



SCAA

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**STANDARDS AND RULE MAKING MANUAL**

Fourth Edition, October 2018

Issued and Published under the Authority of the Director General

SUDAN CIVIL AVIATION AUTHORITY  
THE REPUBLIC OF SUDAN

(October 2018)





SCAA

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Standards and Rule Making Manual  
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## INTRODUCTION - AUTHORITY TO PUBLISH

This "**Standards and Rule Making Manual**" contains the processes established by the Sudan Civil Aviation Authority (SCAA) to enable the timely development, amendment, and promulgation of civil aviation-related regulatory, guidance and information material.

The manual provides a standardized guidance for coordinating the preparation of new regulatory requirements and guidance material, or amendment of existing ones. It includes all the steps from the initial proposal of new regulatory or guidance material, or amendment, until the promulgation, or amendment of civil aviation regulatory requirements, or issuance of guidance or information material.

The Fourth Edition of the **Standards and Rule Making Manual** incorporates changes in the organizational structure of SCAA and assignment of responsibilities in the processes related to the preparation and coordination of the development or amendment of regulations, guidance, and information material. It also takes into account the most recent amendment of the guidance material issued by the International Civil Aviation Organization (ICAO) for rulemaking and publications of regulatory, guidance and information material.

  
Capt. Ahmed Satti Bajour  
Director General, SCAA

21 October 2018





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## ABBREVIATIONS

|         |   |
|---------|---|
| ACs     | Advisory circulars  |
| AIP     | Aeronautical Information Publication  |
| AIR     | Airworthiness Directorate   |
| AIS     | Aeronautical Information Services   |
| ANRD    | Air Navigation Regulatory Directorate   |
| ASD     | Aviation Safety Directorate   |
| COSCAPs | Cooperative Development of Operational Safety and Continuing Airworthiness Programmes |
| DASS    | Directorate of Aerodrome Safety & Standards   |
| DG      | Director General of the Civil Aviation Authority                                      |
| FSIX    | Flight Safety Information Exchange  |
| ICAO    | International civil Aviation organization   |
| LEP     | List of Effective page  |
| NPRA    | Notice of Proposed Regulations Amendment  |
| OPS     | Flight Operations Directorate   |
| PEL     | Personnel Licensing Directorate   |
| RSOO    | Regional Safety Oversight Organizations   |
| SARPs   | Standards and Recommended Practices   |
| SCAA    | Sudan Civil Aviation Authority  |
| SCASPs  | Sudan Civil Aviation Safety Publications  |
| SI      | Staff Instruction   |
| SPS     | Safety Policy and Standards Directorate   |
| SRMC    | Standards Rulemaking Committee  |
| SUCARs  | Sudan Civil Aviation Regulations  |

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## CHAPTER 1 – GENERAL

### 1.1 Definitions

The definitions used in this manual are similar to those found in relevant Sudan Civil Aviation Regulatory and Guidance Material (such as the Civil Aviation Act, Sudan Civil Aviation Regulations (SUCARs) and associated documentation) and shall have the meanings as described below:

**Advisory Circular (AC).** A document issued and published under the Authority of the Director General to provide guidance for compliance with Sudan Standards. It defines acceptable means, but not the only means, of accomplishing or showing compliance with Sudan Standards.

**AIRAC.** An acronym (Aeronautical Information Regulation and Control) signifying a system aimed at advance notification, based on common effective dates, of circumstances that necessitate significant changes in operating practices.

**Authority.** Sudan Civil Aviation Authority.

**Board of Directors.** The Board of Directors of Sudan Civil Aviation Authority established by the Civil Aviation Act.

**Bulletin.** A document issued and published under the authority of the Director General to relevant industry players and SCAA staff members to provide information that does not require action other than “to note”.

**Calendar.** Discrete temporal reference system that provides the basis for defining temporal position to a resolution of one day (ISO 19108).

**Check-list.** A document issued and published under the authority of the Director, Aviation Safety Department to relevant SCAA staff members to provide list of items to be verified to determine conformance to a requirement contained in a SUCAR, Associated Advisory Circular, Circular, Directive, Order, or Sudan Civil Aviation Safety Publication.

**Civil Aviation Act.** The Sudan Civil Aviation Act of 2018.

**Circular.** A document issued and published under the authority of the Director General to disseminate specialized information of interest to SCAA staff members and relevant industry players, such as: studies or notes based on statistics field, reproduction of, or extracts from documents submitted by industry, reports on implementation of Sudan Standards.

**Competent Minister.** The Minister designated by the President of the State to be in charge of civil aviation.

**Convention.** The Convention on International Civil Aviation, signed at Chicago on 7 December 1944, as amended.

**Directive.** A document issued and published under the authority of the Director General to govern the implementation of a Standard.

**Director General.** The Director General of the Sudan Civil Aviation Authority.

**Guidance Material.** A document issued and published under the authority of the Director General to guide SCAA technical staff members and relevant industry players to implement the requirements contained in the SUCARs, Advisory Circulars, Directives, Operational Policies, Orders, or Sudan Civil Aviation Safety Publications.

**Handbook.** A document issued and published under the authority of the Director General containing one or more operational processes, procedures and or checklist developed for the use of SCAA technical personnel and safety inspectors.

