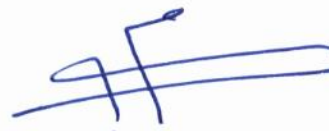


PART 173

Air Traffic Service Systems

This new part of Jordanian Civil Aviation Regulations is hereby Adopted under the authority and provisions of the Civil Aviation Law No. (41)2007, and its amendments.



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Chief Commissioner/CEO
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Contents
Subject

Section No.

173.1	<u>Applicability.</u>
173.3	<u>Definitions.</u>
173.5	<u>Regulation of Radio and Radar Equipment.</u>
173.7	<u>Approval of Air Traffic Service System.</u>
173.9	<u>Requirements as regards records of Air Traffic Service System.</u>
173.11	<u>Certification.</u>
173.13	<u>Inspection of Air Traffic Service System and their Equipment and Records.</u>
173.15	<u>Safety Management System.</u>
173.17	<u>Occurrences Reporting.</u>
173.19	<u>Directions.</u>
173.21	<u>Fees.</u>

Appendix-A Equipment and systems forming all or part of an Air Traffic Service System to be regulated under this part.

173.1 Applicability.

(a) This part formalizes the requirements for authorizations and/or certification to provide:

- (1) Regulation of radio and radar equipment.
- (2) Approval of air traffic service system.

(b) This Part shall not apply to air traffic service systems operated by and under the control of the Ministry for Defense.

173.3 Definitions.

When the following terms are used in this part they have the following meaning:

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

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 fixed telecommunication network (AFTN): A world-wide system of aeronautical fixed circuits provided, as part of the aeronautical fixed service, for the exchange of messages and/or digital data between aeronautical fixed stations having the same or compatible communications characteristics.

Aeronautical mobile service: 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 radio station: for the purposes of this Part, means a radio station using one or more ground based aeronautical telecommunications systems, including radio and radar navigational and approach aids, which are required to conform to the applicable international Standards, Recommended Practices and Procedures for Air Navigation Services as specified in Annex 10 (Aeronautical Telecommunications) to the Chicago Convention as amended or replaced from time to time and published by the International Civil Aviation Organization;

Air traffic control service: means a service provided for the purpose of:

- (1) Preventing collisions between aircraft and, on the maneuvering area, between aircraft and obstructions; and
- (2) Expediting and maintaining an orderly flow of air traffic;

Air traffic service systems: for the purposes of this Part, means ground based equipment and aeronautical mobile satellite systems, including an aeronautical radio station, used or intended to be used in connection with the provision of air traffic services to an aircraft in flight or on the ground and which requires an approval under this Part but excluding a Public Electronic Communications Network;

Authorized officer of the authority: any person, , authorized in writing by the CARC to exercise the powers conferred on an authorized officer of the CARC by this Part;

Certificate of compliance: means a document issued by the CARC certifying that the facilities listed thereon as provided by the licensee subject to the provisions of this Part are adequate for the achievement and maintenance of a satisfactory level of air navigation safety, provided that any such facility is operated and maintained to approved standards;

Licensed aerodrome: means an aerodrome in respect of which the CARC has granted a license authorizing its use under such conditions as it thinks fit, and specified in the license.

Revocations: Every direction given and every certificate of compliance issued or validated under the civil Aviation law for 2007 and in force at the commencement of this part shall continue in force and shall be deemed for all purposes to have been given, issued or validated under this Part until withdrawn or amended or until the expiry of any period of validity specified therein.

The Authority: means Civil Aviation Regulatory Commission .

The Chicago Convention: has the meaning ascribed to it in the Civil Aviation law for 2007.

The Convention: means the Chicago Convention.

The law: the Civil Aviation law for, 2007(No.41) as amended;

173.5 Regulation of Radio and Radar Equipment.

Nothing in this Regulation shall remove any obligation to ensure that any radio equipment held or used in an air traffic service system shall be licensed by the Jordanian telecommunication Regulatory Commission.

173.7 Approval of Air Traffic Service System.

(a) A person shall not cause or permit an air traffic service system to be established or used in Jordan otherwise than under and in accordance with an approval issued by the CARC or the person in charge of the system concerned.

