

THE CERTIFICATION PROCESS (Pre-application Phase)

GUIDANCE MATERIAL FOR INSPECTORS
CA AOC-001

SOUTH AFRICAN



*CIVIL AVIATION
AUTHORITY*

AIR OPERATOR CERTIFICATION

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THE CERTIFICATION PROCESS (***PRE-APPLICATION PHASE***)

SECTION 1. GENERAL

I. GENERAL

A. Direction and Guidance.

1. This section provides direction and guidance on applying for and obtaining an Air Operator Certificate (AOC) to conduct Commercial Air Transport Operations under the Civil Aviation Regulations (CAR). This process, if followed, will lead to successful compliance with the CAR.
2. Under no circumstances will an applicant be certificated, until the Civil Aviation Authority of South Africa is confident that the prospective certificate holder is capable of fulfilling the required responsibilities, and willing to comply with the CAR in an appropriate and continuing manner.

B. Related regulations.

Civil Aviation Act, Civil Aviation Regulations (CAR) Parts 61, 63, 64, 91, 121, 141, 127, 135.

C. Related reading material.

The CAA (the Authority) publishes Aeronautical Circulars from time to time. These documents provide more complete information on other CAA publications and how they may be obtained. Reference to the SACAA website is also advisable for the gathering of information.

Note: Air Transport Operator economic regulatory functions are under the jurisdiction of the South African Department of Transport (Air Services Licensing Council (ASLC).)

D. Background.

To conduct Commercial Air Transport Operations under SACAA regulations, an operator must be a citizen as defined in South African Aviation Law. The CAA recognises the responsibility of Commercial Air Transport Operators to provide air transportation with the highest degree of safety possible in the public interest. The certification process is designed to ensure that prospective AOC holders understand and are capable of fulfilling this duty. When satisfactorily completed, the certification process should ensure that the operator is able to comply with the South African Aviation Law, CAA regulations, and the international standards pertaining to the operation of aircraft as published in relevant ANNEXES to the convention on International Civil Aviation Organisation (ICAO).

B. Certification of Commercial Air Transport Operators.

1. Most applicants requesting certification to operate Commercial Air Transport Operations under the Civil Aviation Regulations will request to be certificated as an air operator. The certification process described in this chapter and the guidance material: "Pre-Application Advisory Circular", is for an applicant seeking an air operator certificate (AOC) under the Civil Aviation Regulations pertinent to the applicant's application (i.e. Part 121, Part 135 etc.) The CAA provides a copy of CA AOC-AC-001 "Certification Of An Air Operator" to applicants requesting certification as an AOC.

II. INITIAL INQUIRIES OR REQUEST

A. Initial Inquiries.

Initial inquiries about certification or requests for application may come in various formats from individuals or in the form of meetings with CAA personnel. Requests for applications may come from inexperienced and poorly prepared individuals, from well-prepared and financially sound organisations, or from organisations and individuals ranging between these extremes.

Applicant Orientation.

1. Upon initial contact, CAA inspector personnel should provide the applicant with a "Prospective Operator's Pre-assessment Statement (POPS) form" (CA AOC-F-003) and CA AOC-AC-001 "Air Operator Certification: Pre-application Advisory Circular". In addition, inspector personnel should answer general questions on the air operator certification process.

NOTE: Inspector personnel should instruct applicants to complete the POPS in accordance with the instructions in CA AOC-AC-001 "Air Operator Certification: Pre-application Advisory Circular" and to submit the completed POPS to the CAA office.

B. Preliminary Discussion.

1. After the applicant has reviewed CA AOC-AC-001: "Air Operator Certification: Pre-application Advisory Circular", the assigned CAA inspector should briefly explain the requirements of the CAA that the applicant must meet in the certification process. The inspector should ask the applicant to schedule an appointment for further discussions, allowing enough time for the applicant to thoroughly review and understand the requirements of CA AOC-AC-001:
2. "Certification of an Air Operator: Pre-application Phase". **The applicant should plan to bring key management personnel and the completed resumes to the pre-application meeting.**

NOTE: The CAA certification team to must review the qualifications of the applicant's management personnel. A resume must be submitted for each required management position, and that the resumes must contain the basic information necessary to determine regulatory compliance. The depth of review should be only to determine that there are no obvious omissions or significant discrepancies. An example of a significant discrepancy might be that the regulation requires an individual to hold an Airline Transport Pilot (ATP) Certificate, but the resume shows that the individual holds only a commercial pilot certificate. A detailed review of the management qualifications and effectiveness will be accomplished during the document compliance and the demonstration and inspection phases.

