

STATE OF KUWAIT

DIRECTORATE GENERAL OF CIVIL AVIATION
AVIATION SAFETY



دولة الكويت
الإدارة العامة للطيران المدني
سلامة الطيران

2025/9/15

2025/207/SUPDT-R/41

All KCASR Stockholders and Users

Subject.: Notice of Proposed Amendment's (NPA) No. 2025-25 to Kuwait Civil Aviation Safety Regulations KCASR 11 - AIR TRAFFIC SERVICES VOLUME II - ATS PROVISION Rev 2.

Dear Sir,

Purpose:

The purpose of this NPA is to announce to the KCASR users the intention of the Directorate General of Civil Aviation to amend **KCASR 11 - AIR TRAFFIC SERVICES VOLUME II - ATS PROVISION** (issue 4) .

Action Required:

All users of KCASR are required to refer to DGCA/ASD website (<https://kcasr.dgca.gov.kw>) for reviewing the NPA and mail or email (safety@dgca.gov.kw) their comments to DGCA by 16/Oct/2025 using the attached NPA Response Sheet Forms No. 1500 or using NPA comments & feedback form on the website. If we do not receive your response by this date, it will be assumed that you do not have any comments on the proposal.

If required, the DGCA/Aviation Safety Department personnel are available to answer your questions on the interpretation and intended implementation of the proposed amendments.

This is for your information and distribution to the concerned parties.

Yours Sincerely,

President of Civil Aviation


Abdullah F. Alrajhi

Acting / Deputy Director General
for Aviation Safety, Air Transport & Aviation Security
CC: Director General of Civil Aviation.
Dy. Dir. Gen. Kuwait. Intel. Airport Affairs.
Dy. Dir. Gen. for Air Navigation Services Affairs.
Safety Management Coordination Center (SMCC).
Head of Technical Office.
Civil Aviation Security Department.
Aviation Safety Director.
Air Transport Director.
Inspection & oversight Superintendent.
Head of Standards & Aviation Safety Regulations Division.



EM



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Rev. 11

11.9

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HRA

Notes on the presentation of the Amendment
Notice Of Proposed Amendment
(NPA)

The text of the amendment is arranged to show deleted text in Red Color and with a line through it, new text to be inserted is in Blue color as shown below:

~~Text to be deleted is in Red and shown with a line through it.~~

Text to be deleted

New text to be inserted is in Blue Color.

New text to be inserted

~~Text to be deleted is in Red and shown with a line through it,~~ followed by the replacement text which is in Blue Color.

New text to replace existing text

. . . Indicates that remaining text is unchanged in front or following the reflected amendment.

Text is unchanged

Notice Of Safety Regulation Amendment
(NPA, NSRA and Revisions)

| Side bar indicates that text is changed or added.

NPA RESPONSE FORM
NPA



Please add your comments on the proposal by ticking [✓] the appropriate box below.

Any additional constructive comments, suggested amendments or alternative action will be welcome and may be provided on this response sheet or by separate correspondence.

☐ No comments on the proposal.

☐ Comments on the proposal. (Please provide explanatory comment).

Name:

Organization:

Address/Contact No:

E-Mail:

Signature:

Date:



الطيران المدني
Civil Aviation
دولة الكويت - State of Kuwait

Kuwait Civil Aviation Safety Regulations

KCASR 11 - AIR TRAFFIC SERVICES

VOLUME II – ATS PROVISION



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Amendment Record

Amendment No	Date of Issue	Remarks
1	June 2018	Part Rename
2	Sep 2019	NPA 2019 – 16, based on NSRA 2017 – 09
<u>3</u>	<u>Oct 2025</u>	<u>NPA 2025-25 to facilitate local requirements</u>

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Control of this Document

DC.1 Introduction-

DC.1.1 Pursuant to Law No (30) of the year 1960 and subsequent Ministerial Decisions No (3) of the year 1986, No (18) of the year 1990, and No (3) of the year 1996, based upon that Law, the President of the Kuwait Directorate General of Civil Aviation is empowered to adopt and amend Kuwait Civil Aviation Safety Regulations. In accordance herewith, the following Regulation is hereby established for compliance by all persons concerned. This regulation shall be known as KCASR 11 Volume II - ATS Provision and any reference to this title shall mean referring to these regulations governing the basic requirements to be met for civil aviation in the State of Kuwait.

