

# **GHANA CIVIL AVIATION (FLIGHT STANDARDS) DIRECTIVES**



## **PART 10 – COMMERCIAL AIR TRANSPORT BY FOREIGN AIR OPERATORS WITHIN GHANA**

**NOVEMBER, 2018**

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**GHANA CIVIL AVIATION (FLIGHT STANDARDS) DIRECTIVES**  
**Part 10 – Commercial Air Transport By Foreign Air Operators Within Ghana**

**INTRODUCTION**

**Part 10** sets forth the terms and conditions under which Ghana shall carry out its aviation safety responsibility to its own citizens and to assure the safe operation, airworthiness and aircrew qualifications of Foreign Air Operators it allows into Ghana's territory as mandated by the Convention on International Civil Aviation (The "Chicago Convention") and its own laws and Directives. The requirements placed upon such air operators in this Part are directly related to each contracting State's responsibility to assure that its air operators engaged in international commercial air transport adhere to standards set forth in applicable ICAO Annexes and those special conditions existing within Ghana that are notified to ICAO as differences from the requirements of the Annexes, and special conditions within Ghana that are reported in publications like the Airman's Information Manuals and Publications.

**Part 10** gives deference to, and emphasizes the responsibilities existing between all contracting States to adhere to international standards under the Chicago Convention respecting the safety regulation of its air operators, of the aircraft on its registry, and the licensing of its crew operating those aircraft.

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## **PART 10—COMMERCIAL AIR TRANSPORT BY FOREIGN AIR OPERATORS WITHIN GHANA**

### **10.1 GENERAL**

#### **10.1.1 APPLICABILITY**

- (1) This Directive shall be applicable to the operation of any civil aircraft, including aeroplanes or helicopters, for —
  - (a) The purpose of commercial air transportation operations by any air operator whose Air Operator Certificate is issued and;
  - (b) Controlled by a civil aviation authority other than Ghana.
- (2) This Part shall not be applicable to aircraft when used by military, customs, and police services, which are not used for compensation or hire.

#### **10.1.2 DEFINITIONS**

Definitions are contained in Part 1 of these Flight Standards Directives.

#### **10.1.3 ABBREVIATIONS**

The following abbreviations are used in this Part:

- AFM – Aeroplane Flight Manual;
- AOC – Air Operator Certificate;
- AOM – Aeroplane Operating Manual;
- MEL – Minimum Equipment List;
- RFM – Rotorcraft Flight Manual;
- RPA – Remotely Piloted Aircraft;
- VAOC-Validated Foreign Air Operator Certificate.

#### **10.1.4 COMPLIANCE**

No Foreign Air Operator shall operate an aircraft in commercial air transportation operations in Ghana contrary to the requirements of—

- (a) This Part;
- (b) Applicable paragraphs of Parts 7 and 8 of these Flight Standards Directives;
- (c) Applicable standards contained in the Annexes to the Convention on International Civil Aviation adopted by the State of Registry and the State of the Operator for the operation to be conducted; and
- (d) Any other requirements that the Authority may specify.

### **10.1.5 AUTHORITY TO INSPECT**

- (1) A Foreign Air Operator shall ensure that any person authorised by the Authority, will be permitted at any time, without prior notice, to board any aircraft operated for commercial air transportation to Ghana —
  - (a) To inspect the documents and manuals required by this Part;
  - (b) To conduct an inspection of the aircraft;
  - (c) To take appropriate action when necessary to preserve safety.
- (2) When a case of non-compliance or suspected non-compliance by an operator with laws, Directives and procedures applicable within Ghana, or a similar serious safety issue with that operator occurs, the Authority shall immediately notify the operator and, if the issue warrants it, the State of the Operator. Where the State of the Operator and the State of Registry are different, such notification shall also be made to the State of Registry, if the issue falls within the responsibilities of that State and warrants a notification.
- (3) In the case of notification to States as Specified in subpart (b), if the issue and its resolution warrant it Ghana shall engage in consultations with the State of the Operator and the State of Registry, as applicable, concerning the safety standards maintained by the operator.