**Manual.** A document issued and published under the authority of the Director General containing guidance and information concerning selected aspects of aeronautical activity or facilitating the uniform application of requirements contained in the SUCARs, Advisory Circulars, Directives, Operational Policies, Orders, or Sudan Civil Aviation Safety Publications.

**National Safety Programme.** The regulatory requirements, processes and procedures established by the SCAA and approved by the Board of Directors of the Sudan Civil Aviation Authority to ensure the safety, regularity and efficiency of civil aviation activities in Sudan.

**Operational Policy.** A document issued and published under the authority of the Director General to provide the SCAA technical staff or the relevant industry players detailed technical or regulatory guidance on the implementation of the requirements contained in the SUCARs.

**Order.** A document issued and published under the authority of the Director General supplementing requirements contained in the SUCARs or providing new Safety Directives in support of safety in air navigation systems (this includes Advisory Directives and Safety Notices).

**Procedure.** A document issued and published under the authority of the Director General to provide guidance to the SCAA technical staff on how to process or evaluate an application or a document required under a SUCAR, Advisory Circular, Directive, Operational Policy, Order, or Sudan Civil Aviation Safety Publication.

**Safety Act.** The Sudan Civil Aviation Safety Act of 2010 as may be amended or replaced.

**SCAA.** Sudan Civil Aviation Authority.

**Specifications.** Standards and operational procedures provided in a SUCAR, Directive, Operational Policy, Order, or Sudan Civil Aviation Safety Publication.



**Standard.** Any specification for physical characteristics, configuration, material, performance, personnel or procedure recognized by the Authority as necessary for the safety or regularity of air navigation.

**SUCAR.** A Sudan Civil Aviation Regulation, containing Standards for civil aviation-related operation throughout Sudan, issued and published under the authority of the SCAA Board of Directors with the consent of the Competent Minister.

**Sudan Aeronautical Information Services.** A unit mandated by the Director General for the provision of aeronautical data and aeronautical information necessary for the safety, regularity and efficiency of air navigation.

**Sudan Civil Aviation Safety Publication.** A document issued and published under the authority of the Director General containing material of factual information, references or supplementary to a SUCAR.

## 1.2 Sudan Civil Aviation Regulatory Framework

1.2.1 The Sudan civil Aviation Regulatory Framework is comprised of:

1.2.1.1 *Primary aviation legislation* – it consists of the Civil Aviation Act 2018, and the Civil Aviation Safety Act of 2010, as amended. The two Acts provide the overall umbrella for operating civil aviation-related activities, and regulating the safety, security, and facilitation of air navigation;

1.2.1.2 *Specific Operating Regulations* - they consist of the Sudan Civil Aviation Regulations (SUCARs) developed and promulgated to address the national requirements emanating from the primary aviation legislation and providing for the specification for physical characteristics, configuration, material, performance, personnel or procedure in conformance with the corresponding international Standards and Recommended Practices (SARP's) contained in the Annexes to the Chicago Convention. The specific operating regulations are further complemented with additional regulatory documents containing detailed instructions, material of factual information, references or supplementary information, governing, or providing guidance for the implementation of the Sudan standards. Such documents include:

- a) Programmes, such as the National Safety Programme (NSP), the National Civil Aviation Security Programme (NCASP), National Facilitation Programme (NFP), and other similar programmes, based on international requirements, published under the authority of the competent Minister, the SCAA Board of Directors or the Director General of SCAA as the case may be.
- b) Advisory Circulars (ACs), Directives, Operational Policies, Orders, Sudan Civil Aviation Safety Publications (SCAP's), issued and published under the authority of the Director General of SCAA; and

1.2.1.3 Guidance and information material which consists of:

- a) *Bulletins* – issued and published under the authority of the Director General to SCAA staff members and relevant players to provide information that does not require action other than “to note”.
- b) *Circulars* – issued and published under the authority of the Director

General to disseminate specialized information of interest to SCAA staff members and relevant industry players, such as: studies or notes based on statistics filed, reproduction of or extracts from documents submitted by industry, reports on implementation of Sudan standards.

- c) *Industry guidance and information material* - issued and published under the authority of the Director General to provide guidance to relevant industry players, or provide information related to the implementation of the requirements contained in the SUCARs, Advisory Circulars, Directives, Operational Policies, Orders, or Sudan Civil Aviation Safety Publications.
- d) *Manuals* – issued and published under the authority of the Director General to provide guidance and information concerning selected aspects of aeronautical activity or facilitating the uniform application of requirements contained in the SUCARs, Advisory Circulars, Directives, Operational Policies, Orders, or Sudan Civil Aviation Safety Publications, and
- e) *Procedures and Handbooks* - issued and published under the authority of the Director General to enable technical staff members to implement the requirements contained in the SUCARs.

### 1.3 Responsibilities for the Development of Standards

1.3.1 The SCAA is responsible for developing Standards, and guidance for the implementation of the Civil Aviation Act 2018 and the Civil Aviation Safety Act 2010, including any amendment that may be made to the two Acts, or their replacement.

1.3.2 This responsibility entails that the SCAA develops appropriate, clear and concise regulatory requirements that are compatible with the size and complexity of the aviation industry in the Republic of Sudan and provides guidance to the staff of the Authority and the industry for their implementation.

