice to the AIS certificate holder, unless the AIS certificate holder appeals the proposal in writing prior to the effective date. The filing of an appeal stays the effective date until the appeal process is completed.

(f) Amendments proposed by the AIS certificate holder shall be made at least 30 days prior to the intended date of the start of any service under that amendment.

(g) No person may provide an aeronautical information service for which an AIS certificate amendment is required, unless it has received notice of the approval from the Authority.

15.A.140 Duration of certificate

(*a*) The aeronautical information service certificate may be granted or renewed for a period of up to 2 years.

(*b*) The aeronautical information service certificate remains in force until it expires or is suspended or revoked.

(*c*) The holder of the aeronautical information service certificate that expires or is revoked shall forthwith surrender the certificate to the Authority.

(*d*) The holder of the aeronautical information service certificate that is suspended shall forthwith produce the certificate to the Authority for appropriate endorsement.

15.A.145 Renewal of Certificate

(a) The application for the renewal of the aeronautical information service certificate shall be in a form and manner prescribed by the Authority.

(b) The application shall be submitted to the Authority not less than 30 days before the certificate expiry date.

15.B - CERTIFICATION REQUIREMENTS

15.B.105 Personnel requirements

(a) The applicant for the grant of the aeronautical information service certificate shall engage, employ or contract:

1) An accountable manager, who has the authority within the applicant's organisation to ensure that each aeronautical information service listed in their exposition:

i) can be financed and is provided to meet operational requirements; and

ii) is provided in accordance with the requirements prescribed by this Part:

2) a senior person or group of senior persons who are responsible for ensuring that the applicant's organisation complies with the requirements of this Part. Such nominated person or persons shall be ultimately responsible to the accountable manager:

3) sufficient personnel to collect, collate, check, coordinate, edit, and publish aeronautical information for the aeronautical information services listed in the applicant's exposition.

(*b*) The applicant shall:

1) establish a procedure to initially assess the competence of those personnel authorised by the applicant to check, edit, and publish aeronautical information for the aeronautical information services listed in their exposition; and

2) establish a procedure to maintain the competence of those authorised personnel; and

3) provide those authorised personnel with written evidence of the scope of their authorisation.

15.B.110 Facility Requirements

(a) The applicant for the grant of the aeronautical information service certificate shall establish offices and facilities that:

1) are appropriate for the aeronautical information services listed in their exposition; and

2) meet the applicable requirements of 15.C.115 b) and 15.C.120.

15.B.115 Scope of pre-flight information service

(a) The applicant for the grant of the aeronautical information service certificate for a pre-flight information service shall, for the pre-flight services listed in their exposition, specify—

1) the geographic area; and

2) the aerodromes and the air routes originating from those aerodromes.

15.B.120 Documentation

(a) The applicant for the grant of the aeronautical information service certificate shall:

(1) document the format and standards for the aeronautical information published under the authority of their certificate; and

(2) ensure that the format and standards take into account the circumstances under which the information will be used; and

(3) hold copies of relevant reference material, standards, practices and procedures, and any other documentation that is necessary for the aeronautical information services listed in their exposition.

(b) The applicant shall establish a procedure to control all the documentation required by paragraph (a), to ensure that:

(1) the documentation is reviewed and authorised by appropriate personnel before issue; and

(2) current issues of relevant documentation are available to staff at all locations where they need access to such documentation for the aeronautical information services listed in their exposition; and

(3) all obsolete documentation is promptly removed from all points of issue or use; and

(4) changes to documentation are reviewed and approved by appropriate personnel; and

(5) the current version of each item of documentation can be identified to preclude the use of out-of-date editions.

15.B.125 Collection of Information

(a) The applicant for the grant of the aeronautical information service certificate shall establish procedures to collect and collate the information required for the aeronautical information services listed in their exposition.

(b) The procedures shall ensure that:

(1) applicable information is obtained from organisations that provide services in support of the Cabo Verde air navigation system; and

(2) applicable information is obtained from the aeronautical information services of other States relevant to the requirements of international aircraft operators operating

(i) in the areas of the Cabo Verde airspace and Sal Oceanic FIR in which Cabo Verde is responsible for air traffic services; and

(ii) on international air routes originating from Cabo Verde; and

(3) arrangements for the timely provision of information are made with the information originators prescribed in paragraph (b)(1) and (2); and

(4) information received from the information originators prescribed in paragraph (b)(1) is certified as accurate by a person identified by the originator to be responsible for the accuracy of that information.

(c) The procedures for the NOTAM service shall, in addition to paragraph (b), ensure that any originator's request for the issue of a NOTAM does not require the NOTAM to be effective for more than 3 months.

15.B.130 Publication of Aeronautical Information

(a) The applicant for the grant of the aeronautical information service certificate shall establish procedures to receive and/or originate, check, co-ordinate, edit, format, publish/store and disseminate aeronautical information for the services listed in their exposition.

(b) The procedures shall ensure that:

(1) the information received under 15.B.125 is checked against available information to verify its accuracy and integrity as specified in Annex 15, Chapter 3 prior to publication; and

(2) the information received under 15.B.125 is edited, accurately published, and disseminated:

(i) in the format applicable to the operational significance of the information; and

(ii) where applicable, in accordance with Subparts 15.D, 15.F, or 15.H; and

(iii) in a format that takes account of the circumstances under which the information will be used;

(iv) aeronautical information shall be published as an Integrated Aeronautical Information Package; and

(3) except for paragraph (b)(4), permanent publications and long term temporary publications are clearly identified as being published under the authority of the applicant's aeronautical information service certificate; and

(4) when aeronautical information obtained from the aeronautical information services of other States under 15.B.125 (b) (2) is disseminated, that information is clearly identified as having the authority of the originating State; and

(5) when information that has not been certified as required under 15.B.125 (b) (4) is disseminated, that information is clearly identified as being unverified; and

(6) any permanent change to published information is coordinated with other applicable information originators before the change is published; and

(7) temporary information that is published without a defined expiry date is reviewed at an appropriate time to ensure that the originator takes the required action to cancel or reissue the information; and

(8) the aeronautical information is published in the English language; and

(9) place names are spelt according to local usage; and

(10) units of measurement are consistent with those prescribed in CV CAR, Cabo Verde AIP and as per the tables contained in Annex 15 – Units of Measurement to be used in Air and Ground Operations.

(11) abbreviations, consistent with those prescribed in Part 1, are used in the published aeronautical information when —

(i) their use is appropriate; and

(ii) their use will facilitate the dissemination of the information; and

(12) any of the aeronautical information published is promptly made available to the aeronautical information services of other States, upon request by those States; and

(13) the aeronautical information is made available in a form that is suitable for the operational requirements of:

(i) flight operations personnel, including flight crew members and the services responsible for pre-flight briefing; and

(ii) the air traffic service units responsible for flight information services.

(c) The procedures for the Cabo Verde AIP service shall, in addition to paragraph (b), ensure that:

(1) aeronautical charts, and operationally significant information published in Cabo Verde AIP Amendments and AIP Supplements, are published in accordance with the AIRAC system; and

(2) the information published under the AIRAC system is clearly identified with the acronym AIRAC; and

(3) the information published under the AIRAC system is distributed so that recipients receive the information at least 28 days before its effective date; and

(4) the information published under the AIRAC system is not changed for at least 28 days after the effective date, unless the circumstance notified is of a temporary nature and would not persist for the full period; and

(5) where an AIP Supplement is published to replace a NOTAM, the supplement includes a reference to the serial number of the NOTAM; and

(6) where an AIP Amendment or AIP Supplement is published under the AIRAC system, a NOTAM is originated giving a brief description of the operationally significant contents, the effective date and the reference number of each amendment or supplement. The NOTAM shall:

(i) come into force on the same effective date as the amendment or supplement; and

(ii) remain in force until the next AIRAC date; and

(7) when there is no applicable information to be published by the AIRAC date, a NIL notification is issued; and

(8) a NOTAM is originated when information to be published as an AIP Amendment or AIP Supplement takes effect prior to the effective date of the amendment or supplement.

15.B.135 Error Correction in Published Information

(a) The applicant for the grant of an aeronautical information service certificate shall establish procedures to record, investigate, correct, and report any errors that are detected in the aeronautical information published under the authority of their certificate.

(b) The procedures shall ensure that —

(1) the error is corrected by the most appropriate means relative to the operational significance of the error; and

(2) the correction is clearly identified in the republished information; and

(3) the source of the error is identified and, where possible, eliminated; and

(4) the Authority is notified of a promulgated information incident in accordance with SAR regulations.

15.B.140 Records

(a) The applicant for the grant of the aeronautical information service certificate shall establish procedures to identify, collect, index, store, maintain and dispose of the records that are necessary for the aeronautical information services listed in their exposition.

(b) The procedures shall ensure that:

(1) there are records enabling all incoming and outgoing aeronautical information to be readily identified by serial number and date, and that supplementary information can be similarly verified and, where necessary, authenticated; and

(2) there is a record of each person who is authorised by the applicant to check, edit, and publish aeronautical information; and

(3) there is a record of each occurrence of error correction under the procedures required by 15.B.135; and

(4) there is a record of each internal quality assurance review of the applicant's organisation carried out under the procedures required by 15.B.145; and

(5) all records are legible and of a permanent nature; and

(6) all records are retained for at least 5 years except NOTAM, AIP Supplements and Aeronautical Information Circulars, which need only be retained for 30 days after cancellation.

15.B.145 Internal Quality Assurance

(a) The applicant for the grant of the aeronautical information service certificate shall establish internal quality assurance procedures to ensure compliance with, and the adequacy of, the procedures required by this Part.

(b) The quality assurance procedures shall specify:

(1) the level of quality that the applicant intends to achieve meets or exceeds that which is specified in ICAO Annex 11, Chapter 2 and ICAO Annex 14 Volumes I and II Chapter 2.;

(2) that publication resolution of aeronautical data is as specified in ICAO Annex 15, Appendices 1 and 7; and

(3) the level and frequency of internal reviews; and

(4) the person or persons responsible for carrying out the internal reviews; and

(5) how the findings of the internal reviews are to be recorded and reported to the accountable manager; and

(6) how quality indicators such as error reports, incidents, and complaints are incorporated into the internal quality assurance procedures; and

(7) the senior person's responsibilities for analysis and overview of the internal reviews; and

(8) the means for rectifying any deficiencies found during an internal review; and

(9) the documentation requirements for all aspects of the review.

(10) The quality system should be established in conformity with the ISO 9000 series of quality assurance standards and certified by an approved organization.

(11) within the context of a quality system, the skills and knowledge required for each function shall be identified and personnel assigned to perform those functions shall appropriately trained. It is necessary to ensure that personnel posses the skills and competences required to perform specific assigned functions and appropriate records shall be maintained so that qualifications of personnel can be confirmed.

(c) The quality assurance procedures shall ensure that:

(1) aeronautical data at any moment is traceable to its origin so as to allow any data anomalies or errors, detected during the production/maintenance phases or in an operational use, to be corrected.

(2) provide users with the necessary assurance and confidence that distributed aeronautical/data satisfy stated requirements for data quality (accuracy, resolution and integrity) and provide assurance of the applicability period of intended use of aeronautical data as well as that the agreed distribution dates will be met.

(3) provide the order of accuracy for aeronautical data, based upon a 95 per cent confidence level, shall be as specified in Annex 11, Chapter 2, and Annex 14, Volumes I and II, Chapter 2. In that respect, three types of positional data shall be identified: surveyed points (runway

thresholds, navigation aid positions, etc), calculated points (mathematical calculations from the known surveyed points of points in space/fixes) and declared points (flight information region boundary points).

(4) the order of publication resolution of aeronautical data shall be that as specified in Annex 15, Appendices 1 and 7.

(d) The senior person who has the responsibility for internal quality assurance shall have direct access to the accountable manager on matters affecting the adequacy, accuracy, timeliness, format, and dissemination of the published aeronautical information.

(e) Material to issued as part of the integrated Aeronautical Information Package shall be thoroughly checked and coordinated with the responsible services before it is submitted to the aeronautical information service, in order to make certain that all necessary information has been included and that it is correct in detail prior to distribution. Validation and verification procedures shall be established ensuring the quality requirements (accuracy, resolution, integrity) and traceability of aeronautical data are met.

(f) Demonstration of compliance of the quality system shall be by audit. If nonconformity is identified, initiating action to correct its cause shall be determined and taken.

15.B.150 Organisation Exposition

(a) The applicant for the grant of the aeronautical information service certificate shall provide the Authority with an exposition containing:

(1) a statement signed by the accountable manager on behalf of the applicant's organisation confirming that:

(i) the exposition and any included manuals define the organisation and demonstrate its means and methods for ensuring ongoing compliance with this Part; and

(ii) the exposition and any included manuals will be complied with at all times; and

(2) the titles and names of the senior person or persons required by 15.B.105 (a)(1) and (2); and

(3) the duties and responsibilities of the senior persons specified in paragraph (a)(2) including matters for which they have responsibility to deal directly with the Authority on behalf of the organisation; and

(4) the organisation chart showing lines of responsibility of the senior persons specified in paragraph (a)(2); and

(5) a summary of the applicant's staffing structure for each aeronautical information service listed under paragraph (a)(6); and

(6) a list of the aeronautical information services to be covered by the certificate; and

(7) for a pre-flight information service, details of the area, aerodromes and air routes required by 15.B.115; and

(8) the location and address details of the applicable offices required by 15.C.115 (b)(1) and (1); and

(9) details of the applicant's format and standards required by 15.B.120 (a)(1) for their published aeronautical information; and

(10) details of the applicant's procedures required by —

(i) regarding the competence of personnel; and

(ii) regarding the control of documentation; and

(iii) regarding the collection of information; and

(iv) regarding the publication of aeronautical information; and

(v) regarding the correction of errors in published information; and

(vi) regarding the identification, collection, indexing, storage, maintenance, and disposal of records; and

(vii) regarding internal quality assurance; and

(11) procedures to control, amend and distribute the exposition.

(12) use of human factor principles (See Annex 15, 3.6.7)

(b) The applicant's exposition must be acceptable to the Authority.

15.C OPERATING REQUIREMENTS

15.C.105 Aeronautical Data

The applicant for the grant of an aeronautical information service certificate shall:

(a) Take all necessary measures to introduce a properly organized quality system containing procedures, processes and resources necessary to implement quality management at each function stage as outlined in 15.B.145. The execution of such quality management shall be made demonstrable for each function stage, when required. In addition, the applicant shall ensure that established procedures exist in order that aeronautical data at any moment is traceable to its origin so to allow any data anomalies or errors, detected during the production/ maintenance phases or in the operational use, to be corrected.

(b) Ensure that the order of chart resolution of aeronautical data to be that as specified for a particular chart, and as presented in a tabular form in Appendices 1 and 7 of Annex 15.

(c) Ensure that integrity of aeronautical data is maintained throughout the data process from survey/origin to distribution to the next intended user. Aeronautical data integrity requirements shall be based upon the potential risk resulting from the corruption of data and upon the use to which the data item is put. Consequently, the following classification and data integrity level shall apply:

(1) Critical data, integrity level 1 x 10-8: there is a high probability when using corrupted critical data that the continued safe flight and landing of an aircraft would be severely at risk with the potential for catastrophe;

(2) Essential data, integrity level 1 x 10-5: there is a low probability when using corrupted essential data that the continued safe flight and landing of an aircraft would be severely at risk with the potential for catastrophe; and

(3) Routine data, integrity level 1 x 10-3: there is a very low probability when using corrupted routine data that the continued safe flight and landing of an aircraft would be severely at risk with the potential for catastrophe.

(d) Aeronautical data quality requirements related to classification and data integrity shall be as provided in Tables A7-1 to A7-5 of Appendix 7 of ICAO Annex 15.

(e) Protection of electronic aeronautical data while stored or in transit shall be totally monitored by the Cyclic Redundancy Check (CRC).

(f) To achieve protection of the integrity level of critical and essential aeronautical data as classified in 15.C.105 (c),(1),(2),(3), 32- or 24-bit CRC algorithm shall apply respectively.

(g) To achieve protection of the integrity level of routine aeronautical data, a 16-bit CRC algorithm should apply.

(h) Ensure that the aeronautical information/data provided relating to its own territory is adequate, of required quality and timely.

(i) Ensure that where 24-hour service is not provided, service shall be available during the whole period an aircraft is in flight in the area of an aeronautical information service, plus a period of at least two hours before and after such period.

(j) Ensure that the order of accuracy of the field work and determinations and calculations derived therefrom shall be such that the resulting operational navigation data for the phase of flight will be within the maximum deviations, with respect to an appropriate reference frame, as indicated in the tables contained in Appendix 5 of Annex 11.

15.C.110 Continued compliance

a) The holder of the aeronautical information service certificate shall:

(1) hold at least one complete and current copy of their exposition at each office listed in their exposition; and

(2) amend or revise the exposition, as is necessary, to ensure that the information contained therein is kept up to date;

(3) incorporate in the exposition any mandatory material as the Authority may require;

(4) comply with all procedures and standards detailed in their exposition;

(5) make each applicable part of their exposition available to personnel who require those parts to carry out their duties; and

(6) continue to meet the standards and comply with the requirements of Subpart 15.B prescribed for certification under this Part; and

(7) notify the Authority of any change of address for service, telephone number, or facsimile number within 28 days of the change.

15.C.115 The Cabo Verde AIP service

(a) The holder of the aeronautical information service certificate for the Cabo Verde AIP service shall publish —

(1) the Cabo Verde AIP in accordance with Subpart 15.D and

(2) AIP Amendments in accordance with 15.D.115; and

(3) AIP Supplements in accordance with 15.D.120 for notification of:

(i) temporary changes that are effective for 3 months or longer; and

(ii) information of less than 3 months duration which contains extensive text or graphics; and

(4) the AIC in accordance with Subpart 15.H.

(b) The certificate holder shall, in addition to paragraph (a):

(1) designate an office as Cabo Verde's point of contact with the aeronautical information services of other States for the interchange of the Integrated Aeronautical Information Package, except NOTAM; and

(2) make the Cabo Verde AIP, AIP Amendments, AIP Supplements and AIC available to any person upon payment of any charge that may apply to the supply of the publications; and

(3) establish a system to disseminate the Cabo Verde AIP, AIP Amendments, AIP Supplements, aeronautical charts, and AIC in accordance with 15.B.130 (c)(3); and

(4) ensure that all aeronautical charts published as part of the Cabo Verde AIP conform to the applicable standards for the charts; and

(5) coordinate the input of all aeronautical information from the originators prescribed in 15.B.125 (b)(1), except:

(i) information which is of immediate operational significance necessitating the immediate issue of a NOTAM; and

(ii) temporary information of a duration of less than three months, that only requires the issue of a NOTAM.

15.C.120 NOTAM service

The holder of the aeronautical information service certificate for the NOTAM service shall —

(1) designate a NOF for Cabo Verde; and

(2) operate the NOF on a 24-hour basis; and

(3) establish agreements with other international NOTAM offices for the exchange of NOTAM; and

(4) ensure that:

(i) the NOF is connected to the AFTN; and

(ii) the AFTN connection provides for printed communication; and

(iii) the NOF has appropriate facilities to issue and receive NOTAM distributed by means of telecommunication; and

(5) promptly issue a NOTAM that is in accordance with Subpart 15.F, whenever information received under 15.B.125 requires the issue of a NOTAM; and

(6) at intervals of not more than one month, issue a checklist over the AFTN of the NOTAM that are currently in force.

(7) one copy of each of the elements of the Integrated Aeronautical Information Package, in paper or electronic form or both have been requested by the aeronautical information service of another state shall be made available in the mutually-agreed forms(s) without charge.

Note 1 *- The exchange of more than one copy of the Integrated Aeronautical Information Package or other air navigation documents should be subject of bilateral agreement.*

Note 2 *– The procurement of aeronautical information / data, including the elements of the Integrated Aeronautical Information Package, and other air navigation documents, including those containing air navigation legislation and regulations, whether in paper or electronic form, by states other than ICAO contracting states, should be subject to separate agreement.*

15.C.125 Pre-flight information service

(a) Each holder of the aeronautical information service certificate for a pre-flight information service shall make available to flight operations personnel and flight crew members, aeronautical information that:

(1) is essential for the safety, regularity and efficiency of air navigation; and

(2) relates to the geographic area, aerodromes and air routes listed in their exposition.

(b) The aeronautical information provided under paragraph (a) shall include, where applicable:

(1) a summary of current NOTAM and other information of an urgent character, in a plain text PIB; and

(2) relevant elements of the Integrated Aeronautical Information Package; and

(3) relevant maps and charts; and

(4) current information relating to the aerodrome of departure concerning any of the following:

(i) construction or maintenance work on or immediately next to the manoeuvring area;

(ii) rough portions of any part of the manoeuvring area, whether marked or not, including broken parts of the surface of runways and taxiways;

(iii) presence and depth water on runways and taxiways, including their effect on surface friction;

(iv) parked aircraft or other objects on or immediately next to taxiways;

(v) the presence of other temporary hazards including those created by birds: ;

(vi) failure or irregular operation of part or all of the aerodrome lighting system including approach, threshold, runway, taxiway, and obstruction lights, and manoeuvring area unserviceability lights, and aerodrome power supply;

(vii) failure, irregular operation or changes in the operational status of air navigation facilities including ILS and markers, PSR, SSR, VOR, NDB, VHF aeromobile channels, RVR observing system, and secondary power supply.

(c) The certificate holder shall make provision for flight crew members to report post-flight information at those aerodromes listed in the holder's exposition.

(d) The certificate holder shall forward any post-flight information reported by flight crew members under paragraph (c) concerning the state and operation of air navigation facilities, to the operator of the navigation facility.

15.C.130 Changes to certificate holder's organisation

(a) Each holder of an aeronautical information service certificate shall ensure that their exposition is amended so as to remain a current description of the holder's organisation and services.

(b) The certificate holder shall ensure that any amendments made to the holder's exposition meet the applicable requirements of this Part and comply with the amendment procedures contained in the holder's exposition.

(c) The certificate holder shall provide the Authority with a copy of each amendment to the holder's exposition as soon as practicable after its incorporation into the exposition.

(d) Where a certificate holder proposes to make a change to any of the following, prior notification to and acceptance by the Authority is required:

(1) the accountable manager:

(2) the listed senior persons:

(3) the aeronautical information services provided by the holder:

(4) the format and standards for the aeronautical information published under the authority of their certificate.

(e) The Authority may prescribe conditions under which a certificate holder may operate during or following any of the changes specified in paragraph (d).

(f) A certificate holder shall comply with any conditions prescribed under paragraph (e).

(g) Where any of the changes referred to in this rule requires an amendment to the certificate, the certificate holder shall forward the certificate to the Authority as soon as practicable.

(h) The certificate holder shall make such amendments to the holder's exposition as the Authority may consider necessary in the interests of aviation safety.

15.C.135 Safety inspections and audits

(a) The Authority may in writing require the holder of the aeronautical information service certificate to undergo or carry out such inspections and audits of the holder's offices, facilities, documents, and records as the Authority considers necessary in the interests of civil aviation safety and.

(b) The Authority may require the holder of an aeronautical information service certificate to provide such information as the Authority considers relevant to the inspection or audit.

15.D CABO VERDE AERONAUTICAL INFORMATION PUBLICATIONS (AIP)

15.D.105 Contents of Cabo Verde AIP

(a) The Cabo Verde AIP shall contain current information, data and the aeronautical charts relating to:

(1) the regulatory and airspace requirements for air navigation in the Cabo Verde airspace and the areas of the Sal Oceanic FIR in which Cabo Verde is responsible for air traffic services; and

(2) the Cabo Verde services and facilities that support international air navigation to and from Cabo Verde; and

(3) the services and facilities that support air navigation within the Cabo Verde flight information region; and

(4) aerodromes operating under the aerodrome operating certificate issued under Part 14.

(b) The Cabo Verde AIP may contain current information, data, and aeronautical charts relating to aerodromes not operating under the aerodrome operating certificate, where:

(1) the aerodrome operator provides the holder of the aeronautical information service certificate for the AIP service with the required data and information relating to the aerodrome; and

(2) the aerodrome operator accepts responsibility for the accuracy and currency of that data and information.

(c) The Cabo Verde AIP shall include at an appropriate location:

(1) a statement to advise which certificated organisations are responsible for the air navigation facilities, services and procedures covered by the Cabo Verde AIP; and

(2) the general conditions under which those services and facilities are available for use; and

(3) a list of the significant differences between the Cabo Verde regulations and practices and the related ICAO Standards, Recommended Practices and Procedures that the given in a form that enable user to establish the differences. and

(4) a summary of any significant standards, practices and procedures followed by Cabo Verde, where the ICAO Standards, Recommended Practices and Procedures allow alternative courses of action.

(d) The Cabo Verde AIP is divided in three parts:

(i) Part 1 – General (GEN),

(ii) Part 2 – En-route (ENR)

(iii) Part 3 – Aerodromes (AD)

***Note** – The contents of these parts are specified in A15, Appendix 1.*

(e) The aeronautical charts listed alphabetically below shall, when available for designated international aerodromes/heliports, form part of the AIP, or be distributed separately to recipients of the AIP:

(1) Aerodrome/Heliport Chart – ICAO;

(2) Aerodrome Ground Movement Chart – ICAO;

(3) Aerodrome Obstacle Chart – ICAO Type A;

(4) Aerodrome Terrain and Obstacle Chart – ICAO (Electronic);

(5) Aircraft Parking/Docking Chart – ICAO;

(6) Area Chart – ICAO;

(7) ATC Surveillance Minimum Altitude Chart – ICAO;

(8) Instrument Approach Chart – ICAO;

(9) Precision Approach Chart – ICAO;

(10)Standard Arrival Chart – Instrument (STAR) – ICAO;

(11)Standard Departure Chart – Instrument (SID) – ICAO;

(12)Visual Approach Chart – ICAO.

(f) Charts, maps or diagrams shall be used, when appropriate, to complement or a substitute for the tabulation or text to Aeronautical Information Publication.

15.D.110 Specifications for Cabo Verde AIP

(a) Each publication that forms part of the Cabo Verde AIP shall:

(1) specify the purpose of the publication, the geographic area covered and that the publication is part of the Cabo Verde AIP; and

(2) be self-contained, include a table of contents with page numbers, and be paginated clearly; and

(3) specify that it is published:

(i) by the holder of the aeronautical information service certificate for the AIP service; and

(ii) under the authority of their certificate issued by the Civil Aviation Authority of Cabo Verde; and

(4) not duplicate information unnecessarily and if duplication is necessary, there shall be no difference in the duplicated information in respect of the same facility, service or procedure; and

(5) be dated, or where the publication is in loose-leaf form, each page shall be dated. The date shall consist of the day, month by name, and the year when the aeronautical information becomes effective; and

(6) be kept up-to-date by means of AIP Amendments or by reissue at regular intervals. Recourse to hand amendments or annotation shall be kept the minimum. The normal method of amendment shall by means of replacement sheets.

Note *– The regular interval referred to in (6) is specified in the Cabo Verde AIP, Part 1 - General (GEN).*

(7) show clearly the degree of reliability of any unverified information.

(b) a publication published in loose-leaf form shall:

(i) specify on each page, which publication the page belongs to and that the page is part of the Cabo Verde AIP; and

(ii) contain a checklist that:

(A) gives the current date, and page number or chart title of each page or chart in the publication; and

(B) is issued with each AIP Amendment; and

(C) specifies which publication it belongs to; and

(D) is printed with a page number and the date as prescribed in paragraph (a)(5).

(iii) the sheet size should be no larger than 210 x 297 mm, except that larger sheet may be used provided they are folded to same size.

(c) All changes to the AIP, or new information on reprinted page, shall be identified by a distinctive symbol or annotation.

(d) Operationally significant changes to the AIP shall be published in accordance with AIRAC procedures and shall be clearly identified by the acronym – AIRAC.

15.D.115 Specifications for AIP Amendments

(a) Each AIP Amendment shall:

(1) Clearly identify, by a distinctive symbol or annotation, all changes to the published information, and all new information on a reprinted page;

(2) Be allocated a serial number, which shall be consecutive and based on the calendar year and each page, including the cover sheet, shall display a publication date and an effective date.

(3) Include references to the serial number of those elements, if any, of the Integrated Aeronautical Information Package which have been incorporated into the amendment.

(4) Be given a brief indication of the subjects affected by the amendment shall on the AIP Amendment cover sheet.

(5) When an AIP Amendment will not be published at the established interval or publication date, a NIL notification shall be originated and distributed.

(6) Permanent changes to the AIP shall be published as AIP Amendments.

(7) Each AIRAC AIP Amendment page, including the cover sheet, shall display an effective date.

15.D.120 Specifications for AIP Supplements

(a) Temporary changes of long duration (three months or longer) and information of short duration which contains extensive text and/or graphics shall be published as AIP Supplements.

(b) Each AIP Supplement shall be allocated a serial number which shall be consecutive and based on the calendar year.

(c) The AIP Supplement pages shall remain part of the Cabo Verde AIP while any part of their contents remains valid.

(d) When an AIP Supplement is sent in replacement of a NOTAM, it shall include a reference to the serial number of the NOTAM.

(e) A checklist of AIP Supplements currently in force shall be issued with each AIP Supplement or at intervals of not more than one month. The checklist shall be given the same distribution as the supplement as stated in Annex 15, 5.2.13.3.

(f) AIP Supplement pages should be coloured in order to be conspicuous, preferably in yellow and should be kept as the first item in the AIP parts.

(g) AIP Supplements shall be made available by the most expeditious means.

15.E COPYRIGHT

Note*. - In order to protect the investment in the products of a Cabo Verde AIS as well as to ensure better control of their use, AIS Service may wish to apply copyright to those products in accordance with national laws.*

Any product of a Cabo Verde AIS which has been granted copyright protection by the State and provided to another State in accordance with Annex 15, 3.3 shall only be made available to a third party on the condition that the third party is made aware that the product is copyright protected and provided that it is appropriately annotated that the product is subject to copyright by the State of Cabo Verde.

15.F NOTAM

15.F.100 ORIGINATION

15.F.105 Promptness of issuance

A NOTAM shall be originated and issued promptly whenever the information to be distributed is of a temporary nature and of short duration or when operationally significant permanent changes or temporary changes of long duration are made at short notice, except for extensive text and/or graphics.

Note 1.*- Operationally significant changes concerning circumstances listed in Appendix 4. Part I, are issued under the Aeronautical Information Regulation and Control (AIRAC) system specified in Annex 15, Chapter 6.*

Note 2.*- Information of short duration containing extensive text and /or graphics is published as an AIP Supplement (see Annex 15, Chapter 4, 4.4).*

15.F.110 NOTAM Information

(a) A NOTAM shall be originated and issued concerning the following information:

(1) establishment, closure or significant changes in operation of aerodrome(s) heliport(s) or runways;

(2) establishment, withdrawal and significant changes in operation of aeronautical services (AGA, AIS, ATS, COM, MET, SAR, etc.);

(3) establishment or withdrawal of electronic and other aids to air navigation and aerodromes/heliports. This includes: interruption or return to operation, change of frequencies, change in notified hours of service, change of identification, change of orientation (directional aids), change of location, power increase or decrease amounting to 50 per cent or more, change in broadcast schedules or contents, or irregularity or unreliability of operation of any electronic aid to air navigation, and air-ground communication services;

(4) establishment, withdrawal or significant changes made to visual aids;

(5) interruption of or return to operation of major components of aerodrome lighting systems;

(6) establishment, withdrawal or significant changes made to procedures for air navigation services;

(7) occurrence or correction of major defects or impediments in the manoeuvring area;

(8) changes to and limitations on availability of fuel, oil and oxygen;

(9) major changes to search and rescue facilities and services available;

(10) establishment, withdrawal or return to operation of hazard beacons marking obstacles to air navigation;

(11) changes in regulations requiring immediate action, e.g. prohibited areas for SAR action;

(12) presence of hazards which affect air navigation (including obstacles, military exercises, displays, races and major parachuting events outside promulgated sites);

(13) erecting or removal of, or changes to, obstacles to air navigation in the take-off climb, missed approach, approach areas and runway strip;

(14) establishment or discontinuance (including activation or deactivation) as applicable, or changes in the status of prohibited, restricted or danger areas;

(15) establishment or discontinuance of areas or routes or portions thereof where the possibility of interception exists and where the maintenance of guard on the VHF emergency frequency 121.5 MHz is required,

(16) allocation, cancellation or change of location indicators;

(17) significant changes in the level of protection normally available at an aerodrome or rescue and fire fighting purposes. NOTAM shall be originated only when a change of category is involved and such change of category shall be clearly stated (see ICAO Annex 14, Volume I, Chapter 9, and Attachment A, Section 17);

(18) presence or removal of, or significant changes in, hazardous conditions due to snow, slush, ice or water on the movement area;

(19) outbreaks of epidemics necessitating changes in notified requirements for inoculations and quarantine measures;

(20) forecasts of solar cosmic radiation, where provided;

(21) an operationally significant change in volcanic activity, the location, date and time of volcanic eruptions and/or horizontal and vertical extent of volcanic ash cloud, including direction of movement, flight levels and routes or portions of routes which could be affected;

(22) release into the atmosphere of radioactive materials or toxic chemicals following a nuclear or chemical incident, the location, date and time of the incident, the flight levels and routes or portions thereof which could be affected and the direction of movement;

(23) establishment of operations of humanitarian relief missions, such as those undertaken under the auspices of United Nations, together with procedures and for limitations which affect air navigation; and

(24) implementation of short-term contingency measures in cases of disruption, or partial disruption, of air traffic services and related supporting services.

Note.- *See ICAO Annex 11, 2.28 and Attachment D to that Annex.*

15.F.115 Other originating circumstances

The need for origination of a NOTAM should be considered in any other circumstance which may affect the operations of aircraft.

15.F.120 Information not to be notified

The following information shall not be notified by NOTAM:

a) routine maintenance work on aprons and taxiways which does not affect the safe movement of aircraft;

b) runway marking work, when aircraft operations can safely be conducted on other available runways, or the equipment used can be removed when necessary;

c) temporary obstructions in the vicinity of aerodromes/ heliports that do not affect the safe operation of aircraft;

d) partial failure of aerodrome/heliport lighting facilities where such failure does not directly affect aircraft operations;

e) partial temporary failure of air-ground communications when suitable alternative frequencies are known to be available and are operative;

f) the lack of apron marshalling services and road traffic control;

g) the unserviceability of location, destination or other instruction signs on the aerodrome movement area;

h) parachuting when in uncontrolled airspace under VFR, when controlled, at promulgated sites or within danger or prohibited areas;

i) other information of a similar temporary nature.

15.F.125 Advance notice

At least seven days' advance notice shall be given of the activation of established danger, restricted or prohibited areas and of activities requiring temporary airspace restrictions other than for emergency operations.

15.F.130 Cancellation or reduction of services

Notice *of any subsequent cancellation of the activities or any reduction of the hours of activity or the dimensions of the airspace should be given as soon as possible.*

Note.- *Whenever possible, at least 24 hours ' advance notice is desirable, to permit timely completion of the notification process and to facilitate airspace utilization planning.*

15.F.135 Unserviceability of navaids

NOTAM notifying unserviceability of aids to air navigation, facilities or communication services shall give an estimate of the period of unserviceability or the time at which restoration of service is expected.

15.F.140 Description of contents

When an AIP Amendment or an AIP Supplement is published in accordance with AIRAC procedures, NOTAM shall be originated giving a brief description of the contents, the effective date and the reference number to the amendment or supplement. This NOTAM shall come into force on the same effective date as the amendment or supplement and shall remain valid in the pre-flight information bulletin for a period of fourteen days.

Note.- *Guidance material for the origination of NOTAM announcing the existence of AIRAC AIP Amendments or AIP Supplements ("Trigger NOTAM") is contained in the Aeronautical Information Services Manual (ICAO Doc 8126).*

15.F.200 NOTAM GENERAL SPECIFICATIONS

15.F.205 Format

(a) Except as otherwise provided in (d) and (e), each NOTAM shall contain the information in the order shown in the NOTAM Format in Annex 15, Appendix 6.

(b) Text of NOTAM shall be composed of the significations/ uniform abbreviated phraseology assigned to the ICAO NOTAM Code complemented by ICAO abbreviations, indicators, identifiers, designators, call signs, frequencies, figures and plain language.

(c) When NOTAM is selected for international distribution, English text shall be included for those parts expressed in plain language.

Note.- *The ICAO NOTAM Code together with significations/ uniform abbreviated phraseology, and ICAO Abbreviations are those contained in the ICAO PANS-ABC (ICAO Doc 8400).*

(d) Information concerning snow, slush, ice and standing water on aerodrome/heliport pavements shall, when reported by means of a SNOWTAM, contain formation in the order shown in the SNOWTAM Format in Annex 15, Appendix 2.

(e) Information concerning an operationally significant change in volcanic activity, a volcanic eruption and/or volcanic ash cloud shall, when reported by means of an ASHTAM, contain the information in the order shown in the ASHTAM Format in Annex 15, Appendix 3.

(f) The NOTAM originator shall allocate to each NOTAM a series identified by a letter and a four-digit number followed by a stroke and a two-digit number for the year. The four-digit number shall be consecutive and based on the calendar year.

Note.- *Letters A to Z, with the exception of S and T: may be used to identify a NOTAM series.*

(g) When errors occur in a NOTAM, a NOTAM with a new number to replace the erroneous NOTAM shall be issued.

(h) When a NOTAM is issued which cancels or replaces a previous NOTAM, the series and number of the previous NOTAM shall be indicated. The series, location indicator and subject of both NOTAM shall be the same. Only one NOTAM shall be cancelled or replaced by a NOTAM.

(i) Each NOTAM shall deal with only one subject and one condition of the subject.

Note.- *Guidance concerning the combination of a subject and a condition of the subject in accordance with the NOTAM Selection Criteria is contained in the Aeronautical Information Services Manual (ICAO Doc 8126).*

(j) Each NOTAM shall be as brief as possible and so compiled that its meaning is clear without the need to refer to another document.

(k) Each NOTAM shall be transmitted as a single telecommunication message.

(l) A NOTAM containing permanent or temporary information of long duration shall carry appropriate AIP or AIP Supplement references.

(m) Location indicators included in the text of a NOTAM shall be those contained in Location Indicators (ICAO Doc 7910).

(n) In no case shall a curtailed form of such indicators be used.

(o) Where no ICAO location indicator is assigned to the location, its place name spelt in accordance with Annex 15, 3.6.2 shall be entered in plain language.

(p) A checklist of valid NOTAM shall be issued as a NOTAM over the Aeronautical Fixed Service (AFS) at intervals of not more than one month using the NOTAM Format specified in ICAO Annex 15, Appendix 6. One NOTAM shall be issued for each series.

(q) A checklist of NOTAM shall refer to the latest AIP Amendments, AIP Supplements and at least the internationally distributed AIC.

(r) A checklist of NOTAM shall have the same distribution as the actual message series to which they refer and shall be clearly identified as checklist.

(s) A monthly printed plain-language list of valid NOTAM, including indications of the latest AIP Amendments, AIC issued and a checklist of AIP Supplements, shall be prepared with a minimum of delay and forwarded by the most expeditious means to recipients of the Integrated Aeronautical Information Package.

15.F.210 Distribution

(a) NOTAM shall be distributed on the basis of a request.

(b) NOTAM shall be prepared in conformity with the relevant provisions of the ICAO communication procedures.

(c) The AFS shall, whenever practicable, be employed for NOTAM distribution.

(d) When a NOTAM exchanged as specified in Annex 15, 5.3.4 is sent by means other than the AFS, a six-digit date-time group indicating the date and time of NOTAM origination, and the identification of the originator shall be used, preceding the text.

(e) The originating State shall select the NOTAM that are to be given international distribution.

(f) Selective distribution lists should be used when practicable.

