



INTERNATIONAL CIVIL AVIATION ORGANIZATION (ICAO)
ORGANIZACIÓN DE AVIACIÓN CIVIL INTERNACIONAL (OACI)

COMISIÓN LATINOAMERICANA DE AVIACIÓN CIVIL (CLAC)
LATIN AMERICAN CIVIL AVIATION COMMISSION (LACAC)



**THIRD MEETING OF THE AVIATION SECURITY AND FACILITATION REGIONAL GROUP
(AVSEC/FAL/RG/3)**

Lima, Peru, 17 to 21 June 2013

AVSEC/FAL/RG/3 — WP/11
13/05/13

Agenda Item 5: Facilitation (FAL)

5.3 Report on Guidance on National and Airport Facilitation Committee Project

ORGANIC REGULATIONS PROJECT FOR THE OPERATIONS OF THE NATIONAL AND AIRPORT FACILITATION COMMITTEES

(Presented by Dominican Republic as Coordinator)

SUMMARY	
It submits for the consideration of the Regional Group, the Organic Regulations Project for the operations of the National and Airport Facilitation Committees.	
References:	
• Annex 9 – <i>Facilitation</i> and Doc 9957 – <i>Facilitation Manual</i> (ICAO), Recommendation A13-1 (LACAC)	
<i>Strategic Objectives</i>	<i>This working paper is related to ICAO Strategic Objective B.</i>

1. Background

1.1 In the Second Meeting of the Aviation Security and Facilitation Regional Group (AVSEC/FAL/RG/2) held in St. John's, Antigua and Barbuda, from 16 to 18 May 2012, Dominican Republic, as Coordinator State of the task, submitted the Working Paper WP/03 about "*Harmonization and Unification of LACAC Decisions Project*" also the modification and updating of the proposed resolutions and recommendations of LACAC; after the debate, the Regional Group agreed that Dominican Republic should continue working the "*Guidance Text on Organic Regulation for the operation of National and Airport Facilitation Committees*".update.

2. Activities

2.1 To perform this “*Organic Regulation Project for the operation of National and Airport Facilitation Committees*”, was considered the Recommendation A13-1 of LACAC, that have been extended and updated according to the provisions of Annex 9, Section G, Appendices 11 and 12, and the Facilitation Manual (Doc 9957) issued by ICAO.

2.2 Therefore, it is submitted for consideration of the Regional Group, the Organic Regulation Project for the operation of National and Airport Facilitation Committees, Project Organic Regulations for the operation of the National Committees and Airport Facilitation, which is attached in the **Appendix** to this Working Paper.

3. Conclusion

States are called to take note of the information contained in the Regulation Project submitted, in order to consider its application.

APPENDIX

ORGANIC REGULATION OF THE AIR TRANSPORT NATIONAL FACILITATION COMMITTEE

Article 1. - Domicile. - The National Facilitation Committee (NFC), created by _____, will have its domicile in the headquarters of the Civil Aviation Authorities.

Article 2. - Attributions of the National Facilitation Committee. - The National Facilitation Committee, in its capacity as the organism responsible for coordinating the implementation of the measures taken to facilitate the clearance of aircraft, crews, passengers, cargo, baggage, mail and supplies, performs the following functions:

1. Consider the provisions of Annex 9 to the Convention on International Civil Aviation and its level of incorporation into national law, in order to recommend the appropriate organizational and regulatory proposals aimed at facilitating the clearance of aircraft, crews, passengers, cargo, baggage, mail and supplies.
2. Report through the Board of Civil Aviation to International Civil Aviation Organization (ICAO), the work done concerning air transport facilitation as well as perform a systematic examination of the differences in National Legislation regarding Annex 9 to the Convention on International Civil Aviation, so they can be properly notified to ICAO.
3. Propose guide line regarding clearance formalities applied to international air transport services.
4. Report recommendations submitted to it by Airport Facilitation Committee and bring issues to be addressed by such Committees.
5. Make recommendations to the administrative organism and authorities in matters related to the facilitation of air transport as well as to other interested entities to comply with the provisions of Annex 9 to the Convention on International Civil Aviation.
6. Establish the Airports Facilitation Committees, in accordance with the provisions of Articles 14 and 16 of this Regulation.
7. Keep informed the administrative organism, authorities and other stakeholders, about the important events recorded in the issue of International Civil Aviation, as they affect the operations in and out of the country.
8. Participate, through representatives designated by the Committee, in international forum dealing with international air transport facilitation

Article 3. - Representation. - The holder of the institutions, agencies and entities represented on the Committee, may appoint a representative to attend the meetings.

1. The representative of the holder shall be selected from the management personnel with responsibilities in matters related to the facilitation of air transport.