### 1.4 Aviation Safety Department (ASD)

1.4.1 The ASD is responsible for the overall management of Sudan safety oversight undertaking including the supervision and coordination of the activities of the functional Directorates responsible for safety oversight and coordination with other SCAA Departments. With regard to the development and amendment of Standards, guidance and information material, the ASD's role includes:

- a) ensuring the participation of the functional Directorates to the activities related to the rulemaking process, including discharging their duties as may be assigned in the rulemaking process, and
- b) ensuring coordination among functional Directorates as may be required in the development, and amendment of documents, such as Advisory Circulars (ACs), Operational Policies, Orders, Directives, Sudan Civil Aviation Safety Publications (SCAP's), guidance and information material.

### 1.5 Functional Directorates

1.5.1 Each Functional Directorate is responsible for managing safety oversight activities in its assigned functional area. With regard to the development and amendment of Standards, guidance and information material, the role of the functional Directorate includes:

- a) review of proposed new or amendment of ICAO SARPS,
- b) initiate, receive, review and submit proposals for new Standards or amendment of existing ones to conform to ICAO SARPs or incorporate information arising from safety inspection reports, and/or accident investigation reports,
- c) participate in the work of the Standards and Rule Making Committee (SRMC) as may be required, and provide comments to proposals for new Standards or amendment of existing ones,
- d) maintain up-to-date information of applicants for licencing, certification, authorization of aviation services, holders of authorizations, certificates, or permits, and provide the Safety Policy and Standards (SPS) Directorate with such information to be included in the user's database, and
- e) initiate the development, and amendment of documents, such as Advisory Circulars (ACs), Operational Policies, Orders, Directives, Sudan Civil Aviation Safety Publications (SCAP's), guidance and information material, and coordinate such development or amendment with other functional Directorates that may be impacted by such documents.

## 1.6 Safety Policy and Standards (SPS) Directorate

1.6.1 The SPS Directorate is established within the Office of the Director General tasked, among responsibilities related to the management of the National Safety Programme (NSP), to coordinate the rule making process with the SRMC and Legal Department.

1.6.2 The Directorate is the custodian of the Standards and Rule Making Manual, and, as such, is responsible to ensure, among other things, the effective and timely implementation of the processes and procedures contained herein. SPS is the ex-officio Secretary of the SRMC. This role includes:

- a) the development, maintenance, and processing of the forms required in the implementation of the rule making process and the work of the SRMC,
- b) coordinate the process for integrating proposals for new Standards or amendment of existing one,
- c) collate information, and prepare reports to the SRMC as may be required,
- d) draft correspondences for the SRMC, follow-up and liaison with SCAA Directorates, and other Sudan institutes as may be required,
- e) in coordination with the relevant functional Directorates, file differences with ICAO through the ICAO Electronic Filing of Differences (EFOD) process, as a result of a determination by the SCAA not to implement an ICAO SARP or amendment thereof,
- f) coordinate with the Aeronautical Information Services, using the established form and the publication of differences to ICAO SARP,
- g) ensure that functional Directorates maintain up-to-date the Compliance Check-Lists (CC) on the ICAO online framework,
- h) maintain a registry of all SCAA documents, and for each of them the category, date of publication, or amendment, and distribution records, and
- i) establish and maintain, in coordination with the relevant functional Directorates, a database of all industry stakeholders to include as a

minimum the telephone number, and email address of the principal contact person of:

- i. each holder of, or applicant for: an air operator certificate, an aerodrome certificate, an approval of an aircraft maintenance organization, an approval of a training organization, and any aviation license, or permit,
- ii. any known aviation service provider including air navigation services,
- iii. association of operators, users, or consumers of aviation related services, and
- iv. any Sudanese institution that may have an interest in civil aviation-related activities.

## 1.7 Standards and Rule Making Committee (SRMC)

1.7.1 The SRMC is appointed by the Director General to review and propose the adoption/promulgation of civil aviation related rules, regulations and implementation procedures as part of the rule making processes established in this Manual.

1.7.2 The Terms of Reference of the SRMC are contained in **Appendix A** to this Manual.

## 1.8 SCAA's Personnel

1.8.1 It is the role of the SCAA technical staff to continuously review and recommend the development of new standards or the amendment of existing ones in their respective areas of responsibility. This includes the review of the proposed amendments of ICAO Annexes in their respective areas and scrutinizing the provisions that are relevant to air navigation in the Republic of Sudan.

1.8.2 SCAA staff members shall use forms developed for the purpose of submitting proposals for new standards or amendments and provide comments on Notice of Proposal of Regulations or Amendment (NPRA) submitted by stakeholders.

## 1.9 Legal Department

1.9.1 The Legal Department provides regulatory advice to the Director General for all matters requiring legal advice, interpretation, official Arabic/English translation, and providing legal review of regulatory requirements, and in particular, to ensure that the proposed standards do not conflict with:

- a) other Sudan laws and regulations, or
- b) international agreements that the Republic of Sudan is party to.

## 1.10 Consultation with Users

1.10.1 In fulfilling its obligations and responsibilities with respect to the development of regulatory requirements, as applicable, the SCAA is required to:

- a) promote full and effective consultation and communication with all interested parties on aviation issues, and
- b) consult with government, commercial, industrial, aviation service providers, and other relevant bodies and organizations that may be affected by the regulations to be promulgated or amended.