Note.- *These lists are intended to obviate superfluous distribution of information. Guidance material relating to this is contained in the Aeronautical Information Services Manual (ICAO Doc 8126).*

(g) International exchange of NOTAM shall take place only as mutually agreed between the international NOTAM offices concerned. The international exchange of ASHTAM, and NOTAM where AIS Service continue to use NOTAM for distribution of information on volcanic activity, shall include volcanic ash advisory centres, and the centres designated by regional air agreement for the operation of AFS satellite distribution systems (satellite distribution system for information relating to air navigation (SADIS) and international satellite communications system (ICSS), and shall take account of the requirements of long-range operations.

(h) These exchanges of NOTAM between international NOTAM offices shall, as far as practicable, be limited to the requirements of the receiving AIS Services concerned by means of separate series providing for at least international and domestic flights.

(i) A predetermined distribution system for NOTAM transmitted on the AFS in accordance with Annex 15, Appendix 5 shall be used whenever possible, subject to the requirements of (g).

15.G AERONAUTICAL INFORMATION REGULATION AND CONTROL (AIRAC)

15.G.105 General specifications

(a) Information concerning the circumstances listed in ICAO Annex 15, Appendix 4, Part 1, shall be distributed under

the regulated system (AIRAC), i.e. basing establishment, withdrawal or significant changes upon a series of common effective dates at intervals of 28 days, including 29 January 1998. The information notified therein shall not be changed further for at least another 28 days after the effective date, unless the circumstance notified is of a temporary nature and would not persist for the full period.

Note.- *Guidance material on the procedures applicable to the AIRAC system is contained in the Aeronautical Information Services Manual (ICAO Doc 8126).*

(b) The regulated system (AIRAC) should also be used for the provision of information relating to the establishment and withdrawal of; and premeditated significant changes in, the circumstances listed in Annex 15, Appendix 4, Part 2.

(c) When information has not been submitted by the AIRAC date, a NIL notification shall be originated and distributed by NOTAM or other suitable means, not later than one cycle before the AIRAC effective date concerned.

(d) Implementation dates other than AIRAC effective dates shall not be used for pre-planned operationally significant changes requiring cartographic work and/or for updating of navigation databases.

(e) The use of the date in the AIRAC cycle which occurs between 21 December and 17 January inclusive should be avoided as an effective date for the introduction of significant changes under the AIRAC system.

15.G.110 Provision of information in paper copy form

(a) In all instances, information provided under the AIRAC system shall be published in paper copy form and shall be distributed by the AIS unit at least 42 days in advance of the effective date with the objective of reaching recipients at least 28 days in advance of the effective date.

(b) Whenever major changes are planned and where advance notice is desirable and practicable, information published in paper copy form should be distributed by the AIS unit at least 56 days in advance of the effective date should be used.

Note. – *Guidance on what constitutes a major change is included in Doc 8126.*

15.G.115 Provision of information in electronic form

(a) AIS Service that have established an aeronautical database shall, when updating its contents concerning the circumstances listed in Annex 15, Appendix 4, Part 1, ensure that the effective dates of data coincide with the established AIRAC effective dates used for the provision of information in paper copy form.

(b) Information provided in electronic form, concerning the circumstances listed in ICAO Annex 15, Appendix 4, Part 1, shall be distributed/made available by the AIS unit so as to reach recipients at least 28 days in advance of the AIRAC effective date.

(c) Whenever major changes are planned and where advance notice is desirable and practicable, information provided in electronic form should be distributed/made available at least 56 days in advance of the effective date.

Note. – *Guidance on what constitutes a major change is included in Doc 8126.*

15.H AERONAUTICAL INFORMATION CIRCULARS (AIC)

15.H.105 Origination

(a) An AIC shall be originated whenever it is necessary to promulgate aeronautical information which does not qualify:

(1) under the specifications in Annex 15, 4.1 for inclusion in an AIP; or

(2) under the specifications in Annex 15, 5.1 for the origination of a NOTAM.

(3) An AIC shall be originated whenever it is desirable to promulgate:

(i) a long-term forecast of any major change in legislation, regulations, procedures or facilities;

(ii) information of a purely explanatory or advisory nature liable to affect flight safety;

(iii) information or notification of an explanatory or advisory nature concerning technical, legislative or purely administrative matters.

(4) The information in (3) shall include:

(i) forecasts of important changes in the air navigation procedures, services and facilities provided;

(ii) forecasts of implementation of new navigational systems;

(iii) significant information arising from aircraft accident/incident investigation which has a bearing on flight safety;

(iv) information on regulations relating to the safeguarding of international civil aviation against acts of unlawful interference;

(v) advice on medical matters of special interest to pilots;

(vi) warnings to pilots concerning the avoidance of physical hazards;

(vii) effect of certain weather phenomena on aircraft operations;

(viii) information on new hazards affecting aircraft handling techniques;

(ix) regulations relating to the carriage of restricted articles by air;

(x) reference to the requirements of, and publication of changes in, national legislation;

(xi) aircrew licensing arrangements;

(xii) training of aviation personnel;

(xiii) application of, or exemption from, requirements in national legislation;

(xiv) advice on the use and maintenance of specific types of equipment;

(xv) actual or planned availability of new or revised editions of aeronautical charts;

(xvi) carriage of radio equipment;

(xvii) explanatory information relating to noise abatement;

(xviii) selected airworthiness directives;

(xix) changes in NOTAM series or distribution, new editions of AIP or major changes in their contents, coverage or format;

(xx) advance information on the snow plan (not applicable);

(xxi) other information of a similar nature.

Note.- *The publication of an AIC does not remove the obligations set forth in A15, Chapters 4 and 5.*

15.H.110 General specifications

(a) AIC shall be issued in printed form.

Note.- *Both text and diagrams may be included.*

(b) The originating State shall select the AIC that are to be given international distribution.

(c) Each AIC shall be allocated a serial number which shall be consecutive and based on the calendar year.

(d) When AIC are distributed in more than one series, each series shall be separately identified by a letter.

(*e)* Differentiation and identification of AIC topics according to subjects using colour coding should be practised where the numbers of AIC in force are sufficient to make identification in this form necessary.

Note.- *Guidance on colour coding of AIC by subject can be found in the Aeronautical Information Services Manual (ICAO Doc 8126).*

(f) A checklist of AIC currently in force shall be issued at least once a year, with distribution as for the AIC.

15.H.115 Distribution

AIS Service shall give AIC selected for international distribution the same distribution as for the AIP.

15.I PRE-FLIGHT AND POST-FLIGHT INFORMATION DATA

15.I.105 Pre-flight information

(a) At any aerodrome/heliport normally used for international air operations, aeronautical information essential for the safety, regularity and efficiency of air navigation and relative to the route stages originating at the aerodrome/heliport shall be made available to flight operations personnel, including flight crews and services responsible for pre-flight information.

(b) Aeronautical information provided for pre-flight planning purposes at the aerodromes/heliports referred to in (a) shall include relevant:

(1) elements of the Integrated Aeronautical Information Package;

(2) maps and charts.

Note.- *The documentation listed in a) and b) may be limited to national publications and when practicable, those of immediately adjacent States, provided a complete library of aeronautical information is available at a central location and means of direct communications are available between the aerodrome AZS unit and that library.*

(c) Additional current information relating to the aerodrome of departure shall be provided concerning the following:

(1) construction or maintenance work on or immediately adjacent to the manoeuvring area;

(2) rough portions of any part of the manoeuvring area, whether marked or not, e.g. broken parts of the surface of runways and taxiways;

(3) presence and depth of snow, ice or water on runways and taxiways, including their effect on surface friction;

(4) parked aircraft or other objects on or immediately adjacent to taxiways;

(5) presence of other temporary hazards;

(6) presence of birds constituting a potential hazard to aircraft operations;

(7) failure or irregular operation of part or all of the aerodrome lighting system including approach, threshold, runway, taxiway, obstruction and manoeuvring area unserviceability lights and aerodrome power supply;

(8) failure, irregular operation and changes in the operational status of ILS (including markers), MLS, basic GNSS, SBAS, GBAS, SRE, PAR, DME, SSR, ADS-B, ADS-C, CPDLC, D-ATIS, VOR, NDB, VHF aeromobile channels, RVR observing system, and secondary power supply; and

(9) presence and operation of humanitarian relief missions, such as those undertaken under the auspices of the United Nations, together with any associated procedures and/or limitations applied thereof.

(d) A recapitulation of current NOTAM and other information of urgent character shall be made available to flight crews in the form of plain-language pre-flight information bulletins (PIB).

Note.- *Guidance on the preparation of PIB is contained in the Aeronautical Information Services Manual (ICAO Doc 8126).*

15.I.110 Automated aeronautical information systems

(a) Where the civil aviation authority or the agency to which the authority to provide service has been delegated in accordance with Annex 15, 3.1.1 c) uses automated pre-flight information systems to make aeronautical information data available to operations personnel including flight crew members for self-briefing, flight planning and flight information service purposes, the information data made available shall comply with the provisions of 15.I.105 (b) and (c).

(b) Automated pre-flight information systems providing a harmonized, common point of access by operations personnel, including flight crew members and other aeronautical personnel concerned, to aeronautical information in accordance with paragraph (a) and meteorological information in accordance with 9.5.1 of Annex 3 – Meteorological Service for International Air Navigation, should be established by an agreement between the civil aviation authority or the agency to which the authority to provide service has been delegated in accordance with Annex 15, 3.1.1 c) and the relevant meteorological authority.

(c) Where automated pre-flight information systems are used to provide the harmonized, common point of access by operations personnel, including flight crew members and other aeronautical personnel concerned, to aeronautical information data and meteorological information, the civil aviation authority or the agency to which the authority to provide service has been delegated in accordance with ICAO Annex 3, 3.1.1 c) shall remain responsible for the quality and timeliness of the aeronautical information/data provided by means of such a system.

Note.- *The meteorological authority concerned remains responsible for the quality of the meteorological information provided by means of such system in accordance with 9.5.1 of Annex 3.*

(d) Self-briefing facilities of an automated pre-flight information system shall provide for access by operations personnel, including flight crew members and other aeronautical personnel concerned, to consultation as necessary with the aeronautical information service by telephone or other suitable telecommunications means. The human/machine interface of such facilities shall ensure easy access in a guided manner to all relevant information data.

(e) Automated pre-flight information systems for the supply of aeronautical information data for self briefing, flight planning and flight information service should:

(1) provide for continuous and timely updating of the system database and monitoring of the valid and quality of the aeronautical information stored;

(2) permit access to the system by operations personnel including flight crew members, aeronautical personnel concerned and other aeronautical users through suitable telecommunications means;

(3) ensure provision, in paper copy form, of the aeronautical information/data accessed, as required;

(4) use access and interrogation procedures based on abbreviated plain language and ICAO location indicators, as appropriate, or based on a menu-driven user interface or other appropriate mechanism as agreed between the civil aviation authority and operator concerned; and

(5) provide for rapid response to a user request for information.

Note.- *ICAO abbreviations and codes and location indicators are given respectively in the Procedures for Air Navigation Services - ICAO Abbreviations and Codes (PANS-ABC. ICAO Doc 8400) and Location Indicators (ICAO Doc 7910).*

15.I.115 Post-flight information

(a) AIS Service shall ensure that arrangements are made to receive at aerodromes/heliports information concerning the state and operation of air navigation facilities noted by aircrews and shall ensure that such information is made available to the aeronautical information service for such distribution as the circumstances necessitate.

(b) AIS Service shall ensure that arrangements are made to receive at aerodromes/heliports information concerning the presence of birds observed by aircrews and shall ensure that such information is made available to the aeronautical information service for such distribution as the circumstances necessitate.

***Note**.- See ICAO Annex 14, Volume I, Chapter 9, Section 9.4.*

15.J ELECTRONIC TERRAIN AND OBSTACLE DATA

15.J.105 Function

(a) Sets of electronic terrain and obstacle data used in combination with aeronautical data, as appropriate, shall satisfy user requirements necessary to support the following air navigation applications:

(1) ground proximity warning system with forward looking terrain avoidance function and minimum safe altitude warning (MSAW) system;

(2) determination of contingency procedures for use in the event of an emergency during a missed approach or take-off;

(3) aircraft operating limitations analysis;

(4) instrument procedure design (including circling procedure);

(5) determination of en-route "drift-down" procedure and en-route emergency landing location;

(6) advanced surface movement guidance and control system (A-SMGCS);

(7) aeronautical chart production and on-board databases;

(8) flight simulator;

(9) synthetic vision; and

(10) aerodrome/heliport obstacle restriction and removal.

15.J.110 Coverage and terrain and obstacle data numerical requirements

(a) To satisfy requirements necessary to accommodate air navigation systems or functions specified in Annex 15, 10.1, sets of electronic terrain and obstacle data shall be collected and recorded in databases in accordance with the following coverage areas:

(1) Area I: entire territory of Cabo Verde;

(2) Area 2: terminal control area;

(3 Area 3: aerodrome/heliport area; and

(4) Area 4: Category II or III operations area.

***Note**.- See A15, Appendix 8 for graphical illustrations of the defined coverage areas.*

(b) Area 1 shall cover the entire territory of Cabo Verde, including aerodrome/heliports. Area 2 shall be the terminal control area as published in a Cabo Verde aeronautical information publication (AIP) or limited to a 45-Km radius from the aerodrome/heliport reference point (whichever is smaller). At IFR aerodromes/heliports where a terminal control area has not been established, Area 2 shall be the area within a 45-Km radius of the aerodrome/heliport reference point.

(c) At IFR aerodromes/heliports, Area 3 shall cover the area that extends from the edge(s) of the runway(s) to 90 m from the runway centre line (s) and for all other parts of aerodrome/heliport movement area(s), 50 m from the edge(s) of the defined area(s).

(d) Area 4 shall be restricted to those runways where precision approach Category II or III operations have been established and where detailed terrain information is required by operators to enable them to assess, by use of radio altimeters, the effect of terrain on decision height determination. The width of the area shall be 60 m on either side of the extended runway centre line while the length shall be 900 m from the runway threshold measured along the extended runway centre line.

(e) According to the air navigation applications listed in 15.J.105 and areas of coverage, sets of electronic terrain data shall satisfy the numerical requirements specified in Annex 15, Appendix 8, Table A8-1 while obstacle data shall satisfy the numerical requirements specified in Appendix 8, Table A8-2.

***Note** 1. - Numerical terrain and obstacle data requirements for Area 2 provided in A15, Appendix 8, Table A8-I and Table A8-2 ,respectively, are defined on the basis of the most stringent application requirement (application listed under 15.J.105 a) (2).*

***Note** 2.- It is recognized that some applications listed in 15.14.1 could be adequately accommodated with terrain and obstacle data sets that are of lower requirements than those specified in Annex 15, Appendix 8, Table A8-1 and Table A8-2, respectively. Consequently, careful evaluation of available data sets by data users is necessary in order to determine if the products are fit for their intended use.*

15.J.115 Terrain database - content and structure

(a) A terrain database shall contain digital sets of data representing terrain surface in the form of continuous elevation values at all intersections (points) of a defined grid, referenced to common datum. A terrain grid shall be angular or linear and shall be of regular or irregular shape.

***Note**.- In regions of higher latitudes, latitude grid spacing may be adjusted to maintain a constant linear density of measurement points.*

(b) Sets of electronic terrain data shall include spatial (position and elevation), thematic and temporal aspects for the surface of the Earth containing naturally occurring features such as mountains; hills, ridges, valleys, bodies of water, permanent ice and snow, and excluding obstacles. In practical terms, depending on the acquisition method used, this shall represent the continuous surface that exists at the bare Earth, the top of the canopy or something in-between, also known as "first reflective surface".

(c) Terrain data shall be collected according to the areas specified in 15.J.110, terrain data collection surfaces and criteria specified in Annex 15, Appendix 8, Figure A8-1, and in accordance with the terrain data numerical requirements provided in Annex 15, Table A8-1 of Appendix 8. In terrain databases, only one feature type, i.e. terrain, shall be recorded. Feature attributes describing terrain shall be those listed in Annex 15, Appendix 8, Table A8-3. The terrain feature attributes listed in Table A8-3 represent the minimum set of terrain attributes, and those annotated as mandatory shall be recorded in the terrain database.

15.J.120 Obstacle database - content and structure

(a) One obstacle database shall contain a digital set of obstacle data and shall include those features having vertical significance in relation to adjacent and surrounding features that are considered hazardous to air navigation. Obstacle data shall comprise the digital representation of the vertical and horizontal extent of man-made objects. Obstacles shall not be included in terrain databases. Obstacle data elements are features that shall be represented in the database by points, lines or polygons.

(b) Obstacles, which in accordance with the definition, can be fixed (permanent or temporary) or mobile shall be identified within the areas defined in 15.J.110, on the basis of the

obstacle data collection surfaces and criteria specified in Annex 15, Appendix 8, Figure A8-2, and collected in accordance with obstacle data numerical requirements provided in Table A8-2 of Appendix 8. In an obstacle database, all defined obstacle feature types shall be recorded and each of them shall be described according to the list of mandatory attributes provided in Table A8-4 of Appendix 8.

Note.- *Specific attributes associated with mobile (feature operations) and temporary types of obstacles are annotated in Appendix 8, Table A8-4, as optional attributes. If these types of obstacles are to be recorded in the database, appropriate attributes describing such obstacles are also required.*

15.J.125 Terrain and obstacle data product specifications

(a) To allow and support the interchange and use of sets of electronic terrain and obstacle data among different data providers and data users, the IS0 19100 series of standards for geographic information shall be used as a general data modelling framework.

(b) A comprehensive statement of available electronic terrain and obstacle data sets shall be provided in the form of terrain data product specifications as well as obstacle data product specifications on which basis air navigation users will be able to evaluate the products and determine whether they fulfil the requirements for their intended use (application).

Note.- *IS0 Standard 19131 specifies the requirements and outline of data product specifications for geographic information.*

(c) Each terrain data product specification shall include an overview, a specification scope, data product identification, data content and structure, reference system, data quality, data capture, data maintenance, data portrayal, data product delivery, additional information, and metadata.

(d) The overview of terrain data product specification or obstacle data product specification shall provide an informal description of the product and shall contain general information about the data product. Specification of terrain data may not be homogenous across the whole data product but may vary for different parts of the data sets. For each such subset of data, a specification scope shall be identified. Identification information concerning both terrain and obstacle data products shall include the title of the product; a brief narrative summary of the content, purpose, and spatial resolution if appropriate (a general statement about the density of spatial data); the geographic area covered by the data product; and supplemental information.

(e) Content information of feature-based terrain data sets or of feature-based obstacle data sets shall each be described in terms of an application schema and a feature catalogue. Application schema shall provide a formal description of the data structure and content of data sets while the feature catalogue shall provide the semantics of all feature types together with their attributes and attribute value domains, association types between feature types and feature operations, inheritance relations and constraints. Coverage is considered a subtype of a feature and can be derived from a collection of features that have common attributes. Both terrain and obstacle data product specifications shall identify clearly the coverage and/or imagery they include and shall provide a narrative description of each of them.

Note 1. - *IS0 Standard 19109 contains rules for application schema while IS0 Standard 19110 describes feature cataloguing methodology for geographic information*

Note 2.- *IS0 Standard 19123 contains schema for coverage geometry and functions.*

(f) Both terrain data product specifications and obstacle data product specifications shall include information that identifies the reference system used in the data product. This shall include the spatial reference system and temporal reference system. Additionally, both data product specifications shall identify the data quality requirements for each data product. This shall include a statement on acceptable conformance quality levels and corresponding data quality measures. This statement shall cover all the data quality elements and data quality sub-elements, even if only to state that a specific data, quality element or sub-element is not applicable.

Note.- *IS0 Standard 19113 contains quality principles for geographic information while IS0 Standard 19114 covers quality evaluation procedures.*

(g) Terrain data product specifications shall include a data capture statement which shall be a general description of the sources and of processes applied for the capture of terrain data. The principles and criteria applied in the maintenance of terrain data sets and obstacle data sets shall also be provided with the data specifications, including the frequency with which data products are updated. Of particular importance shall be the maintenance information of obstacle data sets and an indication of the principles, methods and criteria applied for obstacle data maintenance.

(h) Terrain data product specifications shall contain information on how data held with data sets is presented, i.e. as a graphic output, as a plot or as an image. The product specifications for both terrain and obstacles shall also contain data product delivery information which shall include delivery formats and delivery medium information.

Note.- *IS0 Standard 19117 contains a definition of the schema describing the portrayal of geographic information including the methodology for describing symbols and mapping of the schema to an application schema.*

(i) The core terrain and obstacle metadata elements shall be included in the data product specifications. Any additional metadata items required to be supplied shall be stated in each product specification together with the format and encoding of the metadata.

Note.- *IS0 Standard 19115 specifies requirements for geographic information metadata.*

15.J.130 Availability

(a) The AIS provider shall ensure that electronic terrain and obstacle data related to their entire territory are made available in the manner specified in 15.J.110, 15.J.115 and 15.J.120 for use by international civil aviation.

(b) The AIS provider shall ensure that as of 20 November 2010, electronic terrain and obstacle data are made available in accordance with Area 1 specifications and terrain data in accordance with Area 4 specifications (See Annex 15, Appendix 8, Table A8-1, A8-2, A8-3 and A8-4).

(c) The AIS service provider shall ensure that as of 18 November 2010, electronic terrain and obstacle data are made available in accordance with Area 2 and Area 3 specifications (See Annex 15, Appendix 8, Table A8-1, A8-2, A8-3 and A8-4).

(d) The AIS provider should ensure that electronic terrain and obstacle data are made available in accordance with Area 1, Area 2 and Area 3 specifications and terrain data in accordance with Area 4 specifications (See A15, Appendix 8, Table A8-1, A8-2, A8-3 and A8-4).

15.K USE OF AUTOMATION

Automation in AIS should be introduced with the objective of improving the speed, accuracy, efficiency and cost-effectiveness of aeronautical information services.

15.L COMMON REFERENCE SYSTEMS FOR AIR NAVIGATION

15.L.105 Horizontal reference system

(a) World Geodetic System - 1984 (WGS-84) shall be used as the horizontal (geodetic) reference system for international air navigation. Consequently, published aeronautical geographical coordinates (indicating latitude and longitude) shall be expressed in terms of the WGS-84 geodetic reference datum, identifying those geographical coordinates

which have been transformed into WGS-84 coordinates by mathematical means and whose accuracy of original field work does not meet the requirements in Appendix 5, Table 1 of Annex 11.

Note 1.- *Comprehensive guidance material concerning WGS-84 is contained in the World Geodetic System – 1984 (WGS-84) Manual (Doc 9674).*

Note 2.- *Specifications governing the determination and reporting (accuracy of field work and data integrity) of WGS-84-related aeronautical coordinates for geographical positions established by air traffic services are given in ICAO Annex 11, Chapter 2, and Appendix 5, Table 1, and for aerodrome/heliport-related positions, in Annex 14, Volumes I and II, Chapter 2, and Table A5-1 and Table 1 of Appendices 5 and 1, respectively.*

(b) In precise geodetic applications and some air navigation applications, temporal changes in the tectonic plate motion and tidal effects on the Earth's crust should be modelled and estimated. To reflect the temporal effect, an epoch should be included with any set of absolute station coordinates.

Note 1.- *The epoch of the WGS-84 (G873) reference frame is 1997.0 while the epoch of the latest updated WGS-84 (G1550) reference frame, which includes plate motion model, is 2001.0. (G indicates that the coordinates were obtained through Global Positioning System (GPS) techniques, and the number following G indicates the GPS week when these coordinates were implemented in the United States of America's National Geospatial-Intelligence Agency's (NGA's) precise ephemeris estimation process.)*

Note 2.- *The set of geodetic coordinates of globally distributed permanent GPS tracking stations for the most recent realization of the WGS-84 reference frame (WGS-84 (GJJSO)) is provided in Doc 9674. For each permanent GPS tracking station, the accuracy of an individually estimated position in WGS-84 (GJJSO) has been in the order of 1cm (I σ).*

Note 3.- *Another precise worldwide terrestrial coordinate system is the International Earth Rotation Service (IERS) Terrestrial Reference System (ITRS), and the realization of ITRS is the IERS Terrestrial Reference Frame (ITRF). Guidance material regarding the ITRS is provided in ICAO Appendix C of Doc. 9674. The most current realization of the WGS-84 (G1150) is referenced to the ITRF 2000 and in practical realization the difference between these two systems is in the one to two centimetre range worldwide, meaning WGS-84 (G1150) and ITRF 2000 are essentially identical.*

(c) Geographical coordinates which have been transformed into WGS-84 coordinates but whose accuracy of original field work does not meet the requirements in ICAO Annex 11, Chapter 2, and Annex 14, Volumes I and II, Chapter 2, shall be identified by an asterisk.

(d) The order of publication resolution of geographical coordinates shall be that specified in ICAO Annex 15, Appendix 1 and Table A7-1 of Appendix 7 while the order of chart resolution of geographical coordinates shall be that specified in ICAO Annex 4, Appendix 6, Table 1.

15.L.110 Vertical reference system

(a) Mean sea level (MSL) datum, which gives the relationship of gravity-related height (elevation) to a surface known as the geoid, shall be used as the vertical reference system for international air navigation.

Note I.- *The geoid globally most closely approximates MSL. It is defined as the equipotential surface in the gravity field of the Earth which coincides with the undisturbed MSL extended continuously through the continents.*

Note 2.- *Gravity-related heights (elevations) are also referred to as orthometric heights while distances of points above the ellipsoid are referred to as ellipsoidal heights.*

(b) The Earth Gravitational Model - 1996 (EGM-96), containing long wavelength gravity field data to degree and order 360, shall be used by international air navigation as the global gravity model.

Note.- *Guidance material concerning EGM-96 is contained in ICAO Doc 9674.*

(c) At those geographical positions where the accuracy of EGM-96 does not meet the accuracy requirements for elevation and geoid undulation specified in Annex 14, Volumes I and II, on the basis of EGM-96 data, regional, national or local geoid models containing high resolution (short wavelength) gravity field data shall be developed and used. When a geoid model other than the EGM-96 model is used, a description of the model used, including the parameters required for height transformation between the model and EGM-96, shall be provided in the Aeronautical Information Publication (AIP).

Note. - *Specifications governing determination and reporting (accuracy of field work and data integrity) of elevation and geoid undulation at specific positions at aerodromes/ heliports are given in ICAO Annex 14, Volumes 1 and /I, Chapter 2, and Table A5-2 and Table 2 of Appendices 5 and 1, respectively.*

(d) In addition to elevation referenced to the MSL (geoid), for the specific surveyed ground positions, geoid undulation (referenced to the WGS-84 ellipsoid) for those positions specified in ICAO Annex 15, Appendix 1 shall also be published.

(e) The order of publication resolution of elevation and geoid undulation shall be that specified in ICAO Annex 15, Appendix 1 and Table A7-2 of Appendix 7 while the order of chart resolution of elevation and geoid undulation shall be that specified in ICAO Annex 4, Appendix 6, Table 2.

15.L.115 Temporal reference system

(a) For international civil aviation, the Gregorian calendar and Coordinated Universal Time (UTC) shall be used as the temporal reference system.

Note 1 *– A value in the time domain is a temporal position measured relative to a temporal reference system.*

Note 2 *– Coordinate Universal Time (UTC) is a time scale maintained by the Bureau International de l'Heure (BIH) and the IERS and forms the basis of a coordinated dissemination of standard frequencies and time signals.*

Note 3 *– See Attachment D of Annex 5 for guidance material relating to UTC.*

Note 4 *– ISO Standard 8601 specifies the use of the Gregorian calendar and 24-hour local or UTC for information interchange while ISO Standard 19108 prescribes the Gregorian calendar and UTC as a primary temporal reference system for use with geographic information.*

(b) When a different temporal reference system is used for some applications, the feature catalogue, or the metadata associated with an application schema or a data set, as appropriate, shall include either a description of that system or a citation for a document that describes that temporal reference system.

Note *– ISO Standard 19108, Annex D, describes some aspects of calendars that may have to be considered in such a description.*

15.M. TELECOMMUNICATION REQUIREMENTS

(a) International NOTAM offices shall be connected to the aeronautical fixed service (AFS).

(b) The connections shall provide for printed communications.

(c) Each international NOTAM Office shall be connected, through the aeronautical fixed service (AFS), to the following points within the territory for which it provides service:

(1) area control centres and flight information centres;

(2) aerodromes/heliports at which an information service is established in accordance with Chapter 8.

Conselho de Administração da Agência da Aviação Civil, na Praia, aos 7 de Setembro de 2009. – O Presidente, *Carlos Brazão Monteiro.*

DELIBERAÇÃO N.º 13/2009

Ao abrigo do disposto no artigo 173º do Código Aeronáutico (Decreto Legislativo nº 1/2001, de 20 Agosto) e da alínea *a*) do nº 2 do artigo 12 dos estatutos da Agencia de Aviação Civil aprovado pelo Decreto-Lei nº 24/2008, de 12 de Julho, o Conselho de Administração da AAC aprovou a 4 de Setembro a primeira edição da Parte 17 – Serviços de Tráfego Aéreo dos regulamentos de aviação civil (CV CAR) em versão inglesa.

Esta nova edição, que segue o novo sistema de numeração dos CV CAR, reflecte as últimas emendas ao Anexo 11 à Convenção sobre a aviação civil internacional.

Conselho de Administração da Agência da Aviação Civil, na Praia, aos 7 de Setembro de 2009. – O Presidente, *Carlos Brazão Monteiro*.

CABO VERDE CIVIL AVIATION REGULATIONS

PART 17- AIR TRAFFIC SERVICE CERTIFICATION AND OPERATION

17.A GENERAL

17.A.105 Applicability

(a) This Part prescribes rules governing:

(1) The certification and operation of organizations providing air traffic service in;

(i) The Sal Oceanic Flight Information Region; and

(ii) The aerodromes prescribed in Cabo Verde AIP;

(2) The operating and technical standards for the provision of air traffic services by those organizations.

(b) The regulation shall be amended when deemed necessary.

17.A.110 Definitions

(*a*) For the purpose of this Part, the following definitions shall apply:

ACC. A unit established to provide air traffic control service to controlled flights in control areas under its jurisdiction.

Accepting unit. Air traffic control unit next to takes control of an aircraft.

Accident. An occurrence associated with the operation of an aircraft which takes place between the time any person boards the aircraft with the intention of flight until such time as well as such persons have disembarked, in which:

(i) A person is fatally or seriously injured as a result of:

- Being in the aircraft, or
- Direct contact with any part of the aircraft, including parts which have become detached from the aircraft, or
- Direct exposure to jet blast,
- Except when the injuries are from natural causes, self-inflicted by other persons, or when the injuries are to stowaways hiding outside the areas normally available to passengers and crew; or

(ii) The aircraft sustains damage or structural failure which:

- Adversely affects the structural strength, performance or flight characteristics of the aircrafts, and
- Would normally require major repair or replacement of the aircraft component, except for engine failure or damage, when the damage is limited to the engine, its cowling or accessories; or for damage limited to propellers, wing tips, antennas, tires, brakes, fairings, small dents or puncture holes in the aircraft skin; or
- The aircraft is missing or is completely inaccessible.

Accountable Manager. The person acceptable to the Authority who has corporate authority for ensuring that all services and activities can be financed and provided to the standard required by the Authority, and any additional requirements defined by the services provider.

Accuracy. A degree of conformance between the estimated or measured value and the true value.

***Note**: For measured positional data the accuracy is normally expressed in terms of a distance from a stated position within which there is a defined confidence of the true position falling.*

ADS-C Agreement. A reporting plan which establishes the conditions of ADS-C data reporting (i.e. data required by the air traffic services unit and frequency of ADS-C reports which have to be agreed to prior to using ADS-C in the provision of air traffic services)

***Note** – The terms of agreement will be exchanged between the ground system and the aircraft by means of a contract or a series of contracts.*

Advisory airspace. An airspace of define dimensions, or designated route, within which air traffic advisory service is available.

Advisory route. A designated route along which air traffic advisory service is available.

Aerodrome. A defined area on land or water (including any buildings, installations and equipment) intended to be used either wholly or in part for the arrival, departure and surface movement of aircraft.

Aerodrome control service. Air traffic control service for aerodrome traffic.

Aerodrome control tower. A unit established to provide air traffic control service to aerodrome traffic.

Aerodrome traffic: All traffic on the maneuvering area of an aerodrome and all aircraft flying in the vicinity of an aerodrome.

***Note**: An aircraft is in the vicinity of an aerodrome when it is in, entering or leaving an aerodrome traffic circuit.*

Aeronautical facility means:

(i) the various types of communication systems used for an aeronautical broadcasting service, or an aeronautical fixed service, that supports IFR flight or an air traffic service; or

(ii) the ground elements of the various types of communication systems used for an aeronautical mobile service; or

(iii) the various types of radio navigation aids used for the aeronautical radio navigation service; or

(iv) any other type of ground-based telecommunication system that supports IFR flight or an air traffic service; or

(v) the various types of ground based telecommunication systems that operate in the aeronautical mobile radio frequency bands and are used to provide basic weather information, local aerodrome information, or flight following services;

Aeronautical fixed service (AFS). A telecommunication service between specified fixed points provided primarily for the safety of air navigation and for the regular, efficient and economical operation of air services.

Aeronautical Information Publication (AIP). A publication issued by or with the authority of a State and containing aeronautical information of a lasting character essential to air navigation

Aeronautical mobile service (RR S1.32). A mobile service between aeronautical stations and aircraft stations, or between aircraft stations, in which survival craft stations may participate; emergency position-indicating radio beacon stations may also participate in this service on designated distress and emergency frequencies.

Aeronautical telecommunication station. A station in the aeronautical telecommunication service.

Airborne collision avoidance system(ACAS).An aircraft system based on secondary surveillance radar (SSR) transponder signal which operates independently of ground based equipment to provide advice to the pilot on potential conflicting aircraft that are equipped with SSR transponders.

Aircraft. Any machine that can derive support in the atmosphere from the reactions of the air other than the reactions of the air against the earth's surface.

Aircraft Accident. An occurrence associated with the operation of an aircraft which takes place between the time any person boards the aircraft with the intention of flight until such time as all such persons gave disembarked

Air-ground communication. Two-way communication between aircraft and stations or locations on the surface of the earth.

AIP Amendment. Means permanent changes to the information contained in the Cabo Verde AIP;

AIP service. Means a service for the publication of the Cabo Verde AIP, AIP Amendments, AIP Supplements and aeronautical information circulars;

AIP Supplement. Means temporary changes to the information contained in the Cabo Verde AIP which are published by means of special pages;

Air traffic: All aircraft in flight or operating on the maneuvering area of an aerodrome.

Air traffic control clearance. An authorization for an aircraft to proceed under conditions specified by an air traffic control unit.

Air traffic control service. A service provided for the purpose of:

(i) Preventing collisions:

- Between aircraft, and

- On the maneuvering area between aircraft and obstructions; and

(ii) Expediting and maintaining an orderly flow of air traffic.

Air traffic control unit. A generic term meaning variously, area control centre, approach control unit or aerodrome control tower.

Air traffic flow management (ATFM). A service established with the objective of contributing to a safe, orderly and expeditious flow of air traffic by ensuring that ATC capacity is utilized to the maximum extent possible and that the traffic volume is compatible with the capacities declared by the appropriate ATS authority.

Air traffic service (ATS). A generic term meaning variously , flight information service, alerting service, and air traffic advisory service, air traffic control service (area control service, approach control service or aerodrome control service).

Air traffic services airspaces. Airspaces of defined dimension, alphabetically designated, within which specific types of flights may operate and for which air traffic services and rules of operation are specified.

Air traffic services reporting offices. A unit established for the purpose of receiving reports concerning air traffic servicer and flight plans submitted before departure.

Air traffic services unit. A generic term meaning variously, air traffic control unit, flight information centre or air traffic services reporting office.

AIRMET information. Information issued by a meteorological watch office concerning the occurrence or expected occurrence of specified en-route weather phenomena which may affect the safety of low-level aircraft operations and which is not included in the forecast.

Air-taxiing. Movement of a helicopter/VTOL above the surface of an aerodrome, normally in ground effect and at a ground speed normally less than 37 km/h (20 kt).

Air traffic advisory service. A service provided within advisory airspace to ensure separation, in so far as practical, between aircraft which are operating on IFR flight plans.

Airway. A control area or portion thereof establish in the form of a corridor.

ALERFA. The code word used to designate an alert phase.

Alerting service. A service provided to notify appropriate organizations regarding aircraft in need of search and rescue aid, and assist such organizations as required.

Alert phase. A situation wherein apprehension exists as to the safety of an aircraft and its occupants.

Alternate aerodrome. An aerodrome to which an aircraft may proceed when it becomes either impossible or inadvisable to proceed to or to land at the aerodrome of intended landing.

Take-off alternate. An alternate aerodrome at which an aircraft can land should this become necessary shortly after take-off and it is not possible to use the aerodrome of departure.

En-route alternate. An aerodrome at which an aircraft would be able to land after experiencing an abnormal or emergency condition while en route.

ETOPS en-route alternate. A suitable and appropriate alternate aerodrome at which an airplane would be able to land after experiencing an engine shut-down or other abnormal or emergency condition while en route in an ETOPS operation.

Destination alternate. An alternate aerodrome to which an aircraft may proceed should it become either impossible or inadvisable to land at the aerodrome of intended landing.

Altitude. The vertical distance of a level, a point or an object considered as a point, measured from mean sea level.

Approach control service. Air traffic control service for arriving or departing controlled flights.

Approach control unit. A unit established to provide air traffic control service to controlled flights arriving at, or departing from, one or more aerodromes.

Appropriate ATS authority. The relevant authority designated by State responsible for providing air traffic services in the airspace concerned.

Apron. A defined area, on a land aerodrome, intended to accommodate aircraft for purposes of loading or unloading passengers, mail or cargo, fuelling, parking or maintenance.

Apron management service. A service provided to regulate the activities and the movement of aircraft and vehicles on an apron.

Area control centre. A unit established to provide air traffic control service to controlled flights in control areas under its jurisdiction.

Area control service. Air traffic control service for controlled flights in control areas.

Area navigation (RNAV). A method of navigation which permits aircraft operation on any desired flight path within the coverage of station-referenced navigation aids or within the limits of the capability of self-contained aids, or a combination of these.

Note *– Area navigation includes performance-based navigation as well as other operations that do not meet the definition of performance-based navigation.*

Area navigation route. An ATS route established for the use of aircraft capable of employing area navigation

Area of responsibility. Means the airspace, and in the case of an aerodrome, the manoeuvring area, within which a particular operating position is responsible for the provision of an air traffic service;

ATS Letter of Agreement. Means a document formalizing matters of operational significance between ATS units;

ATS messages. Means emergency messages, movement and control messages, and flight information messages as described in Chapter 11 of Document 4444;

ATS surveillance service. Term used to indicate a service provided directly by means of an ATS surveillance system.

ATS surveillance system. A generic term meaning variously, ADS-B, PSR, SSR or any comparable ground-based system that enables the identification of aircraft.

Note*: A comparable ground-based system is one that has been demonstrated, by comparative assessment or other methodology, to have a level of safety and performance equal to or better than monopulse SSR.*

ATS route. A specified route designed for channeling the flow of traffic as necessary for the provision of air traffic services.

Authority. The civil aviation authority responsible for the oversight of civil aviation in Cabo Verde (The Agencia de Aviação Civil (AAC);

Automatic dependent surveillance - broadcast (ADS-B). A means by which aircraft, aerodrome vehicles and other objects can automatically transmit and/or receive data such as identification, position and additional data, as appropriate, in a broadcast mode via a data link.

Automatic dependent surveillance - Contract (ADS-C). A means by which the terms of an ADS-C agreement will be exchanged between the ground system and the aircraft, via a data link, specifying under what conditions ADS-C reports would be initiated, and what data would be contained in the reports.

Note *– The abbreviated term "ADS contract" is commonly used to refer to ADS event contract, Ads demand contract, ADS periodic contract or an emergency mode.*

Automatic terminal information service (ATIS). The automatic provision of current, routine information to arriving and departing aircraft throughout 24 hours or a specified portion thereof.