Article 4. - Plenary session. - The plenary of the National Facilitation Committee, is the meeting of all members present.

Article 5. - The Presidency of the National Committee - The Presidency of the National Committee shall be exercised by the top leadership of the aviation authorities.

1. The Vice President of the National Committee shall be filled by appointment of majority acceptance of the plenary. The designated must be one of its members, who shall serve for a period of twelve (12) months. Cannot be elected for the next period.
2. The Secretariat of the National Committee shall be filled by appointment of the plenary over one of its members. The designation shall necessarily be a person who serve on the National Committee and shall serve unless his appointment is revoked.

Article 6. - Duties of the President. - The President of the National Facilitation Committee shall have the following attributions and duties:

1. Chairing meetings of National Facilitation Committee.
2. Represent the National Facilitation Committee against the national institutions and international organizations, public or private.
3. Define the agenda of the meetings of the National Facilitation Committee, without prejudice to the right of other members to propose the inclusion of specific items on this agenda.
4. Convene regular, extraordinary and emergency meetings.
5. Preside the working committees, when the importance of the subject makes it necessary.
6. Appoint consultants or experts in matters requiring special studies.
7. Directed to the corresponding authority the decisions and recommendations adopted by the plenary, to his knowledge and proper purposes.

Article 7. - Duties of the Vice President. - The Vice President shall have the following attributions and duties:

1. Replace the President, in case of illness or temporary absence, in all powers inherent to his position.
2. Represent the National Committee when be specifically designated by the President or by the Plenary.
3. Controlling the activities assigned to the working committees.
4. Perform other duties assigned by the committee or the President.

Article 8. - Duties of the Secretary. - The Secretary of the National Facilitation Committee shall have the following attributions and duties:

1. Send to members of National Facilitation Committee the covenant and agenda of topics to be discussed properly prepared and bring the matters to be dealt.
2. Compose and sign minutes with the President and other members of the National Facilitation Committee.
3. Receive proposals from members of the National Facilitation Committee, ensuring they comply with all the formalities required
4. Dispatch with the President all matters in charge.
5. Send to members copy of the minutes of the sessions.
6. Processing of final reports on the activities of the committees and working groups that the National Facilitation Committee needs to know.
7. Save and archive all documents of the National Facilitation Committee.
8. Follow up the activities to be undertaken by the Working Committees.

Article 9. - Duties of Members. - Members of the National Facilitation Committee have the following powers and duties:

1. Attend all meetings of NFC personally or by proxy and submit written excuses when it's impossible to attend.
2. Participate and vote in plenary meetings convened by the President, without prejudice to the right of abstention.
3. Present pertinent motions relating to the activity of National Facilitation Committee, accompanying as many copies as members have the Committee.
4. Ask for special meetings, stating the matters to be dealt and basing the request.
5. They may be accompanied at meetings or sessions by advisors they deem fit, subject to the requirements and conditions outlined in this Regulation.
6. They may request a postponement of the discussion of the issues convened in the meetings of the NFC.
7. They should be part of the commission or working groups appointed by the Plenary of the Committee.
8. They must keep discretion in matters discussed in Plenary.
9. Sign once read and approved by Parliament, the minutes of all meetings of the CNF in which they participated.

Article 10. - Working Meetings. - The National Facilitation Committee will hold regular and special meetings, following the procedure outlined below:

1. The regular meetings shall be held every three (3) months, the last Friday of the month in question. If the meeting matches a holiday, will be postponed for next Friday.
2. Convene ordinary meetings at least fifteen (15) days prior to the date of the meeting, by sending the invitation and agenda to be treated along with documentation that supports it. If necessary, when it cannot be held a regular meeting for lack of quorum, a special meeting may be convened.
3. Extraordinary meetings shall be convened with two (2) days prior to the date of the meeting, by sending the invitation and agenda to be treated, except in cases of emergency.
4. Members may attend meetings accompanied by advisers, previously informing the President. The involvement of consultants at the meeting will be limited to the issue or matter of the scheduled item on the agenda.
5. Decisions of the Committee shall be recorded in the respective minutes.
6. All decisions of the Committee shall be taken by the vote of at least nine (9) members.
7. At the request of any member, the Committee may postpone the discussion of an issue until the next meeting.

Article 11. - The Quorum Required. - The quorum required for holding the meetings is established by the presence of not less than nine (9) members. All members will have a say in the sessions. The Secretary of the Committee will only have voice without vote.