1.10.2 To that end, the SCAA shall distribute Notice of Proposal of Regulations or Amendment (NPRA) to all relevant stake holders and to this end a specific step has been included in the rule making process to seek and process feedback from users on proposed regulations or amendment.

1.10.3 Users may use forms available at the SCAA website to submit their comments on proposal for new standards or amendment of existing ones.

### 1.11 Authority for Promulgation

1.11.1 The SCAA is the Government Agency delegated to regulate and supervise civil aviation activities in the Republic of Sudan (Functions and Powers of the Authority - Civil Aviation Authority Act 2018).

1.11.2 The Sudan Civil Aviation Regulations (SUCARs) developed by SCAA and promulgated by the Board of Directors with the consent of the Competent Minister, responsible for civil aviation, constitute Sudan civil aviation regulations implemented in the Republic of Sudan in line with the Standards and Recommended Practices (SARPs) contained in the Annexes to the Convention on International Civil Aviation.

1.11.3 Similarly, programmes that are based on international requirements, such as the National Safety Programme (NSP), the National Civil Aviation Security Programme (NCASP), the National Facilitation Programme (NFP), etc., are published under the authority of the competent Minister or the Board of Directors.

1.11.4 The Director General is responsible for the issuance and publication of Advisory Circulars (ACs), Operational Policies, Orders, Directives, Sudan Civil Aviation Safety Publications (SCAP's), as well as Guidance and Information Material.

1.11.5 Each document shall carry clear statement indicating:

- a) its category - type of document as defined in Section 1.2 of this Manual, and
- b) the authority under which it is issued.

1.11.6 Any new category of document not referred to in Section 1.2 will require the approval of the Director General.

### 1.12 Basis for the Development of Sudan Standards

1.12.1 The SCAA is committed to harmonizing its regulatory requirements with the ICAO SARPs and the best practices of other ICAO contracting States as they may be applicable to aviation safety systems applied in the Republic of Sudan.

### 1.13 ICAO

1.13.1 As the Republic of Sudan is party to the Convention on International Civil Aviation (Chicago Dec. 1944), the SCAA has under Article 37 of the Convention, undertaken to collaborate with ICAO contracting States in securing the highest practicable degree of uniformity in regulations, standards, procedures and organization in relation to aircraft, personnel, airways and auxiliary services. As such, the SCAA considers and applies in its regulations SARPs adopted by the ICAO Council as the minimum requirements for the safety, security and reliability of global air navigation.

1.13.2 The legislation governing civil aviation activities in the Republic of Sudan is mainly based on the SARPs contained in the Annexes to the Convention on International Civil Aviation. For any ICAO SARPs or amendment adopted by



the ICAO Council, the SCAA:

- a) shall consider and implement changes to the Standards in its corresponding SUCAR to reflect the new requirements and/or any proposed changes or amendments; or
- b) otherwise, notify ICAO of differences between Sudan Standards and practices and the relevant SARPs contained in the Annexes.

#### 1.14 **Other States' Regulations and Best Practices**

1.14.1 SCAA may, as conditions dictate, adapt or adopt regulations from other ICAO contracting States or Regional Organizations, as deemed necessary.

1.14.2 Other sources used in the development of Sudan regulations may be the global source established by ICAO under the Flight Safety Information Exchange (FSIX) programme; Regional Civil Aviation Organizations (RSOO) and COSCAPs.

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## CHAPTER 2 – THE RULE MAKING PROCESS

### 2.1 General

2.1.1 The rule making process consists of eight (8) steps (phases) starting with the initiation of a proposal for introducing a new Standard or amending an existing one, to the issuance (promulgation) and publication of the Standard in the relevant SUCAR with the consent of the Competent Minister.

2.1.2 The whole process, depending on the complexity of the proposed standard and/or amendment shall be completed in less than four months from start to end. While the flow Chart in figure 2-1 illustrates the process, the approximate period given for accomplishing a specific activity is an approximation.