DC.2 Authority for this Regulation

DC.2.1 This KCASR 11 Volume II - ATS Provision is issued on the authority of the President of the Kuwait Directorate General of Civil Aviation.

DC.3 Applicability

DC.3.1 This KCASR 11 Volume II - ATS Provision is applicable to the aviation industry of the State of Kuwait.

DC.3.2. This KCASR 11 Volume II shall enter into force from the day of its publication except for DC.6 of this KCASR related to the requirement for certification of Air Traffic Services (ATS) providers, which shall apply from [1st December 2027](#).

[DC.3.3 The standards prescribed in this Regulation are mandatory for ATS providers to implement within their operations and are a requirement for certification.](#)

DC.4 Scope

DC.4.1— KCASR 11 Volume II - ATS Provision contains the regulations for the provision of Air Traffic Services in the State of Kuwait and, together with the main body of KCASR 11 demonstrates compliance with ICAO Annex 11. The requirements in KCASR 11 for ATS Provision and Oversight are separated into the following parts with cross references between parts were applicable:

- KCASR 11 - Volume I - Air Traffic Services
- **KCASR 11 - Volume II - ATS Provision**
- KCASR 11 - Volume III - ATS Oversight

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DC.5 Definitions

DC.5.1 Terms not defined shall have the meaning given to them in the relevant legal instruments or international legal instruments in which they appear, especially as they appear in the Convention and its Annexes.

DC.6 Requirement for Certificate

DC.6.1. No person shall provide an air traffic service within the KUWAIT FIR except under the authority of, and in accordance with the provisions of, an air traffic service certificate issued under this KCASR.

DC.6.2. Service providers that fail to meet the certification compliance requirements, shall provide alternative means of compliance with this regulation in the conducting of their operational activities, subject to the approval and provisions granted by the authority.

Abbreviations & Acronyms

ATS	Air traffic services
<u>ASD</u>	<u>Aviation Safety Department</u>
<u>DGCA</u>	<u>Directorate General of Civil Aviation</u>
ICAO	International Civil Aviation Organization
KCASR	Kuwait Civil Aviation Safety Regulations
PANS	Procedures for Air Navigation Services
SARPs	Standards and Recommended Practices
SMS	Safety management system

References

ICAO Annex 11 Air Traffic Services

<i>Kuwait Civil Aviation Safety Regulations</i>		<i>KCASR 11 – Air Traffic Services</i>
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Article 1: Subject matter and scope

This Regulation lays down the requirements for the provision of air traffic services. However, unless Annex I to this regulation makes provision to the contrary, those requirements shall not apply to:

- (a) activities other than the provision of air traffic services by a provider of such services;
- (b) resources allocated to activities outside the provision of air traffic services.

Article 2: Definitions

For the purposes of this Regulation, the definitions in KCASR 11 apply. However, the following definitions also apply:

‘aerial work’ means an aircraft operation in which an aircraft is used for specialized services such as agriculture, construction, photography, surveying, observation and patrol, search and rescue or aerial advertisement;

‘Authority’ means Directorate General of Civil Aviation/ Aviation Safety Department (DGCA/ASD)

‘commercial air transport’ means any aircraft operation involving the transport of passengers, cargo or mail for remuneration or hire;

‘functional system’ means a combination of systems, procedures and human resources organized to perform a function within the context of air traffic service provision;

‘general aviation’ means any civil aircraft operation other than aerial work or commercial air transport;

‘hazard’ means any condition, event, or circumstance which could induce an accident;

‘organization’ means an entity providing air traffic services;

‘operating organization’ means an organization responsible for the provision of engineering and technical services supporting air traffic services;

‘risk’ means the combination of the overall probability, or frequency of occurrence of a harmful effect induced by a hazard and the severity of that effect;

‘safety assurance’ means all planned and systematic actions necessary to provide adequate confidence that a product, a service, an organization or a functional system achieves acceptable or tolerable safety;

‘safety objective’ means a qualitative or quantitative statement that defines the maximum frequency or probability at which a hazard can be expected to occur;

‘safety requirement’ means a risk-mitigation means, defined from the risk-mitigation strategy that achieves a particular safety objective, including organizational, operational, procedural, functional, performance, and interoperability requirements or environment characteristic.

Article 3: Competent authority for certification

For the purpose of this regulation, the competent authority for the certification of air traffic service providers shall be the Kuwait DGCA.