III. CAA FORM, CA AOC-F-003, "PROSPECTIVE OPERATORS PRE-ASSESSMENT STATEMENT (POPS)"

A. Purpose of a POPS.

1. Often, a prospective operator will request information about certification as an air operator, but the prospective operator is not fully aware of the regulatory requirements and the costs involved. The completed POPS denotes an intent by the applicant to continue the certification process. It also allows the CAA to plan activities and prepare to commit resources.

Processing the POPS.

2. The CAA uses the POPS to evaluate the complexity of the proposed operation and to determine whether trained and experienced inspectors are available to certificate the applicant. The POPS is used by the CAA to record the pre-certification number assigned to the applicant. A pre-certification, number is assigned to an applicant for the purpose of tracking the progress of the AOC certification project.

B. CAA Review of the POPS.

1. Review Upon Receipt. Upon receipt of a **signed** POPS, the CAA will review the form to ensure that there is sufficient information to further process the pre-application. The CAA will ascertain that the proposed operation is consistent with the CAR Part under which the applicant will be required to operate.
2. Unacceptable POPS. If the POPS is unacceptable, the reasons for its unacceptability must be described in section 2 of the form and returned to the applicant. The CAA shall notify the applicant, either verbally or by letter, that the POPS is unacceptable for the reasons detailed in section 2 of the form and that a new POPS is required. A copy of the rejected POPS shall be retained in the CAA office files.
3. Acceptance of a POPS. When the POPS is acceptable, the CAA shall complete section 2 of the form. Within 5 working days, the "Action" box of section 2 shall be checked. The CAA shall process the POPS within 5 working days of receipt.

C. CAA Review of POPS: Commencing the Certification Process

1. The CAA must ensure that office staffing is consistent with the aviation environment. The POPS is used by the CAA to assess CAA office workload and forecast staffing and training needs. The assessment at this time also determines the capability of the CAA office to conduct the certification project.

IV. ASSIGNMENT OF THE CERTIFICATION TEAM.

A. Selection of Team Members.

1. When a pre-certification number is established, the CAA office manager shall select a team for the certification project. The team shall consist of at least an

operations inspector (OI), a maintenance inspector (MI), and an avionics inspector (AI). Generally, these inspectors will be the CAA inspectors that will be assigned to the applicant once the certification process is completed. An operations inspector qualified for each of the aircraft proposed to be used shall be assigned to the team if the prospective assigned operations inspector is not qualified in the aircraft.

B. Designation of certification Project Manager (PM).

1. The CAA manager (GM: ASO/SM: FOD) will designate one member of the certification team to serve as the PM. The person designated as PM should have completed appropriate training and should have previous experience in the certification of an air operator under the CAR. It is desirable that a person with extensive inspector experience be designated as the PM; although, depending on the situation, other inspectors may be acceptable.

V. RESPONSIBILITIES OF PM AND THE CERTIFICATION TEAM.

A. Responsibilities of the PM.

The PM and other certification team members shall conduct themselves in a professional and responsive manner with the applicant. The PM shall serve as the primary spokesperson for the CAA throughout the certification process. Consequently, the PM must thoroughly co-ordinate all certification matters with all other specialists assigned to the certification project. The PM shall be responsible for ensuring that all certification job functions are completed. All correspondence, both to and from the applicant, shall be co-ordinated with the PM. The PM must notify the CAA (GM: ASO/SM: FOD) of any information that may significantly affect or delay the certification project. The PM must ensure that individuals involved with the certification project, and the CAA (GM: ASO/SM: FOD), are kept fully informed of the current status of the certification. The **schedule of events and certification job aids** should be used as guides for the conduct of these status meetings.

A. Responsibilities of the Certification Team Members.

Each team member shall respond to requests for assistance made by the PM and keep the PM informed of the status of the certification. Any discrepancy that may delay the certification effort must be brought immediately to the attention of the PM.