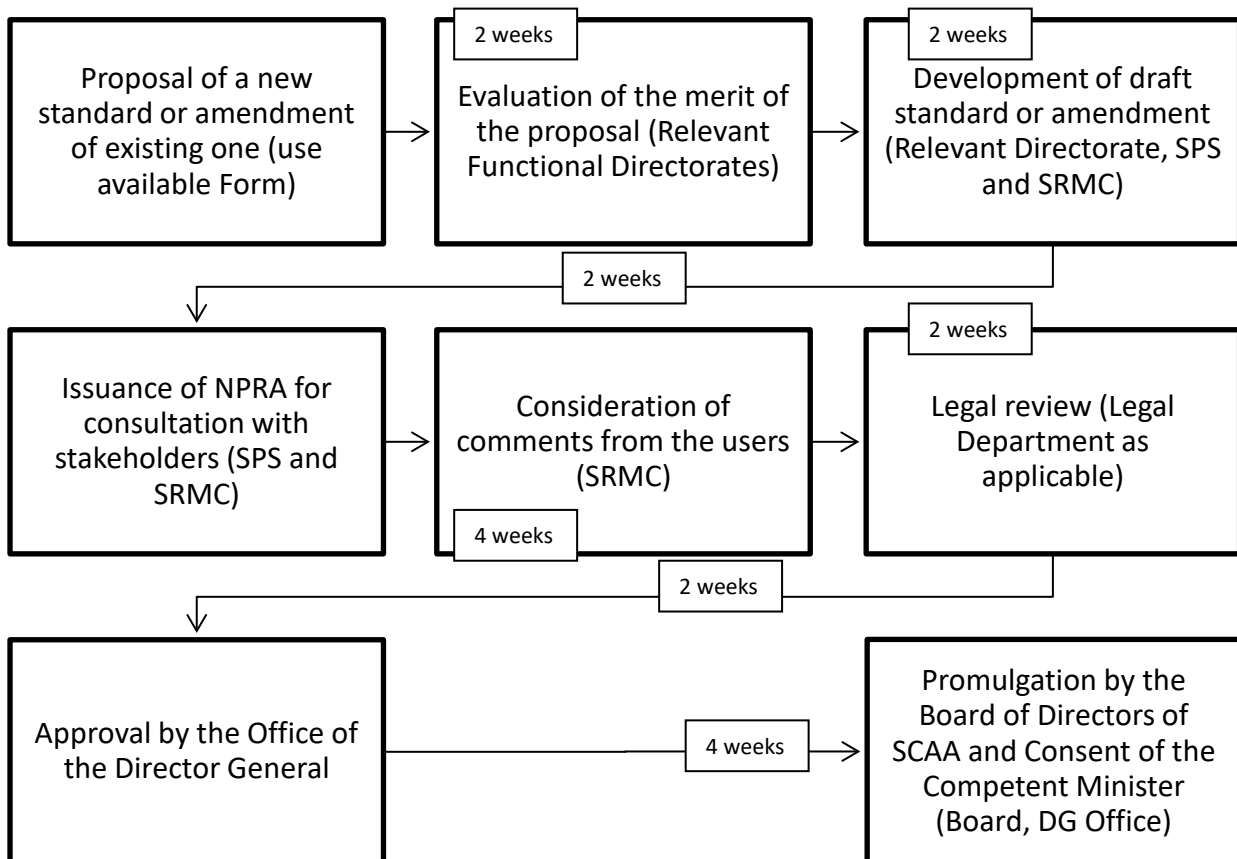


Figure 2-1 – Rulemaking Process

### 2.2 Step 1: Proposal for a New Standard or Amendment of an Existing Document

2.2.1 The first step in the rule making process is the initial proposal for the development of a new Standard or an identified need for the amendment of existing one.

2.2.2 A proposal for new Standard or amendment of an existing one may be submitted - using the appropriate form - by a Sudan institution, an aviation personnel, an aviation service provider, a member of the Board of Directors, SCAA management staff or employees when:

- a) the SCAA or any other Sudanese aviation institute finds it necessary to regulate an aviation activity not covered by existing Standards;
- b) a new Standard or Recommended Practice, or an amendment to existing one contained in an Annex to the Convention on International Civil Aviation has been adopted by the ICAO Council;
- c) information in a Standard contained in a SUCAR contradicts information found in other documents approved by the Sudan Competent Authority;
- d) a regulatory Standard has been identified to cause a problem or a deficiency that renders compliance difficult or impossible; or
- e) evidence (from inspection/audit or accident/investigation reports) indicates that there is a need for regulating certain activities or modifying existing Standards.

2.2.3 The proposal shall be submitted to SPS, acting as Secretary of the SRMC.

### 2.3 Step 2: Evaluation of the Merit of a Proposal

2.3.1 Upon receipt of a proposal for a new Standard or amendment of an existing one, SPS registers the proposal and forward it to the relevant functional Directorates (unless the proposal is originated by the relevant Directorate) and/or Department to evaluate the merit of the proposal, and assess its impact on aviation activities, using the established checklists.

2.3.2 When the relevant Department/Directorate provides SPS with its comments and feedback (this step is not required if the proposal is emanating from the Directorate itself) indicating the merits of the proposal, the SPS prepares and submits the proposal and the comments/feedback from the relevant Directorate to the chairperson of the SRMC:

- a) a report on the evaluation of the merit of the proposal as developed and submitted by the relevant Directorate,
- b) an assessment of the impact of the proposal on compliance, safety, efficiency, and regularity of aviation activities in Sudan, as well as the financial and organizational implications for the Authority and aviation services providers, using the established form (developed by SPS in coordination with the relevant Directorate) and,
- c) recommendations, including, if deemed necessary, an initial draft of new Standard or amendment of an existing one, as prepared by the relevant functional Directorates.

2.3.3 The timeline between the receipt of a proposal and the submission of the report to the chairperson of the SRMC shall not exceed four weeks.