Article 12. - Working Committees. -

1. Working Committees will refer to all working group created or designated by the National Facilitation Committee, composed by two or more members.
2. The commissions shall aim to conduct studies, evaluations or investigations and submit reports concerning the activities assigned to them and their work, it will be coordinated by a designated member of the National Facilitation Committee.
3. Commissions will be dissolved once its report has been known by the National Committee for Facilitation.
4. Any member may request to the CNF the designation of specialists, for purposes of assist the Commission on the entrusted work, which will be processed once approved by the pertinent institution.
5. The papers that will be submitted by the National Facilitation Committee at an international event, shall first be discussed in committee.

Article 13. - Airports Facilitation Committees. – The National Facilitation Committee shall provide that each airport serving International Civil Aviation has a Airport Facilitation Committee (FAL), chaired by the administrative staff of the airport that belongs to mentioned Committee, in accordance with the provisions of Annex 9 to the Convention on International Civil Aviation.

1. The Airport Facilitation Committee (FAL) is the agency responsible for coordinating the activities and procedures for Facilitation in the airport area under Annex 9, that facilitates the implementation of border clearance formalities at the airport, regarding to the aircraft, crews, passengers and cargo.
2. The Airport Facilitation Committee will be composed of the Airport Administration, civil aviation authorities, and senior officials in charge of their respective inspection agencies at the airport, such as Customs, Immigration, Health, Quarantine, Health, Agriculture, Security, Narcotics Control, Air Operators with international operations at the airport concerned, and other related agencies.

Article 14. - Domicile. - The Airport Facilitation Committee shall be domiciled at the airport to which it belongs.

Article 15. - Organs of Airport Facilitation Committee. - The Airport Facilitation Committee will consist of the following areas:

- a) President, (Airport Manager or his representative)
- b) Vice President
- c) Secretary of the Airports Department.

1. Whenever an organism replaces its representative, shall communicate the change in writing to the Chairman.

Article 16. - Attributions of Airport Facilitation Committee. - The Airport Facilitation Committee shall have the following attributions:

1. Coordinate, supervise and monitor the implementation of Airport Facilitation Program.
2. Analyze problems of arrival and departure of aircraft, passengers, baggage, cargo, mail and supplies and fix them immediately, if it's possible, problems that may arise at the international airport at issue.
3. Ensure that the procedures and measures for the facilitation implemented at the airport are adequate and are under constant review.
4. Perform periodic inspections of infrastructure facilities, services and procedures at airports. Airport's FAL Committee Chairman will be responsible for conducting these inspections, sending the report for the National Facilitation Committee.

Article 17. - Duties of the President. - The President of Airport Facilitation Committee shall have the following attributions and duties:

1. Formulate agenda with the assistance of the Secretary.
2. Chairing meetings and lead discussions.

3. Subscribe minutes of meetings with the Secretary and members.
4. Coordinate and convene, through the Secretary the members of the Committee for regular and special meetings.
5. Follow up on the decisions made by the Committee, seeking the way to implement them.
6. Request to the designated working committees, the relevant studies.
7. Represent the Committee in all proceedings conferred by this Regulation.
8. Check the result of decisions taken at meetings and inform the Airport Committee.
9. Inform the NFC of the actions taken and recommendations made, with a copy of all meeting minutes of the Committee and the Committee's own information, as may be required

Article 18. - Duties of the Vice President. -

1. The Vice must fall on one of its permanent members and shall be appointed for a period of six months on a rotating basis.
2. The Vice President will hold all the functions of the President when replacing him by temporary absence or illness. Will Perform as well, those functions delegated by the President or committee assigned.

Article 19. - Duties of the Secretary. - The Secretariat of Airport Facilitation Committee must be directed by one of the permanent members in the Airport Department. The duties of the Secretary shall be as follows:

1. Coordinate and convene by order of the President, the ordinary and extraordinary meetings.
2. Send to Committee members the convening and agenda of topics to be discussed properly prepared, and bring the matters to be dealt.
3. Receive proposals from members on facilitation issues.
4. Signing with the President and other members, the minutes of the meetings.
5. Give to each member a signed copy of the minutes of the meetings.
6. Dispatch with President affairs in charge of him.
7. Safeguarding and archive documents of the Committee.

Article 20. - Working Sessions. -

1. The Airport Facilitation Committee held regular and special sessions.
2. Regular meetings shall be held at least one (1) time per month, the last week of each month, sending the call and schedule with five (5) days in advance.

3. Special meetings will be held at the request of any member, with prior knowledge about the subject to be discussed.
4. After informing the President, members may attend meetings accompanied by advisers. The involvement of advisers at meetings will be limited to the issue or matter of which they are specialists.
5. The Committee's decisions shall be taken by majority vote. In case of a tie, the president shall decide with a casting vote and be recorded in the respective minutes.
6. At the request of any member, subject to approval, the Committee may postpone the discussion of any matter until the next meeting.
7. All Committee members who attend the meetings will have a say in their discussions, deliberations and decisions.

