

# FIJI AERONAUTICAL INFORMATION CIRCULAR



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**This AIC replaces AIC 07/19, which is hereby cancelled.**

## **AOC APPLICATION PROCESS GUIDANCE**

### **1. OBJECTIVE**

- 1.1 This Guidance Material is intended for use by CAAF, applicants for, and holders of, Air Operator Certificates and their staff.

### **2. INTRODUCTION**

- 2.1 An Air Operator Certificate (AOC) is an aviation safety tool that authorises an operator to carry out specified commercial air transport operations. The AOC is issued by the Civil Aviation Authority of Fiji (CAAF) under the provisions that are set forth by the Air Navigation Regulations 1981.

### **3. PART 1**

#### **3.1 PROCESSING TIME**

- 3.1.1 As the application for, and grant of, an AOC is a complex process; the application must be made at least six months before the anticipated start of operations. The processing time is dependent on your ability to comply with our regulatory requirements, which include:

- i. Demonstration of an appropriate organizational structure;
- ii. Method of operational control;
- iii. Supervision of flight operations;
- iv. Training programme; and
- v. Maintenance arrangements.

### **4. PART 2**

#### **4.1 AOC APPLICATION PROCESS**

##### **4.1.1 THE FIVE-PHASE PROCESS:**

- 4.1.2 The procedure for the application and granting of an AOC is best organised in a Five-Phase Process. This process is required by international standards to check that an operator has 'an adequate organisation, method of control and supervision of flight operations, training programme as well as ground handling

and maintenance arrangements' before granting an AOC. Checking these requirements is the purpose of the AOC application process. The five-phase processes described in the ICAO guidance are as follows:

1. Pre-application;
2. Formal application;
3. Document evaluation;
4. Demonstration and inspection;
5. Certification.

## 5. PHASE 1

### 5.1 PRE-APPLICATION

5.1.1 Before making a formal application there will usually be a meeting between the applicant and CAAF to discuss the proposed business model and operations.

5.1.2 This 'pre-application' phase is an opportunity for the applicant to understand the formal application process. Following this phase, CAAF will then notify the applicant on their suitability to apply for an AOC and the general certification requirements.

### 5.2 POPS

5.2.1 In order to prepare for the pre-application phase, the applicant may be asked to complete a '*prospective operator's pre-application statement*' (POPS) known as the **CAAF Form OP123Z – Prospective Operator's Pre-Assessment Checklist**. CAAF will ask for a detailed document and a form to be completed. In any case the POPS provide an opportunity to explain the applicant's proposal. The POPS should contain at least:

- i. Information about the entity applying for approval (i.e. company name, business address etc.);
- ii. The intended type of operations such as passenger or cargo flights, scheduled or charter;
- iii. The number and type of aircraft to be used;
- iv. The intended routes or areas of operation (e.g. domestic, regional, worldwide);
- v. The proposed airworthiness arrangements for the aircraft (i.e. in-house or sub-contracted maintenance);
- vi. Information about the organisation's management including names of key management personnel;
- vii. Proposed arrangements for crew training (e.g. use of aircraft or flight simulators with in-house or contracted instructors).

### 5.3 AUTHORITY ACTIONS

- 5.3.1 CAAF Inspectors will review the POPs either before or during the pre-application meeting. The following are essential:
- i. Does the application contain the necessary information?
  - ii. Is there anything in the proposal that is clearly incompatible with the regulations, for example if the applicant is proposing; long over-water flights in a single-engine aircraft or using an aircraft that doesn't have a Type Certificate?
- 5.3.2 If the information provided is incomplete, then this may be an indication that the applicant does not fully understand the regulatory requirements or has not prepared a viable business plan. In this case CAAF may need the applicant to develop the proposal further before submitting a formal application. If some of the details are missing at this stage, for example the applicant has not finalised the selection of all management personnel, then the application may still be allowed to proceed.
- 5.3.3 If the proposal is clearly incompatible with the regulations, then this can be explained to the applicant and a lot of time and effort is saved by not proceeding to the formal application phase.

#### **5.4 PREPARING FOR THE PRE – APPLICATION MEETING**

- 5.4.1 Although the pre-application meeting precedes the formal application it should not be considered an 'informal' meeting. CAAF Inspectors will be meeting the proposed management personnel for the first time and will form an opinion about the competence of the organisation based on this meeting. The application may not be allowed to proceed to a formal application if some of the required information is not available. The application will proceed further once CAAF has the confidence that the applicant has a skilled, experienced management team who understand the regulations governing the AOC and its safe operations.