(i) **Data link-automatic terminal information service (D-ATIS)**. The provision of ATIS via data link.

(ii) **Voice-automatic terminal information service (Voice-ATIS).** The provision of ATIS by means of continuous and repetitive broadcasts.

Base turn. A turn executed by the aircraft during the initial approach between the end of the outbound track and the beginning of the intermediate or final approach track. The tracks are not reciprocal.

Calendar. Discrete temporal reference system that provides the basis for defining temporal position to a resolution of one day (ISO 19108*).

Certificated organization. Means an organization issued with a certificate under rules made under the CV CAR;

Change-over point. The point at which an aircraft navigating on an ATS route segment defined by reference to very high frequency omnidirectional radio ranges is expected to transfer its primary navigational reference from the facility behind the aircraft to the next facility ahead of the aircraft.

Clearance limit. The point to which an aircraft is granted an air traffic control clearance.

Conference communications. Communication facilities whereby direct speech conversation may be conducted between three or more locations simultaneously

Control area. A controlled airspace extending upwards from a specified limit above the earth.

Controlled aerodrome. An aerodrome at which air traffic control service is provided to aerodrome traffic.

Controlled airspace. An airspace of defined dimensions within which air traffic control service is provided in accordance with the airspace classification.

Controlled flight. Any flight which is subject to an air traffic control clearance.

Controller-pilot data link communications (CPDLC). A means of communication between controller and pilot, using data link for ATC communications.

Control zone. A controlled airspace extending upwards from the surface of the earth to a specified upper limit. Clearance limit. The point to which an aircraft is granted an air traffic control clearance.

Cruising level. A level maintained during a significant portion of a flight.

Cyclic redundancy check (CRC). A mathematical algorithm applied to the digital expression of data that provides a level of assurance against loss or alteration of data.

Data link communications. A form of communication intended for the exchange of messages via a data link

Data quality. A degree or level of confidence that the data provided meets the requirements of the data user in terms of accuracy, resolution and integrity.

Datum. Any quantity or set of quantities that may serve as a reference or basis for the calculation of other quantities (ISO 19104*).

Decision altitude. Means a specified altitude, referenced to mean sea level, in the precision approach at which a missed approach must be initiated if the required visual reference to continue the approach has not been established;

Declared capacity. A measure of the ability of the ATC system or any of its subsystems or operating positions to provide service to aircraft during normal activities. It is expressed as the number of aircraft entering a specified portion of airspace in a given period of time, taking due account of weather, ATC unit configuration, staff and equipment available, and any other factors that may affect the workload of the controller responsible for the airspace.

DETRESFA. The code word used to designate a distress phase.

Distress phase. A situation wherein there is reasonable certainty that an aircraft and its occupants are threatened by grave and imminent danger or require immediate assistance.

Downstream clearance. A clearance issued to an aircraft by an air traffic control unit that is not the current controlling authority of that aircraft.

Emergency phase. A generic term meaning, as the case may be, uncertainty phase, alert phase or distress phase.

Essential traffic. Means any controlled traffic that is not separated by the prescribed minima in relation to other controlled flights where separation is required;

Filed flight plan. Means the flight plan as filed with an ATS unit by the pilot or a designated representative, without any subsequent changes;

Final approach. That part of an instrument approach procedure which commences at the specified final approach fix or point, or where such a fix or point is not specified

Flight information centre. Means a unit established to provide an area flight information service and an alerting service;

Flight information region (FIR). Means airspace of defined dimensions within which flight information services and alerting services are provided;

Flight information service. Means an air traffic service provided for the purpose of giving advice and information intended for the safe and efficient conduct of flights;

Flight plan. Means specified information that is required under the rules to be provided to an ATS unit or to a flight following service regarding an intended flight, or portion of a flight, of an aircraft;

Flight level. Means a surface of constant atmospheric pressure that is related to a specific datum, 1013.2 hPa (1013.2 mb), and is separated from other such surfaces by specific pressure intervals;

Flow control. Means measures designed to adjust the flow of traffic into a given airspace, along a given route, or bound for a given aerodrome, to ensure the most effective utilization of the airspace;

Forecast. A statement of expected meteorological conditions for a specified time or period, and for a specified area or portion of airspace.

Geodetic datum. A minimum set of parameters required to define location and orientation of the local reference system with respect to the global reference system/frame.

Gregorian calendar. Calendar in general use; first introduced in 1582 to define a year that more closely approximates the tropical year than the Julian calendar (ISO 19108*).

Height. The vertical distance of a level, a point or an object considered as a point, measured from a specified datum.

HF. All kind of communications using high frequencies.

Human Factors principles. Principles which apply to aeronautical design, certification, training, operations and maintenance and which seek safe interface between the human and other system components by proper consideration to human performance.

Human performance. Human capabilities and limitations which have an impact on the safety and efficiency of aeronautical operations.

Incident. An occurrence, other than an accident, associated with the operation of an aircraft which affects or could affect the safety of operation.

Instrument meteorological conditions (IMC). Meteorological conditions expressed in terms of visibility, distance from cloud, and ceiling, less than the minima specified for visual meteorological conditions.

Integrity (aeronautical data). A degree of assurance that an aeronautical data and its value has not been lost nor altered since the data origination or authorized amendment.

International NOTAM office. An office designated by a State for the exchange of NOTAM internationally.

Landing distance available. Means the length of the runway that is declared by the aerodrome operator as available and suitable for the ground run of an airplane;

Level. A generic term relating to the vertical position of an aircraft in flight and meaning variously, height, altitude or flight level.

Maneuvering area. That part of an aerodrome to be used for the take-off, landing and taxiing of aircraft, excluding aprons.

Manual of Standards. The document called 'Manual of Standards (MOS) – Part 17 Air Traffic Services' published by the Authority, as in force from time to time. Until such time the Authority will issue a Manual of Standards any reference to standards and recommended practices shall mean the Standards and Recommended Practices in ICAO Document PANS ATM 4444.

Meteorological information. Means any meteorological report, analysis, or forecast in support of aviation, and any other statement in support of aviation relating to existing or expected meteorological conditions;

Meteorological office. An office designated to provide meteorological service for international air navigation.

Minimum descent altitude. Means a specified altitude, referenced to mean sea level, in a non-precision approach or circling approach below which descent may not be made without visual reference;

Movement area. That part of an aerodrome to be used for the take-off, landing and taxiing of aircraft, consisting of the manoeuvring area and the apron(s).

Navigation specification. A set of aircraft and flight crew requirements needed to support performance-based navigation operations within a defined airspace. There are two kinds of navigation specifications:

(i) **RNP specification**. A navigation specification based on area navigation that includes requirement for performance monitoring and alerting, designated by the prefix RNP, e.g. RNP 4, RNP APCH.

(ii) **RNAV specification**. A navigation specification based on area navigation that does not include the requirement for performance monitoring and alerting, designated by the prefix RNAV, e.g. RNAV 5, RNAV 1.

NOTAM. Means a notice distributed by means of telecommunication containing information concerning the establishment, condition or change in any aeronautical facility, service, procedure or hazard, the timely knowledge of which is essential to personnel concerned with flight operations;

Obstacle. All fixed (whether temporary or permanent) and mobile objects, or parts thereof, that are located on an area intended for the surface movement of aircraft or that extend above a defined surface intended to protect aircraft in flight.

Operating position. Means the work station from which one or more air traffic controllers or flight service operators provide air traffic services within an allocated area or areas of responsibility;

Operator. A person, organization or enterprise engaged in or offering to engage in an aircraft operation.

Performance-based navigation (PBN). Area navigation based on performance requirements for aircraft operating along ATS route, on an instrument approach procedure or in a designated airspace.

Note.— *Performance requirements are expressed in navigation specifications (RNAV specification, RNP specification) in terms of accuracy, integrity, continuity, availability and functionality needed for the proposed operation in the context of a particular airspace concept.*

Precision approach procedure. Means an instrument approach procedure utilizing azimuth and glide path information;

Pre-flight information bulletin. Means a presentation of current NOTAM information of operational significance, prepared prior to flight;

Pre-flight information service. Means a service for the provision of aeronautical information to a third party for pre-flight planning purposes;

Printed communications. Communications which automatically provide a permanent printed record at each terminal of a circuit of all messages which pass over such circuit.

RCP type. A label (e.g. RCP 240) that represents the values assigned to RCP parameters for communication transaction time, continuity, availability and integrity.

Radio navigation service. A service providing guidance information or position data for the efficient and safe operation of aircraft supported by one or more radio navigation aids.

Radiotelephony. A form of radio communication primarily intended for the exchange of information in the form of speech.

Rated air traffic controller. Means an air traffic controller holding a current license, and a rating, or ratings, validated for the particular location, issued in accordance with CV CAR Part 2;

Reporting point. A specified geographical location in relation to which the position of an aircraft can be reported.

Required communication performance (RCP). A statement of the performance requirements for operational communication in support of specific ATM functions.

Rescue coordination centre. A unit responsible for promoting efficient organization of search and rescue services and for coordinating the conduct of search and rescue operations within a search and rescue region.

Runway. A defined rectangular area on a land aerodrome prepared for the landing and take-off of aircraft.

Runway visual range (RVR). The range over which the pilot of an aircraft on the centre line of a runway can see the runway surface markings or the lights delineating the runway or identifying its centre line.

Safety management system. A systematic approach to managing safety, including the necessary organizational structures, accountabilities, policies and procedures.

Safety programme. An integrated set of regulations and activities aimed at improving safety.

SIGMET Information. Means information issued by a meteorological office concerning the occurrence or expected occurrence of specified en route weather phenomena that may affect the safety of aircraft operations;

Significant point. A specified geographical location used in defining an ATS route or the flight path of an aircraft and for other navigation and ATS purposes.

Special VFR flight. Means a VFR flight cleared by ATC to operate within a control zone in meteorological conditions below visual meteorological conditions;

Station declination. An alignment variation between the zero degree radial of a VOR and true north, determined at the time the VOR station is calibrated.

Strayed aircraft. Means an aircraft that has deviated significantly from its intended track or reports that it is lost;

Take-off distance available. Means the length of the take-off run available plus the length of any clearway;

Take-off run available. Means the length of the runway declared by the aerodrome operator as available and suitable for the ground run of an aeroplane taking-off;

Taxiing. Movement of an aircraft on the surface of an aerodrome under its own power, excluding take-off and landing.

TCAS(Traffic Collision Avoiding System). Means traffic alert and collision avoidance system;

Terminal control area. A control area normally established at the confluence of ATS routes in the vicinity of one or more major aerodromes.

Track. The projection on the earth's surface of the path of an aircraft, the direction of which path at any point is usually expressed in degrees from North (true, magnetic or grid).

Traffic avoidance advice. Means advice provided by an ATS unit to assist a pilot to avoid a collision;

Traffic information. Means information issued by an ATS unit, to alert a pilot to other known or observed air traffic which may be in proximity to the position, or intended route of flight, and to help the pilot avoid a collision.

Transfer of control point. A defined point located along the flight path of an aircraft, at which the responsibility for providing air traffic control service to the aircraft is transferred from one control unit or control position to the next.

Transferring unit. Air traffic control unit in the process of transferring the responsibility for providing air traffic control service to an aircraft to the next air traffic control unit along the route of flight.

Uncertainty phase. A situation wherein uncertainty exists as to the safety of an aircraft and its occupants.

UTC. Means co-ordinated universal time

VFR flight. A flight conducted in accordance with the visual flight rules.

Visibility. Means the ability, as determined by atmospheric conditions and expressed in units of measurement, to see and identify prominent unlighted objects by day and prominent lighted objects by night;

Visual meteorological conditions (VMC). Meteorological conditions expressed in terms of visibility, distance from cloud, and ceiling, equal to or better than specified minima.

Waypoint. A specified geographical location used to define an area navigation route or the flight path of an aircraft employing area navigation. Waypoints are identified as either:

(i) **Fly-by waypoint**. A waypoint which requires turn anticipation to allow tangential interception of the next segment of a route or procedure, or

(ii) **Flyover waypoint**. A waypoint at which a turn is initiated in order to join the next segment of a route or procedure.

17.A.115 Abbreviations

(a) The following abbreviations are used in Part 17:

(1) **ACC** - Area control centre;

(2) **AD** - Airworthiness directive;

(3) **AFTN** - Aeronautical fixed telecommunication network;

(4) **AIP** - Aeronautical Information Publication;

(5) **AIS** - Aeronautical information service;

(6) **ATC** - Air traffic control service;

(7) **ATIS** - Automatic terminal information service;

(8) **DME** - Distance measuring equipment;

(9) **INCERFA** - The code word used to designate an uncertainty phase.

(10) **GPS** - Global Positioning System;

(11) **GPWS** - Ground Proximity Warning System;

(12) **HF** - High frequency;

(13) **ICAO** - International Civil Aviation Organisation ;

(14) **IFR** - Instrument flight rules.

(15) **LLZ** - Localiser;

(16) **NDB** - Non-directional radio beacon;

(17) **Cabo Verde AIP** - Cabo Verde Aeronautical Information Publications;

(18) **SSR** - Secondary surveillance radar;

(19) **TCAS** - Traffic alert and collision avoidance system;

(20) **UTC** - Co-ordinated universal time.

17.A.120 Provision of air traffic service

(a) The Authority will determine the portions of the Cape Verde airspace and the aerodromes which shall be provided with air traffic services to:

(1) Prevent collisions between aircraft;

(2) Prevent collisions between aircraft on the manoeuvring area of an aerodrome and obstructions on such area;

(3) Expedite and maintain an orderly flow of air traffic;

(4) Provide advice and information useful for the safe and efficient conduct of flights; and

(5) Notify the appropriate organizations regarding aircraft known to be or believed to be in need of search and rescue aid, and assist those organisations as required.

(*b*) The need for the provision of air traffic services shall be determined after consideration of:

(1) the types of air traffic involved;

(2) the density of air traffic;

(3) the meteorological conditions; and

(4) any other factor which may be relevant. The carriage of airborne collision avoidance systems (ACAS) by aircraft in a given area shall not be a factor in determining the need for air traffic services in that area.

(*c*) No person shall act as an air traffic controller:

(1) within eight hours after consuming alcohol;

(2) while under the influence of alcohol; or

(3) while under the influence of any drug or other substance that impairs the person's faculties to the extent that aviation safety is affected.

(*d*) No air traffic controller shall issue an air traffic control clearance or an air traffic control instruction except:

(1) in the case of domestic airspace, in accordance with the Manual of Standards (MOS) – Part 17 Air Traffic Services; and

(2) in the case of international airspace in respect of which Cape Verde has accepted, by means of a regional air navigation agreement, the responsibility of providing air navigation services, in accordance with the standards contained in Chapter 3 of Annex 11 to the Convention and the procedures included in ICAO Doc 4444 – Procedures for Air Traffic Services, Air Traffic Management.

17.A.125 Divisions of the air traffic services

(*a*) The air traffic services shall comprise three services identified as follows:

(1) The air traffic control service, to accomplish objectives in 17.A.120 a) 1) 2) and 3), this service being divided in three parts as follows:

(i) Area control service: the provision of air traffic control service for controlled flights, except for those parts of such flights described in ii) and iii) below, in order to accomplish objectives in 17.A.120 a) 1) and 3);

(ii) Approach control service: the provision of air traffic control service for those parts of controlled flights associated with arrival or departure, in order to accomplish objectives in 17.120 a) 1) and 3);

(iii) Aerodrome control service: the provision of air traffic control service for aerodrome traffic, except for those parts of flights described in ii), in order to accomplish objectives in 17.A.120 a) 1), 2 and 3).

(iv) The flight information service, to accomplish objective in 17.A.120 a) 4).

(v) The alerting service, to accomplish objective in 17.A.120 a) 5).

17.A.130 Designation of portions of airspace and controlled aerodromes

(*a*) The Authority will designate a particular portion of the airspace as a:

(1) Flight information region: Where flight information service and alerting service shall be provided to an airspace, including any control area or control zone therein;

(2) Control area: Where air traffic control service shall be provided to IFR flights;

(3) Control zone: Where air traffic control service shall be provided to an airspace, not within a control area, containing the path of IFR flights arriving at and departing from an aerodrome to be used under instrument meteorological conditions;

(*b*) The Authority will designate a particular aerodrome as a controlled aerodrome when air traffic control service is provided to aerodrome traffic.

(*c*) The Authority will designate a particular portion of the airspace or controlled aerodrome under this rule, after consultation with all stakeholders within the industry.

(*d*) The Authority will publish the designation of a particular portion of the airspace or controlled aerodrome in accordance with the AIRAC cycle in the AIP, AIP SUP or by NOTAM.

(*e*) The Authority may, on a temporary basis, designate a particular portion of the airspace, after consultation with all users;

(*f*) The designation of those airspaces shall be defined in the Cape Verde AIP.

17.A.135 Classification of airspaces

(*a*) The Authority will classify and designate ATS airspaces in accordance with the following:

(1) **Class A**. IFR flights only are permitted, all flights are provided with air traffic control service and are separated from each other.

(2) **Class B.** IFR and VFR flights are permitted, all flights are provided with air traffic control service and are separated from each other.

(3) **Class C**. IFR and VFR flights are permitted, all flights are provided with air traffic control service and IFR flights are separated from other IFR flights and from VFR flights. VFR flights are separated from IFR flights and receive traffic information in respect of other VFR flights.

(4) **Class D**. IFR and VFR flights are permitted and all flights are provided with air traffic control service, IFR flights are separated from other IFR flights and receive traffic information in respect of VFR flights, VFR flights receive traffic information in respect of all other flights.

(5) **Class E**. IFR and VFR flights are permitted; IFR flights are provided with air traffic control service and are separated from other IFR flights. All flights receive traffic information as far as is practical. Class E shall not be used for control zones.

(6) **Class F**. IFR and VFR flights are permitted, all participating IFR flights receive an air traffic advisory service and all flights receive flight information service if requested.

(7) **Class G**. IFR and VFR flights are permitted and receive flight information service if requested.

(*b*) The requirements for flights within each class of airspace are detailed in Appendix 4 of Annex 11.

17.A.140 Designation of control areas and control zones

(*a*) The Authority, when designating under this Part a particular portion of the airspace as a control area, including inter alia, airways and terminal control areas, will prescribe the horizontal and vertical limits of such area with sufficient airspace to contain the flight paths of those IFR flights or portions thereof to which it is desired to provide the applicable parts of the air traffic control service, taking into account the capabilities of the navigation aids normally used in that area:

(1) The lower limit of designated control areas shall be at least 200 m (700 ft) above the ground or water. When practicable and desirable in order to allow freedom of action for VFR below the control area, the lower limit may be established at a greater height than the minimum specified above. When it is above 900 m (3000 ft) MSL, it should coincide with a VFR cruising level of the tables in CV CAR Part 8, IS 8.H.320.

(2) An upper limit of a control area shall be established when either:

(i) air traffic control service will not be provided above such upper limit; or

(ii) the control area is situated below an upper control area, in which case the upper limit shall coincide with the lower limit of the upper control area.

(3) When established, such upper limit shall coincide with a VFR cruising level of the tables in Part 8, IS 8.H.320.

(*b*) The Authority will, when designating a particular portion of the airspace as a control zone under this Part, prescribe the horizontal and vertical limits of such area:

(1) The lateral limits of control zones shall encompass at least those portions of the airspace, which are not within control areas, containing the paths of IFR flights arriving at and departing from aerodromes to be used under instrument meteorological conditions and shall extend to at least 9.3 km (5 NM) from the centre of the aerodrome or aerodromes concerned in the directions from which approaches may be made.

(2) When a control zone is located within the lateral limits of a control area, it shall extend upwards from the surface of the earth to at least the lower limit of the control area.

(3) When a control zone is located outside of the lateral limits of a control area, an upper limit shall be established.

(4) When it is desired to establish the upper limit of a control zone at a level higher than the lower limit of the control area established above it, or if the control zone is located outside of the lateral limits of a control area, its upper limit should be established at a level which can easily be identified by pilots. When this limit is above 900 m (3 000 ft) MSL it should coincide with a VFR cruising level of the tables in Part 8, IS 8.H.320.

17.A.145 Establishment and identification of ATS routes

(*a*) The applicant for the grant of an air traffic service certificate shall provide, when ATS routes are established, a protected airspace along each ATS route and a safe spacing between adjacent ATS routes and identify ATS routes by approved designators, as specified in ICAO Annex 11, Appendix 1 and 3.

(*b*) Designators for ATS routes other than standard departure and arrival shall be selected in accordance with the principles set forth in Annex 11, Appendix 1.

(*c*) Standard departure and arrival routes and associated procedures shall be identified in accordance with the principles established in Appendix 3 of Annex 11.

17.A.150 Establishment of significant points and change –over points

(*a*) The applicant for the grant of an air traffic service certificate shall establish procedures to ensure that:

(1) Significant points and change over points shall be established for the purpose of defining ATS routes and, or in relation to the requirements of air traffic services for information regarding the progress of flights. Change-over points shall

be established on ATS route segments defined by reference to very high frequency omnidirectional radio ranges where this will assist accurate navigation along the route segments. The establishment of 110 km (60 NM) or more, except where the complexity of ATS routes, the density of navigation aids or other technical and operational reasons warrant the establishment of change-over points on shorter segments.

Note *– Unless otherwise established in relation to the performance of the navigation aids or frequency protection criteria, the chance-over point on a route segment should be the mid-point between the facilities in the case of a straight route segment or the intersection of radials in a case of a route segment which changes direction between the facilities.*

(2) Significant points shall be identified by designators, in accordance with the principles set forth in ICAO Annex 11 Appendix 2.

(3) Where necessary, standard routes for taxing aircraft should be established on an aerodrome between runways, aprons and maintenance areas. Such routes should be direct, simple and where practicable, designed to avoid traffic conflicts.

(4) Standard routes for taxiing aircraft shall be established on an aerodrome between runways, aprons and maintenance areas as set forth in Annex 11.

17.A.155 Performance-Based Navigation performance (PBN)

a) In applying performance-based navigation, the Authority will prescribe navigation specifications. When applicable, the navigation specification(s) for designated areas, tracks or ATS routes shall be prescribed on the basis of regional air navigation agreements. In designating a navigation specification, limitations may apply as a result of navigation infrastructure constraints or specific navigation functionality requirements.

b) The prescribed navigation specification shall be appropriate to the level of communications, navigation and air traffic services provided in the airspace concerned.

c) The prescribed navigation specification shall be appropriate to the level of communications, navigation and air traffic services provided in Cabo Verde airspace

Note *– Guidance material on PBN is published in the Performance-based Navigation Manual (Doc. 9613).*

17.A.160 Concept of PBN

(*a*) The concept of Performance Based Navigation relies on the use of an area navigation system (RNAV).

(*b*) The main components for the application of PBN are:

a) The navaids infrastructure;

b) Navigation specifications;

17.A.165 Prescription of required communication performance (RCP)

(*a*) The Authority will prescribe RCP types, as applicable, for designated areas, tracks or ATS routes, based on regional air navigation agreements.

(*b*) The prescribed RCP type shall be appropriate to the level of communications, navigation and air traffic services provided in the airspace concerned.

17.A.170 Coordination of activities potentially hazardous to civil aircraft

(*a*) The arrangements for activities potentially hazardous to civil aircraft within Sal Oceanic Flight Information Region shall be coordinated with the air traffic service authorities to avoid hazards to civil aircraft and minimize interference with the normal operations of such aircraft.

(*b*) In determining such arrangements the detailed requirements shall be in accordance with the provisions of CV CAR 15.

(*c*) Adequate steps shall be taken to prevent emission of laser beams from adversely affecting flight operations.

(*d*) The coordination shall be effected early enough to permit timely promulgation of information regarding the activities in accordance with the provisions of CV CAR 15.

(*e*) When the organization planning the activities is located outside Cape Verde, initial coordination should be effected through the ATS authority responsible for the airspace over the State where the organization is located.

(*f*) The appropriate ATS authorities shall be responsible for initiating the promulgation of information regarding the activities.

17.A.175 Requirement for certificate

(*a*) Except as provided in paragraph b), as of 1 March 2013, no person shall provide an air traffic service for:

(1) the Cabo Verde airspace; or

(2) the areas of the Sal Oceanic FIR in which Cabo Verde is responsible for air traffic service except under the authority of, and in accordance with the provisions of, an traffic service certificate issued under this Part.

(*b*) Each person authorised to provide an air traffic service before the entry into force of these regulations, may continue to do so until the deadline in a), subject to compliance with the requirements of this Part.

17.A.180 Application for certificate

(*a*) An applicant for the grant of an air traffic service certificate shall:

(1) Apply in a form and manner prescribed by the Authority

(2) The application shall include the following details:

(i) the applicant's name and address for service in Cabo Verde;

(ii) the specific air traffic service or services to be provided;

(iii) the aerodrome location or airspace designation at, or within which, the service will be provided;

(iv) such other particulars relating to the applicant and the intended service as may be required by the President of the Authority as indicated on the form.

(*b*) submit the completed form to the Authority with:

(1) the operations manual required by 17.B.600;

(2) the safety management system phased approach implementation plan required under 17.B.305 b); and

(3) payment of the appropriate application fee prescribed by regulations.

17.A.185 Issue of certificate

(*a*) Subject to paragraph (b), an applicant is entitled to an air traffic service certificate if the Authority is satisfied that:

(1) the applicant meets the requirements of Subpart 17.B;

(2) the applicant, and the applicant's senior person or persons required by 17.B.105, are fit and proper persons; and

(3) the granting of the certificate is not contrary to the interests of aviation safety.

(*b*) The Authority shall ensure, in the interests of aviation safety that only one certificate for the same air traffic service is current at any time.

17.B.190 Amendment of air traffic service certificate

(*a*) The Authority may amend an air traffic service certificate if:

(1) The Authority determines that aviation safety and the public interest require the amendment; or

(2) The air traffic service provider applies for an amendment.

(*b*) If the Authority stipulates in writing that an emergency exists requiring immediate amendment in the public interest with respect to aviation safety, such an amendment is effective without stay on the date the air traffic service provider receives notice.

(*c*) An air traffic service provider may appeal the amendment, but shall operate in accordance with it, unless it is subsequently withdrawn.

(*d*) Amendments proposed by the Authority, other than emergency amendments, become effective 30 days after notice to the air traffic service provider, unless the air traffic service provider appeals the proposal in writing prior to the effective date. The filing of an appeal stays the effective date until the appeal process is completed.

(*e*) Amendments proposed by the air traffic service provider shall be made at least 30 days prior to the intended date of any operation under that amendment.

(*f*) No person may provide air traffic service for which an air traffic service certificate amendment is required, unless it has received notice of the approval from the Authority.

17.A.195 Privileges of certificate

(*a*) An air traffic service certificate specifies which of the following air traffic services, and which training and assessment for such services, the certificate holder is authorised to provide:

(1) area control service;

(2) approach control service;

(3) aerodrome control service;

(4) flight information service;

(5) aerodrome flight information service;

(6) alerting service;

(7) any other service provided in accordance with Subpart 17.D.

(*b*) An air traffic service certificate:

(1) states the aerodrome or airspace at, or within which, the service is provided; and

(2) may include such conditions as the Authority considers appropriate.

17.A.1100 Duration of certificate

(*a*) An air traffic service certificate issued by the Authority is effective for 24 months unless —

(1) The Authority amends, suspends, revokes or otherwise terminates the certificate;

(2) The air traffic services provider surrenders it to the Authority; or

(3) The air traffic services provider suspends services for more than 30 days.

(*b*) An air traffic service certificate remains in force until it expires or is suspended or revoked.

(*c*) The holder of an air traffic service certificate that expires or is revoked shall forthwith surrender the certificate to the Authority.

(*d*) The holder of an air traffic service certificate that is suspended shall forthwith produce the certificate to the Authority.

17.A.1105 Renewal of certificate

(*a*) An application for the renewal of an air traffic service certificate shall be made in a form and manner prescribed by the Authority.

(*b*) The application shall be submitted to the Authority at least 30 days before the end of the existing period of validity.

17.A.1110 Change in level of service

(*a*) The holder of an air traffic service certificate who intends to reduce or increase the hours of operation of an ATS facility shall provide to the Authority at least 90-days in advance a notice stating the reason for the proposed increasing or reduction,

(*b*) A new schedule of the proposed hours of services for the next 12-months of operation; and

(*c*) A prior written approval from the Authority must be received before the certificate holder starts his new schedule.

17.A.1115 Display of certificate

(*a*) The holder of an air traffic service certificate shall display the certificate in a prominent place accessible to the public at the holder's principal place of business. If a copy of the approval is not displayed, then they shall produce the original approval to an inspector upon request.

17.B CERTIFICATION REQUIREMENTS

17.B.105 Personnel requirements

(*a*) The applicant for the grant of an air traffic service certificate shall engage, employ, or contract:

(1) a senior person identified as the accountable manager who has the authority within the applicant's organization to ensure that each air traffic service listed in its operations manual:

(i) can be financed; and

(ii) is provided in accordance with the requirements prescribed by this Part.

(2) a senior person or persons who are responsible for ensuring that the applicant's organization complies with the requirements of this Part. Such nominated person or persons shall be ultimately responsible to the accountable manager; and

(3) sufficient personnel to manage, support, and provide the air traffic services and any associated training or assessment listed in the applicant's operations manual.

(*b*) The applicant shall establish procedures to:

(1) ensure the competence of those personnel who are authorized by the applicant to provide the air traffic services, and training and assessment for those services, listed in the applicant's operations manual; and in the case of loss of competency, procedures for the requalification of the controller.

(2) provide those authorized personnel with written evidence of the scope of their authorization;

(3) ensure that those authorized personnel hold appropriate current licenses and ratings issued under CV CAR Part 2;

(4) ensure, where practicable, that authorized personnel only exercise the privileges of their rating or ratings if they are familiar with all relevant and current information;

(5) facilitate, for rated air traffic service license holders, compliance with the recent experience requirements of CV CAR Part 2;

(6) ensure, where practicable, that an air traffic controller shall not exercise the privileges of their rating or ratings:

(i) unless they comply with any endorsements on their medical certificate; and

(ii) when any decrease in their medical fitness might render them unable to safely exercise these privileges.

(*c*) The applicant for the grant of an air traffic service certificate shall establish procedures to ensure that:

(1) air traffic controllers speak and understand the language(s) used for radiotelephony communications as specified in CV CAR Part 2.

(2) Except when communications between air traffic control units are conducted in a mutually agreed language, the English language shall be used for such communications.

17.B.110 ATS training

(*a*) The applicant for the grant of an air traffic service certificate shall establish procedures and programmes for the training and assessment of the following personnel -

(1) air traffic controllers;

(2) personnel directly involved in the provision of an HF aeronautical telecommunication service;

(3) personnel directly involved in activities supporting rated air traffic controllers;

(4) aerodrome flight information operators

(*b*) The applicant shall establish procedures to ensure that personnel giving instruction in an operational environment hold an appropriate current ATS instructor authorisation issued under CV CAR Part 2.

(*c*) The applicant shall establish procedures to ensure that personnel carrying out assessment for the issue of licences, or the issue or validation of ratings, hold an appropriate current ATS instructor or examiner authorisation.

17.B.115 Facility requirements

(*a*) The applicant for the grant of an air traffic service certificate shall establish the following facilities that are appropriate to the air traffic services listed in the applicant's operations manual:

(1) aerodrome control towers;

(2) area control centers;

(3) aerodrome flight information offices;

(4) flight information centers.

(*b*) The applicant for an aerodrome control service, or an aerodrome flight information service, shall establish procedures to ensure that any aerodrome control tower or aerodrome flight information office listed in the applicant's operations manual, is:

(1) constructed and situated to provide:

(i) the maximum practicable visibility of aerodrome traffic;

(ii) protection from glare and reflection; and

(iii) protection from noise.

(2) safeguarded from any development that would affect the requirements of paragraph (b)(1);

(3) at solo watch locations, provided with:

(i) toilet facilities that ensure the minimum possible interruption to, or degradation of, air traffic services; and

(ii) storage and preparation facilities for food and drink in the visual control room.

(4) provided with equipment for two-way voice communication with:

(i) aircraft, in or adjacent to airspace for which the applicant has responsibility; and

(ii) aircraft, vehicles and persons, on, or adjacent to, the manoeuvring area.

(5) provided with the following minimum equipment:

(i) a display system or systems designed to show the disposition of current and pending aerodrome traffic together with ancillary information for individual aircraft;

(ii) a power supply;

(iii) appropriate and current maps and charts;

(iv) binoculars;

(v) clocks;

(vi) logbook;

(vii) outside temperature indicator;

(viii) QNH display;

(ix) signal lamp with green, red, and white functions;

(x) telephone communications;

(xi) status monitors for approach and landing aids and any road;

(xii) visibility and cloud height checkpoints;

(xiii) voice and, where applicable, data recording equipment;

(xiv) wind direction and speed display;

(xv) an audible alerting alarm;

(xvi) an AFTN terminal or, where provided for in an ATS letter of agreement, an alternative means of reception and transmission of information normally conveyed by AFTN;

(xvii) if applicable, airfield lighting controls panel; and

(6) provided with two independent sources of the current altimeter setting, at least one of which shall be an aneroid barometer or barometric altimeter situated in the visual control room.

(*c*) The applicant shall establish procedures to ensure that area control centres, flight information centres, and approach control offices are:

(1) provided with equipment enabling:

(i) to the fullest extent practical, two-way voice communication; and

(ii) where applicable, data communication:

with aircraft in, or adjacent to, airspace for which the applicant has responsibility; and

(2) provided with the following minimum equipment :

(i) a display system or systems designed to show the disposition of current and pending flights together with ancillary information for individual aircraft;

(ii) a power supply;

(iii) appropriate and current maps and charts;

(iv) clocks;

(v) logbook;

(vi) status monitors as appropriate for navigation, approach, and landing aids;

(vii) telephone communications;

(viii) voice recording equipment and, where applicable, data recording equipment;

(ix) an AFTN terminal;

(x) for approach control operating positions, an ILS status monitor at the approach control or approach control radar operating position for the aerodrome concerned;

(xi) for approach control operating positions responsible for aircraft on final approach, or aircraft landing or taking off, a wind direction and speed display fed from the same source as the corresponding equipment in the aerodrome control tower.

(xii) Units providing approach control service for final approach, landing and take-off shall be supplied with information on wind shear which could adversely affect aircraft on the approach or take-off paths or during circling approach.

(*d*) The applicant shall establish procedures to ensure that the aeronautical telecommunications equipment required by paragraphs (b) and (c) are operated in accordance with the requirements in *Implementing Standard: IS: 17.B.110*.

(*e*) The applicant shall establish procedures to ensure that visual display units used by air traffic services are positioned with due regard to the relative importance of the information displayed and ease of use by the staff concerned.

(*f*) The equipment required by paragraphs (b)(4) and (5), and (c)(1) and (2), shall have a level of reliability, availability, and redundancy, that minimises the possibility of failure, non-availability, or significant degradation of performance.

(*g*) The applicant shall establish procedures to ensure that the status monitors required by paragraph (b)(5)(xi) and paragraphs (c)(2)(vi) and (x) are fitted with:

(1) an aural signal to indicate a change of status; and

(2) a visual indication of the current status.

(*h*) The applicant shall ensure that current meteorological reports and forecasts are supplied to communications stations.

(*i*) A copy of such information shall be forwarded to the flight information centre or the area control centre.

17.B.120 Establishment and transfer of service

(*a*) The applicant for the grant of an air traffic service certificate shall include with its application:

(1) for each aerodrome and airspace, a schedule of the proposed hours of service for the first 12 months of operation; and

(2) in respect of an aerodrome, or airspace, not currently provided with an air traffic service, a summary of safety factors considered before seeking certification.

(*b*) The applicant for the grant of an air traffic service certificate intending to assume responsibility for providing any air traffic service from an existing certificate holder, shall include with its application, full details of transitional arrangements endorsed by the accountable managers of both organizations.

17.B.125 Shift administrations

(*a*) The applicant for the grant of an air traffic service certificate shall establish a procedure to ensure that:

(1) adequate time is provided at the beginning and end of each shift, for the performance of those duties required:

(i) before providing an air traffic service; and

(ii) after ceasing to provide an air traffic service; and

(2) a minimum of 5 minutes is provided for each transfer of watch at an ATS operational position.

17.B.130 Prevention of fatigue

(*a*) Each applicant for the grant of an air traffic service certificate shall establish procedures to ensure that air traffic controllers are not subject to fatigue by ensuring that:

(1) The maximum continuous working period on a position shall not exceed six hours followed by a rest break away from the ATC environment;

(2) A rest room shall be provided for relief from operational stress, fatigue and tension; and

(3) Shift length should not exceed 8 hours.

17. B.135 Documentation

(*a*) The applicant for the grant of an air traffic service certificate shall hold copies of the relevant technical manuals, and all other documents, necessary for the provision and operation of the services listed in its operations manual.

(*b*) The applicant shall establish a procedure to control all the documentation required by paragraph (a). The procedure shall ensure that:

(1) all incoming documentation is reviewed, and actioned as required, by authorized personnel; and

(2) all documentation is reviewed and authorized before issue; and

(3) current issues of all relevant documentation are available to personnel at all locations where they need access to such documentation for the provision and operation of air traffic services; and

(4) all obsolete documentation is promptly removed from all points of issue or use; and

(5) any obsolete documents retained as archives are suitably identified as obsolete; and

(6) changes to documentation are reviewed and approved by authorized personnel who shall have access to pertinent background information upon which to base their review and approval; and

(7) the current version of each item of documentation can be identified to preclude the use of out-of-date editions.

17. B.140 Contingency plan

(*a*) The applicant for the grant of an air traffic service certificate shall establish a contingency plan providing for the safe and orderly flow of traffic in the event of a disruption, interruption, or temporary withdrawal of an air traffic service or related supporting service.

(*b*) In addition to the requirement in paragraph (a), the applicant for the grant of an air traffic service certificate to provide services in the Sal Oceanic FIR shall detail in its plan provisions for the continuation of the safe and orderly flow of international traffic not landing in Cabo Verde.

17. B.145 Coordination requirements

(*a*) The applicant for the grant of an air traffic service certificate shall establish systems and procedures to ensure, where applicable, co-ordination between the ATS unit listed in the applicant's operations manual and the following services:

(1) the Agência de Aviação Civil.

(2) any holder of an aeronautical telecommunication service organization;

See Implementing Standard: IS: 17.B.140 for specific co-ordination requirements.

(3) the aviation meteorological service provider; and

(4) The aeronautical information service provider;

Note: *See Implementing Standard: IS: 17.B.140 for specific co-ordination requirements.*

(5) aircraft operators;

(6) search and rescue authorities;

(7) where the listed ATS unit is an aerodrome control or aerodrome flight information unit:

(i) the aerodrome operator;

(8) Military authorities.

(*b*) The applicant shall establish procedures to ensure an ATS letter of agreement is in place between the ATS unit listed in the applicant's operations manual and:

(1) The ATS unit responsible for adjoining airspace, and

(2) any other ATS unit with which regular operational co-ordination is required.

(*c*) The applicant shall establish procedures to ensure the ATS letter of agreement:

(1) details such matters as are necessary for effective co-ordination between the units party to the agreement; and

(2) is kept current; and

(3) is signed by senior representatives of the participating units; and

(4) is part of the applicant's operations manual.

(*d*) The applicant shall provide systems and procedures to facilitate communications between those ATS units having an operational requirement to communicate with each other.

(*e*) The applicant shall provide systems and procedures to ensure that ATS units, aircraft operators, and aviation meteorological service providers, where they require the information, are provided, through the exchange of ATS messages, with details of :

(1) the intended movement of each aircraft for which a flight plan has been filed, and any amendments to that flight plan; and

(2) current information on the actual progress of the flight.

(*f*) The applicant shall establish procedures to ensure that ATS messages are prepared and transmitted in accordance with procedures detailed and cross-referenced in Document 4444 (Chapter 11 – Air Traffic Services Messages).

