



SIERRA LEONE CIVIL AVIATION AUTHORITY

# ADVISORY CIRCULAR

SLCAA-AC-AGA032-Rev.00

EFFECTIVE DATE: 31<sup>st</sup>JULY 2021

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## Guidance on Exemption for Non-Compliance at Aerodromes

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Moses Tiffa Baio  
Director General  
Sierra Leone Civil Aviation Authority



## **1 GENERAL**

The Sierra Leone Civil Aviation Authority's Advisory Circulars contains information about standards, practices and procedures that the Authority has found to be an Acceptable Means of Compliance (AMC) with the associated Regulations.

An AMC is not intended to be the only means of compliance with a Regulation, and consideration will be given to other methods of compliance that may be presented to the Authority

Information considered directive in nature is described in this AC in terms such as "shall" and "must", indicating the actions are mandatory. Guidance information is described in terms such as "should" and "may" indicating the actions are desirable or permissive, but not mandatory

### **1.1 Purpose**

The purpose of this Advisory Circular is to; guide Aerodrome Operators on the conditions and processes involved in the application for exemptions for non-compliances with the Standards of the Aerodrome Regulations as contained in the SLCARs Part 14.

To harmonise the procedures for the certification of aerodromes, which do not conform to some of the Standards contained in the SLCAR Part 14A and C, but are required to be complied with for Certification.

### **1.2 Description of Changes**

This AC is the first to be issued on this subject

### **1.3 Reference**

- (a) SLCAR's Part 14A – Aerodrome Design and Operations
- (b) SLCAR's Part 14C – Certification of Aerodromes
- (c) SLCAA-AC-AGA001-Rev.00 – Certification of Aerodromes
- (d) SLCAR Part 22 – General Policies, Procedures and Definition

### **1.4 Cancelled Documents**

Not Applicable

## **2 FOREWORD**

When an aerodrome does not meet the standards specified in the SLCAR Part 14A and C, the Director General may determine, after the satisfactory conduct of an aeronautical study, the conditions and procedures that are necessary to ensure a level of safety equivalent to the established standards.

The Director General may exempt, in writing an Aerodrome Operator from complying with any provisions of the SLCAR Part 14A and C. Such exemptions may be granted on a case to case basis, subject to such conditions relating to safety.

Any exemption(s) granted by the Director General shall be included in the relevant parts of the Aerodrome Manual.

## **3 INTRODUCTION**

When non-compliances are present at an aerodrome, the effects on safety needs to be analysed, and alternative measures and/or limitations on the use of the aerodrome to mitigate non-compliances are to be established. The co-ordination of this aspect of the certification process is therefore important in ensuring safety at aerodromes.

The SLCARs Parts 14A and 14C requires that an aeronautical risk assessment or aeronautical study be conducted prior to granting exemption(s) from non-compliances with the Standards specified therein. This is also a requirement in the SLCAA's Safety Management Manual as a safety assessment process.

The ultimate goal is to require the non-compliances to be corrected and to deal with the situations where this is not possible, either due to physical constraints like terrain etc.

### **3.1 Non-Compliances**

Non-compliances are primarily related to the following aspects at the aerodrome for which some examples are given below:

(a) Facilities and equipment

- (i) Non-standard Visual and non-visual aids.
- (ii) Obstacles on the strip and the obstacle limitation surfaces i.e. approach, departure and transitional surfaces.
- (iii) Non-standard Strip areas - dimensions and quality, inadequate runway strip width.
- (iv) Inadequate taxiway width and lack of fillets.
- (v) Inadequate Runway End Safety Areas
- (vi) Inadequate runway – taxiway separation distances.
- (vii) Inadequate Rescue and fire -fighting vehicles, equipment and personnel.
- (viii) Non Standard approach and runway lights
- (ix) Meteorological equipment.

(b) Services and operational procedures

- (i) Rescue and fire -fighting services
- (ii) Meteorological services
- (iii) Low visibility procedures

### **3.2 Categories of Exemptions**

Exemptions for non-compliances shall be:

- (a) **Temporary Exemptions:** where the non-compliance is expected to be removed and inter-operability is the predominant aspect of the requirement, such as mandatory signs, availability of runway strip etc.
- (b) **Permanent Exemptions:** where non-compliance is not reasonably removed and inter-operability is not the predominant aspect of the requirement, such as the infringement of high ground into an obstacle limitation surface etc.