#### **5.5 THE PRE-APPLICATION MEETING**

- 5.5.1 At the pre-application meeting the applicants will have the opportunity to present their proposal and CAAF representatives will explain the AOC application process. The meeting is an opportunity to align expectations between the applicant and CAAF:
- i. Particularly in respect of how much time will be required for each phase of the application;
  - ii. How feedback will be provided and how the inspectors and applicant personnel will communicate.
- 5.5.2 Provided that there are no 'show-stoppers', the applicant will be provided with everything needed to make the AOC application (forms, guidance etc.) and a date may be agreed for a formal application meeting.

5.5.3 Sometimes applicant personnel will ask questions about the regulations at the pre-application meeting. This should not be necessary as the applicant needs to demonstrate, throughout the application process, that personnel understand the regulations and will be able to comply; also, that there will be an effective internal compliance monitoring (or 'quality') programmes that will verify compliance with the regulations.

## **5.6 AIR OPERATOR LICENSING**

5.6.1 There will usually be a parallel process of applying for an Operating Licence as well as the Air Operator's Certificate. CAAF does not have qualified personnel or staff to carry out the financial, economic and legal assessment of the applicant and the proposed operation.

5.6.2 Fiji Revenue & Customs Service (FRCS) has been assigned responsibility to provide an assessment related to economic aspects of the proposed operation. The Authority or the government may need to decide if the proposed operation is 'in the public interest'.

## **6. PHASE 2**

### **6.1 FORMAL APPLICATION**

6.1.1 In the formal application phase, the applicant submits all the required information to the CAAF. This information will include everything needed for the pre-application together with Resumes (CV) for key management personnel, details of the aircraft to be used and applications for any 'specific approvals' required (e.g. RVSM, NAT-HLA, CAT II/III etc.). The full suite of operations manuals will also be submitted with the formal application, but it may be possible to agree a schedule for submission of the different volumes over the following weeks or months.

### **6.2 SCHEDULE OF EVENTS**

6.2.1 A part of the formal application package, the applicant will also be asked to submit a 'schedule of events' for the AOC application. The subsequent phases of the application will take several weeks or months and there will need to be liaison between the applicant and CAAF Inspectorate. The schedule of events should include details such as:

- i. When each part of the operations manual will be submitted for review (if not submitted at the time of the formal application);
- ii. When the applicant's facilities will be available for inspection (e.g. offices, operations control centre, maintenance facilities);
- iii. When all management personnel will be available for interview;
- iv. When aircraft will be available for inspection;
- v. When crew training will take place;
- vi. When demonstration flights can be carried out.

- 6.2.2 It will not be possible to predict the exact timeline at this stage but the schedule of events should include some contingency, to allow for the fact that manuals may not be fully compliant at first submission and that CAAF inspections may result in a need for the applicant to take corrective actions.

### **6.3 STATEMENTS OF COMPLIANCE**

- 6.3.1 The applicant will be asked to provide various 'statements of compliance' with the formal application. These are lists showing the applicable requirements for a particular topic and descriptions of how the applicant complies with each requirement. Examples include a list of the instruments and equipment on the aircraft and the contents of the operations manuals.
- 6.3.2 An applicant should use these statements of compliance as an opportunity for a quality check. If the operations manual (for example) has been provided by an external consultant, then the managers responsible for the various parts should check that the proposed manual is fully compliant before it is submitted to CAAF.

### **6.4 FORMAL APPLICATION MEETING**

- 6.4.1 By the time of the formal application meeting, CAAF should have selected the Inspectors who will facilitate the application process and one Inspector will lead the application and act as project manager. The formal application meeting will be an opportunity;

- i. For applicant personnel to meet the inspectors;
- ii. Resolve any ambiguities or missing information;
- iii. And agree on the schedule of events.

The qualifications and suitability of the applicant's management personnel may also be discussed so all the key personnel should be present at the meeting and understand their responsibilities within the organisation.

## **7. PHASE 3**

### **7.1 DOCUMENT EVALUATION**

- 7.1.1 The documentation that has to be reviewed by the Authority will include:

- i. Operations manuals Parts A, B, C, D; Form OP109E
- ii. Continuing Airworthiness Management Exposition (or equivalent);
- iii. Aircraft maintenance programme(s);
- iv. Safety Management System Manual (if not included in OM-A);
- v. Compliance Monitoring Manual (if not included in OM-A);
- vi. Minimum Equipment List.

- 7.1.2 Some parts of the documentation will be checked more thoroughly than others. Any item requiring an 'approval' by CAAF will be checked in detail, while other parts may be given a more cursory review. An applicant should never rely on the Authority as a quality check of the documentation. If something in the manual is

not compliant then the operator will remain responsible for any breach of the regulation.