### 2.4 Step 3: Review of the Initial Draft of New Standard or Amendment

2.4.1 Upon receipt of the report from SPS, the SRMC chairperson calls for a meeting of the SRMC to review the following submitted documents, containing:

- a) submitted form for proposal of a new Standard, or amendment of an existing one,
- b) the report of relevant Directorate on the evaluation of the merit of the



- proposal, and the assessment of its impact on compliance, safety, efficiency, and regularity of aviation activities in Sudan, as well as the financial and organizational implications for the Authority and aviation services providers, and,
- c) the recommendations of SPS and the relevant Directorate including, where applicable, any initial draft of new Standard or amendment.
- 2.4.2 If the SRMC determines that there is a need for a new Standard or amendment of an existing one, it reviews the draft Standard or amendment submitted by the Secretariat and resolves on the development and issuance of the Notice of Proposal of Regulations or Amendment (NPRA).
- 2.4.3 If the SRMC determines that there is no need for a new Standard or amendment of an existing one, its Chairperson informs the proposer and the Director General of the decision of the SRMC and the reasons for not developing a new Standard or amending an existing one. If the decision to not develop a new Standard or amend an existing one results in a difference with an ICAO SARP, the Chairperson of the SRMC submits a report to the Director General for approval indicating the need to file a difference with the relevant Annex SARP.
- 2.4.3 The decision to not develop a standard or amend an existing one may be based in one or more of the following:
- a) the matter is already covered in one or more existing Standards, or
- b) a new Standard or an amendment would contradict existing one, or,
- c) the impact on compliance, safety, efficiency or regularity of aviation activities in Sudan is insignificant while the financial and organizational implications for the Authority or aviation services providers may be highly significant.
- 2.4.4 The timeline between the submission of the proposal to the SRMC and the decision on the proposal by the SRMC shall not exceed four weeks.
- 2.5 **Step 4: Notice of Proposal of Regulation or Amendment (NPRA)**  
Within two weeks following the decision of the SRMC, the Chairperson of the SRMC shall authorise the development of NPRA for onward transmission to the relevant service providers and stakeholders with request for comments.
- 2.6 **Step 5: Consideration of Comments from Users and Stakeholders**
- 2.6.1 Recipients of the NPRA shall submit comments and feedback to SPS, not later than 4 weeks from the date of the issuance of the NPRA. No comment or feedback received after the four weeks submission period shall not be entertained.
- 2.6.2 Following the receipt of feedback and comments from recipients of the NPRA and in any event within a week following the deadline for the submission of comments and feedback, the Chairperson of the SRMC shall call for a meeting of the SRMC to review the comments and feedback received from the stakeholders.
- 2.6.3 Based on the comments and feedback received, the SRMC finalizes the draft

new Standard or amendment of an existing one for onward transmission to the Legal Department for a review of the proposal to ensure that there are no conflicts with existing Sudanese laws and regulations and to provide any legal advice the Legal Department may deem necessary.

2.6.4 The Chairperson of the SRMC shall also submit a report to the Director General containing:

- a) a record of the activities of the SRMC since the receipt of the proposal for a new Standard or amendment,
- b) the NPRA issued by the SRMC,
- c) a summary of the comments and feedback received from stakeholders and determinations made by the SRMC on their merit,
- d) any specific dissenting comment from stakeholders and explanations of the determinations made, and
- e) the final draft of new Standard or amendment of an existing one, as submitted to the Director, Legal Department.

## 2.7 Step 6: Review by the Legal Department

2.7.1 Upon receipt of the draft new Standard or an amendment to existing one from the chairperson of the SRMC, the Director of the Legal Department reviews the proposal and advises the SRMC Chairperson on the conformity of the proposal with other Sudan laws and regulations, and international agreements that the Republic of Sudan is party to.

2.7.2 The Director of the Legal Department shall provide its assessment of the final draft proposal not later than two weeks from the receipt of the relevant documents from the SRMC Chairman.

## 2.8 Step 7: Approval by the Director General

2.8.1 The Director General shall approve the draft proposal following a review of:

- a) the report from the Chairperson of the SRMC, and
- b) the report from the Director of the Legal Department.

2.8.2 The Director General may approve the proposal for a new Standard or amendment of an existing one if:

- a) he/she is satisfied that the proposal was developed in line with the established procedures contained in this Rule Making Manual,
- b) the proposal meets Sudan obligations under international Conventions,
- c) the proposal is not detrimental to the Sudan aviation industry, and
- d) the proposal does not contradict a Sudan law or an international agreement that the Republic of Sudan is party to.

2.8.3 The Director General submits the approved document containing the proposal for a new regulation or amendment to the Board of Directors within two weeks of receipt of the report from the Chairperson of the SRMC and Director of the Legal Department.