(*g*) The applicant shall ensure that aircraft receive the most up-to-date meteorological information for aircraft operations-

(*h*) Arrangements shall be made, where necessary, between meteorological and air traffic services providers in addition to using indicating instruments:

(1) to report, if observed by air traffic services personnel or communicated by aircraft, such other meteorological elements as may be agreed upon;

(2) to report as soon as possible to the associated meteorological office meteorological phenomena of operational significance, if observed by air traffic services personnel or communicated by aircraft, which have not been included in the aeronautical meteorological report;

(3) to report as soon as possible to the associated meteorological office pertinent information concerning pre-eruption volcanic activity, volcanic eruptions and information concerning volcanic ash cloud.

(*i*) In addition, area control centre and flight information centre shall report the information to the associated meteorological watch office and volcanic ash advisory centre (VAAC).

(*j*) Close coordination shall be maintained between area control centre, flight information centre and associated meteorological watch offices to ensure that information on volcanic ash included in NOTAM and SIGMET messages is consistent.

(*k*) The applicant shall ensure that aeronautical information services units obtain information to enable them to provide up-to-date pre-flight information and to meet the need for in-flight information, arrangements shall be made between aeronautical information services and the air traffic services authorities responsible for air traffic services to report to the responsible aeronautical information services unit, whith a minimum of delay:

(1) Information on aerodrome conditions;

(2) The operational status of associated facilities, services and navigation aids within their area of responsibility;

(3) The occurrence of volcanic activity observed by air traffic services personnel or reported by aircraft; and

(4) Any other information considered to be of operational significance.

(*l*) Before introducing changes to the air navigation system, due account shall be taken by the services responsible for such changes of the time needed by aeronautical information service for the preparation, production and issuance of relevant material for promulgation. To ensure timely provision of the information service, close coordination between those services concerned is therefore required.

(*m*) Of particular importance are the changes to aeronautical information systems that affect charts and/or computer-based navigation systems which qualify to be notified by the Aeronautical Information Regulation and Control (AIRAC) system, as specified in CV CAR 15. The predetermined, internationally agreed AIRAC effective dates in addition to 14 days postage time shall be observed by responsible air traffic services when submitting the raw information/data to aeronautical information services.

(*n*) The air traffic services responsible for the provision of raw aeronautical information/data to the aeronautical information services shall do so while taking into account accuracy and integrity requirements for aeronautical data as specified in Appendix 5 of Annex 11.

17.B.150 Notification of facility status

(*a*) The applicant for the grant of an air traffic service certificate shall establish procedures to notify users of its air traffic services of relevant operational information and of any changes in the operational status of each facility or service listed in the applicant's operations manual.

(*b*) The procedures shall ensure that:

(1) operational information for the applicant's air traffic services is forwarded to the holder of the aeronautical information service certificate; and

(2) the users of an air traffic service are notified without delay of any change in operational status of the facility or service that may affect the safety of air navigation, and, except where the change is temporary in nature, information concerning any change in operational status is forwarded to the holder of the aeronautical information service certificate for the NOTAM service.

17. B.155 General information requirements

a) The applicant for the grant of an air traffic service certificate shall establish procedures for the receipt of information on the following activities when the activity could affect airspace used by flights within the applicant's area of responsibility:

(1) pre-eruption volcanic activity;

(2) volcanic eruptions;

(3) volcanic ash-cloud; and

(4) release into the atmosphere of radioactive materials or toxic chemicals.

(*b*) The applicant shall establish systems and procedures to ensure that the ATS unit, as appropriate to the applicant's intended area of responsibility, is kept informed of the operational status of:

(1) non-visual navigation aids;

(2) visual aids essential for take-off, departure, approach, and landing procedures;

(3) visual and non-visual aids essential for surface movement.

(*c*) The applicant for the grant of an air traffic service certificate for an:

(1) aerodrome control unit; or

(2) approach control unit; or

(3) aerodrome flight information service unit— shall establish procedures to ensure the unit is kept informed of operationally significant conditions on the movement area. The information shall include the existence of temporary hazards and the operational status of any associated facilities at the aerodrome.

17. B.160 Meteorological information and reporting

(*a*) The applicant for the grant of an air traffic service certificate shall establish systems and procedures to ensure that all meteorological information provided as part of any flight information service is:

(1) supplied by the authorized aviation meteorological service provider; or

(2) issued as a basic weather report.

***Note**: See Implementing Standard: IS: 17.B.155 for specific requirements.*

(*b*) The applicant shall establish systems and procedures to ensure that ATS units are supplied with the meteorological information necessary for the performance of their respective functions, in a form that requires a minimum of interpretation by ATS personnel and with a frequency which satisfies the requirements of the air traffic services units concerned.

(*c*) The applicant shall establish procedures to ensure that equipment used in the compilation of *basic weather reports*:

(1) supplies data including altimeter setting values representative of the area for which the measurements are required; and

(2) where that equipment consists of multiple wind direction and speed indicators, identifies the runway, or section of the runway, monitored by each instrument.

(*d*) The applicant shall establish a procedure to ensure that the information contained in a meteorological bulletin remains unchanged through onward transmission.

(*e*) The applicant shall ensure that detailed information on location, vertical extent, direction and rate of movement of meteorological phenomena in the vicinity of the aerodrome, and particularly in the climb-out approach areas, which could be hazardous to aircraft operations are supplied.

(*f*) When computer-processed upper air data are made available to air traffic service in digital form for use by air traffic service computers, the contents, format and transmission arrangements should be as agreed between Meteorological Authority and the appropriate ATS service provider.

17. B.165 Area and approach control services

(*a*) The applicant for the grant of an air traffic service certificate in respect of an area or approach control service shall establish systems and procedures to:

(1) be provided with information on intended movement of each aircraft or variations therefrom;

(2) determine, from information received, the positions of known aircraft relative to each other;

(3) issue clearances and information for the purpose of preventing collisions between aircrafts under its control for maintaining an orderly flow of traffic;

(4) coordinate clearances with other units when necessary;

(5) provide for the issue of ATC clearances, instructions, and information, according to the airspace classification and type of flight, for the purpose of preventing collisions between aircraft under the control of the unit, and expediting and maintaining a safe and efficient flow of traffic;

(6) display, in a manner that permits ready analysis, information on aircraft movements, together with a record of clearances issued

(*b*) The applicant or holder of an air traffic service certificate in respect of an area or approach control service shall provide air traffic control service:

(1) To all IFR flights in airspace Classes A, B, C, D and E;

(2) To all VFR flights in airspace Class B,C and D;

(3) To all special VFR flights; and

(4) To all aerodrome traffic at controlled aerodromes.

(*c*) The separation required in each Class of airspace in respect of an area or approach control shall be in accordance with criteria and minima prescribed by:

(1) Document 4444; or

(2) Document 7030; or

(3) Manual of Standards (MOS) – Part 17 Air Traffic Services.

17.B.170 Aerodrome control service

(*a*) The applicant for the grant of an air traffic service certificate in respect of an aerodrome control service shall establish systems and procedures to:

(1) determine, from information received and visual observation, the relative positions of known aircraft to each other;

(2) provide for the issue of ATC clearances, instructions, and information, for the purpose of preventing collisions between:

(i) aircraft flying in the vicinity of an aerodrome;

(ii) aircraft landing and taking off;

(iii) aircraft operating on the manoeuvring area;

(iv) aircraft, vehicles, and persons, operating on the manoeuvring area; and

(v) aircraft on the manoeuvring area and obstructions on that area:

(3) provide for the issue of ATC clearances, instructions, and information, for the purpose of expediting and maintaining a safe and efficient flow of traffic;

(4) except as provided in 17.B.205 provide runway and wake turbulence separation in accordance with criteria and minima prescribed by:

(i) Document 4444; or

(ii) Document 7030; or

(iii) Manual of Standards (MOS) – Part 17 Air Traffic Services; and

(5) ensure that emergency vehicles responding to an aircraft emergency are given priority over all other surface movement traffic; and

(6) provide for the control of the movement of persons or vehicles, including towed aircraft, on the manoeuvring area, as necessary to avoid hazard to them or to aircraft landing, taxiing, or taking off; and

(7) co-ordinate as necessary with other ATS units; and

(8) display, at operating positions, continuously updated information on aircraft movements.

(*b*) The applicant shall establish a procedure to ensure that, when radio communication is not available, basic clearances, instructions, and information required by paragraph (a)(2) can be conveyed by the use of the light signals.

(*c*) The applicant shall establish procedures to ensure that when required by either the weather, or category of approach, or both:

(1) aircraft on an ILS approach are informed of ILS critical area incursions, or the imminent possibility of an incursion; or

(2) the applicable ILS critical areas are protected from incursion when an aircraft is on an ILS approach, or has reached a point on the approach from which protection from incursion is necessary.

(*d*) The applicant shall establish a procedure to ensure that, except as provided in 17.B.105, and subject to authorisation by the applicable approach control unit, aerodrome control units provide separation between:

(1) IFR flights and Special VFR flights; and

(2) Special VFR flights when the flight visibility is reported to be less than 5 km.

(*e*) The applicant shall establish a procedure to ensure that, when authority has been delegated by, and accepted from, the applicable area or approach control unit, aerodrome control units provide separation between controlled flights in accordance with the delegation.

(*f*) The separation required by paragraphs (d) and (e) shall be obtained by the use of vertical or horizontal or composite separation, in accordance with criteria and minima prescribed by:

(1) Document 4444; or

(2) Document 7030; or

(3) Manual of Standards (MOS) – Part 17 Air Traffic Services.

17. B.173 Separation minima

(*a*) The applicant for the grant of an air traffic service certificate shall establish systems and procedures to ensue that:

(1) The selection of separation minima for application within a given portion of airspace shall be selected from those prescribed by the provisions of the PANS-ATM Doc 4444 and the Regional Supplementary Procedures, as applicable.

(2) The selection of separation minima shall be made in consultation between the appropriate ATS authorities responsible for the provision of air traffic services in neighboring airspace when:

(i) traffic pass from one into the other of the neighboring airspaces;

(ii) routes are closer to the common boundary of the neighboring airspaces than the separation minima applicable in the circumstances.

Note.- *The purpose of this provision is to ensure , in the first case, compatibility on both sides of the line of transfer of traffic, and, in the other case, adequate separation between aircraft operating on both sides of the common boundary.*

(*b*) Details of selected separation minima and of their areas of application shall be notified:

(1) to the ATS units concerned; and

(2) to pilots and operators through aeronautical information publications, where separation is based on the use by aircraft of specified navigation aids or specified navigation techniques.

17. B.175 Special use airspace

(*a*) The applicant for the grant of an air traffic service certificate in respect of an air traffic control service shall establish systems and procedures to ensure that separation in accordance with Manual of Standards (MOS) – Part 17 Air Traffic Services is provided between controlled flights and active special use airspace designated under AIP, except when:

(1) the pilot has approval from the controlling authority to operate in the airspace; or

(2) in the case of a danger area or a volcanic hazard area, the pilot has notified an express intention to operate in the area; or

(3) it is known, or reasonably believed, that the pilot of a VFR flight, or an IFR flight navigating by visual reference, is aware that the airspace is active; or

(4) upon a request by the pilot, the flight is cleared to maintain its own separation from the airspace.

17. B.180 Responsibility for control

(*a*) The applicant for the grant of an air traffic service certificate in respect of an air traffic control service shall establish procedures to ensure that any controlled flight is under the control of only one ATC operating position at any given time.

(*b*) The applicant shall establish procedures to ensure that responsibility for the control of all aircraft operating within a given block of airspace is vested in a single operating position. Control of an aircraft or groups of aircraft may be delegated to other operating positions provided that coordination between all affected operating positions is assured.

(*c*) The applicant shall establish procedures for the transfer of responsibility for the control of an aircraft.

(*d*) The procedures required by paragraph (c) shall ensure that:

(1) transfer arrangements are:

(i) agreed between ATC units responsible for adjacent airspaces and published in ATS letters of agreement;

(ii) in place for separate operating positions within an ATC unit and promulgated in the holder's operations manual;

(2) responsibility for control of an aircraft is not transferred from one ATC unit to another without:

(i) communication of appropriate parts of the current flight plan;

(ii) any relevant control information; and

(iii) the consent of the accepting unit.

(*e*) The applicant shall establish procedures for the transfer of responsibility for the control of an aircraft regarding:

(1) transfer using ADS-B data or

(2) transfer using ADS-C data.

(*f*) The procedures for the transfer of responsibility between a unit providing approach control service and an aerodrome control tower or between control sectors/positions within the same air traffic unit are those specified in Manual of Standards(MOS) – Part 17 Air Traffic Services;

(*g*) Two-way voice and/or data link communications shall be used to notify the confirmation of control acceptance.

17. B.185 Priorities

(*a*) The applicant for the grant of an air traffic service certificate in respect of an air traffic control service shall establish procedures to ensure that, providing safety is not jeopardised, ATC units apply the following priorities:

(1) an aircraft known or believed to be in a state of emergency or impaired operation has priority over all other aircraft; and

(2) an aircraft landing, or in the final stages of an approach to land, has priority over a departing aircraft; and

(3) an aircraft landing or taking off has priority over taxiing aircraft.

(*b*) The applicant shall establish procedures to ensure that, where practical, following a request from the pilot, an aircraft involved in, or positioning for, the following activities is granted priority:

(1) ambulance;

(2) search and rescue; and

(3) civil defense or police emergencies; and applying priority in accordance with other provisions of this rule, priority for arriving and departing flights is allocated on a first-come first-served basis.

(4) carriage of heads-of-state, heads-of-government, or equivalent dignitaries.

(*c*) The applicant shall establish procedures to ensure that an aircraft at a cruising level shall normally have priority over other aircraft requesting that level, except that, within the Sal Oceanic FIR:

(1) an aircraft may be given priority for a cruising level in accordance with procedures published in Document 7030, or an ATS letter of agreement; and

(2) an aircraft occupying a cruising level may be reassigned another level to maintain separation.

(*d*) An applicant for an air traffic service certificate in respect of an area control service may establish procedures regarding priorities to be applied in airspace designated as RNP airspace .

(*e*) Subject to the requirements of paragraphs (a) and (b), an applicant may put in place schemes for the determination of priorities for arriving and departing flights, provided that consultation with interested parties is undertaken prior to implementing the scheme.

(*f*) The applicant shall establish procedures to ensure that, where priorities are established under paragraphs (d) or (e), relevant information, including details regarding the handling of complaints, is published in the Cabo Verde AIP.

(*g*) The applicant shall establish procedures to ensure that, providing safety is not jeopardised, due regard is given to those priorities determined in conjunction with the aerodrome operator for:

(1) aircraft arriving and departing that aerodrome; and

(2) other operations in any control zone associated with that aerodrome.

(*h*) The applicant shall establish procedures to ensure that, except when applying priority in accordance with other provisions of this rule, priority for arriving and departing flights is allocated on a first-come first-served basis.

(*i*) The applicant shall establish procedures to ensure that the provision of an ATC service takes precedence

(1) over the provision of a flight information service whenever the situation so requires; and

(2) over the performance of any other non-ATS tasks.

(j) The applicant shall ensure that Human Factor principles should be observed

17.B.190 Flow control

(*a*) The applicant for the grant of an air traffic service certificate in respect of an air traffic control service shall establish flow control procedures where, due to limitations in ATS system capacity or aerodrome capacity, the applicant considers the procedures necessary.

(*b*) The procedures shall take account of:

(1) the requirements of affected aerodrome operators including their traffic handling priorities; and

(2) the needs of aircraft operators, and other ATS providers, who will be affected by the procedures; and

(3) the requirements of the aeronautical information service, including advance notice, and information on the method of activation and de-activation.

(*a*) The ATFM should be implemented on the basis of regional air navigation agreement or, if appropriate, through multilateral agreements. Such agreements should make provision for common procedures and common method of capacity determination..

(*b*) When it becomes apparent to an ATC unit that traffic additional to that already accepted cannot accommodate within a given period of time at a particular location or in particular area, or can only be accommodated at a given rate, that unit shall so advise the ATFM unit, when such is established, as well as when appropriate, ATS unit concerned. Flight crews of aircraft destined to the location or area in question and operates concerned shall also be advised of the delays expected or the restrictions that will be applied.

17. B.195 ATC clearances

(a) The applicant for the grant of an air traffic service certificate in respect of an air traffic control service shall establish procedures for the provision of ATC clearances.

(*b*) The procedures shall ensure that:

(1) An ATC clearance shall be based on the sole requirement of providing air traffic control service;

(2) Controllers ensure that pilots read back the following items of an ATC clearance:

(i) ATC route clearance;

(ii) Clearance and instructions to enter, land on, take off on, hold short of, cross and back track on any runway; and

(iii) Runway-in-use, altimeter settings, SSR codes, level instructions, heading and speed instructions and whether issued by the controller or contained in ATIS board cast transition levels.

(iv) any other pertinent clearances or instructions

(3) The controller listens to the read-back to ascertain that the clearance or instructions have been correctly acknowledged by the flight crew and that immediate action shall be taken to correct any discrepancies revealed by the read-back;

(i) Voice read-back of CPDLC messages is not required;

(4) no person knowingly issues an ATC clearance or instruction that requires or invites a pilot to violate the provisions of any other rule; and

(5) clearances and instructions contain positive and concise data and are, where practicable, phrased in a standard manner; and

(6) if a pilot advises that a clearance or instruction is unsuitable, an amended clearance or instruction is, if practicable, issued; and

(7) an ATC clearance for an en route flight consists of:

(i) the aircraft identification as shown in the flight plan or, where similarity with another flight might cause confusion, an alternative identification provided by ATC; and

(ii) the clearance limit; and

(iii) the route of flight; and

(iv) the level(s) of flight for the entire route, or part thereof, and changes of level if required; and

(v) any necessary instructions or information on other matters such as approach or departure manoeuvres, communications, and the time of validity or expiry of the clearance; and

(8) an ATC clearance for a local flight, a flight operating in defined areas, or a flight operating in a random manner, includes those elements detailed in paragraph (4) that are appropriate; and

(9) an ATC clearance for a transonic flight:

(i) extends at least to the end of the transonic acceleration phase; and

(ii) provides for uninterrupted descent during deceleration from supersonic cruise to subsonic flight.

(10) When applicable, standard departure and arrival routes should be included in ATC clearances.

(11) An air traffic control clearance shall be coordinated between air traffic control units to cover the entire route of an aircraft, a specified portion through of or the aerodrome of first intended landing;

(12) A clearance issued as a down-stream clearance is clearly identified as such to the pilot. Downstream clearances does not affect the aircraft's original flight profile; and

(13) An ATC clearance shall be obtained prior to operating a controlled flight.

(14) Clearances issued by air traffic control units shall provide separation as specified in 17.B.165 and 17.B.170.

17.B.1100 Cruising levels

(*a*) The applicant for the grant of an air traffic service certificate in respect of an air traffic control service shall establish procedures to ensure that cruising levels allocated within the Cabo Verde FIR are selected in accordance with AIP for IFR flights and for VFR flights, except that, within controlled airspace:

(1) for both IFR and VFR flights, correlation of cruising level with track need not apply; and

(2) VFR flights may be allocated IFR levels.

(*a*) The applicant for an air traffic service certificate for the provision of an area control service in the Sal Oceanic FIR shall establish procedures to ensure that cruising levels are allocated in accordance with CV CAR Part 8, 8.H.320, except that correlation of cruising level with track need not apply.

17.B.1105 Deviation from an ATC clearance

(*a*) Subject to paragraph (b), the applicant for the grant of an air traffic service certificate in respect of an air traffic control service shall establish procedures to ensure that instructions issued to restore any loss of separation do not hinder the responses of a pilot to:

(1) TCAS or GPWS alerts; or

(2) weather, or other emergency situations, necessitating a deviation from an ATC clearance.

(b) The procedures required by paragraph (a) shall ensure that, once the emergency situation has been resolved, if any separation has been lost it is restored.

17.B.1110 Flight information service

(*a*) The applicant for the grant of an air traffic service certificate must establish procedures to ensure that a flight information service is provided to :

(1) each aircraft, being provided with an ATC service, that is likely to be affected by the information in paragraph (b);

(2) each aircraft, being provided with an aerodrome flight information service, that is likely to be affected by the information in paragraph (b);

(3) each aircraft operating IFR that is likely to be affected by the information in paragraph (b);

(4) any aircraft operating VFR for which the pilot has submitted a VFR flight plan to an ATS unit;

(5) any aircraft operating VFR if the pilot makes a specific request to an ATS unit for flight information.

(*a*) The applicant must ensure that the procedures required by paragraph (a) for the provision of the flight information service includes the provision of available and relevant:

(1) SIGMET information; and

(2) information on weather conditions reported or forecast, at departure, destination, and alternate aerodromes; and

(3) information concerning pre-eruption volcanic activity, volcanic eruptions, and volcanic ash clouds; and

(4) information concerning the release into the atmosphere of radioactive materials or toxic chemicals; and

(5) information on changes in the serviceability of navigation aids; and

(6) information on changes in the condition of aerodromes and associated facilities, including information on the state of the aerodrome movement areas when they are affected by , or water; and

(7) information on unmanned free balloons; an

(8) For flight over water areas, in so far practicable and when requested by pilot, any available information such as radio call sign, position, true track, speed, etc, of surface vessels in the area.

(9) other information likely to affect safety.

(10) ATS unit should transmit, as soon as practicable, special air-reports to other aircraft concerned, to the associated meteorological office, and to other ATS units concerned. Transmission time should be agreed.

(*c*) An applicant for the grant of an air traffic service certificate for an aerodrome control service or aerodrome flight information service must establish procedures to ensure that, whenever water is present on a runway, a description of the runway surface conditions on the centre half of the width of the runway is made available using one of the following terms:

(1) **DAMP** – the surface shows a change of colour due to moisture; or

(2) **WET** – the surface is soaked but there is no standing water; or

(3) **WATER PATCHES** – significant patches of standing water are visible; or

(4) **FLOODED** – extensive standing water is visible.

(*d*) The applicant for the grant of an air traffic service certificate for an aerodrome control service, approach control service, or aerodrome flight information service must establish procedures to ensure that, where practical, local aircraft operators likely to be affected by the information are advised of short-notice changes to published hours of service where they are unlikely to have the information from any other source.

(*e*) The applicant for the grant of an air traffic service certificate for an air traffic control service, must establish procedures to ensure that essential traffic information is passed to all affected traffic.

(*f*) The applicant for the grant of an air traffic service certificate must establish procedures to ensure that the ATS unit operating under that certificate provides traffic information to flights that are known to the ATS unit and are likely to be affected by the information as follows;

(1) in class C airspace, between VFR flights, together with traffic avoidance advice on request;

(2) in class D airspace, between IFR and VFR flights by day, and between VFR flights, together with traffic avoidance advice on request;

(3) in class E airspace, between IFR and VFR flights by day, and where practical between VFR flights on request;

(4) n class G airspace, between IFR flights, and where practical between other flights on request.

(5) the provision of air traffic control service shall have precedence over the provision of flight information service whenever the provision of air traffic control service so requires.

(*g*) The applicant for the grant of an air traffic service certificate in respect of an aerodrome control service shall use a voice automatic terminal information service broadcast (ATIS) where there is a need to reduce communication load. The language of communication shall be English. The ATIS message shall contain;

(1) Shall broadcast as a separate channel;

(2) For arriving and departing aircraft;

(3) Broadcast should not exceed 30 seconds;

(4) Shall take into consideration speed of transmission and human performance;

(5) Broadcasting should be updated; and

(6) ATIS message shall contain the following elements of information in the order listed below:

(i) Name of aerodrome;

(ii) Arrival and/or departure indicator;

(iii) Designator;

(iv) Time;

(v) Type of approach to be expected;

(vi) Runway in use, including potential hazards if any, and surface condition;

(vii) Holding delay;

(viii) Transition layer;

(ix) Surface wind direction and speed;

(x) Visibility and RVR;

(xi) Present weather;

(xii) Clouds;

(xiii) Vertical visibility when available if the sky obscured;

(xiv) Temperature;

(xv) Dew point;

(xvi) Altimeter setting;

(xvii) Any significant meteorological information; and

(xviii) Trend forecast if available.

(7) Pertinent information shall be reported to an aircraft that has acknowledged receipt of an outdated ATIS

(*h*) The applicant shall ensure that flight information provided to VFR flights shall include, in addition to that outlined in (a), the provision of available information concerning traffic and weather conditions along the route of flight that are likely to make operation under the visual flight rules impracticable.

17.B.1115 Aerodrome flight information service

a) The applicant for the grant of an air traffic service certificate in respect of an aerodrome flight information service shall establish systems and procedures to:

(1) determine, from information received and visual observation, the relative positions of known aircraft to each other; and

(2) provide for the issue of advice and information, including the designation of a preferred runway, for the purpose of the safe and efficient operation of:

(i) aircraft flying in the vicinity of an aerodrome; and

(ii) aircraft operating on the manoeuvring area; and

(iii) aircraft landing and taking off; and

(iv) aircraft, vehicles, and persons, on the manoeuvring area; and

(v) aircraft on the manoeuvring area and obstructions on that area.

(*b*) The applicant shall establish procedures to ensure that the designated preferred runway is that most suitable for the particular operation.

17.B.1120 Alerting service

(*a*) The applicant for the grant of an air traffic service certificate must establish systems and procedures to ensure the provision of an alerting service within its areas of responsibility:

(1) for all aerodrome traffic when an aerodrome control service or aerodrome flight information service is being provided; and

(2) for all aircraft:

(i) operating under a flight plan submitted in accordance with Doc 4444; or

(ii) otherwise known by any air traffic service to be in need of assistance; or

(iii) known or believed to be the subject of unlawful interference.

(*b*) An applicant for the grant of an air traffic service certificate must establish procedures to ensure that, in the event of a state of emergency described in paragraph (e):

(1) immediate declaration of an INCERFA, ALERFA, or DETRESFA is made, in accordance with paragraph (e); and

(2) the declaration is notified to the ACC, except where the emergency can be dealt with by local emergency organizations.

(*c*) An applicant for the grant of an air traffic service certificate in respect of an area control service or flight information service must establish procedures to ensure that, in the event of a state of emergency, an ACC or FIC:

(1) serves as the central point within the FIR concerned for collecting all information relevant to the state of emergency; and

(2) except as prescribed in paragraph (i)(1), forwards such information without delay to the RCC.

(*d*) Notwithstanding paragraph (b), an applicant for an air traffic service certificate for an aerodrome control service, approach control service, or aerodrome flight information service, must establish procedures to ensure that whenever the urgency of the situation so requires, those services must first alert appropriate local emergency organisations.

(*e*) The declaration required by paragraph (b) must be made in the following circumstances, and in any other circumstances that warrant such a declaration:

(1) INCERFA when:

(i) no communication has been received from an IFR or controlled VFR aircraft within a period of 30 minutes after the time a communication should have been received, or from the time an unsuccessful attempt to establish communication with the aircraft was first made, whichever is the earlier; or

(ii) a pilot fails to terminate the flight plan or amend the nominated SARTIME and immediate checks have failed to locate the aircraft; or

(iii) a VFR aircraft on a VFR flight plan for which a SARTIME has not been provided fails to arrive within 30 minutes of the estimated time of arrival, except when no doubt exists as to the safety of the aircraft and its occupants; or

(2) ALERFA when:

(i) an aircraft is known or believed to be subject to unlawful interference; or

(ii) following the uncertainty phase, subsequent attempts to establish communication with the aircraft or inquiries to other relevant sources have failed to reveal any news of the aircraft; or

(iii) an aircraft has been cleared to land, and fails to land within five minutes of the estimated time of landing, and the communication has not been re-established with the aircraft; or

(iv) information has been received that indicates that the operating efficiency of the aircraft has been impaired, but not to the extent that a forced landing is likely, except, in the case of subparagraphs (ii), (iii), and (iv), when evidence exists that would allay apprehension as to the safety of the aircraft and its occupants; or

(3) DETRESFA when:

(i) following the alert phase further unsuccessful attempts to establish communication with the aircraft and more widespread unsuccessful inquiries point to the probability that the aircraft is in distress; or

(ii) the fuel on board is considered to be exhausted, or to be insufficient to enable the aircraft to reach safety; or

(iii) information is received that indicates that the operating efficiency of the aircraft has been impaired to the extent that a forced landing is likely; or

(iv) information has been received that, or it is reasonably certain that, the aircraft is about to make or has made a forced landing, except when there is reasonable certainty that the aircraft and its occupants are not threatened by grave and imminent danger and do not require immediate assistance.

(*f*) The applicant for the grant of an air traffic service certificate must establish procedures to ensure the notification of an emergency situation required by paragraph (b)(2) includes such of the following information as is available, in the order listed;

(1) INCERFA, ALERFA, or DETRESFA as appropriate to the phase of the emergency;

(2) agency and person calling;

(3) nature of the emergency;

(4) significant information from the flight plan;

(5) unit that made last contact, time, and radio frequency used;

(6) last position report and how determined;

(7) color and distinctive marks of aircraft;

(8) dangerous goods carried as cargo;

(9) any action taken by the reporting office.

(*g*) The applicant for the grant of an air traffic service certificate must establish procedures to ensure that, following the notification of an emergency situation, the RCC is provided, without delay, with:

(1) any useful additional information; and

(2) notification when the emergency situation no longer exists.

(i) The applicant for the grant of an air traffic service certificate must establish procedures to ensure, as necessary, the use of all available means to establish and maintain communication with, and surveillance of, an aircraft in a state of emergency.

(ii) The applicant for the grant of an air traffic service certificate must establish procedures to ensure that, when a state of emergency is considered to exist, the last known position of any aircraft involved is established and recorded.

(*h*) The applicant for the grant of an air traffic service certificate for the provision of an area control service or flight information service within the Sal Oceanic FIR must establish procedures to ensure that, when a state of emergency is considered to exist, the position and track of other aircraft known to be operating in the vicinity are established to determine those most suitable to provide assistance.

(*i*) The applicant for the grant of an air traffic service certificate in respect of an area control service or flight information service must establish procedures to ensure that:

(1) when an ACC or FIC declares an INCERFA or ALERFA it must, where practical, advise the aircraft operator prior to notifying the RCC; and

(2) all information notified to the RCC by an ACC or FIC must, where practical, also be communicated without delay to the aircraft operator.

(*j*) When an air traffic services unit knows or believes that an aircraft is being subjected to unlawful interference, no reference shall be made in ATS air-ground communications to the nature of the emergency unless it has first been referred to in communications from the aircraft involved and it is certain that such reference will not aggravate the situation.

17. B.1125 Communications requirements for the provision of air traffic services

(*a*) The applicant for the grant of an air traffic service certificate in respect of an air traffic service certificate shall establish procedures and systems regarding communications for the provision of air traffic service. Air traffic control unit shall be provided with:

(1) Air-ground and ground-ground communication facilities to enable direct, rapid, continuous and static-free two-way communication to take place between aerodrome, approach area control and flight information service facilities and appropriately equipped aircraft flying in the area of responsibility to permit direct pilot controller voice communications either by radio telephony and/ or data link.

(2) Emergency channel (121.5 MHz).

(3) Separate communication channels for the control of traffic operating on maneuvering area shall be provided.

(*b*) Communication within flight information region.

(1) Communications shall be provided between air traffic service units

(i) Area control;

(ii) Approach control;

(iii) Aerodrome control tower; and

(iv) ATS reporting offices.

(2) Air traffic control units shall have facilities for communication with:

(i) Appropriate military unit;

(ii) Meteorological office;

(iii) Aeronautical telecommunications;

(iv) Operator's offices;

(v) Rescue coordination center; and

(vi) Flight information center.

(3) Area control center shall have facilities for communication with all adjacent area control centers through regional air navigation agreements.

(c) Description of communication facilities:

(1) Direct speech; ADS-B; ADS-C;

(2) Data link; and

(3) Combination with data link:

(i) For transfer of radar control communication shall be established in instantaneously; and

(ii) For other purposes within 15 seconds.

(4) Printed (no longer than 5 minutes);

(5) Computers and automatic recording should be provided in case of automatic transfer; and

(6) Video or audio communication.

d) Recording facilities shall be provided on all such air-ground communication channels and those recordings shall be retained for a period of at least thirty days.

17. B.1130 Flight plans

(*a*) The applicant for the grant of an air traffic service certificate shall establish procedures for the acceptance and actioning of flight plans.

(*b*) The applicant shall ensure that the acceptance procedures required by paragraph (a) include, for the first ATS unit receiving a filed flight plan:

(1) a check for compliance with any prescribed flight plan format and data conventions; and

(2) a check for completeness, and to the extent practical, for accuracy; and

(3) provision for any action necessary to make the plan acceptable to ATS.

(*c*) Any applicant intending to provide air traffic services from more than one location may nominate a single ATS unit within the applicant's organisation to accept filed flight plans on behalf of any or every unit.

(*d*) The applicant for the grant of an air traffic service certificate intending to operate a centralised flight planning office shall ensure the office is equipped with:

(1) AFTN, facsimile, and computer data-link connection facilities, for the acceptance of flight plans from aircraft operators and any other ATS unit; and

(2) facilities for the advance filing, retention, and activation of standard or repetitive elements of flight plan information.

17.B.1135 Time

(*a*) The applicant for the grant of an air traffic service certificate shall establish a procedure to ensure that ATS unit clocks and other time recording devices:

(1) use Coordinated Universal Time and express that time in hours and minutes of the 24-hour day beginning at 0000 UTC; and

(2) are correct to within 5 seconds of UTC as determined by reference to a standard time station or GPS time standard.

(*b*) The applicant shall establish a procedure to ensure that the correct time, to the nearest half minute, is provided:

(1) in respect of any aerodrome control service or aerodrome flight information service, to IFR aircraft prior to taxiing for take-off unless arrangements have been made for the pilot to obtain it from other sources; and

(2) to any aircraft on request.

(*c*) The applicant shall ensure that air traffic services units shall be equipped with clocks indicating the time in hours, minutes and seconds, clearly visible from each operating position in the unit concerned.

17. B.1140 Altimeter setting procedures

(*a*) The applicant for the grant of an air traffic service certificate shall establish a procedure to ensure that:

(1) QNH altimeter settings are in hectopascals rounded down to the nearest whole hectopascal; and

(2) the appropriate aerodrome or area QNH setting is provided to all aircraft on initial radio contact, including aircraft that advise having received the current applicable ATIS broadcast; and

(3) ATS units provide to an aircraft, on request, the current applicable aerodrome or area QNH altimeter setting.

17. B.1145 Radiotelephony language and procedures

(*a*) The air-ground radiotelephony communications shall be conducted in the English language, or in the Portuguese language when requested.

(*b*) The applicant for the grant of an air traffic service certificate shall establish systems and procedures to ensure that:

(1) The standard telephony and radiotelephony phraseology prescribed in paragraph (b) is used in all situations for which it has been specified; and

(2) Only when standardized phraseology cannot serve an intended transmission, plain language shall be used; and

(3) in all radiotelephony communications discipline is observed, by transmitting only those messages that are necessary for the provision of an air traffic service, or that otherwise contribute to safety; and

(4) communications procedures are in accordance with the applicable communication procedures prescribed in Annex 10 Volume II.

(5) an aerodrome flight information service shall use the radiotelephony call sign suffix **flight service**.

(6) The languages available at a given station on the ground shall form part of the AIP and other published aeronautical information concerning such facilities.

(*c*) The applicant shall establish procedures to ensure that, for the purposes of paragraph (a), the standard phraseology, and the circumstances in which it is used, is that published in:

(1) Manual of Standards (MOS) – Part 17 Air Traffic Services; or

(2) Annex 10 Vol II; or

(3) Document 4444; or

(4) Document 9432.

(*d*) For the purposes of paragraph (b), where differences occur between the stated documents, the particular phraseology shall be selected according to the order of precedence of the documents as listed.

(*e*) The applicant for the grant of an air traffic service certificate should develop appropriate procedures for direct-speech communications to permit immediate connections to be made for very urgent calls concerning the safety of aircraft, and the interruption, if necessary, of less urgent calls in progress at the time.

17. B.1150 Radar services

(*a*) The applicant for the grant of an air traffic service certificate shall establish procedures to ensure that, where radar is used to support the provision of an air traffic service:

(1) all radar services are provided in accordance with procedures published in:

(i) Document 4444; or

(ii) Document 7030 (as applicable to the AFI Region); or

(iii) Radar procedures; and

(2) SSR code allocation for international flights is in accordance with the code assignment system published in the applicable ICAO Air Navigation Plan; and

(3) an SSR code management plan is in place for domestic flights that:

(i) conforms to the applicable principles contained in Document 4444; and

(4) full information is made available to pilots and aircraft operators on:

(i) the nature and extent of the radar services provided; and

(ii) any significant limitations regarding such radar services; and

(5) the information displayed at individual radar operating positions is that required for the air traffic services to be provided.

(6) Requirements are defined for carriage and operation of pressure altitude reporting transponder with defined portions of the airspace.

(7) The applicant shall also ensure that radar and ADS-B ground systems should provide for the display of safety-related alerts and warnings, including conflict alert, conflict prediction, minimum safe altitude warning and unintentionally duplicated SSR codes.

17. B.1155 Aircraft emergencies and irregular operation

(*a*) The applicant for the grant of an air traffic service certificate shall establish procedures to ensure maximum assistance and priority is given to an aircraft known, or believed to be, in a state of emergency over other aircraft, the following aircraft shall have the priority:

(1) Strayed aircraft;

(2) Unlawful interference;

(3) Unidentified aircraft;

(4) Radio communication failure;

(5) Aircraft malfunctioning; and

(6) Interception of civil aircraft.

***Note** 1 – When an occurrence of unlawful interference with an aircraft takes place or is suspected, ATS units shall attend promptly to requests by the aircraft. Information pertinent to the safe conduct of the flight shall be taken to expedite the conduct of all phases of the flight, especially the safe landing. The ATS unit, shall, in accordance with the established procedures, immediately inform the appropriate authority designated by the State and exchange information with the operator or its designated representative.*

17. B.1160 In-flight contingencies

(*a*) As soon as the air traffic service becomes aware of a strayed aircraft it shall take all necessary steps as outlined below. If the aircraft´s position is not known, the ATS service shall:

(1) Attempt to establish two-way communication with the aircraft, unless such communication already exists;

(2) Use all available means to determine its position;

(3) Inform other ATS unit into whose area the aircraft may have strayed or may stray, taking into account all the factors which may have affected the navigation of the aircraft in the circumstances;

(4) Request from the units referred above and form other aircraft in flight every assistance in establishing communication with the aircraft and determining its position;

(*b*) When the aircraft´s position is established, the air traffic services unit shall:

(1) Advise the aircraft of its position and corrective action to be taken; and

(2) Provide, as necessary, other ATS units and appropriate military units with relevant information concerning the strayed aircraft and any advice given to that aircraft.

(*c*) As soon as the air traffic service unit becomes aware of an unidentified aircraft in its area, it shall endeavour to establish the identity of the aircraft whenever this is necessary for the provision of air traffic services or required by the appropriate military authorities in accordance with locally agreed procedures. To this end, the air traffic services units shall take such of the following steps as are appropriate in the circumstances:

(1) Attempt to establish two-way communication with the aircraft;

(2) Inquire of other air traffic services units within the flight information region about the flight and request their assistance in establishing two-way communications with the aircraft;

(3) Inquire of air traffic services units serving the adjacent flight information region about the flight and request their assistance in establishing two-way communications with the aircraft.

17. B.1165 Action after serious incident or accident

(*a*) The applicant for the grant of an air traffic service certificate shall establish procedures regarding a serious incident or accident to:

(1) determine if any air navigation facilities have contributed to the event; and

(2) ensure immediate action is taken to:

(i) warn other aircraft that may be using or intending to use the facilities; and

(ii) advise the operator of the facility of the occurrence, and that the facility may be implicated; and

(3) assist the operator of the facility with the prompt promulgation of any decision to withdraw the equipment from service; and

(4) ensure that any facility identified in paragraph (1) is not used in the provision of separation to IFR aircraft until cleared for use by the relevant holder of an aeronautical telecommunications.