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Article 4: Granting of certificates

- (1) In order to obtain the certificate necessary to provide air traffic services, organizations shall comply with the requirements for the provision of air traffic services set out in Annex I to this regulation.
- (2) The Kuwait DGCA shall verify an organization's compliance with the regulatory requirements before issuing a certificate to it which includes the conditions as shown at Annex II to this regulation.
- (3) An organization shall comply with the regulatory requirements no later than at the time at which the certificate is issued.

Article 5: Derogations

- (1) By way of derogation from Article 4 (1), certain air traffic service providers may elect not to avail themselves of the opportunity to provide cross-border services and may waive the right to mutual recognition.

They may, in those circumstances, apply for a certificate which is limited to the airspace under the responsibility of the State of Kuwait.

- (2) In order to make an application as referred to in paragraph (1), a provider of air traffic services shall provide services or plan to provide them only with respect to one or more of the following categories:

- (a) aerial work;
- (b) general aviation;
- (c) commercial air transport limited to aircraft with less than 10 tonnes of the maximum take-off mass or less than 20 passenger seats;
- (d) commercial air transport with less than 10000 movements per year, regardless of the maximum take-off mass and the number of passenger seats; 'movements' being counted as the sum of take-offs and landings and calculated as an average over the previous three years.

Where, owing to objective practical reasons, an air traffic service provider is unable to provide evidence that it meets those qualifying criteria, the Kuwait DGCA may accept analogous figures or forecasts in relation to the ceilings defined in the first and the second subparagraphs.

When submitting such an application, the air traffic service provider shall submit to the Kuwait DGCA at the same time the relevant evidence regarding the qualifying criteria.

- (3) The Kuwait DGCA may grant specific derogations to applicants who fulfil the qualifying criteria of paragraph (1), commensurate with their contribution to air traffic services in the airspace under the responsibility of the State of Kuwait.

Those derogations may relate only to the requirements set out in Annex I to this regulation.

However, no derogation shall be granted for the following requirements:

- (a) technical and operational competence and capability (Annex I paragraph 1);
- (b) safety management (Annex I paragraph 39.1);-
- (c) human resources (Annex I paragraph 53);
- (d) open and transparent provision of air traffic services (Annex I paragraph 6101.1).

~~(e)~~

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- (4) The Kuwait DGCA shall:
- (a) specify the nature and the scope of the derogation in the conditions attached to the certificate by indicating its legal basis;
 - (b) limit the validity of the certificate in time, where considered necessary for oversight purposes;

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- (c) monitor whether the air traffic service providers continue to qualify for the derogation.

Article 6: Demonstration of compliance

- (1) Organizations shall provide all the relevant evidence to demonstrate compliance with the applicable regulatory requirements at the request of the Kuwait DGCA. Organizations may make full use of existing data.
- (2) A certified organization shall notify the Kuwait DGCA of planned changes to its provision of air traffic services which may affect its compliance with the applicable regulatory requirements or with the conditions attached to the certificate, where applicable.
- (3) Where a certified organization no longer complies with the applicable regulatory requirements or, where applicable, with the conditions attached to the certificate, the Kuwait DGCA shall, within one month of the date of discovering the non-compliance, require the organization to take corrective action.

That decision shall immediately be notified to the relevant organization.

The Kuwait DGCA shall check that the corrective action has been implemented before notifying its approval to the relevant organization.

Where the Kuwait DGCA considers that corrective action has not been properly implemented within the timetable agreed with the organization, it shall take appropriate enforcement measures while taking into account the need to ensure the continuity of air traffic services.

Article 7: Facilitation of compliance monitoring

Organizations shall facilitate inspections and surveys by the Kuwait DGCA or by a qualified entity acting on the latter's behalf, including site visits and visits without prior notice.

The authorized persons shall be empowered to perform the following acts:

- (a) to examine the relevant records, data, procedures and any other material relevant to the provision of air traffic services;
- (b) to take copies of or extracts from such records, data, procedures and other material;
- (c) to ask for an oral explanation on site;
- (d) to enter relevant premises, lands or means of transport. Such inspections and surveys, when conducted by the Kuwait DGCA or by a qualified entity acting on its behalf, shall be carried out in compliance with the legal provisions of the State of Kuwait as outlined in these Regulations.

Article 8: Ongoing compliance

The Kuwait DGCA shall, on the basis of the evidence at its disposal, monitor annually the ongoing compliance of the organizations which it has certified.