## **10.2 APPROVAL TO OPERATE IN THE TERRITORY OF GHANA**

### **10.2.1 REQUIREMENTS FOR APPLICATION BY FOREIGN AIR OPERATORS FOR APPROVAL TO OPERATE INTO THE TERRITORY OF GHANA**

- (1) No Foreign Air Operator from the territory of another state shall operate an aircraft into Ghana unless it is so authorised by the Authority and holds a Validated Foreign Air Operator Certificate (VAOC) issued to it by the Authority.
- (2) A Foreign Air Operator shall apply to the Authority for authorization to operate an aircraft into Ghana in the form and manner prescribed by IS: 10.2.1 of this Subpart.
- (3) An applicant under this Part shall apply for the initial issue of a VAOC at least ninety (90) days before the date of commencement of intended operations.
- (4) An application for approval to operate into the territory of Ghana shall be accompanied by—
  - (a) A certified true copy of a valid AOC and associated operations specifications issued to the Foreign Air Operator by its Civil Aviation Authority;
  - (b) A copy of the approval page for a Minimum Equipment List for each aircraft type intended to be operated by the air operator in Ghana;
  - (c) A copy of the current aircraft Certificate of Registration and Airworthiness Certificate issued for the aircraft types proposed to be operated by the air operator in Ghana;
  - (d) A copy of the valid Insurance Certificate;
  - (e) A copy of the operational procedures and practices of the operator;

- (f) A copy of a document identifying the maintenance checks that are required to be carried out for aircraft of the air operator while they are operated in Ghana;
- (g) A copy of the maintenance contract between the air operator and the Approved Maintenance Organisation, where the maintenance under subparagraph (f), is carried out by an Approved Maintenance Organisation approved by the Foreign Civil Aviation Authority;
- (h) A copy of the Air Services Agreement, with safety clause provisions,  
Note - See IS: 10.2.1(b) for an example of the referenced Air Services Agreement “**safety clause**”
- (i) For wet leased aircraft: a copy of the approval of the CAA of the State of the operator, with identification of the operator that exercises operational control of the aircraft;
- (j) A proposed Air Operator Security Programme approved by the State of the Operator which issued its Air Operator Certificate which meets the requirements of the Ghana Civil Aviation Directives, for the acceptance and subsequent approval of the Authority; and
- (k) Any other document the Authority considers necessary to ensure that the intended operations will be conducted safely.

#### **10.2.2 CONDITIONS FOR THE ISSUANCE OF A VAOC**

- (1) The Director-General shall issue a VAOC to a Foreign Air Operator to conduct commercial air operations into Ghana where the Director-General is satisfied and has confidence in —
  - (a) The validity of the certificates and licences associated with the operator;
  - (b) The operator’s personnel and aircraft;
  - (c) The operational capabilities of the operator; and
  - (d) The level of certification and oversight applied to the activities of the Foreign Air Operator by the foreign Civil Aviation Authority.
- (2) See IS: 10.2.2 for the process to be used for evaluating the conditions stipulated under (1) (a) through (d).
- (3) Where the Director-General deems it necessary, the Authority shall conduct a physical verification.

#### **10.2.3 ISSUANCE OF (VALIDATED FOREIGN AIR OPERATOR CERTIFICATE – VAOC)**

The Validated Foreign Air Operator Certificate (VAOC), issued by the Authority shall be effective for a period of one (1) year until –

- (a) The Authority amends, suspends, revokes or otherwise terminates the certificate;
- (b) The VAOC holder surrenders it to the Authority; or



- (c) The VAOC holder suspends operations for more than 60 days.

