

STATUTE OF THE LATIN AMERICAN CIVIL AVIATION COMMISSION (LACAC)

(México City, 14 December 1973)

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CHAPTER I – CONSTITUTION

Article 1.-

The Civil Aviation Authorities of the States participating in the Second Conference of Aeronautical Authorities of Latin America held in Mexico, in December 1973, by this instrument establish the Latin American Civil Aviation Commission, for the purpose of collaborating fully in the solution of the civil aviation problems in the geographical area specified in Article 2.

Article 2.-

Only the States located in South America, Central America including Panama and Mexico and the States of the Caribbean, geographical area which for the purpose of this instrument is called Latin America, may become members of the Latin American Civil Aviation Commission, hereinafter referred to as either the Commission or LACAC.

Article 3.-

LACAC is a consultative body and its conclusions, recommendations and resolutions shall be subject to approval by each of the Governments.

CHAPTER II - OBJECTIVES AND FUNCTIONS

Article 4.-

The primary objective of the Commission is to provide the civil aviation authorities of the member States an appropriate framework within which to discuss and plan all the required measures for cooperation and coordination of all their civil aviation activities.

Article 5.-

For the fulfillment of its objectives, the Commission shall carry out all necessary functions and in particular:

- a) Foster and support coordination and cooperation between the States, for the orderly development and better utilization of air transport within, to and from Latin America.
- b) Carry out studies of regional air transport economic question.
- c) Promote a better interchange of statistical information between the member States, by means of improved and timely filing of the ICAO forms and the provisions of such other statistical information which it may decide to collect on a regional basis.
- d) Encourage the application of ICAO standards and recommended practices on facilitation and to propose further measures aimed at greater facilitation of the movement within the Region of passengers, freight and mail.
- e) Foster arrangements between the States of the Region contributing to a greater implementation of the ICAO Regional Plans, for the provision of air navigation facilities and services and the adoption of ICAO specifications in the fields of airworthiness, maintenance and operation of aircraft, licensing of personnel and aircraft accident investigation.
- f) Foster arrangements for the training of personnel in all fields of civil aviation.
- g) Foster collective arrangements for technical assistance in Latin America in the field of civil aviation with a view to obtaining the best possible use of all available resources particularly those provided within the framework of the United Nations Development Programme.

CHAPTER III - RELATIONS WITH ICAO AND OTHER INTERNATIONAL ORGANIZATIONS

Article 6.-

The Commission shall maintain close liaison with ICAO in order to ensure harmonization and coordination of its activities with the objectives and plans of that Organization.

Article 7.-

The Commission may establish relations of a consultative nature with the Organization of American States (OAS), the United Nations Economic Commission for Latin America (ECLA), the Latin American Association of Integration (ALADI), the Board of the Cartagena Agreement, the Central American Common Market (MCCA) and the Caribbean Free Trade Association (CARIFTA) with a view to cooperating with these bodies and providing them with assistance in the field of civil aviation. It may also establish liaison with the European Civil Aviation Conference (ECAC), the African Civil

Aviation Commission (AFCAC) and with any other body considered appropriate or necessary.

CHAPTER IV - ORGANIZATION AND WORKING ARRANGEMENTS

Article 8.-

The bodies of the Commission shall be the Assembly and the Executive Committee.

Article 9.-

The Assembly composed of the representatives of member States, shall meet in ordinary sessions at least once every two years.

Article 10.-

Extraordinary sessions of the Assembly shall be convened on initiative of the Executive Committee or when that Committee receives a request from a majority of the member States of the Commission.

Article 11.-

A majority of the member States shall constitute a quorum for ordinary and extraordinary sessions of the Assembly.

Article 12.-

The Conclusions, Recommendations or Resolutions of LACAC shall be adopted at Meetings of the Assembly, where each State shall have one vote. Subject to the provisions of Article 25, decisions of the Assembly shall be by a majority of the States represented.

Article 12 bis.-

In certain circumstances and when considered appropriate by the Executive Committee, a Resolution or Recommendation on a specific subject which has been duly examined by the bodies of LACAC and member States may be adopted as a result of voting by correspondence. In that case, the express acceptance of at least two-thirds of the member States will be required for the Resolution or Recommendation to be adopted.⁽¹⁾

Article 13.-

At each ordinary session, the Assembly shall:

- a) Elect its President and four⁽²⁾ VicePresidents giving due consideration to an adequate geographical representation and, in general, the principle of rotation and the contribution of each State to air transport in the Region.⁽²⁾
- b) Establish the work programme to be carried out for the period up to the end of the year in which the following ordinary session of the Assembly is planned to be held.