Article 21. - Required Quorum for meetings of Airport Facilitation Committee. - The required quorum for the meetings will be integrated with the concurrence of half plus one of its members.

Article 22. - Purpose, Objectives and Tasks of the National Facilitation Program (FAL). –

1. The aim of the National Programme (FAL) is to fulfill the mandate of the Chicago Convention, concerning the Contracting States to provide and facilitate cross-border formalities to be fulfilled with respect to aircraft engaged in international operations and its passengers, crew and loads. The people responsible for giving effect to the provisions of Annex 9 of the Convention should be familiar with Articles 10, 11, 13, 14, 22, 23, 24, 29 and 35 of the Convention (FAL).
2. The main objective of the National Facilitation Program is taking all practicable measures to simplify procedures and speed up the dispatches relating to arrivals, transit and departure of aircraft, crews, passengers, baggage, mail, cargo and supplies; eliminating unnecessary obstacles and delays at international airports in the country. So far as possible, controls and security procedures cause minimal interference or delays in Civil Aviation activities, provided they do not compromise the effectiveness of such controls and procedures. The executive organ of the National Facilitation Program is the National Facilitation Committee.
3. Tasks for the Application. - The National Air Transport Facilitation is aimed to:
 - 3.1 Where necessary, recommend to the Civil Aviation Board the establishment of new international airports.
 - 3.2 Develop procedures by which aircraft operators of scheduled and non-scheduled services may request permission to land or depart international airports:
 - a) Arrange for inspection services, such as customs, immigration, health, etc., at international airports.
 - b) Provide support to border control agencies, to establish and maintain effective inspection systems at airports and support efforts to simplify their own procedures.

- c) Develop security control such as control of document fraud, illegal migration and smuggling.
- d) Coordinate preparations to facilitate the departures of a large number of international visitors for special events, for example: sports international competitions, conventions, etc.
- e) Establish, review and amend as necessary, national policies for the prevention of the spread of communicable diseases by airways, for example, aircraft disinfection, quarantine programs related to public health and inspection measures that must be apply in the case of a health emergency.
- f) Establish, review and amend, as necessary, national regulations to implement state laws relating to customs, immigration and quarantine, corresponding to the international air flights.
- g) Establish and amend, as appropriate, the customs and immigration procedures that are carried out at airports, to ensure they are consistent with the Standards and Recommended Practices contained in Annex 9.
- h) Support and promote the national issue of passports and other travel documents in accordance with the specifications contained in ICAO Doc 9303 - Machine Readable Travel Documents.
- i) Participate in the development of ICAO Annex 9.
- j) Browse national procedures periodically to ensure they are compatible with the provisions of ICAO Annex 9.
- k) Periodically review all relevant agencies comply with the provisions of Annex 9 and notify ICAO of differences between national practices and relevant standards.

Article 23. - Tasks for Airport FAL program. - The Airport FAL program will have the following tasks:

1. Establish, review and amend, if necessary, procedures for entry and clearance of flights at the airport concerned.
2. Periodically review the performance of all parties with respect to meeting the objective of dispatching in less than 45 minutes the passengers arriving and in 60 minutes departing passengers. Use time studies and queuing analysis to determine where to make adjustments.
3. Establish modern systems for immigration and customs inspection, using applicable technology. Collaborate in the development of automated passenger clearance.
4. Make the necessary changes in the movement of traffic and checkpoints at the airport in order to cope with rising traffic volumes.
5. Improve the quality and quantity of signage on site inspection to reduce public confusion.
6. Examine staffing at inspection posts, shifts, overtime, etc., and make necessary adjustments to

meet traffic demand.

7. Provide information on behalf of the aircraft operator and resident inspection agencies to design new airports and inspection facilities.
8. Monitor and improve the delivery of luggage to the customs inspection area.
9. Draw the attention of the competent authorities any service problems related to the exchange rate. Recommend installation of ATMs in the arrival area.
10. Coordinate facilitation, narcotics control, aviation security and procedures for the release of dangerous goods, in order to meet the objectives of these four programs.

Relating to Air Cargo

11. Coordinate the activities and requirements of the various inspection agencies to ensure prompt clearance and delivery of air cargo shipments. Provide adequate facilities for loading/unloading and storing cargo insurance while waiting for customs clearance.
12. Establish and maintain electronic systems for the cargo manifest, customs clearance and delivery.
13. Customer Service: Periodically review the performance of all parties with respect to meeting the target of three hours to complete the formalities of inspection and make adjustments as necessary and possible.
14. Examine the inspection agency staff the office area of the load shifts, overtime, etc., and make necessary adjustments to know customer's needs.

— — — — —