#### **10.2.4 CONTENTS OF A VAOC**

- (1) A VAOC issued under this Subpart shall contain—
  - (a) The Foreign Air Operator’s full name;
  - (b) The Foreign Air Operator’s principal business address and contact details for operational management;
  - (c) The Foreign Air Operator’s business address and contact details in its State of Registration;
  - (d) The date of issuance and expiry of the Foreign Air Operator’s AOC;
  - (e) {A statement that}: This Document authorises [*name of Foreign Air Operator*] to operate in the territory of Ghana;
  - (f) {A statement that}: This Document is issued to [*name of Foreign Air Operator*] on the basis of it holding a valid AOC. Any changes to the AOC made by the Foreign Civil Aviation Authority that issued and oversees the AOC of [*name of Foreign Air Operator*] shall be submitted by [*name of Foreign Air Operator*] in writing to Ghana Civil Aviation Authority within 30 days of such change;
  - (g) {A statement that}: This Document shall cease to have effect upon expiry, suspension, revocation, cancellation or equivalent action in respect of the Foreign Air Operator’s AOC; and
  - (h) Any additional authorisations, conditions or limitations considered necessary by the Ghana Civil Aviation Authority.
- (2) Operations Specification issued to a Foreign Air Operator by the Foreign Civil Aviation Authority shall be supplementary to these Directives.

#### **10.2.5 CONTINUED VALIDITY OF A VAOC**

A Foreign Air Operator shall, when conducting operations in and to Ghana, ensure that it complies at all times with the requirements of—

- (a) Its Operations Specifications;
- (b) Its approved Aircraft Operator Security Programme; and
- (c) The security requirements for aircraft operators operating in Ghana.

### **10.3 DOCUMENTS**

#### **10.3.1 FOREIGN AIR OPERATOR’S AIRCRAFT TECHNICAL LOG**

A Foreign Air Operator shall use an aircraft technical log system containing the following information for each aircraft—

- (a) Information about each flight necessary to ensure continued flight safety;
- (b) The current aircraft certificate of release to service;

- (c) The current maintenance statement giving the aircraft maintenance status of what scheduled and out of phase maintenance is next due, unless the Authority agrees to the maintenance statement being kept elsewhere;
- (d) All outstanding deferred defects that affect the operation of the aircraft; and
- (e) Any necessary guidance instructions on maintenance support.

### **10.3.2 AIR OPERATOR MANUALS, DOCUMENTS AND FLIGHT CREW LICENCES TO BE CARRIED**

A Foreign Air Operator shall ensure that the following manuals, documents and licences are carried on flights into Ghana—

- (a) A certified true copy of the Air Operator Certificate and associated operations specifications all of which shall be in the English language;
- (b) A Copy of the VAOC required under this Part;
- (c) The current parts of the Operations Manual relevant to the duties of the crew carried on each flight;
- (d) Those parts of the Operations Manual which are required for the conduct of a flight and are easily accessible to the crew on board the aircraft on each flight, such as the MEL; and information and instructions relating to the interception of aircraft;
- (e) The current AFM or RFM approved by the State of Registry, or AOM approved by the State of Operator. The AFM or RFM shall be updated by implementing changes made mandatory by the State of Registry received from the State of Design;
- (f) The current Certificate of Registration, and the Airworthiness Certificate in force in respect of that aircraft;
- (g) The appropriate current licences of the members of the flight crew and cabin crew, if a cabin crew licence is required by the Foreign Civil Aviation Authority;
- (h) Appropriate and current approvals/licences of crewmembers for aircraft radio operation.

### **10.3.3 ADDITIONAL INFORMATION AND FORMS TO BE CARRIED**

- (1) A Foreign Air Operator shall ensure that, in addition to the documents and manuals prescribed by 10.3.2, the following information and forms, relevant to the type and area of operation, are carried on each flight—
  - (a) Operational Flight Plan;
  - (b) Aircraft Technical Log containing at least the information required in 10.3.1;
  - (c) Appropriate NOTAM or AIS briefing documentation;
  - (d) Appropriate meteorological information;
  - (e) Passenger and Cargo manifests as appropriate for the intended flight;
  - (f) The mass and balance document for the aircraft certifying that the load carried is properly distributed and safely secured;

- (g) Notification of special loads including any dangerous goods (NOTOC); and
- (h) Current maps and charts for the area of operation.

- (2) The Authority may authorise the information detailed in subparagraph (1) above, or parts thereof, to be presented in a form other than on printed paper provided the information is accessible for inspection.