To that end, the Kuwait DGCA shall establish and update annually an indicative inspection programme which covers all the providers it has certified and which is based on an assessment of the risks associated with the different operations constituting the air traffic services provided. It shall consult the organization concerned as well as any other national aviation authority concerned, if appropriate, before establishing such a programme.

The programme shall indicate the envisaged interval of the inspections of the different sites.

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Article 9: Safety regulation of engineering and technical personnel

With regard to the provision of air navigation services, the Kuwait DGCA or any other authority designated by the State of Kuwait to fulfil this task shall:

- (a) issue appropriate safety rules for engineering and technical personnel who undertake operational safety-related tasks;
- (b) ensure adequate and appropriate safety oversight of the engineering and technical personnel assigned by any operating organization to undertake operational safety-related tasks;
- (c) on reasonable grounds and after due enquiry, take appropriate action in respect of the operating organization and/or its technical and engineering personnel who do not comply with the requirements of paragraph 9.1.9 of Annex I to this regulation;
- (d) verify that appropriate methods are in place to ensure that third parties assigned to operational safety-related tasks comply with the requirements of paragraph 9.1.9 of Annex I to this regulation.



Annex I - Requirements for the provision of air traffic services

1. Technical and operational competence and capability

Air traffic service providers shall provide their services in a safe, efficient, continuous and sustainable manner consistent with any reasonable level of overall demand for a given airspace. To this end, they shall maintain adequate technical and operational capacity and expertise.

4.2. Organizational structure and management

4.1.2.1. Organizational structure

Air traffic service providers shall set up and manage their organization according to a structure that supports the safe, efficient and continuous provision of air traffic services. The organizational structure shall define:

- (a) the authority, duties and responsibilities of the nominated post holders, in particular of the management personnel in charge of safety, quality, security, finance and human resources related functions;
- (b) the relationship and reporting lines between different parts and processes of the organization.

4.2.2. Organizational management

4.2.1.2.2.1. Business plan

Air traffic service providers shall produce a Business plan covering a minimum period of five years. The business plan shall:

- (a) set out the overall aims and goals of the air traffic service provider and its strategy towards achieving them in consistency with any overall longer term plan of the air traffic service provider and with relevant Union requirements for the development of infrastructure or other technology;
- (b) contain appropriate performance targets in terms of safety, capacity, environment and cost-efficiency, as may be applicable.

The information listed in points (a) and (b) shall as far as safety data is concerned, be consistent with the State Safety Programme referred to in Chapter 2 of KCASR 11 as applicable.

Air traffic service providers shall produce safety and business justifications for major investment projects including, where relevant, the estimated impact on the appropriate performance targets referred to in point (b).

4.2.2.2.2. Annual plan

Air traffic service providers shall produce an annual plan covering the forthcoming year which shall specify further the features of the business plan and describe any changes to it.

The annual plan shall cover the following provisions on the level and quality of service, such as the expected level of capacity, safety, environment and cost-efficiency, as may be applicable:

- (a) information on the implementation of new infrastructure or other developments and a statement how they will contribute to improving the performance of the air traffic service provider, including level and quality of services;

(b)



- (b) information on the measures foreseen to mitigate the safety risks identified in the safety plan of the air traffic service provider, including safety indicators to monitor safety risk and, where appropriate, the estimated cost of mitigation measures;
- (c) the air traffic service provider's expected short-term financial position as well as any changes to or impacts on the business plan.

3. Human Resources

3.1. The ATS provider shall engage, employ, or contract:

3.1.1. A senior person identified as an Accountable Manager who is approved by the Authority and has full control of the resources, final authority over operations under the certificate/approval of the ATS provider organization and ultimate responsibility and accountability for the establishment, implementation and maintenance of the SMS; safety policy and the resolution of all safety issues.

3.1.2. The accountable manager shall nominate ATS-/ATM post holders, approved by the Authority, who are responsible for the management and supervision of safety critical aspects for ATS provider organization.

3.1.3. The ATS provider shall have post holders (key personnel) as follows:

- (a) ATM/ATC manager or equivalent.
- (b) Head of ACC or equivalent
- (c) Head of APP or equivalent
- (d) Head of TWR or equivalent
- (e) Head of Airspace or equivalent
- (f) Head of Training or equivalent.
- (g) Head of SMS or equivalent demonstrate no conflict of interest.
- (h) Head of QMS or equivalent demonstrate no conflict of interest.