(5) Impound and preserve all relevant documents, tapes and other records that may be of interest to investigation teams; and

(6) Collect statements by personnel involved.

17. B.1170 Incidents

(*a*) The applicant for the grant of an air traffic service certificate shall establish procedures for:

(1) the notification, investigation, and reporting of incidents; and

17. B.1175 Records

(*a*) The applicant for the grant of an air traffic service certificate shall establish systems and procedures to identify, collect, index, file, store, secure, maintain, access, and dispose of, records necessary for:

(1) the operational provision of air traffic services; and

(2) the purpose of assisting with any accident or incident investigation.

(*b*) The records shall include:

(1) telephone communications; and

(2) radio broadcasts and communications; and

(3) air-ground digital data exchanges; and

(4) radar information; and

(5) filed flight plans including standard and repetitive plans; and

(6) flight progress strips; and

(7) staff duty rosters; and

(8) appropriate meteorological and aeronautical information, except where the information is retained for an equivalent period by a meteorological or AIS organization; and

(9) a record of each internal quality assurance review carried out under the procedures required by 17.B.275. The record shall detail the activities reviewed and any necessary follow-up corrective and preventive actions.

(*c*) The applicant shall establish systems and procedures to ensure the electronic recording of:

(1) all ATS radio and telephone communications; and

(2) all high-frequency air-ground communications; and

(3) all relevant data from primary and secondary radar equipment, or obtained through automatic dependent surveillance (ADS), used in providing or supporting an ATC service; and

(4) for any equipment coming into service after the date this Part comes into force, any transfer and acceptance of control process not conducted by telephone.

(5) Automatic recordings shall be retained for a period of at least thirty days. When the recordings are pertinent to accident and incident investigations, they shall be retained for longer periods until it is evident that they will no longer be required.

(*d*) The applicant shall establish systems and procedures to ensure that electronic records required by paragraph (c):

(1) include time recording, correct to within 5 seconds of UTC, as determined by reference to a standard time station or GPS time standard; and

(2) either:

(i) replicate the voice communications, and, if applicable, the radar picture, applying at the particular operating position; or

(ii) are accompanied by a statement fully describing the differences between the recording supplied and a recording in accordance with subparagraph (i).

(*e*) For the purposes of paragraph (d)(2) the term radar picture includes any visual presentation of aircraft position, however derived.

(*f*) The option provided by paragraph (d)(2)(ii) shall apply only to equipment in service on the date this Part comes into force.

(*g*) The applicant shall establish systems and procedures to ensure that all records, except where replication is required by paragraph (d)(2)(i), are of sufficient clarity to convey the required information.

(*h*) The applicant shall establish procedures to ensure that the records referred to in paragraph (b) are retained for 31 days from the date of entry, except for:

(1) staff duty rosters; and

(2) written records associated with the requirements of 17.B.290(a)(2) and (3) which shall be retained for 2 years.

17. B.1180 Logbooks and position logs

(*a*) The applicant for the grant of an air traffic service certificate shall establish procedures to ensure that a logbook, with sequentially numbered pages, is kept at the ATS unit, and, where a unit has physically separate operations areas, at each such location within the unit.

(*b*) The procedure shall ensure that:

(1) the logbook is maintained by the senior person on duty, or the person on watch at a nominated operating position; and

(2) the logbook is maintained throughout the hours of watch of the unit or operations room; and

(3) all entries include the time of entry; and

(4) the person responsible for maintaining a logbook signs On Watch, and effects transfer of responsibility by successive On Watch entries; and

(5) logbook entries are:

(i) in chronological sequence and in ink; and

(ii) without erasure, defacement, or obliteration; and

(iii) corrected by drawing a single line through the erroneous information and initialing the correction; and

(6) actual times of opening and closing watch are recorded in the logbook, together with the reason for every variation from published hours of service; and

(7) logbooks are retained for a period of 3 years from the date of final entry.

(*c*) The applicant shall establish a procedure to ensure the keeping of an operating position log, when such information is not available in the logbook required by paragraph (a).

(*d*) The procedure shall ensure that the operating position log:

(1) contains sufficient information to identify:

(i) when that position was in operation; and

(ii) the services being provided from that position; and

(iii) the identity of the individual providing the service; and

(2) is retained for a period of 31 days from the date of filing.

17. B.1185 Security

(*a*) The applicant for the grant of an air traffic service certificate shall prepare an ATS security programme.

(*b*) The ATS security programme shall specify the physical security requirements, practices, and procedures to be followed for the purposes of minimising the risk of destruction of, damage to, or interference with the operation of, any ATS unit operated by the applicant where such destruction, damage, or interference is likely to endanger the safety of aircraft.

(*c*) Without limiting the generality of paragraph (b), the security programme shall specify such physical security requirements, practices, and procedures as may be necessary:

(1) to ensure that entrances to permanent ATS facilities operated by the applicant are subject to positive access control at all times, so as to prevent unauthorized entry; and

(2) to protect personnel on duty; and

(3) to be followed in the event of a bomb threat or other threat of violence against an ATS unit; and

(4) to monitor unattended ATS unit buildings to ensure that any intrusion or interference is detected.

17. B.1190 Service disruptions

(*a*) The applicant for the grant of an air traffic service certificate shall establish procedures:

(1) advise the Authority, any planned disruption to the provision of air traffic services that could have an impact on safety; and

(2) investigate any unplanned disruption to the provision air traffic services; and

(3) report to the Authority within 48 hours of the occurrence, the circumstances surrounding any unplanned disruption to air traffic services when the disruption affected, or could have affected, the safety of air traffic.

(*b*) Disruptions reportable under paragraph (a) shall include, but are not limited to, any:

(1) failure to open watch within 15 minutes of the promulgated opening time; and

(2) any interruption, of greater than 10 minutes, to the normal provision of an air traffic service; and

(3) curtailment of watch, by greater than 30 minutes, from the promulgated off watch time.

17. B.200 QUALITY ASSURANCE

(***a***) On or before 31 December 2010, an air traffic service provider shall establish a quality system and designate a quality manager to monitor compliance with, and the adequacy of the procedures, required by this Part. Compliance monitoring shall include a feedback system to the accountable manager to ensure corrective action as necessary.

(*b*) The quality system, and the quality manager, shall be acceptable to the Authority.

(*c*) The air traffic service provider shall describe the quality system in relevant documentation.

(*d*) The air traffic service provider shall ensure that the quality system includes a quality assurance programme that contains procedures designed to verify that all services are being provided in accordance with all applicable requirements, standards and procedures.

(*e*) The internal quality assurance system shall include:

(1) a safety policy and safety policy procedures; and

(2) a procedure to ensure quality indicators, including samples of radio and telephone records, defect and incident reports, and personnel and customer feedback, are monitored to identify existing problems or potential causes of problems within the system; and

(3) a procedure for corrective action to ensure existing problems that have been identified within the system are corrected; and

(4) a procedure for preventive action to ensure that potential causes of problems that have been identified within the system are remedied; and

(5) an internal audit programme to audit the applicant's organization for conformity with its safety policy;

(6) management review procedures to ensure the continuing suitability and effectiveness of the internal quality assurance system in satisfying the requirements of this Part.

(7) a system for recording the findings of an audit, corrective actions and follow-ups.

(*f*) The safety policy procedures shall ensure that the safety policy is understood, implemented, and maintained at all levels of the organisation.

(*g*) The procedure for corrective action shall specify how:

(1) to correct an existing problem; and

(2) to follow up a corrective action to ensure the action is effective; and

(3) to amend any procedure required by this Part as a result of a corrective action; and

(4) management will measure the effectiveness of any corrective action taken.

(*h*) The procedure for preventive action shall specify how:

(1) to correct a potential problem; and

(2) to follow-up a preventive action to ensure the action is effective; and

(3) to amend any procedure required by this Part as a result of a preventive action; and

(4) management will measure the effectiveness of any preventive action taken.

(*i*) The internal quality audit programme shall:

(1) specify the frequency and location of the audits taking into account the nature of the activity to be audited; and

(2) ensure audits are performed by trained auditing personnel who are independent of those having direct responsibility for the activity being audited; and

(3) ensure the results of audits are reported to the personnel responsible for the activity being audited and the manager responsible for internal audits; and

(4) require preventive or corrective action to be taken by the personnel responsible for the activity being audited if problems are found by the audit; and

(5) ensure follow up audits to review the effectiveness of any preventive or corrective action taken.

(*j*) The procedure for management review shall:

(1) specify the frequency of management reviews of the quality assurance system taking into account the need for the continuing effectiveness of the system; and

(2) identify the responsible manager who shall review the quality assurance system; and

(3) ensure the results of the review are evaluated and recorded.

(*k*) The senior person who has the responsibility for internal quality assurance shall have direct access to the Accountable manager on matters affecting the safe provision of any air traffic service listed in the operations manual.

(*l*) The air traffic service provider shall establish an audit system in respect of the quality assurance program that consists of the following:

(1) an initial audit conducted within 12 months after the coming into force of these regulations, and

(2) an audit of the entire quality assurance program carried out every three years, calculated from the initial audit, in one of the following ways:

(i) a complete audit, or

(ii) a series of audits conducted at intervals set out in air traffic service operations manual;

(3) checklists of all activities controlled by the air traffic service provider's operations manual;

(4) a record of each occurrence of compliance or non-compliance with the air traffic service operations manual found during an audit;

(*m*) The records resulting from the system required under paragraph (e) (7) shall be retained for the greater of:

(1) Five audit cycles, and

(2) 5 years.

17. B.300 SAFETY MANAGEMENT SYSTEM

17.B.305 Applicability

(*a*) This section applies to an applicant for an air traffic service certificate, issued under subsection 17.A.185, in accordance with a phased approach implementation plan to be submitted to for the approval of the Authority.

(*b*) The phased approach implementation plan referred in a) shall be submitted on or before 31 December 2010, or together with the application for an air traffic service certificate under subsection 17.A.180, whichever occurs first.

17.B.310 Requirements

(*a*) The applicant for, or the holder of, an air traffic service certificate shall establish and maintain a safety management system, in order to achieve an acceptable level of safety, as established by the Authority.

(*b*) The safety management system shall be acceptable to the Authority;

(*c*) The safety management system referred to in a) shall:

(1) Identify actual and potential safety hazards;

(2) Ensure that remedial action necessary to maintain an acceptable level of safety is implemented;

(3) Provide for continuous monitoring and regular assessment of the safety level achieved; and

(4) Aim to make continuous improvement of the overall level of safety.

(*d*) A safety management system shall:

(1) clearly define lines of safety accountability throughout the air traffic services provider, including a direct accountability for safety in the part of senior management;

(2) be under the control of the accountable manager appointed, who is responsible for services or activities authorized under the certificate and accountable on their behalf for meeting the requirements of these Regulations;

(*e*) The safety management system must be in accordance with the standards set out in the Doc. 4444.

(*f*) Any significant changes in ATS procedures shall be effective after a safety assessment has demonstrated that an acceptable level of safety will be met.

17.B.315 Components of the safety management system

(*a*) The safety management system shall include, among others, the following components:

(1) a safety management plan that includes:

(i) a safety policy that the accountable manager has approved and communicated to all employees;

(ii) the roles and responsibilities of personnel assigned duties under the safety management system;

(iii) performance goals and a means of measuring attainment of those goals;

(iv) a policy for the internal reporting of hazards, incidents and accidents, including the conditions under which immunity from disciplinary action will be granted; and

(v) a process for reviewing the safety management system to determine its effectiveness;

(2) procedures for reporting hazards, incidents and accidents to the appropriate manager;

(3) procedures for the collection of data relating to hazards, incidents and accidents;

(4) procedures for the exchange of information in respect of hazards, incidents and accidents among the operators of aircraft, the aerodrome operator and the provider of air traffic services

(5) procedures for analyzing data obtained under paragraph (3) and during an audit conducted under a quality assurance program for taking corrective actions;

(6) training requirements for the person managing the safety management system and for personnel assigned duties under the safety management system;

(7) procedures for making progress reports to the accountable manager at intervals determined by the accountable manager and other reports as needed in urgent cases; and

(8) procedures for involving employees in the implementation and ongoing development of the safety management system.

17. B.400 INSPECTION OF LICENSE

(*a*) The Authority has the right to request any air traffic controller license for inspection at any given time and the controller shall present his license immediately.

17.B.500 AIR TRAFFIC SERVICE OPERATIONS MANUAL

(*a*) The applicant for the grant of an air traffic service certificate shall provide the Authority with an operations manual containing:

(1) a statement signed by the Accountable manager on behalf of the applicant's organisation confirming that the operations manual and any included manuals—

(i) define the organisation and demonstrate its means and methods for ensuring ongoing compliance with this and any other applicable Part; and

(ii) are required to be complied with by its personnel at all times; and

(2) the titles and names of the senior person or persons required by 17.B.105 (a)(1) and (2); and

(3) the duties and responsibilities of the senior person or persons specified in paragraph (a)(2), including matters for which they have responsibility to deal directly with the Authority on behalf of the organization; and

(4) an organization chart showing lines of responsibility of the senior persons specified in paragraph (a)(2), and extending to each location listed under paragraph (a)(5)(i); and

(5) in the case of an organization providing air traffic services from more than one ATS unit, a table listing:

(i) locations of ATS units; and

(ii) the aerodrome or airspace being serviced; and

(iii) the services provided; and

(6) details of the applicant's staffing structure for the ATS unit; and

(7) details of procedures required by 17.B.105 (b) regarding the, competency, qualifications, maintenance of current operating practice, and fitness of personnel; and

(8) details of procedures required by 17.B.110 regarding the training and assessment of ATS personnel, and regarding the qualifications of ATS training personnel; and

(9) [Reserved]

(10) a description of the display systems to be used in meeting the requirements of 17.B.115 (b)(5)(i) and 17.B.115 (c)(2)(i); and

(11) the information required by 17.B.120 regarding hours of service, the establishment of an air traffic service, and any transitional arrangements; and

(12) procedures regarding shift administration required by 17.B.125; and

(13) details of the procedures required by 17.B.130 regarding the control of documentation; and

(14) the contingency plans required by 17.B.140; and

(15) details of the systems and procedures required by 17.B.145 regarding co-ordination requirements; and

(16) details of the procedures required by 17.B.150 regarding the notification of facility status; and

(17) details of the systems and procedures required by 17.B.155 regarding general information requirements; and

(18) details of the systems and procedures required by 17.B.160 regarding meteorological information and reporting; and

(19) details of systems and procedures required by 17.B.165 regarding the provision of area control and approach control services; and

(20) details of systems and procedures required by 17.B.170 regarding the provision of aerodrome control service; and

(21) [Reserved]

(22) details of the procedures required by 17.B.180 regarding responsibility for control; and

(23) details of the procedures required by 17.B.185 regarding the application of priorities; and

(24) details of the procedures required by 17.B.190 regarding flow control; and

(25) details of the procedures required by 17.B.195 regarding ATC clearances; and

(26) details of the procedures required by 17.B.200 regarding the allocation of cruising levels; and

(27) details of the procedures required by 17.B.205 regarding deviations from an ATC clearance; and

(28) details of systems and procedures required by 17.B.210 regarding the provision of flight information service; and

(29) details of systems and procedures required by 17.B.215 regarding the provision of aerodrome flight information service; and

(30) details of systems and procedures required by 17.B.220 regarding the provision of alerting service; and

(31) details of the procedures required by 17.B.225 regarding the processing of flight plans; and

(32) details of the procedures required by 17.B.230 regarding time; and

(33) details of altimeter setting procedures required by 17.B.240; and

(34) details of the radio and telephone procedures required by 17.B.245; and

(35) details of the procedures required by 17.B.250 regarding the provision of radar services; and

(36) details of the procedures required by 17.B.255 regarding aircraft emergencies and irregular operation; and

(37) details required by 17.B.265 regarding procedures following a serious incident or accident; and

(38) details of the procedures regarding incidents required by 17.B.270; and

(39) details of systems and procedures required by 17.B.275 regarding the gathering and management of records; and

(40) details of the procedures required by 17.B.280 regarding the keeping of logbooks and position logs; and

(41) details of the programme required by 17.B.285 regarding security arrangements; and

(42) details of the procedures required by 17.B.290 regarding disruptions to service; and

(43) details of the systems, procedures, and programmes required by 17.B.300 regarding internal quality assurance;

(44) details of the systems, procedures, and programmes required by 17.B.400 regarding safety management system; and

(45) procedures to control, amend and distribute the operations manual.

(*b*) The air traffic service operations manual may be developed in one or more parts, including manual supplements specific to each service or location.

(*c*) The applicant's operations manual must be acceptable to the Authority.

17. C Operating requirements

17. C.105 Continued compliance

(*a*) The holder of an air traffic service certificate shall:

(1) hold at least one complete and current copy of its operations manual at the ATS unit listed in its operations manual, except that manuals relating solely to a particular location need only be held at principal locations and the unit concerned ; and

(2) comply with all procedures and standards detailed in its operations manual; and

(3) make each applicable part of its operations manual available to personnel who require those parts to carry out their duties; and

(4) continue to meet the standards and comply with the requirements of Subpart 17.B prescribed for certification under this Part; and

(5) promptly notify the Authority of any change of address for service, telephone number, or facsimile number.

17. C.110 Reserved

17. C.115 Trials

(*a*) The Authority may, upon application in writing from the holder of an air traffic service certificate, approve, subject to such conditions on that approval as Authority considers necessary in the interests of aviation safety, the conduct of trials regarding:

(1) separation minima; or

(2) standard phraseology; or

(3) radar procedures.

(*b*) A trial may be approved by the Authority for a single period of no longer than 3 months, and upon further application in writing by the certificate holder, be extended by the Authority for a single period of no longer than 3 months.

(*c*) A trial approved under this rule may be terminated by the Authority at any time.

17. C.120 Denial of ATC clearance

(*a*) The holder of an air traffic service certificate in respect of an aerodrome control service shall not deny the pilot of an aircraft an ATC clearance on the basis of non-payment of charges owed to the certificate holder unless:

(1) the aircraft is on the ground; and

(2) that clearance is for entry on to the manoeuvring area.

(*b*) The certificate holder shall continue to provide normal ATC service for any aircraft entering the manoeuvring area without an ATC clearance.

17. C.125 Suspension of VFR operations

(*a*) The holder of an air traffic service certificate for an approach control service or aerodrome control service may, when appropriate for safety reasons, suspend any or all controlled VFR operations within a control zone.

17. C.130 Changes to certificate holder`s organization

(*a*) The holder of an air traffic service certificate shall ensure that its operations manual is amended so as to remain a current description of the holder's organization and services.

(*b*) The certificate holder shall ensure that any amendments made to the holder's operations manual:

(1) meet the applicable requirements of this Part; and

(2) comply with the amendment procedures contained in the holder's operations manual.

(*c*) The certificate holder shall provide to the Authority with a copy of each amendment to the holder's operations manual as soon as practicable after its incorporation into the operations manual, except that, for the holder's operational manual or manuals, the certificate holder shall forward to the Authority:

(1) printed amendments, at least 30 working days in advance of their effective date; and

(2) amendments of an urgent or immediate nature, without delay, and no later than the date on which they are effective.

(*d*) Where a certificate holder proposes to make a change to any of the following, prior notification to and acceptance by the Authority is required:

(1) the Accountable manager; or

(2) the listed senior persons; or

(3) any aspect of air traffic management that may have an adverse impact on air traffic services provided by States responsible for adjacent airspace.

(*e*) The Authority may prescribe conditions under which a certificate holder may operate during or following any of the changes specified in paragraph (d).

(*f*) A certificate holder shall comply with any conditions prescribed under paragraph (e).

(*g*) Where any of the changes referred to in this rule require an amendment to the certificate, the certificate holder shall forward the certificate to the Authority as soon as practicable.

(*h*) The certificate holder shall make such amendments to the holder's operations manual as the Authority may consider necessary in the interests of aviation safety.

17. C.135 Withdrawal or transfer of service

(*a*) The holder of an air traffic service certificate who wishes to permanently withdraw an air traffic service shall give the Authority at least 90 days notice of the proposal and include in that notice a summary of factors considered in arriving at the decision to withdraw the service.

(*b*) The holder of an air traffic service certificate who intends to permanently reduce the hours of operation of an air traffic service shall provide to the Authority advance notice of, and the reasons for, the proposed reduction.

(*c*) The holder of an air traffic service certificate who is the outgoing provider of an air traffic service shall not hinder the preparation and execution of the transitional arrangements required by 17.B.120 (b).

17.D Radar procedures

17.D.105 Verification of SSR transponder mode C level information

(*a*) Subject to paragraph (b), aerodrome control may verify the Mode C level information of a departing aircraft when the tower radar indicates a positive rate of climb from the aerodrome elevation.

(b) Mode C information shall not be used when the displayed level varies by more than 300 feet from the aerodrome elevation during the take-off roll.

17.D.110 Speed control

(*a*) Speed control shall not be applied or continued after a point 4 nm from the runway threshold on final approach.

IS – IMPLEMENTING STANDARDS

CVCAR Part 17 – Air Traffic Service Certification and Operation

IS: 17. B.110 Facility requirements

(*a*) An applicant for an aeronautical telecommunication service certificate must ensure that appropriate inspection, measuring, and test equipment is available for personnel to maintain the operation of each aeronautical facility listed in the applicant's operations manual.

(*b*) An applicant for an aeronautical telecommunication service certificate must establish a procedure to control, calibrate, and maintain all the inspection, measuring, and test equipment required under paragraph (a) to ensure that each item of equipment has the precision and accuracy that is necessary for the measurements and tests to be performed.

(*c*) The procedure required under paragraph (b) must require that each item of test equipment required for the measurement of critical performance parameters is:

(1) calibrated before use or at prescribed intervals with the calibration traceable to an appropriate national standard; and

(2) identified with a suitable indicator to show its calibration status; and

(3) controlled to:

(i) safeguard against adjustments that would invalidate the calibration setting; and

(ii) ensure that the handling, preservation, and storage of the test equipment are such that its accuracy and fitness for use is maintained.

(*d*) If hardware and software systems are used for the performance testing of any aeronautical facility, the procedures under paragraph (b) must require the functions of those testing systems to be checked:

(1) before being released for use; and

(2) at prescribed intervals— to establish that those testing systems are capable of verifying the true performance of the aeronautical facility.

IS: 17.B.140 Telecommunication coordination requirements

(*a*) An aeronautical telecommunication service certificate must establish a procedure to ensure that:

(1) each aeronautical facility listed:

(i) designed, installed, and commissioned to meet the applicable operational specification for that facility; and

(ii) conforms with the applicable system characteristics and specification standards prescribed in ICAO Annex 10, Volumes I, III, and IV; and

(2) information on the operational status of each radio navigation aid listed in the applicant's operations manual, that is essential for the approach, landing, and take-off at an aerodrome, is provided to meet the operational needs of:

(i) the air traffic control unit providing an aerodrome control service for that aerodrome while that service is being provided; and

(ii) the air traffic control unit providing an approach control service for that aerodrome while that service is being provided; and

(3) each aeronautical facility listed shall be installed with suitable power supplies and means to ensure continuity of operation appropriate to the needs of the air traffic service or radio navigation service being supported; and

(4) each aeronautical facility listed shall be installed in accordance with the security programme to minimize any risk of destruction, damage, or interference with the operation of the facility; and

(5) any critical site area of any aeronautical facility listed:

(i) clearly identified on the site drawings for the aeronautical facility; and

(ii) physically protected by suitable signposts on the site; and

(iii) protected by procedures with the site owner, aerodrome operator, and air traffic control unit, as appropriate, to ensure that site restrictions are not infringed by buildings, fences, vehicles, machinery, or aircraft.

(*b*) An aeronautical telecommunication service certificate who intends to operate a temporary aeronautical facility to carry out site tests must establish a procedure for conducting those tests.

(*c*) The procedure required under paragraph (b) must require that:

(1) the operation of the temporary facility does not cause any interference with any other operating aeronautical facility; and

(2) appropriate information regarding the operation of the temporary facility is forwarded to the provider of the AIS for the issue of a NOTAM, and if appropriate the publication of a Supplement to the AIP; and

(3) an appropriate NOTAM has been published.

IS: 17.B.140 Meteorological coordination requirements

(*a*) The meteorological service shall establish communication systems and procedures to ensure that each of the meteorological offices and facilities can provide the meteorological information for the air traffic service.

(*b*) The communication systems and procedures must be able to handle the volume and nature of the meteorological information being communicated so that no meteorological information is delayed to the extent that the information becomes out-of-date.

(*c*) The meteorological service shall establish procedures to ensure that all electronic data processing facilities used in the acquisition, compilation, computing, access or dissemination of meteorological information are of a nature, configuration and capability to ensure the adequacy, accuracy and timeliness of that meteorological and related information to the air traffic service.

IS:17.B.140 Aeronautical information service coordination requirements

(*a*) The aeronautical information service shall establish procedures to collect and collate the information required for the aeronautical information services to the air traffic service.

(*b*) The procedures shall ensure that :

(1) applicable information is obtained from organization that provide services in support of the Cabo Verde air navigation service ; and

(2) applicable information is obtained from the aeronautical information services of other States relevant to the requirements of international aircraft operators operating:

(i) in the areas of the Sal Oceanic FIR in which Cabo Verde is responsible for air traffic services; and

(ii) on international air routes passing from Cabo Verde.

IS: 17.B.155 Basic weather report

(*a*) Basic weather report is a verbal comment, in support of aviation, describing any of the following current weather conditions observed at a particular place or airspace :

(1) wind direction and strength;

(2) mean sea level air pressure;

(3) air temperature;

(4) weather conditions and cloud cover;

(*b*) The meteorological service that provides a basic weather report shall:

(1) utilize equipment that is suitable for the observations being made; and

(2) employ a system for checking that equipment; and

(3) be trained to provide accurate basic weather reports.

O Presidente do Conselho de Administração, *Carlos Brazão Monteiro.*

REGULAMENTO Nº 02/2009

As zonas confinantes com os aeródromos civis e as instalações de apoio à aviação civil estão sujeitas a servidões aeronáuticas, nos termos do artigo 44º do Código Aeronáutico, aprovado pelo Decreto-Legislativo nº 1/2001, de 20 Agosto.

Em face das exigências estabelecidas no Anexo 14 à Convenção Internacional sobre Aviação Civil, ratificada por Cabo Verde em 19 de Agosto de 1976., bem como das exigências específicas decorrentes da protecção da operacionalidade e funcionalidade do Aeroporto da Praia e da segurança das respectivas instalações e infra-estruturas de apoio, e ainda da segurança de voo, torna-se necessário definir as zonas de servidão aeronáutica daquele aeródromo e os limites do espaço aéreo abrangido pelas mesmas.

Foi dado cumprimento ao previsto no artigo 19º do Decreto- Lei nº 18/2009, de 22 de Junho.

Nestes termos,

Ao abrigo do disposto nos artigos 44º e 173º do Código Aeronáutico, da alínea *a*) do nº 2 do artigo 12º dos Estatutos da Agencia de Aviação Civil (AAC) aprovado pelo Decreto- Lei 28/2008, de 12 de Julho, e nos termos do artigo 21º do Decreto- Lei 18/2009 de 22 de Junho, a AAC aprova o seguinte regulamento de servidão aeroportuária do Aeroporto da Praia.

Artigo 1º

Objecto

1. Fica sujeita a servidão aeronáutica a área confinante com o Aeroporto da Praia, situado na Ilha de Santiago, abrangida na planta anexa ao presente regulamento e que dele faz parte integrante.

2. A planta tem como referência o sistema de Coordenadas Geográficas WGS84, e cotas altimétricas relativas ao nível médio das águas do mar (MSL - Mean Sea Level) calculadas de acordo com o modelo "Earth Gravity Model-1996" (EGM96).

Artigo 2º

Âmbito

A área sujeita a servidão compreende as seguintes zonas:

a) Zona 1, ocupação, compreende toda a área de terreno ocupada pelas infra estruturas que integram o aeródromo, conforme delimitada pela cerca permanente em vedação do aeroporto.

b) Zona 2, protecção da área de maior risco estatístico de acidente, compreende toda a área de terreno ou de água que é, estatisticamente, de maior risco de acidente, constituída por um rectângulo de 300 m de largura, sendo 150 m para cada lado do eixo da pista, e com um comprimento que se estende ao longo da pista acrescido de 1000 m para além da intersecção do eixo da pista com o lado interior de cada um dos canais de aproximação e cujos limites são dados pela linha poligonal com vértice nos pontos de coordenadas:

1	2	3	4
14º 57' 33.54" N 023º 28' 43.15" W	14º 57' 29.89"N 023º 28' 33.85" W	14º 55' 28.61" N 023º 29' 24.17" W	14º 55' 32.26" N 023º 29' 33.48" W

c) Zona 3, protecção de instrumentos radioeléctricos de bordo, compreende toda a área de terreno ou de água constituída por um rectângulo de 2000 m de largura, sendo 1000 m para cada lado do eixo da pista, e com um comprimento igual ao comprimento da pista acrescido de 1000 m para além de cada um dos seus topos, sendo os limites dados pela linha poligonal com vértices nos pontos de coordenadas:

1	2	3	4
14º 57' 42.07" N 023º 29' 10.27" W	14º 57'17.74"N 023º 28' 08.23"W	14º 55' 13.97" N 023º 28' 59.59" W	14º 55' 38.31" N 023º 30' 01.62" W

d) Zona 4, protecção de aves, compreende a área de terreno ou de água, constituída por dois sectores, sector A e sector B, limitados exteriormente em planta por dois círculos concêntricos, de 3000 m e 8000 m de raio respectivamente, com centro no ponto de referência do aeroporto (ARP), cujas coordenadas são:

ARP
14º 56' 28.03" N 023º 29' 04.93" W

e) Zona 5, protecção de ruído, compreende a área de terreno ou de água necessária para protecção, constituída por dois sectores, cujos limites são:

i. Sector A – limitado exteriormente, em planta, por dois arcos de círculo de 240 m de raio e respectivos segmentos tangentes. Os centros dos arcos de círculo, situam-se nos seguintes pontos de coordenadas:

1	2
14º 57' 39.56" N 023º 28' 35.25" W	14º 55' 22.59" N 023º 29' 32.08" W

ii. Sector B – envolvendo o sector A e limitado exteriormente, em planta, por dois arcos de círculo de 600 m de raio e respectivos segmentos tangentes. Os centros dos arcos de círculo, situam-se nos seguintes pontos de coordenadas:

1	2
14º 57' 58.86" N 023º 28' 27.24" W	14º 55' 03.29" N 023º 29' 40.08" W

f) Zona 6, protecção de sistemas de telecomunicações, radioeléctricos e rádio ajudas, sem prejuízo das servidões específicas estabelecidas para as infra-estruturas de apoio à navegação aérea, compreende a área de terreno ou de água necessária à segurança de voo e à segurança e operacionalidade aeroportuária destinada à adequada protecção de sistemas de vigilância, de telecomunicações, radioeléctricos e de rádio ajudas, limitada em planta por dois arcos de círculo de 2000 m de raio e respectivos segmentos tangentes. Os centros dos arcos de círculo situam-se na intersecção do eixo da pista com a face interior de cada um dos canais de aproximação nos pontos de coordenadas:

1	2
14º 57' 01.56" N 023º 28' 51.01" W	14º 56' 00.59" N 023º 29' 16.31" W

g) Zona 7, canais operacionais, compreende a área de terreno ou de água, com diversos sectores delimitados por linhas poligonais, com vértices nos seguintes pontos:

Sector 7A – canal de descolagem – pista 21 (inclinação 2%)			
1	2	3	4
14º 55' 55.70" N 023º 29' 21.59" W	14º 55' 53.51"N 023º 29' 16.00" W	14º 54' 40.35" N 023º 29' 35.96" W	14º 54' 49.57" N 023º 29' 59.44" W

Sector 7B – canal de descolagem – pista 21 (inclinação 2%)			
1	2	3	4
14º 54' 49.57" N 023º 29' 59.44" W	14º 53' 14.37"N 023º 30' 03.66" W	14º 52' 07.59" N 023º 30' 31.36" W	14º 52' 22.19" N 023º 31' 08.57" W

Sector 7C – canal de descolagem – pista 21 (inclinação 2%)			
1	2	3	4
14º 48' 35.54" N 023º 32' 42.58" W	14º 48' 20.94"N 023º 32' 05.38" W	14º 48' 14.95" N 023º 32' 07.86" W	14º 48' 29.55" N 023º 32' 45.06" W

Sector 7D – canal de descolagem – pista 03 (inclinação 2%)			
1	2	3	4
14º 58' 06.80" N 023º 28' 36.31" W	14º 57' 58.45"N 023º 28' 15.02" W	14º 57' 00.46" N 023º 28' 48.22" W	14º 57' 02.65" N 023º 28' 53.81" W

Sector 7E – canal de descolagem – pista 03 (inclinação 2%)			
1	2	3	4
15º 00' 40.67" N 023º 27' 41.68" W	15º 00' 26.06"N 023º 27' 04.45" W	14º 59' 33.36" N 023º 27' 26.34" W	14º 59' 47.97" N 023º 28' 03.57" W

Sector 7F – canal de aproximação – pista 03 (1ª secção - inclinação 2%)			
1	2	3	4
14º 56' 02.42" N 023º 29' 20,96" W	14º 55' 58.77" N 023º 29' 11.66" W	14º 54' 46.81" N 023º 29' 29.35" W	14º 54' 48.52" N 023º 29' 33.73" W
5	6	7	8
14º 55' 53.51" N 023º 29' 16.00" W	14º 55' 55.70" N 023º 29' 21.59" W	14º 54' 56.96" N 023º 29' 55.22" W	14º 54' 58.67" N 023º 29' 59.59" W

Sector 7G – canal de aproximação – pista 03 (2ª secção - inclinação 2.5%)			
1	2	3	4
14º 53' 17.64" N 023º 31' 00.80" W	14º 53' 10.67"N 023º 30' 48.46"W	14º 52' 54.89" N 023º 30' 55.01" W	14º 53' 01.10" N 023º 31' 10.82" W

Sector 7H – canal de aproximação – pista 03 (2ª secção - inclinação 2.5%)			
1	2	3	4
14º 52' 56.06" N 023º 30' 11.25" W	14º 52' 52.75"N 023º 29' 57.42" W	14º 52' 34.08" N 023º 30' 01.99" W	14º 52' 40.29" N 023º 30' 17.80" W

Sector 7I – canal de aproximação – pista 03 (secção horizontal)			
1	2	3	4
14º 48' 33.50" N 023º 31' 01.11" W	14º 47' 59.04"N 023º 31' 09.58" W	14º 48' 57.43" N 023º 33' 38.37" W	14º 49' 27.96" N 023º 33' 19.89" W

Sector 7J – canal de aproximação – pista 21 (1ª secção - inclinação 2%)			
1	2	3	4
14º 58' 08.15" N 023º 28' 39.74" W	14º 58' 06.80"N 023º 28' 36.31" W	14º 57' 02.65" N 023º 28' 53.81" W	14º 57' 03.38" N 023º 28' 55.67" W

Sector 7K – canal de aproximação – pista 21 (1ª secção - inclinação 2%)			
1	2	3	4
14º 57' 58.45" N 023º 28' 15.02" W	14º 57' 57.10"N 023º 28' 11.59" W	14º 56' 59.73" N 023º 28' 46.36" W	14º 57' 00.46" N 023º 28' 48.22" W

Sector 7L – canal de aproximação – pista 21 (2ª secção - inclinação 2.5%)			
1	2	3	4
15º 00' 22.31" N 023º 28' 06.73" W	15º 00' 16.43"N 023º 27' 51.75" W	15º 00' 00.10" N 023º 27' 58.53" W	15º 00' 03.22" N 023º 28' 11.43" W

Sector 7M – canal de aproximação – pista 21 (2ª secção - inclinação 2.5%)			
1	2	3	4
15º 00' 01.83" N 023º 27' 14.52" W	14º 59' 55.92"N 023º 26' 59.53" W	14º 59' 39.03" N 023º 27' 09.79" W	14º 59' 45.49" N 023º 27' 21.30" W

Sector 7N – canal de aproximação – pista 21 (secção horizontal)			
1	2	3	4
15º 05' 03.12" N 023º 26' 57.63" W	15º 04' 04.67"N 023º 24' 28.66" W	15º 03' 28.54" N 023º 24' 50.58" W	15º 04' 22.32" N 023º 27' 07.67" W

h) Zona 8, superfície de transição, compreende a superfície de terreno ou de água, com inclinação de 14.3%, confinante com a faixa da pista e a zona 7 (sectores F, J e K), limitada em altura pela cota dos 139.50 m, correspondente à superfície horizontal interior (Zona 9) e definida pelos pontos com as seguintes coordenadas;

i. Sector 8A, a Oeste da Pista:

1	2	3	4
14º 58' 08.15" N 023º 28' 39.74" W	14º 57'03.38"N 023º 28' 55.67" W	14º 56' 02.42" N 023º 29' 20.96" W	14º 54' 58.67" N 023º 29' 59.59" W

ii. Sector 8B, a Este da pista:

1	2	3	4
14º 57' 57.10" N 023º 28' 11.59" W	14º 56'59.73"N 023º 28' 46.36" W	14º 55' 58.77" N 023º 29' 11.64" W	14º 54' 46.81" N 023º 29' 29.35" W

i) Zona 9, superfície horizontal interior, compreende a superfície de terreno ou de água, situada à cota de 139.50 m e delimitada exteriormente em planta por dois arcos de círculo de 4000 m de raio ligados pelos segmentos tangentes. Os arcos de círculo têm centro nos pontos com as seguintes coordenadas:

1	2
14º 57' 01.56" N 023º 28' 51.01" W	14º 55' 54.61" N 023º 29' 18.80" W

j) Zona 10, superfície cónica, compreende a superfície de terreno ou de água, confinante interiormente com a zona 9 e exteriormente com a zona 11, com uma inclinação de 5%, delimitada em planta por dois arcos de círculo de 6000 m de raio ligados pelos segmentos tangentes. Os arcos de círculo têm centro nos pontos de coordenadas:

1	2
14º 57' 01.56" N 023º 28' 51.01" W	14º 55' 54.61" N 023º 29' 18.80" W

k) Zona 11, superfície horizontal exterior, compreende a superfície de terreno ou de água, situada à cota de 239.50 m, confinante interiormente com a zona 10 e delimitada exteriormente em planta por um círculo de 15000 m de raio, com centro no ponto de referência do aeródromo (ARP);

l) Zona12, protecção de luzes passíveis de interferir com a segurança de voo, compreende as áreas de terreno ou de água constituída por dois sectores, cujos limites são:

i) Sector A, área sem instalações de feixes de luzes laser, limitado:

A) por dois arcos de círculo de 3700 m de raio ligados pelos segmentos tangentes. Os centros dos arcos de círculo situam-se na intersecção do eixo de cada pista com o lado interior de cada um dos canais de aproximação e têm coordenadas:

1	2
14º 57' 01.56" N 023º 28' 51.01" W	14º 56' 00.59" N 023º 29' 16.31" W

B) pelas duas áreas externas e simétricas em relação ao eixo da pista com 1500m de largura, que se prolongam por uma distância de 5600m e cujos limites se encontram definidos pelos pontos de coordenadas:

1	2	3	4
15º 01' 51.15" N 023º 27' 17.87" W	15º 01' 32.90" N 023º 26' 31.32" W	14º 58' 41.70" N 023º 27' 42.40" W	14º 58' 59.95" N 023º 28' 28.94" W
1	2	3	4
14º 54' 20.45" N 023º 30' 24.90" W	14º 54' 02.20" N 023º 29' 38.38" W	14º 51' 11.00" N 023º 30' 49.39" W	14º 51' 29.24" N 023º 31' 35.90" W

C) E em altura pela cota de 700 m

i) Sector B, área crítica para instalação de feixes de luzes laser, envolvendo o sector A e delimitado:

A) Em planta por um círculo de 18500 m de raio com centro no ponto de referência do aeródromo (ARP);

B) E em altura pela cota de 3070m

Artigo 3º

Servidão Particular

As áreas de terreno ou de água compreendidas nas zonas identificadas no artigo 2º ficam, de harmonia com o disposto nos artigos 2º e 6º do Decreto-Lei nº 18/2009 de 22 de Junho, sujeitas a servidão particular, nos termos e condições definidos nos artigos seguintes.