B. Responsibilities of the CAA manager (General Manager: ASO / Senior Manager: ASO/SM: FOD).

This manager shall keep the National Department of Transport (NDOT) and the Commissioner (CCA) of the CAA informed of the certification process or of those aspects that may attract the attention of local or national political entities or the media.

C. Responsibilities of the Applicant.

The applicant must develop all required documents for submission with the formal application, and successfully complete all programmes required for certification.

VI. PRE-APPLICATION MEETING.

A. General.

In preparation for the meeting the assigned inspector should remind the applicant that its key management personnel should attend the pre-application meeting and should be prepared to discuss in general terms, specific aspects of the applicant's proposed operation. The inspector should discuss the certification process in depth. Emphasis should be placed on the expectations of the CAA, what the applicant should expect from the CAA, and the sequence of events.

NOTE: At the end of the meeting, the inspector will give the applicant an Application Information Package.

A. Application Information Package.

The pre-application meeting between the PM, other certification team members, and the applicant sets the tone for the rest of the certification process. Therefore, it is important that the PM be thoroughly prepared to conduct the meeting. The PM should review the POPS and assemble an application information package to be given to the applicant. The application information package shall consist of at least the following:

- POPS form, CA AOC-F-003, If not previously provided
- CA AOC-AC-001 (Pre-Application Advisory Circular) if not previously provided
- CA AOC-AC-002 (Quality System Programme Advisory Circular)
- Schedule of Events (AOC Certification Job Aid) (AOC-F-006) and Proposed Schedule of Events (AOC-F-008)
- Operations Specifications (Template): CA AOC-011
- Other publications or documents that the PM considers appropriate (i.e., job/aid on cabin safety/base inspections).

B. Briefing of the Applicant.

At the pre-application meeting, the applicant and any key personnel attending the meeting should be briefed in as much detail as necessary to ensure that they understand the certification process using the certification job aid and the schedule of events format as guides to facilitate the discussion and to ensure that all elements of the certification process are covered. The applicant should be encouraged to ask questions about any area of the process not clearly understood.

C. Verifying Information on the POPS.

The first item for discussion should be verification of the information on the POPS (CA AOC-F-003), such as the type of operation, types of aircraft, geographic areas of operation, and location of facilities. When changes to this information occur, the applicant must annotate the changes on the POPS. If the changes significantly affect the anticipated scope and/or type of operation, a copy of the revised POPS shall be forwarded to the CAA.

D. Informing the Applicant of Pertinent Regulations.

It is essential that the applicant understands which regulations are applicable to the proposed operation. A list of regulations appropriate to various types of operations is in CA AOC-AC-001: (Certification of an Air Operator)

The applicant should be advised to acquire and become familiar with the CARs and other Advisory Circulars pertinent to the proposed operation. The applicant and the applicant's personnel must be made aware of their responsibilities during the certification process. It is to their benefit to submit required items as soon as they become available, and to notify the CAA office immediately of any problems or changes in the proposed operation.

E. Appropriate Economic Authority.

The applicant should be advised that it is the applicant's responsibility to apply to the Air Services Licences Council for and obtain the appropriate economic authority by means of an issued Air Services Licence number. The CAA will not issue an AOC until economic authority is obtained.

NOTE: Adjudication of application for operating certificate

**Subpart .06.3 (i.e. *96/121/127 etc.)*

(2) "An application shall be granted and the operating certificate issued if the Commissioner is satisfied that –..."

VII. INSTRUCTIONS TO THE APPLICANT ON THE FORMAL APPLICATION.

A. Requirements of Formal Application.

It is essential during the pre-application meeting that the applicant has a clear understanding of the form, content, and documents required for the formal application. The applicant shall be informed that the formal application must be submitted to the assigned CAA office and, after initial review, notification of its acceptance or rejection will be provided by letter within 10 working days. The applicant should be encouraged to submit the formal application as far in advance as possible of the intended starting date.

NOTE: The inspector should inform the applicant that while CAA inspectors will furnish informal guidance and advice during the preparation of required documents and manuals, the production of acceptable documents and manuals is solely the responsibility of the applicant.