#### **10.3.4 PRODUCTION OF DOCUMENTATION, MANUALS AND RECORDS**

- (1) A Foreign Air Operator shall—
  - (a) Give any person authorised by the Authority access to any documents, manuals and records which are related to flight operations and maintenance; and
  - (b) Produce all such documents, manuals and records, when requested to do so by the Authority, within a reasonable period of time.
- (2) The pilot in command shall, within a reasonable time of being requested to do so by a person authorised by the Authority, produce to that person the documentation, manuals and records required to be carried on board.

#### **10.3.5 PRESERVATION, PRODUCTION AND USE OF FLIGHT RECORDER RECORDINGS**

Following an accident or incident in Ghana involving an aircraft of a foreign operator, or when the Authority so directs, the foreign operator of an aircraft on which a flight recorder is carried shall preserve the original recorded data for a period of not less than 60 days unless otherwise directed by the Authority.

### **10.4 OPERATIONS AND PERFORMANCE**

#### **10.4.1 COMPUTATION OF PASSENGER AND BAGGAGE WEIGHTS**

- (1) A Foreign Air Operator shall compute the mass of passengers and checked baggage using—
  - (a) The actual weighed mass of each person and the actual weighed mass of baggage; or
  - (b) The standard mass values specified by the Foreign Civil Aviation Authority.
- (2) The Authority may require a Foreign Air Operator conducting operations in Ghana to produce evidence validating any standard mass values used.

#### **10.4.2 SINGLE-ENGINE AEROPLANES**

A Foreign Air Operator shall not operate a single-engine aircraft for commercial operations.

### **10.4.3 FLIGHT RULES WITHIN GHANA**

- (1) Within the territorial boundaries of Ghana, Foreign Air Operators shall comply with the flight rules and limitations contained in Part 8 of Ghana Civil Aviation (Flight Standards) Directives.
- (2) Foreign Air Operators shall ensure that their flight crew have available, and have become familiar with the flight rules in Part 8 of the Directives.

*Note: The flight rules are contained in Part 8 of the Ghana Civil Aviation (Safety) Directives.*

## **10.5 FLIGHT CREW MEMBER QUALIFICATIONS**

### **10.5.1 GENERAL**

Foreign Air Operators shall ensure that their flight crews have the appropriate licences and ratings for the operations to be conducted in Ghana.

### **10.5.2 AGE LIMITATIONS**

Foreign Air Operators shall ensure, for aircraft engaged in operations in Ghana requiring more than one pilot as flight crew members, that if one pilot is between the age of 60 and up to age 65, the other pilot shall be less than age 60.

### **10.5.3 LANGUAGE PROFICIENCY**

Foreign Air Operators shall ensure that flight crew operating aircraft in Ghana meet the language proficiency requirement of at least the operational level 4 as contained in ICAO Annex 1 for the English language and that such proficiency is endorsed on the licence.

## **10.6 SECURITY**

### **10.6.1 AIRCRAFT SECURITY**

A Foreign Air Operator shall—

- (a) Ensure that all appropriate personnel are familiar, and comply, with the relevant requirements of the national security programmes of the State of the operator;
- (b) Establish, maintain and conduct approved training programmes which enable the operator's personnel to take appropriate action to prevent acts of unlawful interference such as sabotage or unlawful seizure of aircraft and to minimise the consequences of such events should they occur;
- (c) Following an act of unlawful interference on board an aircraft, the commander or, in his absence the operator, shall submit, without delay, a report of such an act to the designated local authority and the Authority in the State of the operator;
- (d) Ensure that all aircraft carry a checklist of the procedures to be followed for that type in searching for concealed weapons, explosives, or other dangerous devices; and
- (e) If installed, the flight crew compartment door on all aircraft operated for the purpose of carrying passengers shall be capable of being locked from within the compartment in order to prevent unauthorised access.

## **10.6.2 UNAUTHORISED CARRIAGE**

A Foreign Air Operator shall take measures to ensure that no persons conceal themselves or cargo on board an aircraft.