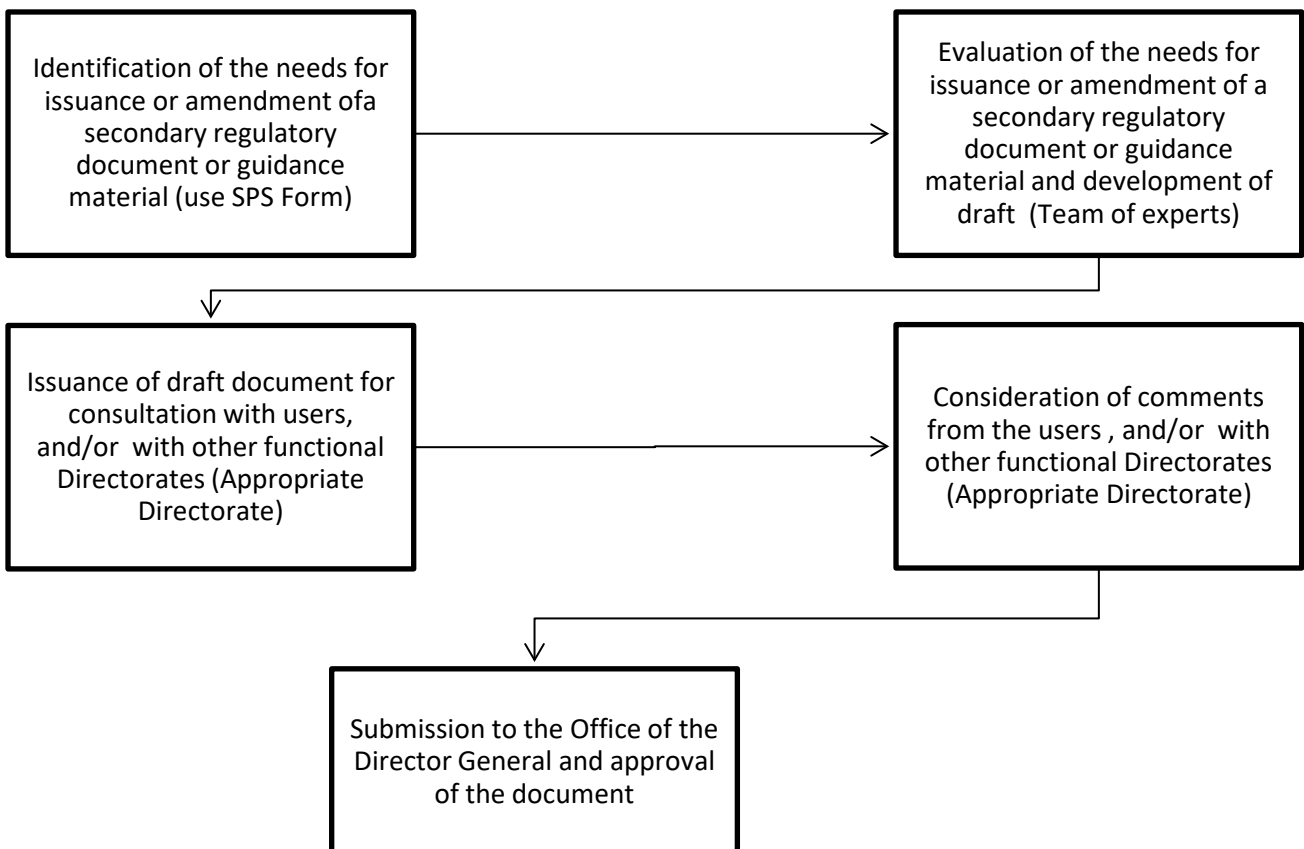
## 2.9 **Step 8: Promulgation by the Board of Directors and Consent of the Competent Minister**

- 2.9.1 The Board of Directors considers the submission of the Director General on the proposal for a new Standard or amendment. In deliberating on the proposals, the Board of Directors may take one of the following actions:
- a) approve the proposal and instruct its issuance following the consent of the Competent Minister;
  - b) request that the proposal be amended per their discussion and deliberation and be tabled again for their consideration;
  - c) establish a Committee, a Panel or another Team to conduct a detailed review of the proposal and present the Board with comments and feedback on the merits of the proposal; and
  - d) send it back to the Director General with instructions to either re-draft the proposal in line with their comments or to shelf it until further instructions.
- 2.9.2 Once the Board of Directors agrees with the proposals as may be amended, it instructs the Director General to present the regulations, as approved by it, to the Competent Minister for his consent and signature, confirming that the proposals can be proclaimed part of the operational regulations of the State and enforceable under the Civil Aviation Authority Act (2018).
- 2.9.3 The Board of Directors shall declare the applicability date for the full implementation of the new regulations or the amendments to existing regulations.
- 2.9.4 The Director General forwards the regulations promulgated by the Board of Directors to the Competent Minister for his consent and signature, including information on the effective and applicability dates of the regulations.
- 2.9.5 The effective date of the newly issued regulations shall be on the date that it is submitted to the Competent Minister for his consent applicability date shall be on the date determined by the Board of Directors.
- 2.9.6 The newly promulgated regulations shall be gazetted in accordance to the laws of Sudan and made available through the SCAA internet or ASD intra-net for accessibility by all concerned.
- 2.9.7 Following the promulgation of the new regulations or amendment of existing regulations, SCAA shall amend the ICAO compliance check-list and notify ICAO of any differences that may exist between the regulations and corresponding ICAO Annex provisions and publish significant differences, if any, in the Sudan AIP.
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## CHAPTER 3 – DEVELOPMENT AND AMENDMENT OF SECONDARY REGULATORY INSTRUMENT, GUIDANCE AND INFORMATION MATERIAL

### 3.1 General

- 3.1.1 This Chapter describes the process for developing, issuing and amending secondary regulatory instrument (enforceable material such as Advisory Circulars (ACs), Operational Policies, Orders, Directives, Sudan Civil Aviation Safety Publications (SCAP's), etc.) guidance and information material.
- 3.1.2 The documents contemplated in this chapter aim at enabling or guiding the implementation of Standards already established in the SUCARs. They are not meant to and shall not be used to introduce new Standards or amend existing ones. However, depending on circumstances, secondary regulatory instrument may be upgraded to Standards in the future.
- 3.1.3 The process consists of specific steps (phases) starting with the initiation of a proposal for introducing a new secondary regulatory instrument, guidance and information material, or amending an existing one, to the issuance and publication of the document by the Director General.
- 3.1.4 The whole process, depending on the complexity of the proposed document shall be completed within a maximum of 8 weeks for the development and publication of guidance material. Time required for the development and publication of secondary regulatory instruments may vary from two to ten working days depending on its complexity and the need to consult with stakeholders. The flow chart in figure 3-1 illustrates the process.