3.1.4. The Authority requires ATS provider to submit the CV(s) & certificates & qualifications for the candidates of those persons in paragraphs (3.1.3).

3.1.5. The Authority Evaluates the candidature files and a written approval or rejection decision shall be submitted to the ATS provider organization.

3.1.6. The Authority in coordination with the organization may restrict, suspend, or revoke, the approval of a Post Holder. A report shall be submitted to ATS provider organization indicating the reasons for this restriction, suspension, or revocation.

3.1.7. A vacancy, or potential vacancy, of any of the Post Holder positions, shall be notified to the Authority within 5 working days, be followed by an action plan and a submission of new candidates for the position.

3.1.8. —The ATS provider should establish and implement a training programme to upgrade the competency of the personnel referred in paragraphs.

3.2. The ATS provider shall establish policies and procedures to:

3.2.1. ensure the competence of those personnel who are authorized by the ATS provider to provide the air traffic services, and training and assessment for those services, listed in the ATS provider's operation manual; and

3.2.2. provide those authorized personnel with written evidence of the scope of their authorization; and



- 3.2.3. ensure, where practicable, that authorized personnel only exercise the privileges of their rating or ratings if they are familiar with all relevant and current information; and
- 3.2.4. facilitate, for rated air traffic service license holders, compliance with the recent experience requirements; and
- 3.2.5. ensure, where practicable, that an air traffic controller shall not exercise the privileges of their rating or ratings:
 - (a) unless they comply with any endorsements on their medical certificate; and
 - (b) when any decrease in their medical fitness might render them unable to safely exercise these privileges; and
 - (c) unless they comply with the English language proficiency requirements; and
- 3.2.6. determine the capacity of the ATS system, including the number of staffs required, to ensure the provision of an adequate ATS system; and
- 3.2.7. enable recruitment and retention of appropriately qualified and experienced ATS staff; and
- 3.2.8. Provide job descriptions for operational ATS staff and significant support positions.

4. ATS Training

- 4.1. Air traffic service provider shall refer to Kuwait Civil Aviation Safety Regulations 1 part ATCO for Air Traffic Control training requirements.

5. Facility Requirements

- 5.1. The ATS provider shall establish the following facilities that are appropriate to the air traffic services listed in the operation manual:
 - 5.1.1. Aerodrome control service
 - 5.1.2. aApproach control offices;
 - 5.1.3. aArea control centers;
 - ~~flight information centers;~~
 - 5.1.4. Dedicated training and assessment facilities.
- 5.2. Except as provided in paragraph (5.8), an ATS provider for an aerodrome control service shall establish procedures to ensure that any aerodrome control tower from local or remote aerodrome air Traffic service, including any temporary tower or office, listed in the operation manual, is:
 - 5.2.1. constructed and situated to provide:
 - (a) the maximum practicable visibility of aerodrome traffic; and
 - (b) protection from glare and reflection; and
 - (c) protection from noise; and
 - 5.2.2. safeguarded from any development that would affect the requirements of paragraph ~~(5.2.1.);~~ and
 - 5.2.3. at solo watch locations, provided with
 - (a) Rest facilities that ensure the minimum possible interruption to, or degradation of, air traffic services; and
 - (b) storage and preparation facilities for food and drink in the visual control room; and
 - 5.2.4. Provided with equipment for two-way voice communication with:
 - (a) any aircraft, in or adjacent to airspace for which the ATS provider has responsibility; and
 - (b) Any aircraft, vehicle, and person, on the ~~manouvering~~manoeuvring area. Where conditions warrant, separate communication channels Shall be provided for the



control of traffic operating on the ~~manoeuvring~~ manoeuvring area and automatic recording facilities shall be provided on all such channels

5.2.5. provided with the following minimum equipment:

- (a) a display system or systems designed to show the disposition of current and pending aerodrome traffic together with ancillary information for individual aircraft;
- (b) a power supply;
- (c) appropriate and current maps and charts;
- (d) binoculars;
- (e) clocks;
- (f) log keeping system;
- (g) outside temperature indicator;
- (h) QNH display;
- (i) signal lamp with green, red, and white functions;
- (j) telephone communications;
- (k) status monitors for approach and landing aids and any road or rail signalling equipment affecting the use of a runway;
- (l) visibility and cloud height checkpoints;
- (m) voice and, if applicable, data recording equipment;
- (n) wind direction and wind speed display;
- (o) an audible emergency alerting system;
- (p) an AFTN terminal or, if provided for in an ATS letter of agreement, an alternative means of reception and transmission of information normally conveyed by AFTN;
- (q) if applicable, airfield lighting controls panel; and

5.2.6. provided with two (2) independent sources of the current altimeter setting, at least one (1) of which must be an aneroid barometer or barometric altimeter situated in the visual control room.