(b) An approval may be granted by the CARC pursuant to paragraph (a) when it is satisfied:

(1) As to the intended purpose of the system and the suitability of the system for its intended purpose;

(2) That the equipment thereof is of a type the specification of which is approved by the CARC in relation to the purpose for which it is to be used and is compliant with the applicable Standards of Annexes to the Convention;

(3) As to the competence of the person or persons using or proposing to use the system or for the operation thereof;

(c) The CARC may license or approve a person to operate an air traffic service system or to provide particular services associated with the approved system subject to such requirements as are specified by the Authority.

(d) The person in charge of an air traffic service system, the purpose of which is to provide air traffic services, including communications, navigational aid or surveillance services by radio or radar to an aircraft in flight or making an approach to land at or landing at an aerodrome, shall not cause or permit that air traffic service system to provide such services unless the air traffic service system is:

(1) Installed, modified, maintained and operated in a manner approved by the Authority, and

(2) Where required by the Authority, flight checked for correct functioning by a person approved by the CARC for that purpose on such occasions as the CARC may require.

(e) The person in charge of an air traffic service system at an aerodrome for which a license for public use has been granted by the CARC shall cause to be notified to the CARC in relation to that air traffic service system the type and hours of operation of any service which is available for use by an aircraft, and in approving the purpose for which an air traffic service system is to be used at any other aerodrome, the CARC may, if it thinks fit, require the person in charge of that air traffic service system to cause such information as aforesaid to be notified to it.

173.9 Requirements as regards records of Air Traffic Service System.

(a) The person in charge of an air traffic service system, the purpose of which is to provide navigational aid by radio or radar to an aircraft in enroute flight or making an approach to land at or landing at an aerodrome, shall, in respect of the air traffic service systems operated by or under the responsibility of that person:

(1) Keep a written record of functional tests, flight checks and particulars of any overhaul, repair, replacement or modifications thereof, and

(2) Preserve the written record for the life of the equipment or such longer period as the CARC may in a particular case direct and shall, within a reasonable time, and not more than 30 days after being requested to do so by an authorized officer, produce such record to that officer.

(b) The person in charge of an air traffic service system which is used for the provision of an air traffic control service shall provide equipment which is capable of recording the terms or content of any radio message or signal transmitted to any aircraft either alone or in common with other aircraft or received from any aircraft by the air traffic control service and of primary and secondary radar surveillance systems data used as an aid to that service.

(c) The equipment provided in compliance with paragraph (b) of this section shall be:

(1) Of a type the specification of which is approved by the CARC in relation to the particular air traffic service system.

(2) Installed, modified and maintained in a manner approved by the Authority; and

(3) In operation at all times when the air traffic service system concerned is in operation for providing an air traffic control service.

(d) The person in charge of an air traffic service system shall ensure that each record made by the equipment provided in compliance with paragraph (b) of this section includes:

- (1) The identification of the air traffic service system or aeronautical radio station concerned,
- (2) The date or dates on which the record was made,
- (3) The means of determining the time at which each message or signal was transmitted,
- (4) The identity of the aircraft to or from which and the radio frequency on which the message or signal was transmitted or received, and
- (5) The time at which the record started and finished.

(e) In the event of the equipment provided in compliance with paragraph (b) of this section ceasing to be capable of recording the matters required by this section to be included in the record, the person in charge of an air traffic service system shall ensure that action is taken immediately to repair or replace that recording equipment with equipment capable of complying with paragraph (b) of this section for the period of time the equipment provided in compliance with paragraph (b) of this section ceases to be capable of recording the matters required by this section to be included in the record, the person in charge of the air traffic service system shall ensure a written record is kept in which the particulars specified in paragraph.

(f) The person in charge of an air traffic service system shall preserve any record made in compliance with this section for a period of 60 days from the date on which the message or signal was recorded or for such longer period as the CARC may in a particular case direct, and shall, within a reasonable time and not more than 7 days after being requested to do so by an authorized officer, produce such record to that officer.

(g) A person required by this section to preserve any record by reason of his being the person in charge of the air traffic service system shall, if he ceases to be such person, continue to preserve the record as if he had not ceased to be such person, and in the event of his death the duty to preserve the record shall fall upon his personal representative: provided that if another person becomes the person in charge of the air traffic service system the previous person in charge or his representative shall deliver the record to that other person and it shall be the duty of that other person to deal with the record delivered as if he were the previous person in charge. An application to the CARC for an approval pursuant to paragraph 4 of this section shall be in writing and shall be accompanied by the appropriate fee which shall be determined from time to time by CARC .