A. Formal Application Letter or Form.

The inspector shall inform the applicant that the formal application must be on a specific form provided by the National Department of Transport (Air Services Licensing Council); or, it may consist of a letter containing a statement that the letter serves as a formal application for an air operator certificate. The letter must contain the full and official name of the applicant. The owner must sign this letter when applying as an individual or sole proprietorship, all partners when applying as a partnership, or an authorised officer(s) when applying as an organisation such as a company or a corporation. The letter shall contain the physical location address of the applicant's intended primary operating location. The applicant's mailing address shall be included in the formal application letter if different than its letterhead. This letter shall also include the full name and address of the applicant's agent for service if applicable. Additionally, the letter will confirm the identity of key management personnel such as the general manager, director of operations, director of maintenance, chief pilot, and chief quality manager, as applicable. When a request for deviation from the qualification requirements of management personnel is

anticipated, it should be noted in the formal application letter. However, the request for the deviation and the justification for that deviation shall be made in a separate letter.

VIII. APPLICATION ATTACHMENTS.

The formal application letter must be accompanied with at least the attachments described in the following subparagraphs. The applicant must understand that this letter and these attachments will be the minimum information acceptable for meeting the requirements for application for an Air Services Licence.

NOTE: Application for licence or amendment thereof.

AIR SERVICES LICENSING ACT

NO. 115 OF 1990

14. Application for licence or amendment thereof.—

(1) An application for a licence shall be made to the council on the prescribed form (2) If a licensee desires to—

- (a) amend the type of air service or the category of aircraft specified on his, her or its licence;
- (b) in the case of a partnership, amend the particulars of any partner associated in the partnership;
- (c) in the case of a close corporation—

- (i) amend the particulars of any member associated in the close corporation; or

- (ii) amend its legal status by means of a conversion into a company in terms of section 29C of the

Companies Act, 1973 (Act No. 61 of 1973);

- (d) in the case of a company—

- (i) amend the controlling shareholding of the company; or

- (ii) amend its legal status by means of a conversion into a close corporation in terms of section 27 of the Close Corporations Act, 1984 (Act No. 69 of 1984);

(e) amend the particulars of the prescribed personnel appointed by the licensee to be responsible and accountable for the safety and reliability of the air service, he, she or it shall apply to the council on the prescribed form for such amendment.

(Form: "TV2/295 APPLICATION FORM" obtainable from NDOT).

NOTE: Application for operating certificate:

Subpart .06.2 An application for an operating certificate shall be made to the Commissioner in the appropriate form as prescribed in Document SA-CATS-OPS 121 and shall be accompanied by the appropriate fee as prescribed in Part 187.

A. Schedule of Events.

The applicant needs to understand that the schedule of events is a key document to be presented with the formal application. The schedule of events is a list of items, activities, programmes, aircraft and/or facility acquisitions that the applicant must accomplish or make ready for CAA inspection before certification. The schedule of events will include the applicant's best estimate of the date the item, activity, program, aircraft, or facility acquisitions will be accomplished or ready for inspection. The applicant shall be informed that the schedule of events must be constructed in a logical and sequential manner. The schedule of events must also provide for a reasonable amount of time for the CAA to review and accept or approve each item or event, before scheduling other items or events that are dependent on such acceptance or approval. The applicant should be informed that failure to accomplish an item or event in a satisfactory or timely manner in accordance with the schedule of events could result in a delay in certification. The applicant should be advised that if deficiencies are detected during the review of manuals and other documents, they would be returned for amendment or correction. Such action may also cause additional delays in the certification process. The applicant should be encouraged to use this format; however, other formats may be acceptable if they provide information necessary for the certification team to ensure the applicant is proceeding in an appropriate manner.