### 3.2 **Step 1: Identification of the Need for a New Document or Amendment of an Existing One**

- 3.2.1 The first step in the process is the Identification of the needs for issuance or amendment of a secondary regulatory instrument or guidance material. A proposal for issuance or amendment of a secondary regulatory instrument or guidance material may be submitted to the relevant functional Directorate or SPS by a Sudan institution, an aviation personnel, an aviation service provider, a member of management or staff of the Sudan Civil Aviation Authority when:
- a) a new national standard, or amendment of an existing one has been issued;
  - b) new ICAO relevant Circulars, Documents or Procedures for Air Navigation Services or amendment of an existing one has been adopted by ICAO;
  - c) a secondary regulatory instrument or a guidance material has been identified to cause a problem or a deficiency that renders compliance difficult or impossible; or
  - d) evidence (from inspection/audit or accident/investigation reports) indicates that a deficiency may exist that requires withdrawal or amendment of the issued document.
- 3.2.2 Within a week from receipt of a proposal for the development or amendment of a guidance material (unless the proposal originates from the Directorate itself), the relevant functional Directorate shall record the proposal and assign a team of inspector to review the proposal.

### 3.3 **Step 2: Evaluation of the merits of the proposal**

- 3.3.1 The team of experts prepares and submits to the Director of the relevant Directorate or Director ASD:
- a) a report on the evaluation of the merit of the proposal,
  - b) an assessment of the impact of the proposal on compliance, safety, efficiency, and regularity of aviation activities in Sudan as well as the financial and organizational implications for the Authority and aviation services providers, and,
  - c) recommendations including, if deemed necessary, an initial draft of document, or amendment of an existing one.

### 3.4 **Step 3: Consultation with the Users, and/or Relevant Functional Directorates**

Should it be deemed necessary, Director ASD may forward the draft of new guidance material or amendment of an existing one to relevant stakeholders requesting for feedback and comments. Feedback from stakeholders shall be submitted within 10 working days unless Director ASD determines a shorter period due to the need to publish within a shorter than normal period.

### 3.5 **Step 4: Consideration of Comments from the Users and Functional Directorates**

- 3.5.1 The comments from the users and functional directorates are due to reach the requesting Directorate, not later than 2 weeks from the date of issuance of the

initial draft of document, or amendment of an existing one.

3.5.2 Upon the expiry of the deadline for comments from the users and/or functional Directorates, the requesting Directorate submits the following documents to the Director General through SPS:

- a) initial draft of document, or amendment of an existing one,
- b) comments and feedback received from the industry, and/or other functional directorates, and
- c) the revised new document or amendment of an existing one.

### 3.6 **Step 5: Approval of the Director General**

3.6.1 The Director General considers the documents submitted and may take one of the following actions:

- a) approve the proposal and instruct its issuance/publication;
- b) request that the proposal be amended per his/her instructions and be submitted again for his/her consideration;
- c) establish a Committee, a Panel or another Team to conduct a detailed review of the proposal and present him with comments and feedback on the merits of the proposal; and
- d) send it back to the relevant Directorate through SPS with instructions to either re-draft the proposal or to shelf it until further instructions.

3.6.2 Once the Director General agrees with the proposals as may be amended, he/signs the final document, confirming that the proposals can be implemented.

3.6.3 The Director General also declares the applicable date for the full implementation of the new document or the amendments to existing one.

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## APPENDIX A – TERMS OF REFERENCE OF THE STANDARDS AND RULEMAKING COMMITTEE (SRMC)

### A1 **Establishment**

A Standards and Rulemaking Committee (SRMC) is established within the Sudan Civil Aviation Authority (SCAA).

### A2 **Composition**

A2.1 The SRMC is comprised of the following members:

1. a chairperson, appointed by the Director General,
2. a representative of SPS Directorate, as Secretary,
3. a representative of each of the functional safety oversight Directorates,
4. a representative of the Sudan air operators,
5. a representative of the Sudan approved maintenance organizations,
6. a representative of the air navigation services provider, and
7. a representative of the major Sudan airports operator.

A2.2 A list of the names of the members of the SRMC is issued by the Director General on the recommendation of the Director, ASD, following a consultation with the concerned entities.

### A3 **Duties**

A3.1 The duties of the SRMC are as follows:

- a) make recommendations to the Director General on the establishment of priorities for the development or amendment of regulations, and implementation documents,
- b) receive, and process proposals for new standards or amendment of existing ones,
- c) coordinate the development of Notices for Proposals of Regulations or Amendments (NPRA),
- d) receive, collate and integrate comments from the users on NPRA, and
- e) make recommendations to the Director General on the issuance of new regulations, or amendment of existing ones.

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