Artigo 4º

Trabalhos e actividades condicionados nas zonas 1 e 2

1. Exceptuados os casos previstos no número seguinte, nas zonas 1 e 2, é proibida a execução, sem autorização prévia da AAC, dos seguintes trabalhos ou actividades:

a) Obras de qualquer natureza, mesmo que enterradas ou subterrâneas;

b) Alterações de qualquer forma, por meio de escavações ou aterros, do relevo e da configuração do solo;

c) Criação de vedações não compreendidas na provisão da alínea *a)*, mesmo que sejam sebes ou divisórias de propriedades;

d) Plantações de árvores e arbustos;

e) Instalação de geradores eólicos, postes, linhas ou cabos aéreos de qualquer natureza;

f) Instalação de quaisquer dispositivos luminosos incluindo a iluminação pública;

g) Depósitos quer permanentes quer temporários de materiais explosivos ou outros materiais perigosos para a segurança do aeroporto;

h) Montagem e funcionamento de aparelhagem eléctrica para além dos electrodomésticos comuns;

i) Quaisquer actos ou actividades que inequivocamente possam afectar a segurança, o funcionamento ou a eficiência do aeroporto.

2. Caso a execução dos trabalhos ou actividades enumerados no nº 1 esteja sujeita a autorização ou licenciamento de qualquer entidade pública, nomeadamente municipal, essa entidade só poderá concedê-los após parecer favorável da AAC.

3. Na zona 2 fica ainda dependente do parecer favorável ou da autorização prévia, consoante os casos, da AAC, a construção de escolas, hospitais, ou estabelecimentos de carácter similar, lares de terceira idade, recintos desportivos ou outros susceptíveis de conduzirem à aglomeração de grande público, bem como a afectação de edifícios ou recintos existentes aos fins atrás indicados.

4. Face ao potencial agravamento de custos que em caso de acidente com aeronave possam advir da existência de construções, instalações, obstáculos e actividades na zona 2, são constituídas co-responsáveis nesse agravamento de custos todas as entidades que tenham licenciado ou autorizado, bem como aquelas que detendo poderes de intervenção na sua concretização os não tenham exercido adequadamente.

Artigo 5º

Instalação de sistemas emissores radioeléctricos na zona 3

Na zona 3 fica dependente da autorização prévia da AAC a instalação de sistemas emissores radioeléctricos cuja potência efectiva radiada isotrópica determine campos eléctricos, ao nível de voo da aeronave, superiores à sua imunidade e susceptibilidade electro-magnética potenciando, por isso, interferências nos equipamentos de bordo.

Artigo 6º

Actividades condicionadas na zona 4

1. Na zona 4, carece de parecer favorável ou de autorização prévia da AAC consoante os casos:

a) A implantação de reservas naturais de aves;

b) A implantação de instalações destinadas a aves com aptidão de voo livre no exterior dessas instalações, nomeadamente pombais;

c) A exploração de culturas que potenciem a atracção de aves ou contribuam para a promoção de correntes migratórias que cruzem a zona;

d) A construção de infra-estruturas destinadas a, ou a exploração de actividades de gestão, manuseamento, compactação, tratamento ou deposição de resíduos domésticos, comerciais ou industriais, de matérias de esgotos e de estrumes, de materiais de tratamento de plantas, de dragagem, ou de matéria putrescível.

e) A instalação de estações de tratamento de águas residuais, ou de modificação de áreas aquáticas, tais como reservatórios, lagoas, tanques, terrenos alagados e pântanos.

2. Na zona 4 são interditas:

a) No sector A, todas as actividades que envolvam a permanência de aves em estado livre;

b) No sector B, todas as actividades de columbofilia e columbicultura.

Artigo 7º

Actividades condicionadas na zona 5

1. Não são permitidos edifícios para habitação no sector A nem serviços públicos tais como hospitais e escolas nos sectores A e B.

2. Carecem de parecer e autorização prévios:

a) A construção de edifícios de actividades comerciais e industriais os quais, em ambos os sectores A e B, deverão possuir isolamento acústico adequado;

b) Actividades recreativas ao ar livre em ambos os sectores A e B;

c) A construção de casas de habitação, as quais no sector B deverão possuir isolamento acústico adequado.

Artigo 8º

Actividades condicionadas na zona 6

Na zona 6, e sem prejuízo das disposições especificamente estabelecidas para as infra-estruturas de apoio à navegação aérea, é proibido realizar, sem parecer favorável ou sem autorização prévia da AAC:

a) A criação de quaisquer obstáculos, mesmo que de carácter temporário.

b) A instalação de sistemas ou equipamentos ou o exercício de actividade que possam originar interferências electromagnéticas ou possam contribuir para a degradação de qualidade de funcionamento, incluindo a diminuição do campo de cobertura dos sistemas de comunicações, de vigilância e de ajuda rádio às operações aéreas.

c) A execução de quaisquer obras, instalações e construções, seja qual for a sua natureza, sujeitas ou não a licenciamento municipal.

Artigo 9º

Obras, instalações, construções e actividades na zona 7

1. Exceptuados os casos previstos no número seguinte, na zona 7, sectores A, D, F, J e K, é proibida a execução, sem autorização prévia da AAC, dos seguintes trabalhos ou actividades:

a) Obras de qualquer natureza, mesmo que sejam enterradas ou subterrâneas;

b) Alterações de qualquer forma, por meio de escavações ou aterros, do relevo e da configuração do solo;

c) Criação de vedações não compreendidas na provisão da alínea *a*), mesmo que sejam sebes ou divisórias de propriedades;

d) Plantações de árvores e arbustos;

e) Instalação de geradores eólicos, postes, linhas ou cabos aéreos de qualquer natureza;

f) Instalação de quaisquer dispositivos luminosos incluindo a iluminação pública;

g) Depósitos quer permanentes quer temporários de materiais explosivos ou outros materiais perigosos para a segurança do aeroporto;

h) Montagem e funcionamento de aparelhagem eléctrica para além dos electrodomésticos comuns;

i) Quaisquer actos ou actividades que inequivocamente possam afectar a segurança, o funcionamento ou a eficiência do aeroporto.

2. Caso a execução dos trabalhos ou actividades enumerados no nº 1 esteja sujeita a autorização ou licenciamento de qualquer entidade pública, nomeadamente municipal, essa entidade só poderá concedê-los mediante parecer prévio favorável da AAC.

3. Na zona 7, sectores B, C, E, G, H, I, L, M e N fica sujeita a parecer favorável da AAC a realização de quaisquer obras, instalações e construções, seja qual a sua natureza, sujeitas ou não a licenciamento de qualquer entidade pública, nomeadamente municipal, cujas cotas máximas atinjam as cotas estabelecidas para os referidos sectores.

4. As cotas máximas estabelecidas para cada um dos sectores são as seguintes:

Sector	Características da limitação
Canal de descolagem – Pista 21	
7B	Cota variável a 2%, de 193.06 m a 239.50 m
7C	Cota variável a 2%, de 390.53 m a 394.50 m
Canal de descolagem – Pista 03	
7E	Cota variável a 2%, de 204.52 m a 239.50 m
Canal de aproximação – Pista 03	
7G	Cota variável a 2.5%, de 224.90 m a 239.50 m
7H	Cota variável a 2.5%, de 224.90 m a 239.50 m
7I	Cota constante de 244.50 m
Canal de aproximação – Pista 21	
7L	Cota variável a 2.5%, de 224.57 m a 239.50 m
7M	Cota variável a 2.5%, de 224.57 m a 239.50 m
7N	Cota constante de 249.00 m

Artigo 10º

Obras, instalações, construções e actividades na zona 8

1. Exceptuados os casos previstos no número seguinte, na zona 8 é proibida a execução sem autorização prévia da AAC, dos seguintes trabalhos ou actividades:

a) Obras de qualquer natureza, mesmo que sejam enterradas ou subterrâneas;

b) Alterações de qualquer forma, por meio de escavações ou aterros, do relevo e da configuração do solo;

c) Criação de vedações não compreendidas na provisão da alínea *a*), mesmo que sejam sebes ou divisórias de propriedades;

d) Plantações de árvores e arbustos;

e) Instalação de geradores eólicos, postes, linhas ou cabos aéreos de qualquer natureza;

f) Instalação de quaisquer dispositivos luminosos incluindo a iluminação pública;

g) Depósitos quer permanentes quer temporários de materiais explosivos ou outros materiais perigosos para a segurança do aeroporto;

h) Montagem e funcionamento de aparelhagem eléctrica para além dos electrodomésticos comuns;

i) Quaisquer actos ou actividades que inequivocamente possam afectar a segurança, o funcionamento ou a eficiência do aeroporto.

2. Caso a execução dos trabalhos ou actividades enumerados no nº 1 esteja sujeita a autorização ou licenciamento de qualquer entidade pública, nomeadamente municipal, essa entidade só poderá concedê-los mediante parecer prévio favorável da AAC.

3. Fica ainda sujeito ao parecer favorável ou autorização prévia, consoante os casos, da AAC o licenciamento ou autorização de actividades ou eventos que potenciem o ajuntamento de pessoas na zona 8.

Artigo 11º

Obras, instalações, construções e actividades na zona 9

Na zona 9, ficam sujeitas a parecer favorável ou autorização da AAC, consoante o caso, a execução de quaisquer obras, instalações e construções, sujeitas ou não a licenciamento municipal, seja qual for a sua natureza, e a criação de quaisquer outros obstáculos, mesmo que temporários, cuja cota máxima atinja a cota absoluta de 139.50 m.

Artigo 12º

Obras, instalações, construções e actividades na zona 10

Na zona 10, ficam sujeitas a parecer favorável ou a autorização prévia da AAC, consoante o caso, a execução de quaisquer obras, instalações e construções, sujeitas ou não a licenciamento municipal, seja qual for a sua natureza, bem como a criação de quaisquer outros obstáculos, mesmo que temporários, cuja cota máxima ultrapasse a cota de uma superfície com cota variável a 5%, variando de 139.50m a 239.50m.

Artigo 13º

Obras, instalações, construções e actividades na zona 11

Na zona 11, ficam sujeitas a parecer favorável ou a autorização prévia da AAC, consoante os casos, a execução de quaisquer obras, instalações e construções, sujeitas ou não a licenciamento municipal, seja qual for a sua natureza, bem como a criação de quaisquer outros obstáculos, mesmo que temporários, cuja cota máxima atinja 239.50 m.

Artigo 14º

Instalação de equipamentos emissores de feixes de luz laser e instalação de luzes na zona 12

No interior da zona 12, ficam sujeitas a parecer favorável ou a autorização prévia da AAC, consoante os casos:

1. No sector A:

a) A instalação de equipamentos emissores de feixes de luz laser cuja intensidade de luz emitida seja superior a 50ηW/cm^2 (50 nanowatt/centímetro ao quadrado);

b) A instalação de luzes que, não fazendo parte das infra-estruturas aeroportuárias de apoio à segurança de voo, possam obstar ou confundir, pela sua intensidade, configuração ou cor, a correcta interpretação das luzes aeronáuticas associadas aos sistemas de apoio à segurança de voo;

2. No sector B:

A instalação de equipamentos emissores de feixes de luz laser com intensidade de luz emitida superior a 5μW/cm^2 (5 microwatt por centímetro quadrado).

Artigo 15º

Actividades proibidas e condicionadas em todas as zonas

1. Em todas as zonas definidas no artigo 2º, é proibido, sem autorização prévia da AAC:

a) O lançamento para o ar de projécteis ou outros objectos incluindo fogos-de-artifício, focos luminosos e outros.

b) O exercício de quaisquer actividades que possam conduzir à criação de interferências nas comunicações rádio aeronáuticas.

c) Produzir poeiras ou fumos susceptíveis de alterar as condições de visibilidade.

d) De uma forma geral realizar quaisquer actividades susceptíveis de pôr em risco a segurança aeroportuária e de navegação aérea.

2. A execução nas zonas 1,2,7,8 e 9 de todas as construções e instalações que possam conduzir à criação de interferências nas comunicações rádio aeronáuticas carece de parecer favorável da AAC.

Artigo 16º

Sobreposição de restrições ou condicionantes numa mesma parcela de terreno

Quando sobre uma determinada parcela de terreno ou local incidirem condicionantes ou restrições com a mesma natureza ou objecto estabelecidas no presente decreto-lei para duas ou mais zonas de servidão, aplica-se sempre aquela condicionante ou restrição que for mais gravosa ou restritiva.

2. Se sobre uma determinada parcela de terreno ou local incidirem condicionantes ou restrições com diferente natureza ou objecto estabelecidas no presente decreto-lei para duas ou mais zonas de servidão, essas condicionantes ou restrições devem ser cumulativamente aplicadas.

Artigo 17º

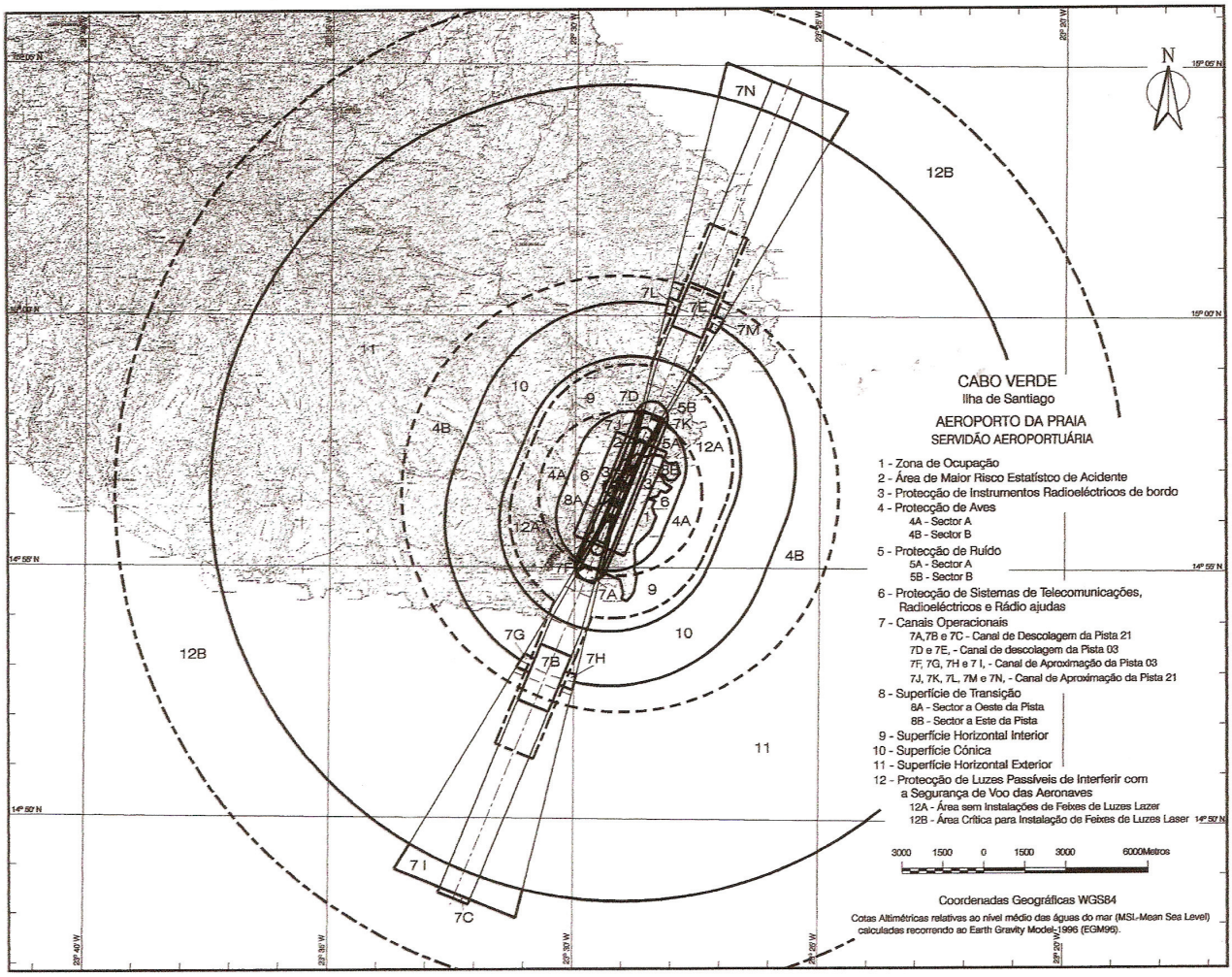
Entrada em vigor

Este regulamento entra em vigor no dia seguinte à data da sua publicação.

O Presidente do Conselho de Administração, *Carlos Brazão Monteiro*

ANEXO I

Planta da servidão aeroportuária do Aeroporto da Praia



Agência da Aviação Civil, na Praia, aos 9 Setembro de 2009. – O Presidente do Conselho de Administração, *Carlos Brazão Monteiro*

REGULAMENTO Nº 03/2009

As zonas confinantes com os aeródromos civis e as instalações de apoio à aviação civil estão sujeitas a servidões aeronáuticas, nos termos do artigo 44º do Código Aeronáutico, aprovado pelo Decreto-Legislativo nº 1/2001, de 20 Agosto.

Pelo presente regulamento define-se a servidão aeronáutica do VOR/DME (VHF Omnidirectional Range/Distance Measure Equipment) do aeroporto da Praia e do NDB (Non Directional Beacon) deste mesmo aeroporto, os quais integram o sistema destinado a garantir a segurança da navegação aérea.

Em face das exigências específicas da segurança das instalações de infra-estruturas de apoio e do seu bom funcionamento, torna-se necessário definir as zonas de servidão aeronáutica daquelas rádio-ajudas e os limites do espaço aéreo abrangido por esta servidão.

Foi dado cumprimento ao previsto no artigo 19º do Decreto-Lei 18/2009, de 22 de Junho.

Nestes Termos,

Ao abrigo do disposto nos artigos 44º e 173º do Código Aeronáutico, da alínea *a*) do nº 2 do artigo 12º dos Estatutos da Agencia de Aviação Civil (AAC) aprovado pelo Decreto-lei 28/2008, de 12 de Julho, e nos termos do artigo 21º do Decreto-Lei 18/2009 de 22 de Junho, o Conselho de Administração da AAC aprova o seguinte regulamento de servidão radioeléctrica do Aeroporto da Praia.

Artigo 1º

Objecto

1. O presente regulamento sujeita a servidão aeronáutica a área confinante com o VOR/DME *(VHF Omnidirectional Range/Distance Measure Equipment)* da Praia instalado na Freguesia de Nossa Senhora da Graça, Concelho da Praia, e do NDB (Non Directional Beacon) deste aeroporto, instalada na Freguesia da Praia, Concelho da Praia e definida no artigo 2º e delimitada na planta anexa ao presente regulamento e que dele faz parte integrante.

2. A planta tem como referência o sistema de Coordenadas Geográficas WGS84, e cotas altimétricas relativas ao nível médio das águas do mar (MSL - Mean Sea Level) calculadas de acordo com o modelo "Earth Gravity Model-1996" (EGM96).

Artigo 2º

Âmbito

A servidão aeronáutica radioeléctrica compreende as seguintes zonas:

a) Zona 1A, zona primária de protecção do VOR/DME, compreende toda a área de terreno ou de água delimitada no plano horizontal, por uma circunferência com raio de 300 metros e com centro no ponto com as seguintes coordenadas:

14º 56' 20.75" N 023º 28' 55.64"W

b) Zona 2A, zona secundária de protecção do VOR/DME, compreende toda a área de terreno ou de água confinante com a zona primária deste VOR/DME e delimitada exteriormente em planta, por uma circunferência com 2000 m de raio e com centro no ponto com as mesmas coordenadas da Zona 1A.

c) Zona 1B, zona primária de protecção do NDB, compreende toda a área de terreno ou de água delimitada no plano horizontal, por uma circunferência com raio de 200 metros e com centro no ponto com as seguintes coordenadas:

14º 55' 21.34" N 023º 29' 46.39"W

d) Zona 2B, zona secundária de protecção do NDB, compreende toda a área de terreno ou de água confinante com a zona primária deste NDB e delimitada exteriormente em planta, por uma circunferência com 1000 m de raio e com centro no ponto com as mesmas coordenadas da Zona 1B.

Artigo 3º

Servidão Particular

As áreas de terreno ou de água compreendidas nas zonas identificadas no artigo 2º ficam, de harmonia com o disposto nos artigos 2º e 6º do Decreto-Lei nº 18/2009 de 22 de Junho, sujeitas a servidão particular, nos termos e condições definidos nos artigos seguintes.

Artigo 4º

Trabalhos e actividades condicionados nas zonas 1A e 1B

1. Na zona 1, identificada nas alíneas *a*) e *c*) do artigo 2º é proibida a execução, sem autorização prévia da AAC, dos seguintes trabalhos ou actividades:

a) Obras de qualquer natureza, mesmo que enterradas ou subterrâneas;

b) Alterações de qualquer forma, por meio de escavações ou aterros, do relevo e da configuração do solo;

c) Criação de vedações não compreendidas na provisão da alínea *a*), mesmo que sejam sebes ou divisórias de propriedades;

d) Plantações de árvores e arbustos bem como desenvolvimento de vegetação com altura superior a 1,5 m acima do solo;

e) Instalação de postes, linhas ou cabos aéreos de qualquer natureza;

f) Instalação de geradores eólicos;

g) Depósitos quer permanentes quer temporários de materiais explosivos ou outros materiais perigosos para a segurança do VOR/DME e do NDB;

h) Montagem e funcionamento de aparelhagem eléctrica para além dos electrodomésticos comuns;

i) Quaisquer actos ou actividades que inequivocamente possam afectar a segurança, o funcionamento ou a eficiência do VOR/DME e do NDB.

2. Caso a execução dos trabalhos ou actividades enumerados no nº 1 esteja sujeita a autorização ou licenciamento de qualquer entidade pública, nomeadamente municipal, essa entidade só poderá concedê-los após parecer favorável da AAC.

Artigo 5º

Trabalhos e actividades condicionados na zona 2A do VOR/DME

1. Na zona 2A, identificada na alínea *b)* do artigo 2º, é proibida a prática, sem autorização prévia da AAC, dos seguintes trabalhos e actividades:

a) A prática dos trabalhos ou actividades previstos nas alíneas *f*), *g), h)* e *i)* do número 1) do artigo 4º.

b) A prática dos trabalhos ou actividades previstos nas alíneas *a), b*), *c*), *d*) e *e*) do número 1) do artigo 4º, quando os obstáculos criados em resultado desses actos ou actividades ultrapassem uma superfície limitativa de obstáculos que se eleva a partir do limite exterior da zona primária de protecção do VOR/DME, considerando-se este limite situado à cota absoluta de 95.70 metros.

2. A inclinação da superfície limitativa de obstáculos referida na alínea *b*) do número anterior é de 1% para os obstáculos metálicos e de 2% para os restantes obstáculos.

3. Para os efeitos do disposto no número anterior, consideram-se obstáculos metálicos nomeadamente as linhas aéreas de transporte de energia, agregados de mais de quatro linhas telefónicas aéreas (oito fios), hangares, armazéns e pavilhões de grande vão com estrutura ou cobertura metálicas, torres para antenas, vedações em rede metálica de comprimento superior a 2 metros e grandes depósitos de sucata ou de materiais metálicos.

4. Caso a execução dos trabalhos ou actividades enumerados no número 1) esteja sujeita a autorização ou licenciamento de qualquer entidade pública, nomeadamente municipal, essa entidade só poderá concedê-los mediante parecer prévio favorável da AAC.

Artigo 6º

Trabalhos e actividades condicionados na zona 2B do NDB

1. Na zona 2B, identificada na alínea *d)* do artigo 2º, é proibida a prática, sem autorização prévia da AAC, dos seguintes trabalhos e actividades:

a) A prática dos trabalhos ou actividades previstos nas alíneas *f), g), h)* e *i)* do número 1) do artigo 4º.

b) A prática dos trabalhos ou actividades previstos nas alíneas *a), b), c), d)* e *e)* do número 1) do artigo 4º, quando os obstáculos criados em resultado desses actos ou actividades ultrapassem uma superfície limitativa de obstáculos que se eleva a partir do limite exterior da zona primária de protecção do NDB, considerando-se este limite situado à cota absoluta de 65.50 metros.

2. A inclinação da superfície limitativa de obstáculos referida na alínea *b)* do número anterior é de 10%.

3. Caso a execução dos trabalhos ou actividades enumerados no número 1) esteja sujeita a autorização ou licenciamento de qualquer entidade pública, nomeadamente municipal, essa entidade só poderá concedê-los mediante parecer prévio favorável da AAC.

Artigo 7º

Sobreposição de restrições ou condicionantes numa mesma parcela de terreno

Quando sobre uma determinada parcela de terreno ou local, incidirem condicionantes ou restrições com a mesma natureza ou objecto estabelecidas no presente decreto-lei para duas ou mais zonas de servidão, aplica-se sempre aquela condicionante ou restrição que for mais gravosa ou restritiva, com exclusão das demais.

Artigo 8º

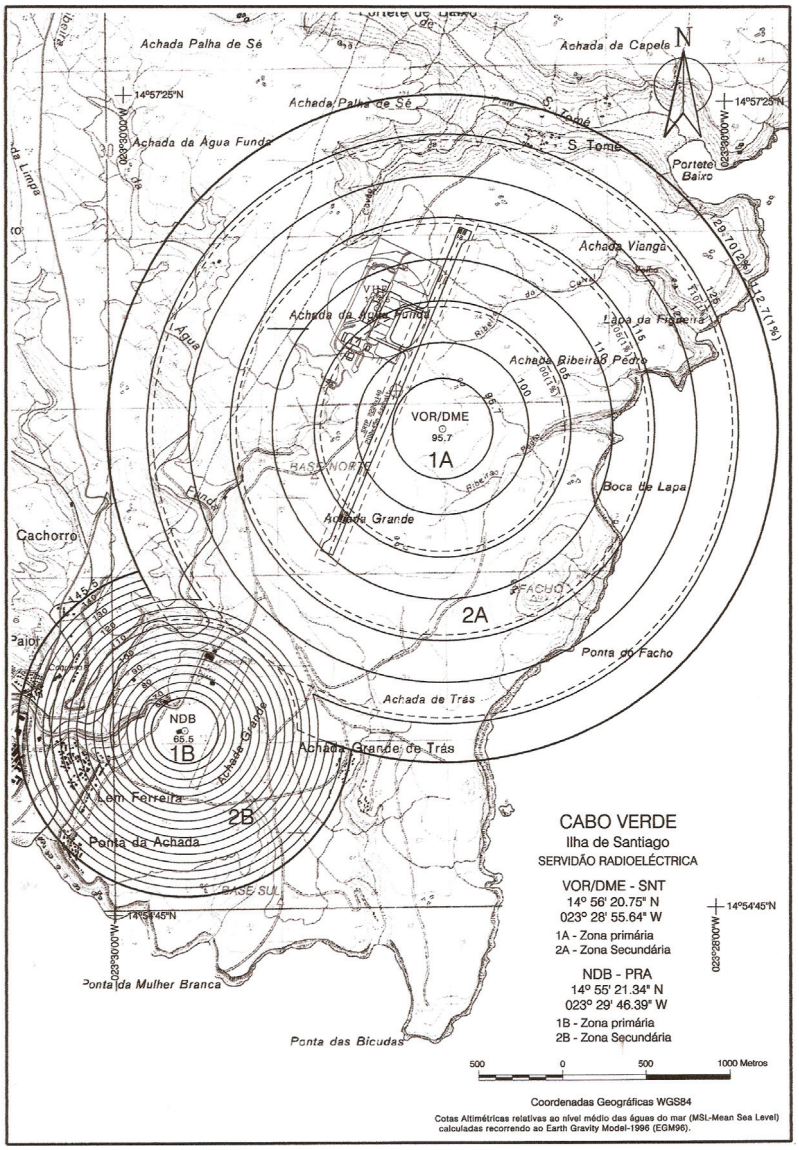
Entrada em vigor

Este regulamento entra em vigor no dia seguinte à data da sua publicação.

O Presidente do Conselho de Administração, *Carlos Brazão Monteiro*

ANEXO I

PLANTA DA SERVIDÃO RADIOELÉCTRICA DO AEROPORTO DA PRAIA



Agência da Aviação Civil, na Praia, aos 9 Setembro de 2009. – O Presidente do Conselho de Administração, *Carlos Brazão Monteiro*

REGULAMENTO Nº 04/2009

As zonas confinantes com os aeródromos civis e as instalações de apoio à aviação civil estão sujeitas a servidões aeronáuticas, nos termos do artigo 44º do Código Aeronáutico, aprovado pelo Decreto-Legislativo nº 1/2001 de 20 Agosto.

Pelo presente diploma define-se a servidão aeronáutica da Estação de radar de Monte Tchota em Santiago, o qual integra o sistema destinado a garantir a segurança da navegação aérea.

Em face das exigências específicas da segurança das instalações de infra-estruturas de apoio e do seu bom funcionamento, torna-se necessário definir as zonas de servidão aeronáutica daquela rádio-ajuda e os limites do espaço aéreo abrangido por esta servidão.

Foi dado cumprimento ao previsto no artigo 19º do Decreto-lei 18/2009, de 22 de Junho.

Neste termos,

Ao abrigo do disposto nos artigos 44º e 173º do Código Aeronáutico, da alínea *a*) do nº 2 do artigo 12º dos Estatutos da Agencia de Aviação Civil (AAC) aprovado pelo Decreto-lei 28/2008, de 12 de Julho, e nos termos do artigo 21º do Decreto-Lei nº 18/2009, de 22 de Junho, o CA da AAC aprova o seguinte regulamento de servidão radioeléctrica da estação de radar de Monte Tchota:

Artigo 1º

Objecto

1. O presente regulamento sujeita a servidão aeronáutica a área confinante com a Estação de radar de Monte Tchota em Santiago, instalada na Freguesia de São Nicolau Tolentino, Concelho de S. Domingos e definida no artigo 2º e delimitada na planta anexa ao presente diploma e que dele faz parte integrante.

2. A planta tem como referência o sistema de Coordenadas Geográficas WGS84, e cotas altimétricas relativas ao nível médio das águas do mar (MSL - Mean Sea Level) calculadas de acordo com o modelo "Earth Gravity Model-1996" (EGM96).

Artigo 2º

Âmbito

A servidão aeronáutica rádio eléctrica compreende as seguintes zonas:

a) Zona 1, zona primária de protecção da estação de radar, compreende toda a área de terreno delimitada no plano horizontal, por uma circunferência com raio de 400 metros e com centro no ponto com as seguintes coordenadas:

15º 02' 14.08'' N
023º 37' 22.82'' W

b) Zona 2, zona secundária de protecção da estação de radar, compreende toda a área de terreno confinante com a zona primária deste Radar e delimitada exteriormente em planta, por uma circunferência com 5000 m de raio e com centro no ponto com as mesmas coordenadas da Zona 1.

Artigo 3º

Servidão Particular

As áreas de terreno ou de água compreendidas nas zonas identificadas no artigo 2º ficam, de harmonia com o disposto nos artigos 2º e 6º do Decreto-Lei nº 18/2009, de 22 de Junho, sujeitas a servidão particular, nos termos e condições definidos nos artigos seguintes.

Artigo 4º

Trabalhos e actividades condicionados nas zonas 1

1. Na zona 1, identificada na alínea *a)* do artigo 2º é proibida a execução, sem autorização prévia da AAC, dos seguintes trabalhos ou actividades:

a) Obras de qualquer natureza, mesmo que enterradas ou subterrâneas;

b) Alterações de qualquer forma, por meio de escavações ou aterros, do relevo e da configuração do solo;

c) Criação de vedações não compreendidas na provisão da alínea *a*), mesmo que sejam sebes ou divisórias de propriedades;

d) Plantações de árvores e arbustos bem como desenvolvimento de vegetação com altura superior a 1,5 m acima do solo;

e) Instalação de postes, linhas ou cabos aéreos de qualquer natureza;

f) Instalação de geradores eólicos;

g) Depósitos quer permanentes quer temporários de materiais explosivos ou outros materiais perigosos para a segurança do Radar;

h) Montagem e funcionamento de aparelhagem eléctrica para além dos electrodomésticos comuns;

i) Quaisquer actos ou actividades que inequivocamente possam afectar a segurança, o funcionamento ou a eficiência do Radar.

2. Caso a execução dos trabalhos ou actividades enumerados no nº 1 esteja sujeita a autorização ou licenciamento de qualquer entidade pública, nomeadamente municipal, essa entidade só poderá concedê-los após parecer favorável da AAC.

Artigo 5º

Trabalhos e actividades condicionados na zona 2

1. Na zona 2, identificada na alínea *b)* do artigo 2º, é proibida a prática, sem autorização prévia da entidade aeronáutica competente, dos seguintes trabalhos e actividades:

a) A prática dos trabalhos ou actividades previstos nas alíneas *f), g), h)* e *i)* do nº 1 do artigo 4º.

b) A prática dos trabalhos ou actividades previstos nas alíneas *a), b), c), d)* e *e)* do nº 1 do artigo 4º, quando os obstáculos criados em resultado desses actos ou actividades ultrapassem uma superfície cónica de revolução, coaxial com a torre da antena da estação de radar e vértice no ponto, com as coordenadas definidas na alínea *a*) do artigo 2º, de cota igual a 1111 metros e cuja geratriz faz um ângulo de -3% com o plano horizontal.

2. Caso a execução dos trabalhos ou actividades enumerados no nº 1 esteja sujeita a autorização ou licenciamento de qualquer entidade pública, nomeadamente municipal, essa entidade só poderá concedê-los mediante parecer prévio favorável da autoridade aeronáutica competente.

Artigo 6º

Sobreposição de restrições ou condicionantes numa mesma parcela de terreno

Quando sobre uma determinada parcela de terreno ou local, incidirem condicionantes ou restrições com a mesma natureza ou objecto estabelecidas no presente decreto-lei para duas ou mais zonas de servidão, aplica-se sempre aquela condicionante ou restrição que for mais gravosa ou restritiva, com exclusão das demais.

Artigo 7º

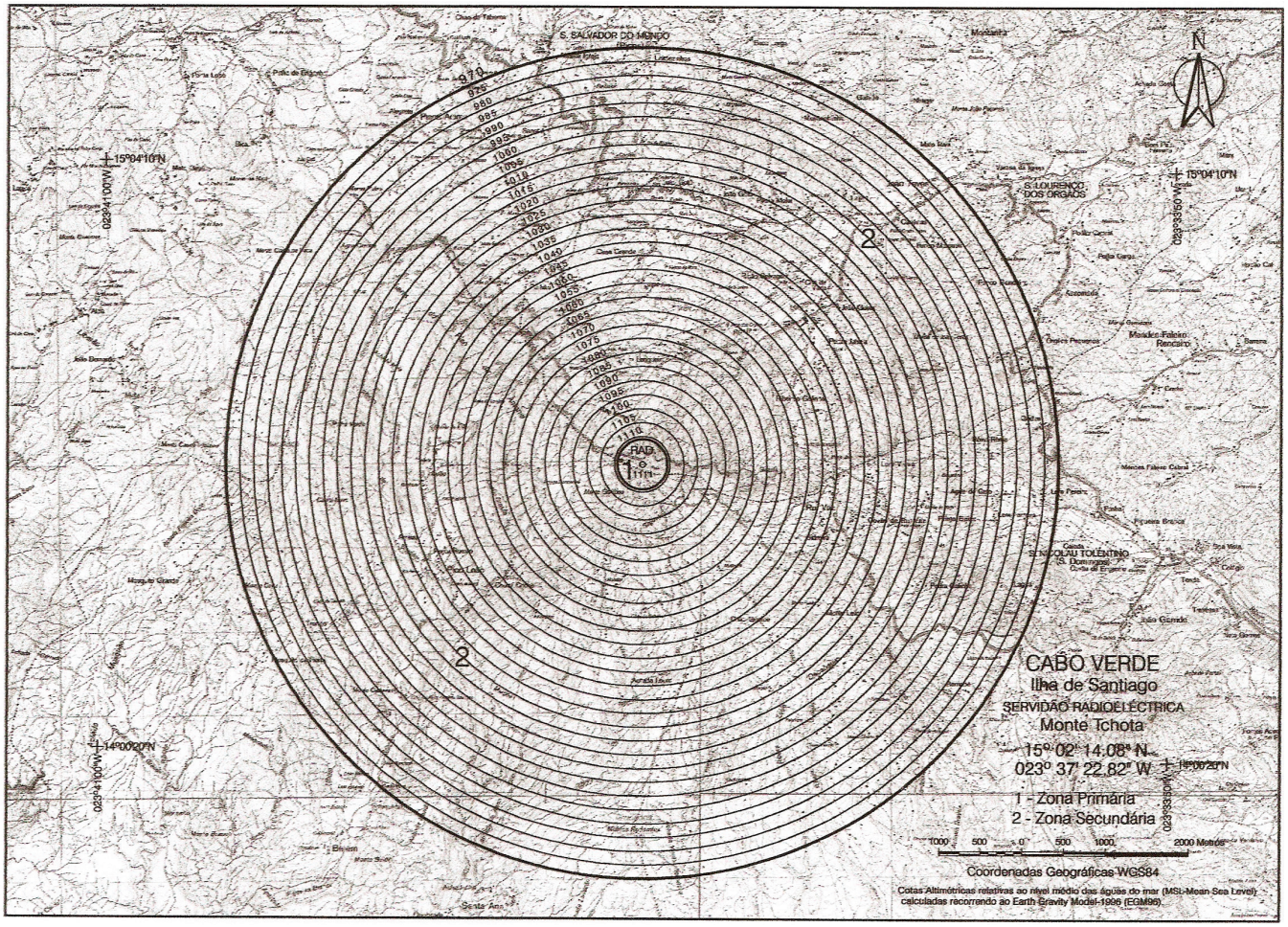
Entrada em vigor

Este regulamento entra em vigor no dia seguinte à data da sua publicação.

O Presidente do Conselho de Administração, *Carlos Brazão Monteiro*

ANEXO I

PLANTA DA SERVIDÃO RADIOELÉCTRICA DE MONTE TCHOTA – ILHA DE SANTIAGO



Agência da Aviação Civil, na Praia, aos 9 Setembro de 2009. – O Presidente do Conselho de Administração, *Carlos Brazão Monteiro*

REGULAMENTO Nº 05/2009

As zonas confinantes com os aeródromos civis e as instalações de apoio à aviação civil estão sujeitas a servidões aeronáuticas, nos termos do artigo 44º do Código Aeronáutico, aprovado pelo Decreto-Legislativo nº 1/2001, de 20 Agosto.

Em face das exigências estabelecidas no Anexo 14 à Convenção Internacional sobre Aviação Civil, ratificada por Cabo Verde em 19 de Agosto de 1976., bem como das exigências específicas decorrentes da protecção da operacionalidade e funcionalidade do aeródromo de Preguiça e da segurança das respectivas instalações e infra-estruturas de apoio, e ainda da segurança de voo, torna-se necessário definir as zonas de servidão aeronáutica daquele aeródromo e os limites do espaço aéreo abrangido pelas mesmas.

Foi dado cumprimento ao previsto no artigo 19º do Decreto-Lei nº 18/2009, de 22 de Junho.

Nestes termos,

Ao abrigo do disposto nos artigos 44º e 173º do Código Aeronáutico, da alínea *a)* do nº 2 do artigo 12º dos Estatutos da Agencia de Aviação Civil (AAC) aprovado pelo Decreto- Lei 28/2008, de 12 de Julho, e nos termos do artigo 21º do Decreto- Lei 18/2009 de 22 de Junho, a AAC aprova o seguinte regulamento de servidão aeroportuária do Aerodromo de Preguiça.