## **4 PROCEDURE FOR SEEKING EXEMPTIONS**

- (a) The Aerodrome Operator shall submit an application for exemptions at least 60 days in advance of the proposed effective date, to obtain timely review.
- (b) The aerodrome certificate holder shall submit a separate application for each non-compliance(s) in the prescribed form for seeking exemption (See Appendix - I).
- (c) The application for exemption shall be supported with the reasons for non-compliance, safety risk assessment reports, means of mitigation and indication as to when compliance can be expected.
- (d) An application for a standard exemption includes:
  - (i) the applicant's name and address. Name of aerodrome where the exemption is being sought (Aerodrome certificate/licence/Permit number to be quoted if already issued).
  - (ii) the relevant provisions of the Regulation for which the exemption is sought.
  - (iii) the category under which the exemption is sought (temporary/permanent) and justifiable reasons why the applicant needs the exemption. The reasons provided should be detailed and self-explanatory.
  - (iv) the period for which the exemption is required.
  - (v) whether the exemption will affect a particular kind of operation, the details thereof.
  - (vi) the action plan for rectification and review of non-compliance for temporary exemption, including the mitigation measures adopted for ensuring the safety during the exemption period.
  - (vii) if permanent exemption is sought, the applicant has to indicate the mitigation measures adopted to reduce the risk arising due to non-compliance after carrying out a safety assessment.
  - (viii) undertaking by the certificate/licence holder that he shall annually review the conditions or mitigation measures and any other resultant non-compliance in particular when any significant changes in the activity or aerodrome development is proposed.

- (e) The applicant should provide adequate information in the prescribed write up for consideration for granting exemptions with supporting documents. Failure to provide adequate information may delay processing / refusal of the application.
- (f) If the applicant seeks emergency processing, the application shall contain supporting facts and reasons that the application was not timely filed and the reasons it is an emergency. The Authority may deny an application if the Authority finds that the applicant has not justified the failure to apply in a timely fashion

***Further guidance on subject can be found in the Sierra Leone Civil Aviation Regulation (SLCAR) Part 22.***

**APPENDIX – 1 – APPLICATION FOR SEEKING EXEMPTION**

	<p><b>SIERRA LEONE CIVIL AVIATION AUTHORITY</b>  <b>APPLICATION FOR EXEMPTION</b>  <b>AERODROME SAFETY STANDARDS DIVISION</b>  <i>(To be Completed by the Party Making the Request)</i></p>	<p><b>Form No:</b>  <b>AC-AGA032-00</b></p>
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**NOTES:**

1. Applications for exemptions are made in compliance with the SLCAR Part 22 (based on the applicability of the provisions of SLCAR Part 22).
2. Applications for exemptions must be submitted to the Director General at least 60 days before the required effective date of the exemption. If a shorter period is required due to urgency, a detailed motivation to such effect must accompany the application.
3. A separate form must be submitted for each individual application.
4. A Letter of Request and all pertinent documents in support of the test must be submitted together with this form.
5. It is an offence to make any false representation with the intent to deceive, for the purpose of procuring exemption.
6. Application not completed in all respect and not accompanied with relevant enclosures is likely to be rejected.

1. PARTICULARS OF THE APPLICANT			
NAME OF APPLICANT	ADDRESS OF APPLICANT		
TELEPHONE / FAX	CONTACT PERSON		
DATE REQUEST IS MADE			
2. PARTICULARS OF THE AERODROME			
NAME OF AERODROME	REGION	POSITION (MAGNETIC COORDINATE)	
		LONGITUDE	LATITUDE
AERODROME CERTIFICATE NUMBER			
3. DETAILS OF THE APPLICATION			
REGULATORY PROVISIONS AFFECTED			
DETAILS OF EXEMPTION SOUGHT			

<b>BACKGROUND INFORMATION</b>
<b>PERIOD FOR WHICH THE EXEMPTION IS REQUIRED</b>
<b>4. TEST</b>
<b>AVIATION SAFETY</b>
<p>What factors were considered to ensure aviation safety is not affected? Identify criteria and formulate as conditions of the exemption that provide an acceptable level of safety:</p> <ul style="list-style-type: none"><li>(a)</li><li>(b)</li><li>(c)</li><li>(d)</li><li>(e)</li></ul>
<b>PUBLIC INTEREST</b>
<p>What factors were considered in the determination of Public Interest? Identify criteria:</p> <ul style="list-style-type: none"><li>(a)</li><li>(b)</li><li>(c)</li><li>(d)</li><li>(e)</li></ul>
<b>5. PROPOSED CONDITIONS BY THE APPLICANT</b>
<p>What factors were considered to ensure aviation safety is not affected? Identify criteria and formulate as conditions of the exemption</p> <ul style="list-style-type: none"><li>(a)</li><li>(b)</li><li>(c)</li><li>(d)</li><li>(e)</li></ul>

<b>6. PROPOSED PLAN OF ACTION BY THE APPLICANT</b> <i>(FOR TEMPORARY EXEMPTIONS)</i>	
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<b>7. PROPOSED PLAN OF ACTION BY THE APPLICANT</b> <i>(FOR PERMANENT EXEMPTIONS)</i>	
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<b>8. CERTIFICATION</b>	
<p>I hereby certify that the forgoing information is correct in every respect and no relevant information has been withheld. I also undertake the responsibility for annually reviewing the conditions or mitigation measures and any other resultant non-compliance in particular when any significant changes in the aerodrome activity and development are proposed.</p> <p>SIGNATURE OF APPLICANT</p> <p>DATE: _____</p> <p>NAME: _____ (In Capital Letters)</p> <p>POSITION HELD: _____ (With Official Seal)</p>	