5.3. The ATS provider shall establish procedures to ensure that an area control ~~center~~ center, ~~a flight information center~~, and an approach control office is:

5.3.1. provided with equipment enabling:

- (a) to the fullest extent practical, two-way voice communication; and
- (b) if applicable, data communication with any aircraft in, or adjacent to, airspace for which the ATS provider has responsibility; and

5.3.2. provided with the following minimum equipment:

- (a) a display system or systems designed to show the disposition of current and pending flights together with ancillary information for individual aircraft;
- (b) a power supply;
- (c) appropriate and current maps and charts;
- (d) clocks;
- (e) log keeping system;
- (f) status monitors as appropriate for navigation, approach, and landing aids;
- (g) telephone communications;
- (h) voice recording equipment and, if applicable, data recording equipment;
- (i) an AFTN terminal;
- (j) for an approach control operating position, an ILS status monitor at the approach control or approach control radar operating position for the aerodrome concerned;
- (k) for an approach control operating position responsible for aircraft on final



approach, or aircraft landing or taking off, a wind direction and wind speed displayed from the same source as the corresponding equipment in the aerodrome control tower.

5.4. The ATS provider shall establish procedures to ensure that the aeronautical telecommunications equipment required by paragraphs (5.2) and (5.3) are operated in accordance with the requirements of KCASR 10.

5.5. The ATS provider shall establish procedures to ensure that any visual display unit used by an air traffic service is positioned with due regard to the relative importance of the information displayed and ease of use by the staff concerned.

5.6. The equipment required by paragraphs (5.2.4) and (5.2.5), and paragraphs (5.3.1) and (5.3.2), must have a level of reliability, availability, and redundancy, that minimizes the possibility of failure, non-availability, or significant degradation of performance.

5.7. The ATS provider shall ensure that the display of operational information meets the criteria as Specified in ICAO Doc. 9426 – Air Traffic Services Planning Manual.

5.8. The ATS provider shall establish procedures to ensure that the status monitors required by paragraph (5.2.5)(k) and paragraphs (5.3.2)(f) and (j) are fitted with:

5.8.1. an aural signal to indicate a change of status; and

5.8.2. a visual indication of the current status.

6. Notification of Facility Status

6.1. The ATS provider shall establish procedures to notify the users of its air traffic services and/or relevant operational information and of any changes in the operational status of each facility or service listed in the ATS provider's operation manual.

6.2. The ATS provider's procedures shall ensure that the procedures established under paragraph (6.1) require:

6.2.1. operational information for each of the ATS provider's air traffic services to be forwarded to the holder of the aeronautical information service certificate; and

6.2.2. the users of the ATS provider's air traffic services to be notified without delay of any change in operational status of a facility or service that may affect the safety of air navigation, and

6.2.3. except if the change is temporary in nature, information concerning any change in operational status is forwarded to the holder of the aeronautical information service certificate for the NOTAM service.

7. Shift Administration

7.1. The ATS provider shall establish procedures to ensure that:

7.1.1. adequate time is provided at the beginning and end of each shift, for the performance of those duties required:

(a) before providing an air traffic service; and

(b) after ceasing to provide an air traffic service; and

7.1.2. a minimum of five (5) minutes is provided for each transfer of watch at an ATS operational position.

8. Service Disruptions

8.1. The ATS provider shall establish procedures to:



- 8.1.1. advise the Directorate General of Civil Aviation (DGCA) Aviation Safety Department (ASD) of any planned disruption to the provision of air traffic services that could have an impact on safety; and
- 8.1.2. investigate any unplanned disruption to the provision air traffic services; and
- 8.1.3. report to the Directorate General of Civil Aviation (DGCA) Aviation Safety Department (ASD), within forty-eight (48) hours of the occurrence, the circumstances surrounding any unplanned disruption to air traffic services when the disruption affected, or could have affected, the safety of air traffic.
- 8.2. Disruptions reportable under paragraph (8.1) shall include, but are not limited to, any:
- 8.3. failure to open watch within fifteen (15) minutes of the promulgated opening time; and
- 8.4. any interruption, of greater than ten (10) minutes, to the normal provision of an air traffic service; and
- 8.5. Curtailment of watch, by greater than thirty (30) minutes, from the promulgated off watch time.