## **10.7 DANGEROUS GOODS**

### **10.7.1 Offering Dangerous Goods for Transport by Air**

- (1) No Foreign Air Operator may accept dangerous goods for transport by air in Ghana unless the Foreign Air Operator—
  - (a) Has been authorised to do so by the Authority, the Nuclear Regulatory Authority {in the case of Radioactive Materials} and the Foreign Civil Aviation Authority; and
  - (b) Has conducted the required personnel training.
- (2) The Foreign Air Operator shall properly classify, document, certify, describe, package, mark, label and put in a fit condition for transport, dangerous goods as required by the operator's dangerous goods programme as approved by the Foreign Civil Aviation Authority.
- (3) When the foreign operator has been granted authority to accept dangerous goods, and has an approved dangerous goods programme authorised by the Foreign Civil Aviation Authority, the foreign operator shall file a copy of its dangerous goods programme with the Authority.

### **10.7.2 CARRIAGE OF WEAPONS OF WAR AND MUNITIONS OF WAR**

A Foreign Air Operator conducting commercial air transportation operations to Ghana shall:

- (a) Not transport weapons of war and munitions of war by air unless an approval to do so has been granted by all States concerned.
- (b) Ensure that weapons of war and munitions of war are:
  - i. Stowed in the aircraft in a place which is inaccessible to passengers during flight; and
  - ii. In the case of firearms, unloaded, unless, before the commencement of the flight, an approval has been granted by all States concerned that such weapons of war and munitions of war may be carried in circumstances that differ in part or in total from those indicated in this subparagraph.
- (c) Ensure that the pilot in command is notified before the flight begins of the details and location on board the aircraft of any weapons of war and munitions of war that are intended to be carried.

### **10.7.3 CARRIAGE OF SPORTING WEAPONS AND AMMUNITION**

- (1) A Foreign Air Operator conducting commercial air transportation operations to Ghana shall take all measures necessary to ensure that any sporting weapons intended to be carried by air are reported to the Authority;
- (2) A Foreign Air Operator accepting to carry sporting weapons shall ensure that they are—

- (a) Stowed in a place on the aircraft which is inaccessible to passengers during flight unless the Authority has determined that compliance is impracticable and has approved other procedures; and
  - (b) In the case of firearms or other weapons that can contain ammunition, unloaded.
- (3) A Foreign Air Operator may allow a passenger to carry ammunition for sporting weapons in the passenger's checked baggage, as approved by the Authority.

#### **10.8 APPROVAL OF FOREIGN PERSONS TO OPERATE REMOTELY PILOTED AIRCRAFT (RPA) IN THE TERRITORY OF GHANA**

- (1) A foreign operator from the territory of another State shall not operate a RPA in Ghana unless it is so authorised by the Authority and holds the associated approvals, conditions and limitations issued to it by the Authority.

*Note - See the Ghana Civil Aviation (Remotely Piloted Aircraft Systems) Directives on the specific requirements for the application by foreign operators for approval to operate RPAS in Ghana.*

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**GHANA CIVIL AVIATION (FLIGHT  
STANDARDS) DIRECTIVES**

**PART 10 — IMPLEMENTING STANDARDS**

**NOVEMBER, 2018**



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**IS: 10.2.1 THE APPLICATION FORM FOR A FOREIGN AIR OPERATOR**

(1) Foreign Operator’s Application Form.