A. Company General Manuals.

This attachment to the formal application may be in the form of one or more manuals or volumes. These manuals must contain information about the applicant's organisation, general policies, duties, and responsibilities of personnel, operational control policy, and procedures. In practice, these manuals are often known as the general operations manual (GOM), and the maintenance control manual (MCM). The applicant should ensure that the manuals are in accordance with at least the following sections (*) by complying with the CAR *as applicable* to the applicant's operation

NOTE: i.e. "as applicable" means:
 Part 121, Air Transport Operations – Large Aeroplanes
 CAR Part121, Operations manual121.04.2
 SA-CATS-OPS-121, 121.04.2

OPERATIONS MANUAL

1. Structure of operations manual
2. Contents of operations manual
 - Easy to revise
 - Revision control, each page dated
 - Company general policies
 - Duties and responsibilities of employees
 - References to appropriate regulations
 - Flight dispatching and operational control
 - Flight crew succession of command
 - Procedures for operating in adverse weather
 - Airman training
 - Reference the maintenance programmes
 - Procedures for refuelling
 - Pilot and dispatcher route and airport qualification procedures
 - Accident notification procedures
 - Organisation and maintenance arrangements
 - Required inspection items
 - Inspection procedures
 - Inspection limitations
 - Authority to countermand decisions
 - Procedures to ensure inspections are completed
 - Records retention system
 - Airworthiness release and aircraft log entry procedures

B. Company Training Curriculums.

The company-training curriculum must be attached to the formal application. The company-training curriculum must include at least the following curriculum segments for each applicable crewmember or dispatcher position:

- * Company Procedures Indoctrination Training
- * Emergency Equipment Drills Training
- * Initial Aircraft Ground Training
- * Initial Aircraft Flight Training

C. Management Qualification Resumes.

This attachment shall include resumes that contain information on the qualifications, certificates, ratings, and experience of personnel selected as nominated post holders for the following positions, or equivalent, responsible for:

Management Personnel - Required by the Air Services Licensing Act, CAA Regulations 1997, "Manner and Form of Application for a Licence": the full name and surname, qualifications and experience of each of the following officials:

- (i) the chief executive officer;
- (ii) the responsible person: Flight Operation;
- (iii) the responsible person: Aircraft; and
- (iv) the Air Safety Officer;

Each applicant must ensure that required management and technical personnel positions are established and that the qualifications of those personnel are maintained.

NOTE: CATS Subpart .04.2 of the relevant Part (i.e. Part 121.04.2., 2.1.2 "Organisation and Responsibilities", (2) "Nominated Post holders."

The name of each nominated post holder responsible for flight operations, the maintenance system, flight crew training and ground operations. A description of their functions and responsibilities must be included.

NOTE: Prior to beginning demonstration, those selected for the required management positions must be full time employees of your organization.

A description of their functions and responsibilities must be included.

1. The applicant shall be informed that the effectiveness of its management personnel will be observed throughout the certification process. If during the pre-application meeting, it becomes apparent that a proposed management candidate does not meet the required experience outlined in the appropriate CAR, the applicant should be informed that it may apply for a deviation for the prospective certificate holder to employ that person if equivalent aeronautical experience is shown by documentation. This request for a deviation must be made to the Commissioner as practical to enable the individual who will hold the position to be involved early in the certification process.
2. If an applicant intends to request approval for a deviation from required management personnel (fewer or different personnel), this request must be made by letter. The applicant must show that it is able to perform operations safely under the fewer or different positions requested. Justification must take into account the size and scope of the operation as well as the qualifications of intended personnel. It must also be shown that the persons can be reasonably expected to effectively perform the functions associated with the subject positions in accordance with the CAR and the procedures outlined in the proposed manual. If the ASLC approves fewer or different positions, this approval will be made part of the Operation Specifications.

D. Documents of Purchase, Contracts, and Leases.

This attachment should provide evidence that the applicant has acquired aircraft, facilities, and services to conduct the type of operation proposed. This evidence may be in the form of proof of formal purchases, leases, or contractual arrangements. These documents should provide evidence that the applicant is, in good faith,

committed to making arrangements for aircraft, supporting facilities, and services as necessary for the proposed operation. Examples of the types of equipment, facilities, and services that should be addressed in these documents, contracts, or leases include the following:

- Aircraft
- Station facilities and services
- Weather and Notices to Airmen (NOTAM) gathering facilities and services
- Communications facilities and service
- Maintenance facilities and service
- Aeronautical charts and related publication
- Airport analysis and obstruction data
- Contract training or facilities