Artigo 1º

Objecto

1. Fica sujeita a servidão aeronáutica a área confinante com o aeródromo de Preguiça, situado na Ilha de São Nicolau, abrangida na planta anexa ao presente regulamento e que dele faz parte integrante.

2. A planta tem como referência o sistema de Coordenadas Geográficas WGS84, e cotas altimétricas relativas ao nível médio das águas do mar (MSL - Mean Sea Level) calculadas de acordo com o modelo "Earth Gravity Model-1996" (EGM96).

Artigo 2º

Âmbito

A área sujeita a servidão compreende as seguintes zonas:

a) Zona 1, ocupação, compreende toda a área de terreno ocupada pelas infra estruturas que integram o aeródromo, conforme delimitada pela cerca permanente em vedação do aeródromo.

b) Zona 2, protecção da área de maior risco estatístico de acidente, compreende toda a área de terreno ou de água que é, estatisticamente, de maior risco de acidente, constituída por um rectângulo de 300 m de largura, sendo 150 m para cada lado do eixo da pista, e com um comprimento que se estende ao longo da pista acrescido de 1000 m para além da intersecção do eixo da pista com o lado interior de cada um dos canais de aproximação e cujos limites são dados pela linha poligonal com vértice nos pontos com as seguintes coordenadas:

1	2	3	4
16º 36' 14.32" N 024º 17' 16.07" W	16º 36' 15.40" N 024º 16' 55.88" W	16º 34' 27.68" N 024º 16' 49.67" W	16º 34' 26.60" N 024º 17' 09.85" W

c) Zona 3, protecção de instrumentos radioeléctricos de bordo, compreende toda a área de terreno ou de água constituída por um rectângulo de 2000 m de largura, sendo 1000 m para cada lado do eixo da pista, e com um comprimento igual ao comprimento da pista acrescido de 1000 m para além de cada um dos seus topos, sendo os limites dados pela linha poligonal com vértices nos pontos de coordenadas:

1	2	3	4
16º 36' 11.13" N 024º 17' 39.51" W	16º 36' 17.74" N 024º 16' 32.22" W	16º 34' 24.38" N 024º 16' 25.85" W	16º 34' 20.77" N 024º 17' 33.14" W

d) Zona 4, protecção de aves, compreende a área de terreno ou de água, constituída por dois sectores, sector A e sector B, limitados exteriormente em planta por dois círculos concêntricos, de 3000 m e 8000 m de raio respectivamente, com centro no ponto de referência do aeródromo e cuja coordenada é a seguinte:

ARP
16º 35' 17.74" N 024º 17' 02.68" W

e) Zona 5, protecção de ruído, compreende a área de terreno ou de água necessária para protecção, constituída por dois sectores, cujos limites são:

i. Sector A – limitado exteriormente, em planta, por dois arcos de circunferência de 100 m de raio e unidos pelos respectivos segmentos tangentes e paralelos aos eixos das pistas. Os centros dos arcos de circunferência, situam-se nos seguintes pontos de coordenadas:

1	2
16º 35' 48.91" N 024º 17' 04.47" W	16º 34' 53.10" N 024º 17' 01.24" W

ii. Sector B – envolvendo o sector A e limitado exteriormente, em planta, por dois arcos de circunferência de 200 m de raio e unidos pelos respectivos segmentos tangentes e paralelos ao eixo da pista. Os centros dos arcos de circunferência, situam-se nos seguintes pontos de coordenadas:

1	2
16º 35' 52.15" N 024º 17' 04.65" W	16º 34' 49.85" N 024º 17' 01.05" W

f) Zona 6, protecção de sistemas de telecomunicações, radioeléctricos e rádio ajudas, sem prejuízo das servidões específicas estabelecidas para as infra-estruturas de apoio à navegação aérea, compreende a área de terreno ou de água necessária à segurança de voo e

g) à segurança e operacionalidade aeroportuária destinada à adequada protecção de sistemas de vigilância, de telecomunicações, radioeléctricos e de rádio ajudas, limitada em planta por dois arcos de circunferência de 2000 m de raio e respectivos segmentos tangentes. Os centros dos arcos de circunferência situam-se na intersecção do eixo da pista com o lado interior de cada um dos canais de aproximação e têm as seguintes coordenadas:

1	2
16º 35' 42.42" N 024º 17' 04.11" W	16º 34' 59.59" N 024º 17' 01.63" W

h) Zona 7, canais operacionais, compreende a área de terreno ou de água, com diversos sectores delimitados por linhas poligonais, com vértices nos pontos com as seguintes coordenadas:

Sector 7A – canal de descolagem – pista 20 (inclinação 2%)			
1	2	3	4
16º 34' 48.37" N 024º 17' 04.02" W	16º 34' 48.69" N 024º 16' 57.97" W	16º 33' 36.20" N 024º 16' 44.29" W	16º 33' 34.86" N 024º 17' 09.27" W

Sector 7B – canal de descolagem – pista 20 (inclinação 2%)			
1	2	3	4
16º 32' 07.33" N 024º 17' 11.94" W	16º 32' 09.50" N 024º 16' 31.58" W	16º 31' 34.94" N 024º 16' 29.58" W	16º 31' 32.81" N 024º 17' 09.95" W
Sector 7C – canal de descolagem – pista 20 (inclinação 2%)			
1	2	3	4
16º 27' 10.38" N 024º 16' 54.83" W	16 º 27' 12.54" N 024º 16' 14.48" W	16º 26' 42.94" N 024º 16' 12.78" W	16º 26' 40.78" N 024º 16' 53.13" W

Sector 7D – canal de descolagem – pista 02 (inclinação 2%)			
1	2	3	4
16º 36' 53.06" N 024º 17' 20.28" W	16º 36' 54.36" N 024º 16' 56.16" W	16º 35' 44.20" N 024º 17' 01.17" W	16º 35' 43.88" N 024º 17' 07.23" W

Sector 7E – canal de descolagem – pista 02 (inclinação 2%)			
1	2	3	4
16º 38' 54.29" N 024º 17' 35.45" W	16º 38' 56.46" N 024º 16' 55.06" W	16º 38' 31.93" N 024º 16' 53.65" W	16º 38' 29.76" N 024º 17' 34.03" W

Sector 7F – canal de descolagem – pista 02 (inclinação 2%)			
1	2	3	4
16º 43' 49.60" N 024º 17' 52.56" W	16º 43' 51.78" N 024º 17' 12.15" W	16º 43' 25.09" N 024º 17' 10.61" W	16º 43' 22.92" N 024º 17' 51.01" W

Sector 7G – canal de aproximação – pista 02 (1ª secção - inclinação 2%)			
1	2	3	4
16º 34' 59.45" N 024º 17' 04.16" W	16º 34' 59.72" N 024º 16' 59.11" W	16º 34' 24.10" N 024º 16' 53.33" W	16º 34' 48.69" N 024º 16' 57.98" W
5	6		
16º 34' 48.37" N 024º 17' 04.02" W	16º 34' 23.43" N 024º 17' 05.80" W		

Sector 7H – canal de aproximação – pista 20 (1ª secção - inclinação 2%)			
1	2	3	4
16º 35' 43.89" N	16º 35' 44.18" N	16º 35' 42.55" N	16º 35' 42.28" N
024º 17' 06.89" W	024º 17' 01.51" W	024º 17' 01.58" W	024º 17' 06.63" W

i) Zona 8, superfície de transição, compreende a superfície de terreno ou de água, com inclinação de 14.3%, confinante com o strip e a zona 7 (sectores G e H), limitada em altura pela cota dos 226.07 m, correspondente à superfície horizontal interior (Zona 9) e definida pelos pontos com as seguintes coordenadas:

i. Sector 8A, a Oeste da Pista 02/20:

1 16º 36' 23.92" N 024º 17' 13.39" W	2 16º 35' 42.28" N 024º 17' 06.63" W	3 16º 34' 59.45" N 024º 17' 04.16" W
4 16º 34' 15.90" N 024º 17' 06.15" W	5 16º 34' 54.31" N 024º 17' 14.48" W	6 16º 35' 39.79" N 024º 17' 16.62" W

ii. Sector 8B, a Este da pista 02/20:

1 16º 36' 24.66" N 024º 16' 59.62" W	2 16º 35' 41.15" N 024º 16' 51.36" W	3 16º 34' 55.72" N 024º 16' 48.26" W
4 16º 34' 16.65" N 024º 16' 52.12" W	5 16º 34' 59.72" N 024º 16' 59.11" W	6 16º 35' 44.18" N 024º 17' 01.51" W

j) Zona 9, superfície horizontal interior, compreende a superfície de terreno ou de água, situada à cota de 226.07 e delimitada exteriormente em planta por dois arcos de circunferência de 4000 m de raio e unidos pelos respectivos segmentos tangentes. Os centros dos arcos de circunferência têm as seguintes coordenadas:

1	2
16º 35' 42.42" N 024º 17' 04.11" W	16º 34' 53.07" N 024º 17' 01.26" W

k) Zona 10, superfície cónica, compreende a superfície de terreno ou de água, confinante interiormente com a zona 9 e exteriormente com a zona 11, com uma inclinação de 5%, delimitada em planta por dois arcos de circunferência de 5500 m de raio e unidos pelos respectivos segmentos tangentes. Os centros dos arcos de circunferência têm as seguintes coordenadas:

1	2
16º 35' 42.42" N 024º 17' 04.11" W	16º 34' 53.07" N 024º 17' 01.26" W

l) Zona 11, superfície horizontal exterior, compreende a superfície de terreno ou de água, situada à cota de 301.07 m, confinante interiormente com a zona 10 e delimitada exteriormente em planta por um círculo de 15000 m de raio, com centro no ponto de referência do aeródromo e cuja coordenada é a seguinte:

ARP
16º35'17.74"N 024º 17' 02.68" W

m) Zona12, protecção de luzes passíveis de interferir com a segurança de voo, compreende as áreas de terreno ou de água constituída por dois sectores, cujos limites são:

i) Sector A, área sem instalações de feixes de luzes laser, limitado:

A) Exteriormente em planta por dois arcos de circunferência de 3700 m de raio ligados pelos segmentos tangentes. Os centros dos arcos de circunferência situam-se na intersecção do eixo de cada pista com o lado interior de cada um dos canais de aproximação e têm as seguintes coordenadas:

1	2
16º 35' 42.42" N 024º 17' 04.11" W	16º 34' 59.59" N 024º 17' 01.63" W

B) E pelas quatro áreas externas e simétricas em relação aos eixos das pistas com 1500m de largura, que se prolongam por uma distância de 5600m e cujos limites se encontram definidos pelos pontos de coordenadas:

1 16º 40' 42.78" N 024º 17' 46.85" W	2 16º 40' 45.50" N 024º 16' 56.36" W	3 16º 37' 41.33" N 024º 16' 45.68" W	4 16º 37' 38.61" N 024º 17' 36.15" W
1 16º 33' 00.68" N 024º 17' 20.06" W	2 16º 33' 03.39" N 024º 16' 29.60" W	3 16º 29' 59.86" N 024º 16' 18.97" W	4 16º 29' 56.50" N 024º 17' 09.40" W

C) E em altura pela cota de 700 m

i) Sector B, área crítica para instalação de feixes de luzes laser, envolvendo o sector A e delimitado:

A) Em planta por um círculo de 18500 m de raio com centro no ponto de referência do aeródromo (ARP);

B) E em altura pela cota de 3070m

Artigo 3º

Servidão Particular

As áreas de terreno ou de água compreendidas nas zonas identificadas no artigo 2º ficam, de harmonia com o disposto nos artigos 2º e 6º do Decreto-Lei nº 18/2009 de 22 de Junho, sujeitas a servidão particular, nos termos e condições definidos nos artigos seguintes.

Artigo 4º

Trabalhos e actividades condicionados nas zonas 1 e 2

1. Exceptuados os casos previstos no número seguinte, nas zonas 1 e 2, é proibida a execução, sem autorização prévia da AAC, dos seguintes trabalhos ou actividades:

a) Obras de qualquer natureza, mesmo que enterradas ou subterrâneas;

b) Alterações de qualquer forma, por meio de escavações ou aterros, do relevo e da configuração do solo;

c) Criação de vedações não compreendidas na provisão da alínea *a*), mesmo que sejam sebes ou divisórias de propriedades;

d) Plantações de árvores e arbustos;

e) Instalação de geradores eólicos, postes, linhas ou cabos aéreos de qualquer natureza;

f) Instalação de quaisquer dispositivos luminosos incluindo a iluminação pública;

g) Depósitos quer permanentes quer temporários de materiais explosivos ou outros materiais perigosos para a segurança do aeroporto;

h) Montagem e funcionamento de aparelhagem eléctrica para além dos electrodomésticos comuns;

i) Quaisquer actos ou actividades que inequivocamente possam afectar a segurança, o funcionamento ou a eficiência do aeroporto.

2. Caso a execução dos trabalhos ou actividades enumerados no nº 1 esteja sujeita a autorização ou licenciamento de qualquer entidade pública, nomeadamente municipal, essa entidade só poderá concedê-los após parecer favorável da AAC.

3. Na zona 2 fica ainda dependente do parecer favorável ou da autorização prévia, consoante os casos, da AAC, a construção de escolas, hospitais, ou estabelecimentos de carácter similar, lares de terceira idade, recintos desportivos ou outros susceptíveis de conduzirem à aglomeração de grande público, bem como a afectação de edifícios ou recintos existentes aos fins atrás indicados.

4. Face ao potencial agravamento, em termos de custos que, nas situações de acidente com aeronave, decorram da criação ou existência de construções, instalações, obstáculos e actividades na zona 2, são constituídas co-responsáveis nesse agravamento de custos todas as entidades que tenham licenciado ou autorizado, bem como aquelas que detendo poderes de intervenção na sua concretização os não tenham exercido adequadamente.

Artigo 5º

Instalação de sistemas emissores radioeléctricos na zona 3

Na zona 3 fica dependente da autorização prévia da AAC a instalação de sistemas emissores radioeléctricos cuja potência efectiva radiada isotrópica determine campos eléctricos, ao nível de voo da aeronave, superiores à sua imunidade e susceptibilidade electro-magnética potenciando, por isso, interferências nos equipamentos de bordo.

Artigo 6º

Actividades condicionadas na zona 4

1. Na zona 4, carece de parecer favorável ou de autorização prévia da AAC consoante os casos:

a) A implantação de reservas naturais de aves;

b) A implantação de instalações destinadas a aves com aptidão de voo livre no exterior dessas instalações, nomeadamente pombais;

c) A exploração de culturas que potenciem a atracção de aves ou contribuam para a promoção de correntes migratórias que cruzem a zona;

d) A construção de infra-estruturas destinadas a, ou a exploração de actividades de gestão, manuseamento, compactação, tratamento ou deposição de resíduos domésticos, comerciais ou industriais, de matérias de esgotos e de estrumes, de materiais de tratamento de plantas, de dragagem, ou de matéria putrescível.

e) A instalação de estações de tratamento de águas residuais, ou de modificação de áreas aquáticas, tais como reservatórios, lagoas, tanques, terrenos alagados e pântanos.

2. Na zona 4 são interditas:

a) No sector A, todas as actividades que envolvam a permanência de aves em estado livre;

b) No sector B, todas as actividades de columbofilia e columbicultura.

Artigo 7º

Actividades condicionadas na zona 5

1. Não são permitidos edifícios para habitação no sector A nem serviços públicos tais como hospitais e escolas nos sectores A e B.

2. Carecem de parecer e autorização prévios:

a) A construção de edifícios de actividades comerciais e industriais os quais, em ambos os sectores A e B, deverão possuir isolamento acústico adequado;

b) Actividades recreativas ao ar livre em ambos os sectores A e B;

c) A construção de casas de habitação, as quais no sector B deverão possuir isolamento acústico adequado.

Artigo 8º

Actividades condicionadas na zona 6

Na zona 6, e sem prejuízo das disposições especificamente estabelecidas para as infra-estruturas de apoio à navegação aérea, é proibido realizar, sem parecer favorável ou sem autorização prévia da AAC:

a) A criação de quaisquer obstáculos, mesmo que de carácter temporário.

b) A instalação de sistemas ou equipamentos ou o exercício de actividade que possam originar interferências electromagnéticas ou possam contribuir para a degradação de qualidade de funcionamento, incluindo a diminuição do campo de cobertura dos sistemas de comunicações, de vigilância e de ajuda rádio às operações aéreas.

c) A execução de quaisquer obras, instalações e construções, seja qual for a sua natureza, sujeitas ou não a licenciamento municipal.

Artigo 9º

Obras, instalações, construções e actividades na zona 7

1. Exceptuados os casos previstos no número seguinte, na zona 7, sectores A, D, G e H, é proibida a execução, sem autorização prévia da AAC, dos seguintes trabalhos ou actividades:

a) Obras de qualquer natureza, mesmo que sejam enterradas ou subterrâneas;

b) Alterações de qualquer forma, por meio de escavações ou aterros, do relevo e da configuração do solo;

c) Criação de vedações não compreendidas na provisão da alínea *a*), mesmo que sejam sebes ou divisórias de propriedades;

d) Plantações de árvores e arbustos;

e) Instalação de geradores eólicos, postes, linhas ou cabos aéreos de qualquer natureza;

f) Instalação de quaisquer dispositivos luminosos incluindo a iluminação pública;

g) Depósitos quer permanentes quer temporários de materiais explosivos ou outros materiais perigosos para a segurança do aeroporto;

h) Montagem e funcionamento de aparelhagem eléctrica para além dos electrodomésticos comuns;

i) Quaisquer actos ou actividades que inequivocamente possam afectar a segurança, o funcionamento ou a eficiência do aeroporto.

2. Caso a execução dos trabalhos ou actividades enumerados no nº 1 esteja sujeita a autorização ou licenciamento de qualquer entidade pública, nomeadamente municipal, essa entidade só poderá concedê-los mediante parecer prévio favorável da AAC.

3. Na zona 7, sectores B, C, E, e F fica sujeita a parecer favorável da AAC a realização de quaisquer obras, instalações e construções, seja qual a sua natureza, sujeitas ou não a licenciamento de qualquer entidade pública, nomeadamente municipal, dependendo a criação de quaisquer obstáculos, mesmo que temporários, de autorização prévia da mesma autoridade aeronáutica, e cujas cotas máximas atinjam as cotas estabelecidas para os referidos sectores:

4. As cotas máximas estabelecidas para cada um dos sectores são as seguintes:

Sector	Características da limitação
	Canal de descolagem – Pista 20
7B	Cota variável a 2%, de 279.77 m a 301.07 m
7C	Cota variável a 2%, de 462.82 m a 481.07 m
	Canal de descolagem – Pista 02
7E	Cota variável a 2%, de 285.95 m a 301.07 m
7F	Cota variável a 2%, de 466.66 m a 483.12 m

Artigo 10º

Obras, instalações, construções e actividades na zona 8

1. Exceptuados os casos previstos no número seguinte, na zona 8 é proibida a execução sem autorização prévia da AAC, dos seguintes trabalhos ou actividades:

a) Obras de qualquer natureza, mesmo que sejam enterradas ou subterrâneas;

b) Alterações de qualquer forma, por meio de escavações ou aterros, do relevo e da configuração do solo;

c) Criação de vedações não compreendidas na provisão da alínea *a*), mesmo que sejam sebes ou divisórias de propriedades;

d) Plantações de árvores e arbustos;

e) Instalação de geradores eólicos, postes, linhas ou cabos aéreos de qualquer natureza;

f) Instalação de quaisquer dispositivos luminosos incluindo a iluminação pública;

g) Depósitos quer permanentes quer temporários de materiais explosivos ou outros materiais perigosos para a segurança do aeroporto;

h) Montagem e funcionamento de aparelhagem eléctrica para além dos electrodomésticos comuns;

i) Quaisquer actos ou actividades que inequivocamente possam afectar a segurança, o funcionamento ou a eficiência do aeroporto.

2. Caso a execução dos trabalhos ou actividades enumerados no nº 1 esteja sujeita a autorização ou licenciamento de qualquer entidade pública, nomeadamente municipal, essa entidade só poderá concedê-los mediante parecer prévio favorável da AAC.

3. Fica ainda sujeito ao parecer favorável ou autorização prévia, consoante os casos, da AAC o licenciamento ou autorização de actividades ou eventos que potenciem o ajuntamento de pessoas na zona 8.

Artigo 11º

Obras, instalações, construções e actividades na zona 9

Na zona 9, ficam sujeitas a parecer favorável ou autorização da AAC, consoante o caso, a execução de quaisquer obras, instalações e construções, sujeitas ou não a licenciamento municipal, seja qual for a sua natureza, e a criação de quaisquer outros obstáculos, mesmo que temporários, cuja cota máxima atinja a cota absoluta de 226.07 m.

Artigo 12º

Obras, instalações, construções e actividades na zona 10

Na zona 10, ficam sujeitas a parecer favorável ou a autorização prévia da AAC, a execução de quaisquer obras, instalações e construções, sujeitas ou não a licenciamento municipal, seja qual for a sua natureza, bem como a criação de quaisquer outros obstáculos, mesmo que temporários, cuja cota máxima ultrapasse a cota de uma superfície com cota variável a 5%, variando de 226.07 m a 301.07m.

Artigo 13º

Obras, instalações, construções e actividades na zona 11

Na zona 11, ficam sujeitas a parecer favorável ou a autorização prévia da AAC, consoante os casos, a execução de quaisquer obras, instalações e construções, sujeitas ou não a licenciamento municipal, seja qual for a sua natureza, bem como a criação de quaisquer outros obstáculos, mesmo que temporários, cuja cota máxima atinja 301.07 m.

Artigo 14º

Instalação de equipamentos emissores de feixes de luz laser e instalação de luzes na zona 12

No interior da zona 12, ficam sujeitas a parecer favorável ou a autorização prévia da AAC, consoante os casos:

1. No sector A:

a) A instalação de equipamentos emissores de feixes de luz laser cuja intensidade de luz emitida seja superior a 50ηW/cm^2 (50 nanowatt/centímetro ao quadrado);

b) A instalação de luzes que, não fazendo parte das infra-estruturas aeroportuárias de apoio à segurança de voo, possam obstar ou confundir, pela sua intensidade, configuração ou cor, a correcta interpretação das luzes aeronáuticas associadas aos sistemas de apoio à segurança de voo;

2. No sector B:

A instalação de equipamentos emissores de feixes de luz laser com intensidade de luz emitida superior a 5μW/cm^2 (5 microwatt por centímetro quadrado).

Artigo 15º

Actividades proibidas e condicionadas em todas as zonas

1. Em todas as zonas definidas no artigo 2º, é proibido, sem autorização prévia da AAC:

a) O lançamento para o ar de projécteis ou outros objectos incluindo fogos-de-artifício, focos luminosos e outros.

b) O exercício de quaisquer actividades que possam conduzir à criação de interferências nas comunicações rádio aeronáuticas.

c) Produzir poeiras ou fumos susceptíveis de alterar as condições de visibilidade.

d) De uma forma geral realizar quaisquer actividades susceptíveis de pôr em risco a segurança aeroportuária e de navegação aérea.

2. A execução nas zonas 1, 2, 7, 8 e 9 de todas as construções e instalações que possam conduzir à criação de interferências nas comunicações rádio aeronáuticas carece de parecer favorável da AAC.

Artigo 16º

Sobreposição de restrições ou condicionantes numa mesma parcela de terreno

1. Quando sobre uma determinada parcela de terreno ou local incidirem condicionantes ou restrições com a mesma natureza ou objecto estabelecidas no presente decreto-lei para duas ou mais zonas de servidão, aplica-se sempre aquela condicionante ou restrição que for mais gravosa ou restritiva.

2. Se sobre uma determinada parcela de terreno ou local incidirem condicionantes ou restrições com diferente natureza ou objecto estabelecidas no presente decreto-lei para duas ou mais zonas de servidão, essas condicionantes ou restrições devem ser cumulativamente aplicadas.

Artigo 17º

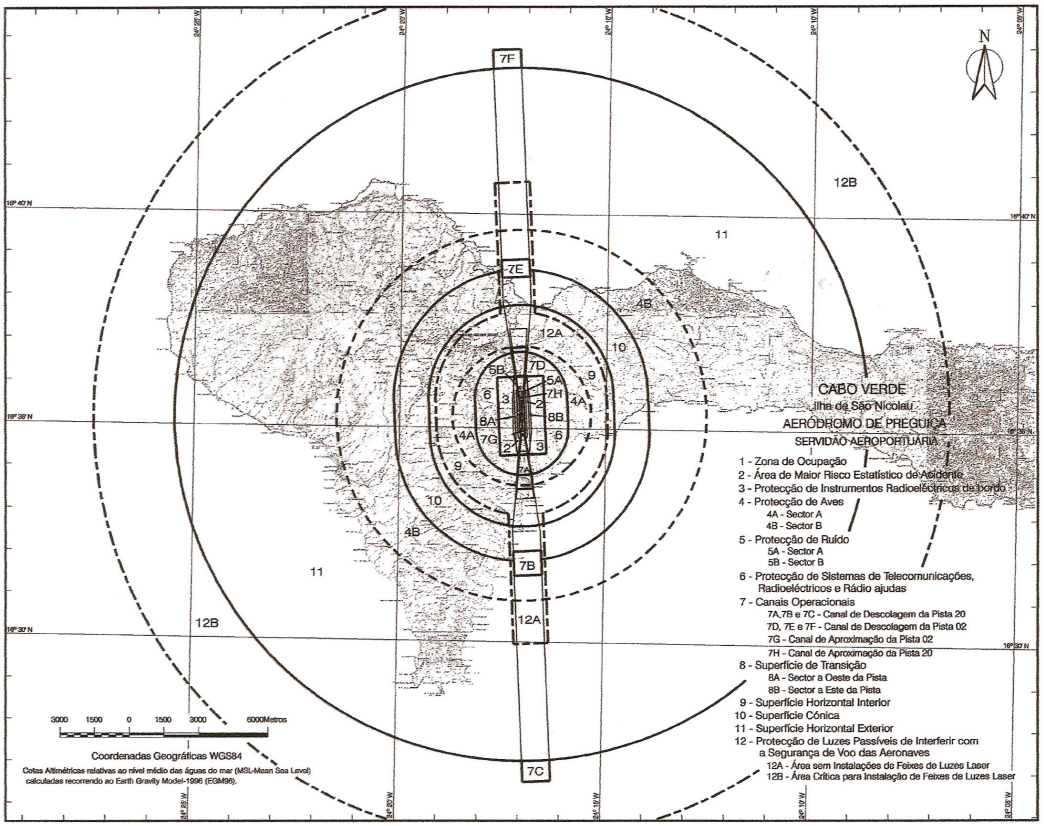
Entrada em vigor

Este regulamento entra em vigor no dia seguinte à data da sua publicação.

O Presidente do Conselho de Administração, *Carlos Brazão Monteiro*

ANEXO I

PLANTA DA SERVIDÃO AEROPORTUÁRIA DO AERÓDROMO DE PREGUIÇA



Agência da Aviação Civil, na Praia, aos 9 Setembro de 2009. – O Presidente do Conselho de Administração, *Carlos Brazão Monteiro*

REGULAMENTO Nº 06/2009

As zonas confinantes com os aeródromos civis e as instalações de apoio à aviação civil estão sujeitas a servidões aeronáuticas, nos termos do artigo 44º do Código Aeronáutico, aprovado pelo Decreto Legislativo 1/2001, de 20 Agosto.

Pelo presente regulamento define-se a servidão aeronáutica do NDB (Non Directional Beacon) do aeródromo de Preguiça e da antena de comunicações VHF – AFIS deste mesmo aeródromo, os quais integram o sistema destinado a garantir a segurança da navegação aérea do aeródromo de Preguiça na ilha de São Nicolau.

Em face das exigências específicas da segurança das instalações de infra-estruturas de apoio e do seu bom funcionamento, torna-se necessário definir as zonas de servidão aeronáutica daqueles equipamentos e os limites do espaço aéreo abrangido por esta servidão.

Foi dado cumprimento ao previsto no artigo 19º do Decreto-Lei 18/2009 de 22 de Junho.

Nestes Termos,

Ao abrigo do disposto nos artigos 44º e 173º do Código Aeronáutico, da alínea *a*) do nº 2 do artigo 12º dos Estatutos da Agencia de Aviação Civil (AAC) aprovado pelo Decreto-Lei nº 28/2008, de 12 de Julho, e nos termos do artigo 21º do Decreto-Lei nº 18/2009, de 22 de Junho, o Conselho de Administração da AAC aprova o seguinte regulamento de servidão radioeléctrica do aeródromo de Preguiça.

Artigo 1º

Objecto

1. O presente regulamento sujeita a servidão aeronáutica as áreas confinantes com o NDB (Non Directional Beacon) instalado na Freguesia de Nossa Senhora do Rosário, Concelho São Nicolau, e com a antena de comunicações VHF – AFIS, instalada na Freguesia de Nossa Senhora do Rosário, Concelho São Nicolau e definida no artigo 2º e delimitadas na planta anexa ao presente regulamento e que dele faz parte integrante.

2. A planta tem como referência o sistema de Coordenadas Geográficas WGS84, e cotas altimétricas relativas ao nível médio das águas do mar (MSL - Mean Sea Level) calculadas de acordo com o modelo "Earth Gravity Model-1996" (EGM96).

Artigo 2º

Âmbito

A servidão aeronáutica radioeléctrica compreende as seguintes zonas:

a) Zona 1A, zona primária de protecção do NDB, compreende toda a área de terreno ou de água delimitada no plano horizontal, por uma circunferência com raio de 200 metros e com centro no ponto com as seguintes coordenadas:

16º 33' 45.60" N
024º 16' 59.44"W

b) Zona 2A, zona secundária de protecção do NDB, compreende toda a área de terreno ou de água confinante com a zona primária deste NDB e delimitada exteriormente em planta, por uma circunferência com 1000 m de raio e com centro no ponto com as mesmas coordenadas da Zona 1A.

c) Zona 1B, zona primária de protecção da antena VHF - AFIS, compreende toda a área de terreno ou de água delimitada no plano horizontal, por uma circunferência com raio de 300 metros e com centro no ponto com as seguintes coordenadas:

16º 35' 23.80" N
024º 17' 09.50"W

d) Zona 2B, zona secundária de protecção da antena VHF - AFIS, compreende toda a área de terreno ou de água confinante com a zona primária desta antena e delimitada exteriormente em planta, por uma circunferência com 2000 m de raio e com centro no ponto com as mesmas coordenadas da Zona 1B.

Artigo 3º

Servidão Particular

As áreas de terreno ou de água compreendidas nas zonas identificadas no artigo 2º ficam, de harmonia com o disposto nos artigos 2º e 6º do Decreto-Lei nº 18/2009, de 22 de Junho, sujeitas a servidão particular, nos termos e condições definidos nos artigos seguintes.

Artigo 4º

Trabalhos e actividades condicionados nas zonas 1A e 1B

1. Na zona 1, identificada nas alíneas *a*) e *c*) do artigo 2º é proibida a execução, sem autorização prévia da AAC, dos seguintes trabalhos ou actividades:

a) Obras de qualquer natureza, mesmo que enterradas ou subterrâneas;

b) Alterações de qualquer forma, por meio de escavações ou aterros, do relevo e da configuração do solo;

c) Criação de vedações não compreendidas na provisão da alínea *a*), mesmo que sejam sebes ou divisórias de propriedades;

d) Plantações de árvores e arbustos bem como desenvolvimento de vegetação com altura superior a 1,5 m acima do solo;

e) Instalação de postes, linhas ou cabos aéreos de qualquer natureza;

f) Instalação de geradores eólicos;

g) Depósitos quer permanentes quer temporários de materiais explosivos ou outros materiais perigosos para a segurança do NDB e da antena VHF - AFIS;

h) Montagem e funcionamento de aparelhagem eléctrica para além dos electrodomésticos comuns;

i) Quaisquer actos ou actividades que inequivocamente possam afectar a segurança, o funcionamento ou a eficiência do NDB e da antena VHF - AFIS.

2. Caso a execução dos trabalhos ou actividades enumerados no nº 1 esteja sujeita a autorização ou licenciamento de qualquer entidade pública, nomeadamente municipal, essa entidade só poderá concedê-los após parecer favorável da AAC.

Artigo 5º

Trabalhos e actividades condicionados na zona 2A do NDB

1. Na zona 2A, identificada na alínea *b*) do artigo 2º, é proibida a prática, sem autorização prévia da AAC, dos seguintes trabalhos e actividades:

a) A prática dos trabalhos ou actividades previstos nas alíneas *f), g), h)* e *i)* do número 1) do artigo 4º.

b) A prática dos trabalhos ou actividades previstos nas alíneas *a), b), c*), *d*) e *e)* do número 1) do artigo 4º, quando os obstáculos criados em resultado desses actos ou actividades ultrapassem uma superfície limitativa de obstáculos que se eleva a partir do limite exterior da zona primária de protecção do NDB, considerando-se este limite situado à cota absoluta de 72.30 metros.

2. A inclinação da superfície limitativa de obstáculos referida na alínea *b)* do número anterior é de 10%.

3. Caso a execução dos trabalhos ou actividades enumerados no número 1) esteja sujeita a autorização ou licenciamento de qualquer entidade pública, nomeadamente municipal, essa entidade só poderá concedê-los mediante parecer prévio favorável da AAC.

Artigo 6º

Trabalhos e actividades condicionados na zona 2B da antena VHF - AFIS

1. Na zona 2B, identificada na alínea *d)* do artigo 2º, é proibida a prática, sem autorização prévia da AAC, dos seguintes trabalhos e actividades:

a) A prática dos trabalhos ou actividades previstos nas alíneas *f), g), h)* e *i)* do número 1) do artigo 4º.

b) A prática dos trabalhos ou actividades previstos nas alíneas *a), b), c), d)* e *e)* do número 1) do artigo 4º, quando os obstáculos criados em resultado desses actos ou actividades ultrapassem uma superfície limitativa de obstáculos que se eleva a partir do local de instalação da antena e cujas coordenadas são referidas na alínea *c)* do artigo 2º deste diploma, considerando-se a origem desta superfície limitativa, situada à cota absoluta de 191.00 metros.

2. A inclinação da superfície limitativa de obstáculos referida na alínea *b)* do número anterior é de 5%.

3. Caso a execução dos trabalhos ou actividades enumerados no número 1) esteja sujeita a autorização ou licenciamento de qualquer entidade pública, nomeadamente municipal, essa entidade só poderá concedê-los mediante parecer prévio favorável da AAC.

Artigo 8º

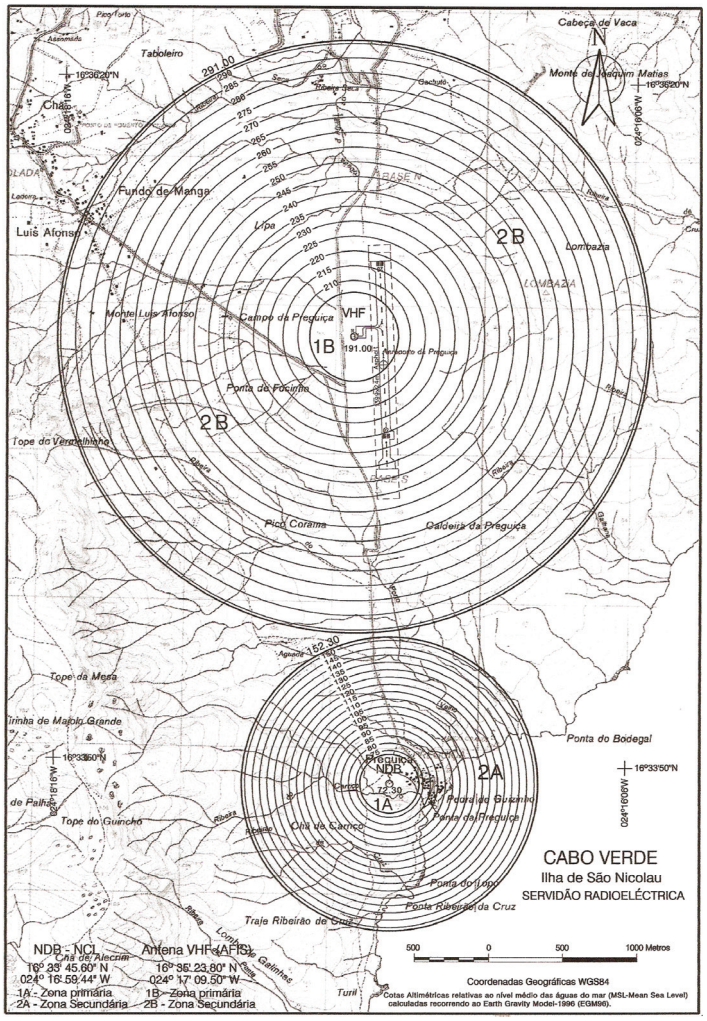
Entrada em vigor

Este regulamento entra em vigor no dia seguinte à data da sua publicação.

O Presidente do Conselho de Administração, *Carlos Brazão Monteiro*

ANEXO I

PLANTA DA SERVIDÃO RADIOELÉCTRICA DO AERÓDROMO DE PREGUIÇA – ILHA DE SÃO NICOLAU



Agência da Aviação Civil, na Praia, aos 9 Setembro de 2009. – O Presidente do Conselho de Administração, *Carlos Brazão Monteiro*

REGULAMENTO Nº 07/2009

As zonas confinantes com os aeródromos civis e as instalações de apoio à aviação civil estão sujeitas a servidões aeronáuticas, nos termos do artigo 44º do Código Aeronáutico, aprovado pelo Decreto Legislativo 1/2001, de 20 Agosto.

Em face das exigências estabelecidas no Anexo 14 à Convenção Internacional sobre Aviação Civil, ratificada por Cabo Verde em 19 de Agosto de 1976, bem como das exigências específicas decorrentes da protecção da operacionalidade e funcionalidade do Aeroporto da Boavista e da segurança das respectivas instalações e infra-estruturas de apoio, e ainda da segurança de voo, torna-se necessário definir as zonas de servidão aeronáutica daquele aeroporto e os limites do espaço aéreo abrangido pelas mesmas.

Foi dado cumprimento ao previsto no artigo 19º do Decreto- Lei nº 18/2009, de 22 de Junho.

Nestes termos,

Ao abrigo do disposto nos artigos 44º e 173º do Código Aeronáutico, da alínea *a*) do nº 2 do artigo 12º dos Estatutos da Agencia de Aviação Civil (AAC) aprovado pelo Decreto-Lei nº 28/2008, de 12 de Julho, e nos termos do artigo 21º do Decreto-Lei nº 18/2009, de 22 de Junho, a AAC aprova o seguinte regulamento de servidão aeroportuária do Aeroporto da Boavista.

Artigo 1º

Objecto

1. Fica sujeita a servidão aeronáutica a área confinante com o Aeroporto da Boavista, situado na Ilha da Boavista, abrangida na planta anexa ao presente regulamento e que dele faz parte integrante.

2. A planta tem como referência o sistema de Coordenadas Geográficas WGS84, e cotas altimétricas relativas ao nível médio das águas do mar (MSL - Mean Sea Level) calculadas de acordo com o modelo "Earth Gravity Model-1996" (EGM96).