<p><b>Application Form for Commercial Air Transport Operations by a Foreign Operator – Page 1</b>  <i>(To be completed by a Foreign Air Operator for an approval to conduct operations in Ghana)</i></p>		
<p><b>Section 1: To be Completed by the Applicant</b></p>		
<p><b>Section 1A: Applicant Information</b></p>		
<p>1. <b>Company Name and Address.</b> Company registered name and trading name if different. Address of company: mailing address; telephone; fax; and e-mail.</p>	<p>2. <b>Principal place of business.</b> Address of the principal place of business including: telephone; fax; and e-mail.</p>	
<p>3. <b>Proposed start date of operations:</b> (dd/mm/yyyy):</p>	<p>4. <b>ICAO 3-letter designator for aircraft operating agency:</b></p>	
<p><b>5. Operational management personnel</b></p>		
<p><b>a. Name</b></p>	<p><b>b. Title</b></p>	<p><b>c. Telephone, fax and e-mail</b></p>
<p><b>Section 1B. Type of approval requested by applicant. Check applicable boxes</b></p>		
<p>6. a. <input type="checkbox"/> Air operator intends to conduct commercial flights to and from aerodromes in Ghana          b. <input type="checkbox"/> Air operator intends to only conduct over-flights and technical stops in Ghana</p>		
<p>7. <b>Air operator proposed types of operation:</b></p>	<p>8. <b>Geographic areas of intended operations and proposed route structure:</b></p>	
<p>a. <input type="checkbox"/> Passengers and cargo          b. <input type="checkbox"/> Cargo only          c. <input type="checkbox"/> Scheduled operations          d. <input type="checkbox"/> Charter flight operations          e. <input type="checkbox"/> Dangerous goods</p>		
<p><b>Application Form for Commercial Air Transport Operations by a Foreign Operator – Page 2</b>  <i>(To be completed by a Foreign Air Operator for an approval to conduct operations in Ghana)</i></p>		
<p><b>Section 1C. Aircraft Information of Operator</b></p>		

<p><b>9. Provide location on board or provide separate documentation where individual aircraft nationality and registration marks are listed as part of the aircraft fleet operated under the air operator certificate:</b></p> <p><b>Provide following information:</b></p>				
<b>Aircraft type</b> <i>(make, model and series, or master series)</i>	<b>RVSM<sup>1</sup> Approval</b>	<b>EDTO<sup>2</sup></b>	<b>Noise<sup>3</sup> certification</b> <i>(Annex 16 Ch.)</i>	<b>Remarks</b>
[Aircraft type 1]	<input type="checkbox"/>	<input type="checkbox"/>		
[Aircraft type 2]	<input type="checkbox"/>	<input type="checkbox"/>		
[Aircraft type 3]	<input type="checkbox"/>	<input type="checkbox"/>		
[Aircraft type 4]	<input type="checkbox"/>	<input type="checkbox"/>		
Etc.	<input type="checkbox"/>	<input type="checkbox"/>		
<p><b>Attach copies of:</b></p> <ul style="list-style-type: none"> <li>• Proof of Economic Authority;</li> <li>• Air operator certificate and associated operations specifications;</li> <li>• Insurance certificate;</li> <li>• In case of wet-lease of aircraft: approval of CAA of the State of the Operator, with identification of the operator that exercises operational control on the aircraft; and</li> <li>• Document authorising the specific traffic rights, issued by Ministry responsible for Civil Aviation or resulting from a bilateral air transport agreement (if required by the State to which the operator is flying to).</li> </ul>				
<b>Signature:</b>		<b>Date (dd/mm/yyyy):</b>		<b>Name and Title:</b>
<p><b>Section 2. To be completed by the GCAA</b></p>				
<b>Evaluated by (name and office):</b>			<b>GCAA decision:</b> <input type="checkbox"/> Approval granted <input type="checkbox"/> Not approved	
<b>Remarks:</b>				
<b>Signature of GCAA representative:</b>			<b>Date (dd/mm/yyyy):</b>	

**IS: 10.2.1(B) SAMPLE SAFETY CLAUSE**

This is an example of a Safety Clause that must be inserted into Air Service Agreements that allow operators to provide service to another State and vice versa.