E. Compliance Statement.

1. Preparation of the Statement of Compliance benefits the applicant by systematically ensuring that all applicable regulatory aspects are appropriately addressed during the certification process. The compliance statement shall be in the form of a complete listing of all appropriate CAR sections pertinent to the operation the applicant is proposing. This list should reference any applicable subpart and each relevant section of the subpart. Next to each subparagraph, the applicant must provide a specific reference to a manual, or other document, and may provide a brief narrative description that describes how the applicant will comply with each regulation. This statement also serves as a master index to the applicant's manual system to expedite the CAA's review and approval of the operation and manual system. The compliance statement is an important source document during the certification process. After the certification process is completed, the compliance statement should be kept current as changes are incorporated in the applicant's system.
2. Where the compliance information has been developed (for example, the manual material submitted with the formal application), a manual reference or a description of the method of compliance must be entered next to the applicable regulatory section.
3. The list of the specific regulations and subparts, including all subparagraphs, must be presented in the manner described in the Statement of Compliance CA AOC-003

IX. CONCLUSION OF PRE-APPLICATION MEETING.

The inspector must ensure that the applicant understands that the formal application, with the previously described attachments, must be complete and acceptable or the entire formal application will be rejected.

A. Applicant is Adequately Prepared.

At the close of the pre-application meeting, the inspector should determine whether the applicant is prepared to proceed with the certification process. If it appears the applicant understands the requirements of a formal application and will proceed to that phase, the inspector should encourage the applicant to informally co-ordinate

required documents, as they are developed, with the certification team before formal submission.

A. Applicant is not Prepared.

If it is evident that the applicant is not adequately prepared to proceed with the certification process, the inspector should advise the applicant of the reasons for concern. When it is apparent the applicant will not be able to prepare an adequate formal application, the inspector should advise the applicant to request another pre-application meeting after more complete preparation on the applicant's part. It is appropriate for the inspector to recommend to the applicant one or more of the following actions:

- Further review of Advisory Circular CA AOC-AC-001
- A more thorough review of the applicable regulations
- Changes in proposed key management personnel
- Retain the services of a professional aviation consultant
- Cease efforts to become CAA certificated

X. TERMINATION OF THE PRE-APPLICATION PROCESS.

1. If at any time during the pre-application phase the applicant formally terminates all efforts toward certification, or the CAA determines that the applicant will not proceed with the certification process, the POPS will be returned to the applicant. The CAA will notify the applicant in writing that this action terminates the pre-application process and that the applicant must submit a new POPS in order to initiate the certification process again. The ASLC must be notified of any certification project that is terminated. Should the applicant again request to apply, a new pre-certification number will be assigned.

XI. EXPLANATION OF SUPPORTING DOCUMENTATION.

NB Note:

Inspectors shall print out/forward as digital data, to operators all checklists, forms and standard letters as they are needed prior to each procedure to be followed. Please note that these documents are registered according to SACAA Quality Assurance procedures as ISO registered documents that may be accessed as data on the Z-drive of the SACAA network. As these documents may change, the examples of documents referred to/contained within the guidance material are for referencing purposes only to ensure that Inspectors are using the most current/effective data.

A. CA AOC-F-003: POPS Form

provides the applicant with instructions on how CAA Form: "CA AOC-F-003: Prospective Operator's Pre-Assessment Statement (POPS)" should be completed. Section 1, items 1 through 11, should be completed and signed by the applicant and returned to the appropriate CAA office. Sections 2 and 3 are reserved for CAA use.

B. CA AOC-AC-001, (Appendix 3): Certification of an Air Operator provides the applicant with a sample formal application letter

C. CA AOC-F-006: Certification Job Aid

provides the inspector with a certification job aid used to track the certification process.

- D. CA AOC-AC-001, (Appendix 4):
provides a list of applicable regulations.
- E. CA AOC-AC-001, (Appendix 5):
provides definitions of terms as they are used in the certification process.
- F. CA AOC-AC-001, (Appendix 6)
provides a detailed flow chart of the entire certification process.
- G. CA AOC-F-008:
provides the applicant with a sample schedule of events.
- H. CA AOC-F-006: Certification Job Aid
provides the inspector with an initial enquiry briefing guide.
- I. CA AOC-F-009: Initial Briefing Guide
Provides the inspector with a guideline to conduct the initial enquiry briefing.

Note: For quick reference to existing documents refer to the MOP Table of Contents.