- 7.1.3 In practice, the document evaluation phase will be the most time-consuming part of the application process. Checking each of these manuals will take many hours. The Inspector will compile a report listing any non-conformity to be corrected.
- 7.1.4 If an Inspector finds a major issue with a manual, then it may be returned with an instruction to review and rewrite the manual without a detailed list. When a manual is returned to the applicant for amendment, then this process may take some days or weeks depending on the extent of the changes required and the availability of personnel.
- 7.1.5 The number of changes required will depend on the quality of the original submission, so it is in the applicant's interest to develop good documentation and ensure quality checks are carried out before submission.
- 7.1.6 An applicant will not be able to finalise operating procedures, maintenance arrangements, management processes or crew training programmes until the applicable documentation has been reviewed and (if necessary) approved.

## **8. PHASE 4**

### **8.1 INSPECTION AND DEMONSTRATION PHASE**

- 8.1.1 During the inspection and demonstration phase, CAAF Inspectors will verify that the applicant organisation will operate in the way that is described in the documentation. This will be achieved by conducting inspections and audits: Visiting facilities, observing activities and reviewing records and making systematic evaluations of particular processes.

### **8.2 INTERVIEWS**

- 8.2.1 The Inspectors will interview all of the key management personnel, especially the 'Nominated Persons', the Safety Manager and the Compliance Monitoring Manager. The interviewees will need to show that they understand the relevant parts of the regulations, the contents of the operations manual and their specific roles within the organisation. All interviewees will need show an understanding of safety management and compliance monitoring and how these will be relevant to the organisation.

### **8.3 AUDITS**

- 8.3.1 At the inspection and demonstration phase, not all of the management processes will be fully up and running. A full roster for crew may not have been planned and the aircraft may not have had ad-hoc maintenance or repairs; nevertheless, the applicant should be able to explain how these processes will be managed. Some records should already be in place, for example there should be complete records of crew qualification and training.

## **8.4 INSPECTIONS**

8.4.1 The Inspectors will check the airworthiness records for the aircraft as well as visiting the aircraft to verify that all of the required equipment is installed. The inspectors may also observe activities such as aircraft maintenance or crew training to verify that the applicant is conducting everything according to the documentation that was reviewed at the previous phase of the application.

## **8.5 DEMONSTRATION FLIGHTS**

8.5.1 When all of the audits have been completed and any non-compliances rectified there will normally be a requirement for some demonstration flights. A demonstration flight is the opportunity for the applicant to show that all of the documentation and management processes, work together to deliver a flight to commercial air transport standards.

8.5.2 The Inspectors will observe every aspect of flight preparation and operation, not just how the pilots fly the aircraft. The inspectors will need to see all the different elements of the operation working together including maintenance, dispatch, ground handling, flight crew and cabin crew.

8.5.3 As before, if the Inspectors find any non-compliance with regulation then this will need to be corrected before the application can proceed. Depending on how serious non-compliance is, it might be necessary to complete further demonstration flights, or CAAF may be satisfied with written evidence that a particular issue has been addressed.

## **9. PHASE 5**

### **9.1 CERTIFICATION**

9.1.1 Once all of the inspections and audits have been completed and any identified non-compliances have been addressed, the application can then proceed to the certification phase. This phase is internal to the CAAF.

9.1.2 The Inspectors who conducted the various audits and inspections will report to the 'project manager' for the AOC application. Once the 'project manager' is satisfied that everything has been completed as required then he/she will make a report recommending the issue of an Air Operator's Certificate.

9.1.3 This recommendation will be reviewed internally, perhaps by more than one level of management. It is possible that this internal review will reveal something that has been missed or a report that was not completed properly. In such cases, it may be necessary for the Inspectors to go back to the applicant for more information. The Authority will verify that any requirements for an Operator's Licence have also been fulfilled.

9.1.4 When the project manager's recommendation has been accepted then the Air Operator's Certificate and associated Operations Specification can be issued and this is the point at which the applicant can commence Air Transport Operations.

## **9.2 TIMESCALE**

9.2.1 The total time taken for an AOC application depends on a large number of variables. The most important variables are how well the application has been prepared and the availability of Inspectors to deal with an application. The Authority does not have sufficient resources to dedicate inspectors full-time to one task so an applicant will have to wait for a response to a submission or a date for an audit.

9.2.2 In order to avoid delays and cost overruns the application should be prepared carefully and there should be a conservative project plan allowing plenty of time for correction of non-compliances and other contingencies.