173.11 Certification.

(a) The CARC shall cause to be issued a Certificate of Compliance in respect of every approval under section 173.7 of this part. The Certificate of Compliance shall be valid for one year and will be renewable on the basis of payment of the correct fee and the equipment remaining compliant and will include the name of the aerodrome, where relevant, and the licensee.

(b) The CARC may, on grounds being shown to it which in its opinion are sufficient, revoke, suspend or amend a Certificate of Compliance.

(c) The licensee or any person having possession or custody of a Certificate of Compliance which has been revoked, suspended or amended under this Part shall surrender it on demand to the Authority.

173.13 Inspection of Air Traffic Service System and their Equipment and Records.

An authorized officer shall have the right of access at all reasonable times to any air traffic service system for the purpose of inspecting it and any equipment or record therein and for the purpose of testing or observing the operation of any such equipment.

173.15 Safety Management System.

(a) The air traffic services provider shall establish and implement a safety management system (SMS) for the provisions of air traffic system by December 2007. (SMS) shall ensure a formalized, explicit and proactive approach to safety which enable air traffic system to:

- (1) Meet its safety responsibilities within the provision of ATS;
- (2) Ensure the general safety policy statement by the high management levels which define the fundamental approach of ATS to managing safety;
- (3) Ensure that the achievement of satisfactory safety levels in the provision of ATS shall be afforded the highest priority over commercial, operational, environmental or social pressures;
- (4) Ensure while providing ATS, principle safety objective is to minimize the contribution of the ATS to the risk of an aircraft accident;
- (5) Ensure that risk assessment and mitigation are conducted to an appropriate level to ensure that due consideration is given to all aspects concerning ATS management;

- (6) Ensure that safety – related enhancement are implemented without delay whenever necessary; and
- (7) Ensure that all persons involved in the safety aspects of the provision of ATS have an individual safety responsibility for their own actions;
- (8) Ensure the implementation of any remedial or preventive measures to eliminate and/or mitigate a risk;

173.17 Occurrences Reporting.

Air Traffic Services provider shall ensure that all safety – related occurrences are reported without delay and all required actions are taken.

173.19 Directions.

- (a) The CARC may give directions, in respect of such matters and things as may be specified in the directions, for carrying out this purposes of the part and may, by a direction, exempt a person from a requirement of this part subject to such conditions as may be specified by the CARC in relation to such exemption and which conditions shall be complied with by a person to whom they apply.
- (b) Directions under this Part may be given in the form of Aeronautical Notices or Aeronautical Information Circulars or by individual notice sent by registered post to the person affected .

173.21 Fees.

An application to the CARC for an approval pursuant to section 173.7 of this part shall be in writing and shall be accompanied by the appropriate fee which will be determined from time to time by the CARC.

APPENDIX-A**Equipment and systems forming all or part of an Air Traffic Service System to be regulated under this part:**

1. Communications systems used to communicate with aircraft, vehicles or personnel operating on an aerodrome including voice communications control systems and VHF/UHF/radiotelephony transmitters, receivers and antennae.
2. Systems associated with broadcast services such as Automated Terminal Information Services and VOLMET including VHF transmitters and antennae and the message preparation or generation equipment.
3. Radar transmitter and receiver equipment including surveillance, data-processing and display systems and equipment and related or dependent elements such as maintenance arrangements or runway incursion detection systems.
4. Direction Finding and associated processing and display equipment.
5. Equipment and associated monitoring and control systems for the following:
 - Instrument Landing Systems.
 - Instrumented Runway Visual Range.
 - Microwave Landing Systems.
 - Non-Directional Beacons.
 - VHF Omni-directional Range Beacons.
 - Distance Measuring Equipment.
6. Data processing and communications equipment used for air traffic management messaging including On Line Data Interchange, Aeronautical Fixed Telecommunications Network and flight data processing systems including flight strip printers. Approval will be limited to gaining assurance of data integrity aspects only.
7. Alarm and safety alerting systems and devices where not included in the above systems and equipment.
8. Information display systems such as general air traffic information displays and closed circuit television systems. Approval will be limited to gaining assurance of safety related data integrity only.
9. Aerodrome Ground Lighting control and monitoring systems unless these are subject to approval under an aerodrome license.
10. Any other specific item or class of equipment or system deemed by the Authority in a particular instance to be safety related and used to support the provision of an air traffic service system.
11. Runway Visual Range Measuring equipment unless this is subject to approval under an aerodrome license.

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