- ⁽¹⁾ New Article according to LACAC Resolution A4-3.
⁽²⁾ Amendment according to LACAC Resolution A4-1.

Article 14.-

The Assembly shall determine its own internal organization, procedures and working arrangements including the establishment of Committees, Working Groups and Groups of Experts to study special aspects of the matters specified in Articles 4 and 5 of this Statute. It may also constitute Working Groups to study and discuss such of those matters of interest to only a limited membership of LACAC.

Article 15.-

The Executive Committee, composed of the President and VicePresidents elected by the Assembly, shall administer, coordinate and steer the work programme established by the Assembly and may form Committees and Working Groups or Groups of Experts as required.

Article 16.-

There shall be a Secretariat which shall be determined by the Executive Committee in accordance with the rules and directives specified by the Assembly and the provisions of this Statute.

Article 17.-

The acts and decisions of the bodies of LACAC shall be such as to reflect the individual and common needs and aspirations of the subregions, and shall be taken with due regard to the proposals and conclusions of such subregional commissions as may be established or function to consider matters of interest to them.

Article 18.-

States should be represented at meetings of LACAC by delegates in number, rank and competence appropriate for the problems to be discussed. The Chiefs of Delegations to the Assemblies normally should be officials of the highest rank directly responsible for the administration of international civil aviation in their respective countries and at the other meetings by high ranking civil aviation officials.

CHAPTER V - FINANCIAL MATTERS

Article 19.-

At each ordinary session the Assembly shall prepare and approve an estimated budget of the direct costs of its activities as indicated in the work programme planned for the ensuing years up to the end of the year in which it is planned to hold the next ordinary session of the Assembly.

Article 20.-

The Executive Committee of LACAC may modify this budget in consultation with member States. In the event of any budget increase the prior approval of the majority of member States shall be required.

CHAPTER VI - SIGNATURE, APPROVAL AND AMENDMENT

Article 21.-

The present Statute is open for signature in Mexico City, by all the States referred to in Article 2, as of 14 December 1973.

Article 22.-

The present Statute shall be submitted for approval of the signatory States. The notifications of approval shall be deposited in the Secretariat of External Relations of the United States of Mexico.

Article 23.-

This Statute shall come into force provisionally as of 14 December 1973 and definitively after approval by twelve of the States referred to in Article 2.

Article 24.-

To withdraw from the Commission, a State shall address a notification to that effect to the Secretariat of External Relations of the United States of Mexico which shall notify the Commission and all the member States. Withdrawal shall take effect six months from receipt of the notification.

Article 25.-

This Statute may be amended by a two-thirds majority of the member States.

CHAPTER VII - FINAL AND TRANSITORY DISPOSITIONS

Article 26.-

The working languages of the Commission shall be Spanish, Portuguese and English.

Article 27.-

Subject to the approval of the Council of ICAO, the Secretariat services of LACAC for studies, meetings, correspondence, maintenance of records and the like, shall be provided by the ICAO Secretariat through the South American Regional Office.

Article 28.-

Subject to the approval of the Council of ICAO, the indirect costs attributable to the activities of LACAC shall be the responsibility of ICAO. The direct costs shall be borne by the member States of the Commission, but ICAO may advance the funds required.

Article 29.-

The direct costs incurred by ICAO in respect of the activities of LACAC shall be apportioned among the member States of the Commission in proportion to the percentage of their contribution to the ICAO budget for the year in which those costs were incurred.

Article 30.-

The direct costs incurred by ICAO in accordance with the provisions of the preceding Article shall be recovered from the member States of the Commission in the form of a supplementary assessment to that the member States of the Commission contribute to the regular budget of ICAO.

Article 31.-

LACAC shall elect a provisional President and three Vice-Presidents during the Conference of Aeronautical Authorities referred to in Article 1° of this Statute whose period of office shall extend up to the date of termination of the first session of the Ordinary Assembly of LACAC.

Article 32.-

The First Ordinary Assembly of LACAC shall be convened at the place and date determined by the Conference of Aeronautical Authorities referred to in Article 1° of this Statute and insofar as possible shall be held no later than the third quarter of 1974 and prior to the convening of the 21st Session of the ICAO Assembly.

Article 33.-

The Executive Committee established in accordance with Article 31, shall prepare a draft of rules of procedures for meetings of LACAC which shall be submitted for consideration by the member States. On the basis of this draft and the comments received from the member States, the Executive Committee shall approve provisional rules of procedure for meetings of LACAC which shall be applied at the first Ordinary Assembly at which the final Rules shall be adopted.

Article 34.-

The Executive Committee established in accordance with Article 31, shall prepare and present for consideration by the First Session of the Ordinary Assembly of LACAC the work programme and the budget for the years 1975 and 1976.