- (1) Each Party may request consultations at any time concerning the safety standards maintained by the other Party in areas relating to aeronautical facilities, flight crew, aircraft and the operation of aircraft. Such consultations shall take place within thirty days of that request.
- (2) If, following such consultations, one Party finds that the other Party does not effectively maintain and administer safety standards in the areas referred to in paragraph 1 that meet the Standards established at that time pursuant to the Convention on International Civil Aviation (Doc 7300), hereinafter referred to as: the Convention, the other Party shall be informed of such findings and of the steps considered necessary to conform with the ICAO Standards. The other Party shall then take appropriate corrective action within an agreed time period.
- (3) Pursuant to Article 16 of the Convention, it is further agreed that any aircraft operated by, or on behalf of an airline of one Party, on service to or from the territory of another Party, may, while within the territory of the other Party be the subject of a search by the authorised representatives of the other Party, provided this does not cause unreasonable delay in the operation of the aircraft. Notwithstanding the obligations mentioned in Article 33 of the Convention, the purpose of this search is to verify the validity of the relevant aircraft documentation, the licensing of its crew, and that the aircraft equipment and the condition of the aircraft conform to the Standards established at that time pursuant to the Convention.
- (4) When urgent action is essential to ensure the safety of an airline operation, each Party reserves the right to immediately suspend or vary the operating authorisation of an airline or airlines of the other Party.
- (5) Any action by one Party in accordance with paragraph 4 above shall be discontinued once the basis for the taking of that action ceases to exist.
- (6) With reference to paragraph 2 above, if it is determined that one Party remains in non-compliance with ICAO Standards when the agreed time period has lapsed, the Secretary General of ICAO should be advised thereof. The latter should also be advised of the subsequent satisfactory resolution of the situation.

**IS: 10.2.2 CONDITIONS FOR THE ISSUANCE OF A VAOC**

- (1) The Ghana Civil Aviation Authority shall, when evaluating an application by a Foreign Air Operator to operate within the territory of Ghana –
  - (a) Examine both the safety oversight capabilities and record of the Foreign Civil Aviation Authority of the State of the Operator, and if different, the State of Registry; and
  - (b) The operational procedures and practices of the Foreign Air Operator itself.

*Note: This is necessary in order to have confidence in the validity of the certificates and licences associated with the Foreign Air Operator, its personnel and aircraft, the operational capabilities of the Foreign Air Operator and also in*

*the level of certification and oversight applied to the activities of the Foreign Air Operator by the Foreign Civil Aviation Authority of the State of the Operator.*

- (2) The Authority shall obtain information on the safety oversight capabilities, and the level of compliance with ICAO Standards, of the Foreign Civil Aviation Authority of the State of the Operator by accessing information from the ICAO Universal Safety Oversight Audit Programme (USOAP). This information is available –
  - (a) On the ICAO website <http://www.icao.int> and accessible through the Flight Safety Information Exchange (FSIX) – Safety Oversight Information – Audit Reports (1999-2004) or Audit Reports (Comprehensive Systems Approach);
  - (b) On the ICAO Safety Oversight Audit (SOA) Secure Site which is accessible, subject to a password available only to the Ghana CAA from ICAO, through the FSIX home page; and
  - (c) Subject to a password available only to the Authority from ICAO, by accessing audit summary reports from the USOAP audits available to the Authority on the ICAO-Net <http://www.icao.int/icaonet/>;
- (3) The Authority shall obtain and evaluate information on the Foreign Air Operator. This information is available –
  - (a) By applying to the Foreign Civil Aviation Authority of the State of the Operator for reports of any inspections that may have been conducted; and
  - (b) By requesting access to reports of audits of a Foreign Air Operator, conducted by independent aviation audit organisations and/or by other air operators, such as code-sharing partners. Such non-regulatory audits should be used in conjunction with other information such as a report from the ICAO Universal Safety Oversight Audit Programme (USOAP) or other inspection results to evaluate the application.
- (4) Foreign Air Operator’s Application Form, Section 2 to be completed by the Ghana Civil Aviation Authority -
  - (a) In the case of significant negative findings and/or major deficiencies relevant to its review of the safety oversight capabilities and the level of compliance with ICAO Standards of the Foreign Civil Aviation Authority of the State of the Operator, the Authority shall engage in discussions with the Foreign Civil Aviation Authority of the State of the Operator seeking resolution of the deficiencies prior to deciding whether to approve or not to approve the Foreign Air Operator Application Form and subsequently, whether or not to issue a VAOC.
  - (b) In the case of significant negative findings and/or major deficiencies relevant to its evaluation of the Foreign Air Operator, the Authority shall not approve the Foreign Air Operator’s Foreign Air Operator Application Form and shall not issue a VAOC to the Foreign Air Operator.

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