Artigo 2º

Âmbito

A área sujeita a servidão compreende as seguintes zonas:

a) Zona 1, ocupação, compreende toda a área de terreno ocupada pelas infra estruturas que integram o aeroporto, conforme delimitada pela cerca permanente em vedação do aeroporto.

b) Zona 2, protecção da área de maior risco estatístico de acidente, compreende toda a área de terreno ou de água que é, estatisticamente, de maior risco de acidente, constituída por um rectângulo de 300 m de largura, sendo 150 m para cada lado do eixo da pista, e com um comprimento que se estende ao longo da pista acrescido de 1000 m para além da

c) Intersecção do eixo da pista com o lado interior de cada um dos canais de aproximação e cujos limites são dados pela linha poligonal com vértice nos pontos de coordenadas:

1	2	3	4
16º 09' 21.55" N 022º 53' 03.42" W	16º 09' 18.75" N 022º 52' 53.74" W	16º 07' 07.23" N 022º 53' 34.51" W	16º 07' 10.03" N 022º 53' 44.18" W

d) Zona 3, protecção de instrumentos radioeléctricos de bordo, compreende toda a área de terreno ou de água constituída por um rectângulo de 2000 m de largura, sendo 1000 m para cada lado do eixo da pista, e com um comprimento igual ao comprimento da pista acrescido de 1000 m para além de cada um dos seus topos, sendo os limites dados pela linha poligonal com vértices nos pontos de coordenadas:

1	2	3	4
16º 09' 27.61" N 022º 53' 31.40" W	16º 09' 08.94" N 022º 52' 26.92" W	16º 07' 01.17" N 022º 53' 06.53" W	16º 07' 19.84" N 022º 54' 11.00" W

e) Zona 4, protecção de aves, compreende a área de terreno ou de água, constituída por dois sectores, sector A e sector B, limitados exteriormente em planta por dois círculos concêntricos, de 3000 m e 8000 m de raio respectivamente, com centro no ponto de referência do aeródromo (ARP), cujas coordenadas são:

ARP
16º 08' 14.40" N 022º 53' 18.96" W

f) Zona 5, protecção de ruído, compreende a área de terreno ou de água necessária para protecção, constituída por dois sectores, cujos limites são:

i. Sector A – limitado exteriormente, em planta, por dois arcos de círculo de 240 m de raio e respectivos segmentos tangentes. Os centros dos arcos de círculo, situam-se nos seguintes pontos de coordenadas:

1	2
16º 09' 28.25" N 022º 52' 56.07" W	16º 07' 00.53" N 022º 53' 41.85" W

ii. Sector B – envolvendo o sector A e limitado exteriormente, em planta, por dois arcos de círculo de 600 m de raio e respectivos segmentos tangentes. Os centros dos arcos de círculo, situam-se nos seguintes pontos de coordenadas:

1	2
16º 09' 48.19" N 022º 52' 49.88" W	16º 06' 40.59" N 022º 53' 48.03" W

g) Zona 6, protecção de sistemas de telecomunicações, radioeléctricos e rádio ajudas, sem prejuízo das servidões específicas estabelecidas para as infra-estruturas de apoio à navegação aérea, compreende a área de terreno ou de água necessária à segurança de voo e à segurança e operacionalidade aeroportuária destinada à adequada protecção de sistemas de vigilância, de telecomunicações, radioeléctricos e de rádio ajudas, limitada em planta

h) Por dois arcos de círculo de 2000 m de raio e respectivos segmentos tangentes. Os centros dos arcos de círculo situam-se na intersecção do eixo da pista com a face interior de cada um dos canais de aproximação nos pontos de coordenadas:

1	2
16º 08' 48.99" N 022º 53' 08.24" W	16º 07' 39.79" N 022º 53' 29.69" W

i) Zona 7, canais operacionais, compreende a área de terreno ou de água, com diversos sectores delimitados por linhas poligonais, com vértices nos seguintes pontos:

Sector 7A – canal de descolagem – pista 21 (inclinação 2%)			
1	2	3	4
16º 07' 38.14" N 022º 53' 33.36" W	16º 07' 36.46" N 022º 53' 27.56" W	16º 06' 23.72" N 022º 53' 40.22" W	16º 06' 30.66" N 022º 54' 04.15" W

Sector 7B – canal de descolagem – pista 21 (inclinação 2%)			
1	2	3	4
16º 05' 05.31" N 022º 54' 38.63" W	16º 04' 54.10" N 022º 53' 59.96" W	16º 03' 45.79" N 022º 54' 21.12" W	16º 03' 56.99" N 022º 54' 59.80" W

Sector 7C – canal de descolagem – pista 21 (inclinação 2%)			
1	2	3	4
15º 59' 57.98" N 022º 56' 13.80" W	15º 59' 46.79" N 022º 55' 35.15" W	15º 59' 44.29" N 022º 55' 35.92" W	15º 59' 55.49" N 022º 56' 14.58" W

Sector 7D – canal de descolagem – pista 03 (inclinação 2%)			
1	2	3	4
16º 09' 48.51" N 022º 53' 00.54" W	16º 09' 42.79" N 022º 52' 40.80" W	16º 08' 50.95" N 022º 53' 04.47" W	16º 08' 52.63" N 022º 53' 10.27" W

Sector 7E – canal de descolagem – pista 03 (inclinação 2%)			
1	2	3	4
16º 12' 27.05" N 022º 52' 21.71" W	16º 12' 15.85" N 022º 51' 43.01" W	16º 11' 32.79" N 022º 51' 56.36" W	16º 11' 44.00" N 022º 52' 35.06" W

Sector 7F – canal de descolagem – pista 03 (inclinação 2%)			
1	2	3	4
16º 16' 44.79" N 022º 51' 01.76" W	16º 16' 33.58" N 022º 50' 23.04" W	16º 16' 30.78" N 022º 50' 23.91" W	16º 16' 41.99" N 022º 51' 02.63" W

Sector 7G – canal de aproximação – pista 03 (1ª secção - inclinação 2%)			
1	2	3	4
16º 07' 41.19" N 022º 53' 34.52" W	16º 07' 38.39" N 022º 53' 24.85" W	16º 06' 25.13" N 022º 53' 35.70" W	16º 06' 26.31" N 022º 53' 39.77" W
5	6	7	8
16º 07' 36.46" N 022º 53' 27.56" W	16º 07' 38.14" N 022º 53' 33.36" W	16º 06' 33.06" N 022º 54' 03.06" W	16º 06' 34.22" N 022º 54' 07.13" W

Sector 7H – canal de aproximação – pista 03 (2ª secção - inclinação 2.5%)			
1	2	3	4
16º 04' 58.00" N 022º 54' 53.98" W	16º 04' 53.70" N 022º 54' 42.23" W	16º 04' 25.97" N 022º 54' 50.82" W	16º 04' 30.73" N 022º 55' 07.26" W

Sector 7I – canal de aproximação – pista 03 (2ª secção – inclinação 2.5%)			
1	2	3	4
16º 04' 42.50" N 022º 54' 03.55" W	16º 04' 39.84" N 022º 53' 51.29" W	16º 04' 10.01" N 022º 53' 55.71" W	16º 04' 14.77" N 022º 54' 12.15" W

Sector 7J – canal de aproximação – pista 03 (secção horizontal)			
1	2	3	4
16º 00' 52.69" N 022º 56' 53.35" W	16º 00' 11.47" N 022º 54' 31.02" W	15º 59' 29.98" N 022º 54' 37.16" W	16º 00' 14.78" N 022º 57' 11.79" W

Sector 7K – canal de aproximação – pista 21 (1ª secção - inclinação 2%)			
1	2	3	4
16º 09' 46.67" N 022º 53' 04.74" W	16º 09' 45.60" N 022º 53' 01.05" W	16º 08' 52.63" N 022º 53' 10.27" W	16º 08' 50.95" N 022º 53' 04.47" W
5	6	7	8
16º 09' 40.10" N 022º 52' 42.04" W	16º 09' 39.03" N 022º 52' 38.35" W	16º 08' 47.59" N 022º 53' 03.40" W	16º 08' 50.39" N 022º 53' 13.07" W

Sector 7L – canal de aproximação – pista 21 (secção horizontal)			
1	2	3	4
16º 16' 58.79" N 022º 52' 00.70" W	16º 16' 13.96" N 022º 49' 25.85" W	16º 15' 36.06" N 022º 49' 44.33" W	16º 16' 17.32" N 022º 52' 06.84" W

j) Zona 8, superfície de transição, compreende a superfície de terreno ou de água, com inclinação de 14.3%, confinante com a faixa da pista e a zona 7 (sectores G e K), limitada em altura pela cota dos 62.25 m, correspondente à superfície horizontal interior (Zona 9) e definida pelos pontos com as seguintes coordenadas:

i. Sector 8A, a Oeste da Pista:

1	2	3	4
16º 09' 46.67" N 022º 53.04.74" W	16º 08' 50.39" N 022º 53' 13.07" W	16º 07' 41.19" N 022º 53' 34.52" W	16º 06' 34.23" N 022º 54' 07.13" W

ii. Sector 8B, a Este da pista:

1	2	3	4
16º 08' 47.59" N 022º 53' 03.40" W	16º 09' 39.03" N 022º 52' 38.35" W	16º 06' 25.13" N 022º 53' 35.70" W	16º 07' 38.39" N 022º 53' 24.85" W

k) Zona 9, superfície horizontal interior, compreende a superfície de terreno ou de água, situada à cota de 62.25 m e delimitada exteriormente em planta por dois arcos de círculo de 4000 m de raio ligados pelos segmentos tangentes. Os arcos de círculo têm centro nos pontos com as seguintes coordenadas:

1	2
16º 07' 38.39" N 022º 53' 24.85" W	16º 07' 39.34" N 022º 53' 28.83" W

l) Zona 10, superfície cónica, compreende a superfície de terreno ou de água, confinante interiormente com a zona 9 e exteriormente com a zona 11, com uma inclinação de 5%, delimitada em planta por dois arcos de círculo de 6000 m de raio ligados pelos segmentos tangentes. Os arcos de círculo têm centro nos pontos de coordenadas:

1	2
16º 07' 38.39" N 022º 53' 24.85" W	16º 07' 39.34" N 022º 53' 28.83" W

m) Zona 11, superfície horizontal exterior, compreende a superfície de terreno ou de água, situada à cota de 162.25 m, confinante interiormente com a zona 10 e delimitada exteriormente em planta por um círculo de 15000 m de raio, com centro no ponto de referência do aeródromo (ARP);

n) Zona 12, protecção de luzes passíveis de interferir com a segurança de voo, compreende as áreas de terreno ou de água constituída por dois sectores, cujos limites são:

i) Sector A, área sem instalações de feixes de luzes laser, limitado:

A) Por dois arcos de círculo de 3700 m de raio ligados pelos segmentos tangentes. Os centros dos arcos de círculo situam-se na intersecção do eixo de cada pista com o lado interior de cada um dos canais de aproximação e têm coordenadas:

1	2
16º 08' 48.99" N 022º 53' 08.24" W	16º 07' 39.79" N 022º 53' 29.69" W

B) pelas duas áreas externas e simétricas em relação ao eixo da pista com 1500m de largura, que se prolongam por uma distância de 5600m e cujos limites se encontram definidos pelos pontos de coordenadas:

1	2	3	4
16º 13' 45.78" N 022º 52' 02.57" W	16º 13' 31.77" N 022º 51' 14.19" W	16º 10' 34.88" N 022º 52' 09.05"W	16º 10' 48.89" N 022º 52' 57.42" W
1	2	3	4
16º 05' 53.89" N 022º 54' 28.85" W	16º 05' 39.89" N 022º 53' 40.50" W	16º 20' 43.00" N 022º 54' 35.31" W	16º 20' 57.00" N 022º 55' 23.64" W

C) E em altura pela cota de 700 m

i) Sector B, área crítica para instalação de feixes de luzes laser, envolvendo o sector A e delimitado:

A) Em planta por um círculo de 18500 m de raio com centro no ponto de referência do aeródromo (ARP);

B) E em altura pela cota de 3070m.

Artigo 3º

Servidão Particular

As áreas de terreno ou de água compreendidas nas zonas identificadas no artigo 2º ficam, de harmonia com o disposto nos artigos 2º e 6º do Decreto-Lei nº 18/2009, de 22 de Junho, sujeitas a servidão particular, nos termos e condições definidos nos artigos seguintes.

Artigo 4º

Trabalhos e actividades condicionados nas zonas 1 e 2

1. Exceptuados os casos previstos no número seguinte, nas zonas 1 e 2, é proibida a execução, sem autorização prévia da AAC, dos seguintes trabalhos ou actividades:

a) Obras de qualquer natureza, mesmo que enterradas ou subterrâneas;

b) Alterações de qualquer forma, por meio de escavações ou aterros, do relevo e da configuração do solo;

c) Criação de vedações não compreendidas na provisão da alínea *a*), mesmo que sejam sebes ou divisórias de propriedades;

d) Plantações de árvores e arbustos;

e) Instalação de geradores eólicos, postes, linhas ou cabos aéreos de qualquer natureza;

f) Instalação de quaisquer dispositivos luminosos incluindo a iluminação pública;

g) Depósitos quer permanentes quer temporários de materiais explosivos ou outros materiais perigosos para a segurança do aeroporto;

h) Montagem e funcionamento de aparelhagem eléctrica para além dos electrodomésticos comuns;

i) Quaisquer actos ou actividades que inequivocamente possam afectar a segurança, o funcionamento ou a eficiência do aeroporto.

2. Caso a execução dos trabalhos ou actividades enumerados no nº 1 esteja sujeita a autorização ou licenciamento de qualquer entidade pública, nomeadamente municipal, essa entidade só poderá concedê-los após parecer favorável da AAC.

3. Na zona 2 fica ainda dependente do parecer favorável ou da autorização prévia, consoante os casos, da AAC, a construção de escolas, hospitais, ou estabelecimentos de carácter similar, lares de terceira idade, recintos desportivos ou outros susceptíveis de conduzirem à aglomeração de grande público, bem como a afectação de edifícios ou recintos existentes aos fins atrás indicados.

4. Face ao potencial agravamento de custos que em caso de acidente com aeronave possam advir da existência de construções, instalações, obstáculos e actividades na zona 2, são constituídas co-responsáveis nesse agravamento de custos todas as entidades que tenham licenciado ou autorizado, bem como aquelas que detendo poderes de intervenção na sua concretização os não tenham exercido adequadamente.

Artigo 5º

Instalação de sistemas emissores radioeléctricos na zona 3

Na zona 3 fica dependente da autorização prévia da AAC a instalação de sistemas emissores radioeléctricos cuja potência efectiva radiada isotrópica determine campos eléctricos, ao nível de voo da aeronave, superiores à sua imunidade e susceptibilidade electro-magnética potenciando, por isso, interferências nos equipamentos de bordo.

Artigo 6º

Actividades condicionadas na zona 4

1. Na zona 4, carece de parecer favorável ou de autorização prévia da AAC consoante os casos:

a) A implantação de reservas naturais de aves;

b) A implantação de instalações destinadas a aves com aptidão de voo livre no exterior dessas instalações, nomeadamente pombais;

c) A exploração de culturas que potenciem a atracção de aves ou contribuam para a promoção de correntes migratórias que cruzem a zona;

d) A construção de infra-estruturas destinadas a, ou a exploração de actividades de gestão, manuseamento, compactação, tratamento ou deposição de resíduos domésticos, comerciais ou industriais, de matérias de esgotos e de estrumes, de materiais de tratamento de plantas, de dragagem, ou de matéria putrescível.

e) A instalação de estações de tratamento de águas residuais, ou de modificação de áreas aquáticas, tais como reservatórios, lagoas, tanques, terrenos alagados e pântanos.

2. Na zona 4 são interditas:

a) No sector A, todas as actividades que envolvam a permanência de aves em estado livre;

b) No sector B, todas as actividades de columbofilia e columbicultura.

Artigo 7º

Actividades condicionadas na zona 5

1. Não são permitidos edifícios para habitação no sector A nem serviços públicos tais como hospitais e escolas nos sectores A e B.

2. Carecem de parecer e autorização prévios:

a) A construção de edifícios de actividades comerciais e industriais os quais, em ambos os sectores A e B, deverão possuir isolamento acústico adequado;

b) Actividades recreativas ao ar livre em ambos os sectores A e B;

c) A construção de casas de habitação, as quais no sector B deverão possuir isolamento acústico adequado.

Artigo 8º

Actividades condicionadas na zona 6

Na zona 6, e sem prejuízo das disposições especificamente estabelecidas para as infra-estruturas de apoio à navegação aérea, é proibido realizar, sem parecer favorável ou sem autorização prévia da AAC:

a) A criação de quaisquer obstáculos, mesmo que de carácter temporário.

b) A instalação de sistemas ou equipamentos ou o exercício de actividade que possam originar interferências electromagnéticas ou possam contribuir para a degradação de qualidade de funcionamento, incluindo a diminuição do campo de cobertura dos sistemas de comunicações, de vigilância e de ajuda rádio às operações aéreas.

c) A execução de quaisquer obras, instalações e construções, seja qual for a sua natureza, sujeitas ou não a licenciamento municipal.

Artigo 9º

Obras, instalações, construções e actividades na zona 7

1. Exceptuados os casos previstos no número seguinte, na zona 7, sectores A, D, G e K, é proibida a execução, sem autorização prévia da AAC, dos seguintes trabalhos ou actividades:

a) Obras de qualquer natureza, mesmo que sejam enterradas ou subterrâneas;

b) Alterações de qualquer forma, por meio de escavações ou aterros, do relevo e da configuração do solo;

c) Criação de vedações não compreendidas na provisão da alínea *a*), mesmo que sejam sebes ou divisórias de propriedades;

d) Plantações de árvores e arbustos;

e) Instalação de geradores eólicos, postes, linhas ou cabos aéreos de qualquer natureza;

f) Instalação de quaisquer dispositivos luminosos incluindo a iluminação pública;

g) Depósitos quer permanentes quer temporários de materiais explosivos ou outros materiais perigosos para a segurança do aeroporto;

h) Montagem e funcionamento de aparelhagem eléctrica para além dos electrodomésticos comuns;

i) Quaisquer actos ou actividades que inequivocamente possam afectar a segurança, o funcionamento ou a eficiência do aeroporto.

2. Caso a execução dos trabalhos ou actividades enumerados no nº 1 esteja sujeita a autorização ou licenciamento de qualquer entidade pública, nomeadamente municipal, essa entidade só poderá concedê-los mediante parecer prévio favorável da AAC.

3. Na zona 7, sectores B, C, E, F, H, I, J e L, fica sujeita a parecer favorável da AAC a realização de quaisquer obras, instalações e construções, seja qual a sua natureza, sujeitas ou não a licenciamento de qualquer entidade pública, nomeadamente municipal, cujas cotas máximas atinjam as cotas estabelecidas para os referidos sectores.

4. As cotas máximas estabelecidas para cada um dos sectores são as seguintes:

Sector	Características da limitação
Canal de descolagem – Pista 21	
7B	Cota variável a 2%, de 118.40 m a 162.25 m
7C	Cota variável a 2%, de 315.65 m a 317.25 m
Canal de descolagem – Pista 03	
7E	Cota variável a 2%, de 134.61 m a 162.25 m
7F	Cota variável a 2%, de 325.88 m a 327.68 m
Canal de aproximação – Pista 03	
7H	Cota variável a 2.5%, de 140.00 m a 162.25 m
7I	Cota variável a 2.5%, de 140.00 m a 162.25 m
7J	Cota constante de 167.25 m
Canal de aproximação – Pista 21	
7L	Cota constante de 177.68 m

Artigo 10º

Obras, instalações, construções e actividades na zona 8

1. Exceptuados os casos previstos no número seguinte, na zona 8 é proibida a execução sem autorização prévia da AAC, dos seguintes trabalhos ou actividades:

a) Obras de qualquer natureza, mesmo que sejam enterradas ou subterrâneas;

b) Alterações de qualquer forma, por meio de escavações ou aterros, do relevo e da configuração do solo;

c) Criação de vedações não compreendidas na provisão da alínea *a*), mesmo que sejam sebes ou divisórias de propriedades;

d) Plantações de árvores e arbustos;

e) Instalação de geradores eólicos, postes, linhas ou cabos aéreos de qualquer natureza;

f) Instalação de quaisquer dispositivos luminosos incluindo a iluminação pública;

g) Depósitos quer permanentes quer temporários de materiais explosivos ou outros materiais perigosos para a segurança do aeroporto;

h) Montagem e funcionamento de aparelhagem eléctrica para além dos electrodomésticos comuns;

i) Quaisquer actos ou actividades que inequivocamente possam afectar a segurança, o funcionamento ou a eficiência do aeroporto.

2. Caso a execução dos trabalhos ou actividades enumerados no nº 1 esteja sujeita a autorização ou licenciamento de qualquer entidade pública, nomeadamente municipal, essa entidade só poderá concedê-los mediante parecer prévio favorável da AAC.

3. Fica ainda sujeito ao parecer favorável ou autorização prévia, consoante os casos, da AAC o licenciamento ou autorização de actividades ou eventos que potenciem o ajuntamento de pessoas na zona 8.

Artigo 11º

Obras, instalações, construções e actividades na zona 9

Na zona 9, ficam sujeitas a parecer favorável ou autorização da AAC, consoante o caso, a execução de quaisquer obras, instalações e construções, sujeitas ou não a licenciamento municipal, seja qual for a sua natureza, e a criação de quaisquer outros obstáculos, mesmo que temporários, cuja cota máxima atinja a cota absoluta de 139.50 m.

Artigo 12º

Obras, instalações, construções e actividades na zona 10

Na zona 10, ficam sujeitas a parecer favorável ou a autorização prévia da AAC, consoante o caso, a execução de quaisquer obras, instalações e construções, sujeitas ou não a licenciamento municipal, seja qual for a sua natureza, bem como a criação de quaisquer outros obstáculos, mesmo que temporários, cuja cota máxima ultrapasse a cota de uma superfície com cota variável a 5%, variando de 139.50m a 239.50m.

Artigo 13º

Obras, instalações, construções e actividades na zona 11

Na zona 11, ficam sujeitas a parecer favorável ou a autorização prévia da AAC, consoante os casos, a execução de quaisquer obras, instalações e construções, sujeitas ou não a licenciamento municipal, seja qual for a sua natureza, bem como a criação de quaisquer outros obstáculos, mesmo que temporários, cuja cota máxima atinja 239.50 m.

Artigo 14º

Instalação de equipamentos emissores de feixes de luz laser e instalação de luzes na zona 12

No interior da zona 12, ficam sujeitas a parecer favorável ou a autorização prévia da AAC, consoante os casos:

1. No sector A:

a) A instalação de equipamentos emissores de feixes de luz laser cuja intensidade de luz emitida seja superior a 50ηW/cm^2 (50 nanowatt/centímetro ao quadrado);

b) A instalação de luzes que, não fazendo parte das infra-estruturas aeroportuárias de apoio à segurança de voo, possam obstar ou confundir, pela sua intensidade, configuração ou cor, a correcta interpretação das luzes aeronáuticas associadas aos sistemas de apoio à segurança de voo;

2. No sector B:

A instalação de equipamentos emissores de feixes de luz laser com intensidade de luz emitida superior a 5μW/cm^2 (5 microwatt por centímetro quadrado).

Artigo 15º

Actividades proibidas e condicionadas em todas as zonas

1. Em todas as zonas definidas no artigo 2º, é proibido, sem autorização prévia da AAC:

a) O lançamento para o ar de projécteis ou outros objectos incluindo fogos-de-artifício, focos luminosos e outros.

b) O exercício de quaisquer actividades que possam conduzir à criação de interferências nas comunicações rádio aeronáuticas.

c) Produzir poeiras ou fumos susceptíveis de alterar as condições de visibilidade.

d) De uma forma geral realizar quaisquer actividades susceptíveis de pôr em risco a segurança aeroportuária e de navegação aérea.

2. A execução nas zonas 1,2,7,8 e 9 de todas as construções e instalações que possam conduzir à criação de interferências nas comunicações rádio aeronáuticas carece de parecer favorável da AAC.

Artigo 16º

Sobreposição de restrições ou condicionantes numa mesma parcela de terreno

1. Quando sobre uma determinada parcela de terreno ou local incidirem condicionantes ou restrições com a mesma natureza ou objecto estabelecidas no presente decreto-lei para duas ou mais zonas de servidão, aplica-se sempre aquela condicionante ou restrição que for mais gravosa ou restritiva.

2. Se sobre uma determinada parcela de terreno ou local incidirem condicionantes ou restrições com diferente natureza ou objecto estabelecidas no presente decreto-lei para duas ou mais zonas de servidão, essas condicionantes ou restrições devem ser cumulativamente aplicadas.

Artigo 17º

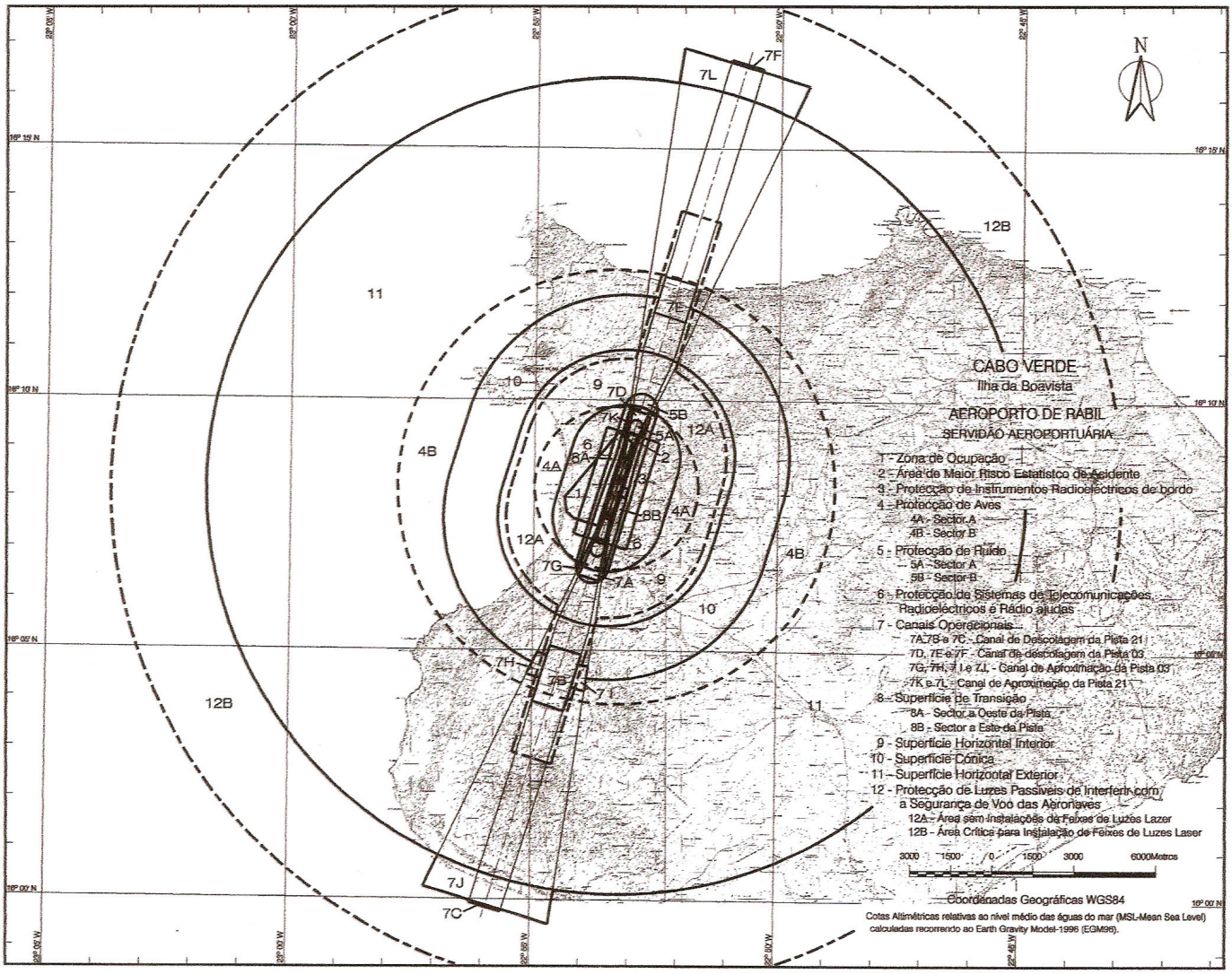
Entrada em vigor

Este regulamento entra em vigor no dia seguinte à data da sua publicação.

O Presidente do Conselho de Administração, *Carlos Brazão Monteiro*

ANEXO I

PLANTA DA SERVIDÃO AEROPORTUÁRIA DO AEROPORTO DA BOAVISTA



Agência da Aviação Civil, na Praia, aos 9 Setembro de 2009. – O Presidente do Conselho de Administração, *Carlos Brazão Monteiro*

REGULAMENTO Nº 08/2009

As zonas confinantes com os aeródromos civis e as instalações de apoio à aviação civil estão sujeitas a servidões aeronáuticas, nos termos do artigo 44º do Código Aeronáutico, aprovado pelo Decreto-Legislativo 1/2001, de 20 Agosto.

Pelo presente regulamento define-se a servidão aeronáutica do NDB (Non Directional Beacon) do aeroporto da Boavista e da Antena de comunicações VHF - ATIS deste mesmo aeroporto, os quais integram o sistema destinado a garantir a segurança da navegação aérea.

Em face das exigências específicas da segurança das instalações de infra-estruturas de apoio e do seu bom funcionamento, torna-se necessário definir as zonas de servidão aeronáutica daquelas rádio-ajudas e os limites do espaço aéreo abrangido por esta servidão.

Foi dado cumprimento ao previsto no artigo 19º do Decreto-Lei nº 18/2009, de 22 de Junho.

Nestes Termos,

Ao abrigo do disposto nos artigos 44º e 173º do Código Aeronáutico, da alínea *a*) do nº 2 do artigo 12º dos Estatutos da Agencia de Aviação Civil (AAC) aprovado pelo Decreto-lei 28/2008, de 12 de Julho, e nos termos do artigo 21º do Decreto-Lei 18/2009 de 22 de Junho, o Conselho de Administração da AAC aprova o seguinte regulamento de servidão radioeléctrica do Aeroporto da Boavista.

Artigo 1º

Objecto

1. O presente regulamento sujeita a servidão aeronáutica a área confinante com o NDB (Non Directional Beacon) do Aeroporto da Boavista instalado no Concelho da Boavista, e da Antena de comunicações VHF - ATIS deste aeroporto, instalada no Concelho da Boavista e definida no artigo 2º e delimitada na planta anexa ao presente regulamento e que dele faz parte integrante.

2. A planta tem como referência o sistema de Coordenadas Geográficas WGS84, e cotas altimétricas relativas ao nível médio das águas do mar (MSL - Mean Sea Level) calculadas de acordo com o modelo "Earth Gravity Model-1996" (EGM96).

Artigo 2º

Âmbito

A servidão aeronáutica radioeléctrica compreende as seguintes zonas:

a) Zona 1A, zona primária de protecção do NDB, compreende toda a área de terreno ou de água delimitada no plano horizontal, por uma circunferência com raio de 200 metros e com centro no ponto com as seguintes coordenadas:

16º 08' 03.40" N
022º 53' 17.07"W

b) Zona 2A, zona secundária de protecção do NDB, compreende toda a área de terreno ou de água confinante com a zona primária deste NDB e delimitada exteriormente em planta, por uma circunferência com 1000 m de raio e com centro no ponto com as mesmas coordenadas da Zona 1A.

c) Zona 1B, zona primária de protecção Antena VHF - ATIS, compreende toda a área de terreno ou de água delimitada no plano horizontal, por uma circunferência com raio de 300 metros e com centro no ponto com as seguintes coordenadas:

16º 08' 05.80" N 022º 53' 31.50"W

d) Zona 2B, zona secundária de protecção da Antena VHF – ATIS, compreende toda a área de terreno ou de água confinante com a zona primária desta antena e delimitada exteriormente em planta, por uma circunferência com 2000 m de raio e com centro no ponto com as mesmas coordenadas da Zona 1B.

Artigo 3º

Servidão Particular

As áreas de terreno ou de água compreendidas nas zonas identificadas no artigo 2º ficam, de harmonia com o disposto nos artigos 2º e 6º do Decreto-Lei nº 18/2009, de 22 de Junho, sujeitas a servidão particular, nos termos e condições definidos nos artigos seguintes.

Artigo 4º

Trabalhos e actividades condicionados nas zonas 1A e 1B

1. Na zona 1, identificada nas alíneas *a)* e *c)* do artigo 2º é proibida a execução, sem autorização prévia da AAC, dos seguintes trabalhos ou actividades:

a) Obras de qualquer natureza, mesmo que enterradas ou subterrâneas;

b) Alterações de qualquer forma, por meio de escavações ou aterros, do relevo e da configuração do solo;

c) Criação de vedações não compreendidas na provisão da alínea *a*), mesmo que sejam sebes ou divisórias de propriedades;

d) Plantações de árvores e arbustos bem como desenvolvimento de vegetação com altura superior a 1,5 m acima do solo;

e) Instalação de postes, linhas ou cabos aéreos de qualquer natureza;

f) Instalação de geradores eólicos;

g) Depósitos quer permanentes quer temporários de materiais explosivos ou outros materiais perigosos para a segurança do NDB e da Antena VHF - ATIS;

h) Montagem e funcionamento de aparelhagem eléctrica para além dos electrodomésticos comuns;

i) Quaisquer actos ou actividades que inequivocamente possam afectar a segurança, o funcionamento ou a eficiência do NDB e da Antena VHF - ATIS.

2. Caso a execução dos trabalhos ou actividades enumerados no nº 1 esteja sujeita a autorização ou licenciamento de qualquer entidade pública, nomeadamente municipal, essa entidade só poderá concedê-los após parecer favorável da AAC.

Artigo 5º

Trabalhos e actividades condicionados na zona 2A do NDB

1. Na zona 2A, identificada na alínea *b)* do artigo 2º, é proibida a prática, sem autorização prévia da AAC, dos seguintes trabalhos e actividades:

a) A prática dos trabalhos ou actividades previstos nas alíneas *f), g), h)* e *i)* do número 1) do artigo 4º.

b) A prática dos trabalhos ou actividades previstos nas alíneas *a), b), c), d)* e *e)* do número 1) do artigo 4º, quando os obstáculos criados em resultado desses actos ou actividades ultrapassem uma superfície limitativa de obstáculos que se eleva a partir do limite exterior da zona primária de protecção do NDB, considerando-se este limite situado à cota absoluta de 15.20 metros.

2. A inclinação da superfície limitativa de obstáculos referida na alínea *b*) do número anterior é de 10%.

3. Caso a execução dos trabalhos ou actividades enumerados no número 1 esteja sujeita a autorização ou licenciamento de qualquer entidade pública, nomeadamente municipal, essa entidade só poderá concedê-los mediante parecer prévio favorável da AAC.

Artigo 6º

Trabalhos e actividades condicionados na zona 2B da Antena VHF - ATIS

1. Na zona 2B, identificada na alínea *d*) do artigo 2º, é proibida a prática, sem autorização prévia da AAC, dos seguintes trabalhos e actividades:

a) A prática dos trabalhos ou actividades previstos nas alíneas *f), g), h)* e *i)* do número 1) do artigo 4º.

b) A prática dos trabalhos ou actividades previstos nas alíneas *a), b), c), d)* e *e)* do número 1) do artigo 4º, quando os obstáculos criados em resultado desses actos ou actividades ultrapassem uma superfície limitativa de obstáculos que se eleva a partir do local da instalação da antena e cujas coordenadas são referidas na alínea *c)* do artigo 2º deste diploma, considerando-se a origem desta superfície limitativa, situada à cota absoluta de 19.60 metros.

2. A inclinação da superfície limitativa de obstáculos referida na alínea *b*) do número anterior é de 5%.

3. Caso a execução dos trabalhos ou actividades enumerados no número 1) esteja sujeita a autorização ou licenciamento de qualquer entidade pública, nomeadamente municipal, essa entidade só poderá concedê-los mediante parecer prévio favorável da AAC.

Artigo 7º

Sobreposição de restrições ou condicionantes numa mesma parcela de terreno

Quando sobre uma determinada parcela de terreno ou local, incidirem condicionantes ou restrições com a mesma natureza ou objecto estabelecidas no presente Decreto-Lei para duas ou mais zonas de servidão, aplica-se sempre aquela condicionante ou restrição que for mais gravosa ou restritiva, com exclusão das demais.

Artigo 8º

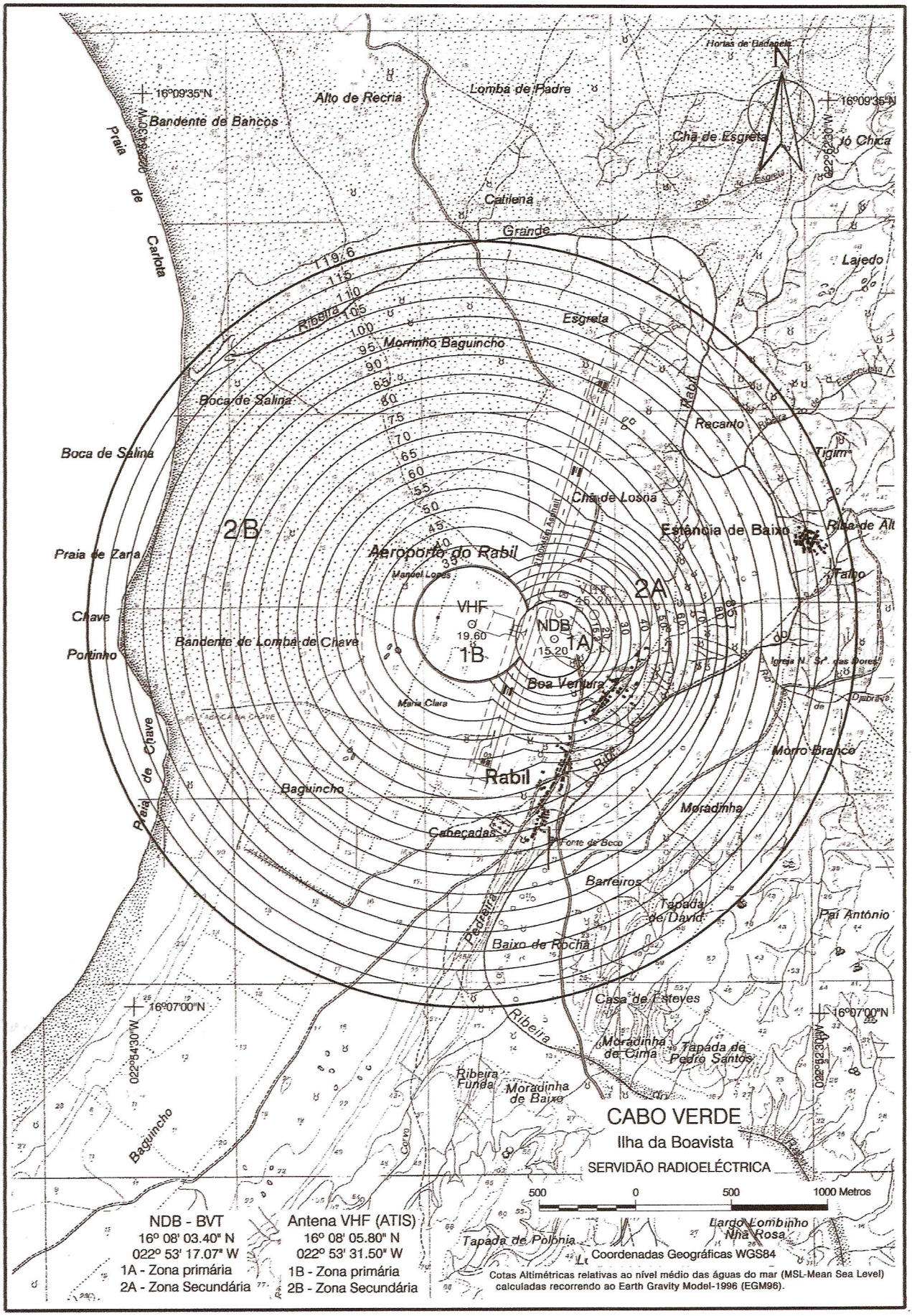
Entrada em vigor

Este regulamento entra em vigor no dia seguinte à data da sua publicação.

O Presidente do Conselho de Administração, *Carlos Brazão Monteiro*

ANEXO I

PLANTA DA SERVIDÃO RADIOELÉCTRICA DO AEROPORTO DA BOAVISTA



Agência da Aviação Civil, na Praia, aos Julho de 2009. – O Presidente do Conselho de Administração, *Carlos Brazão Monteiro*

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