2.9. Safety and quality management

2.1.9.1. Safety management

Air traffic service providers shall manage the safety of all their services. In doing so, they shall establish formal interfaces with all stakeholders which may influence directly the safety of their services.

Air traffic service providers shall develop procedures for managing safety when introducing new functional systems or changing the existing functional systems.

2.1.4.9.1.1. Safety management system (SMS)

9.1.2. The ATS provider shall establish and implement a Safety Management System (SMS) in accordance with this Regulation and KCASR 19 Vol 1 in order to achieve an acceptable level of safety in civil aviation. The SMS framework shall be as follows:

(a) Safety policy and objectives

- (1) Management commitment and responsibility
- (2) Safety accountabilities
- (3) Appointment of key safety personnel
- (4) Coordination of emergency response planning

~~SMS documentation. Providers of air traffic services shall, as an integral part of the management of their services, have in place a safety management system (SMS) which:~~

- (5)
- (b) Safety risk management
 - (1) Hazard identification
 - (2) Safety risk assessment and mitigation
- (c) Safety assurance
 - (1) -Safety performance monitoring and measurement
 - (2) The management of change
 - (3) Continuous improvement of the SMS
- (d) Safety promotion
 - (1) Training and education
 - (2) Safety communication

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9.1.3. Requirement for Safety policy and objectives:

- (a) ensures a formalized, explicit and proactive approach to systematic safety management in meeting their safety responsibilities within the provision of their services; operates in respect of all their services and the supporting arrangements under its managerial control; and includes, as its foundation, a statement of safety policy defining the organization's fundamental approach to managing safety (safety management);
- (b) ensures that everyone involved in the safety aspects of the provision of air traffic services has an individual safety responsibility for their own actions; that managers are responsible for the safety performance of their respective departments or divisions and that the top management of the provider carries an overall safety responsibility (safety responsibility);
- (c) ensures that the achievement of satisfactory safety in air traffic services shall be afforded the highest priority (safety priority);
- (a) ensures that while providing air traffic services, the principal safety objective is to minimize its contribution to the risk of an aircraft accident as far as reasonably practicable (safety objective).

9.1.4. The ATS provider shall ensure that their SMS:

~~2.1.2. is appropriate for safety achievement~~

~~(a) Within the operation size and complexity of the SMS, providers of air traffic services shall:~~ An ATS provider's organization;

- ~~(a) ensure that personnel are adequately trained and competent for the job they are required to do, in addition to being properly licensed if so required and satisfying applicable medical fitness requirements (competency);~~
- ~~(b) ensure that a safety management function is identified with organisational responsibility for development and maintenance of the SMS; ensure that this point of responsibility is independent of line management, and accountable directly to the highest organisational level. However, in the case of small organisations where a combination of responsibilities may prevent sufficient independence in this regard, the arrangements for safety assurance shall be supplemented by additional independent means; and ensure that the top management of the service provider organisation is actively involved in ensuring safety management (safety management responsibility);~~
- ~~(c) ensure that, wherever practicable, quantitative safety levels are derived and are maintained for all functional systems (quantitative safety levels);~~
- ~~(d) ensure that the SMS is systematically documented in a manner which provides a clear linkage to the organisation's safety policy (SMS documentation);~~
- ~~(e) ensure adequate justification of the safety of the externally provided services and supplies, having regard to their safety significance within the provision of its services (external services and supplies);~~
- ~~(f) ensure that risk assessment and mitigation is conducted to an appropriate level to ensure that due consideration is given to all aspects of the provision of ATM (risk assessment and mitigation). As far as changes to the ATM functional system are concerned, paragraph 3.2 shall apply;~~
- ~~(g) ensure that ATM operational or technical occurrences which are considered to have significant safety implications are investigated immediately, and any necessary corrective action is taken (safety occurrences). They shall also demonstrate that~~

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~~they have implemented the requirements on the reporting and assessment of safety occurrences in accordance with applicable national and Union law.~~

~~2.1.3.1.1.1. Requirements for safety assurance~~

~~Within the operation of the SMS, providers of air traffic services shall ensure that:~~

- ~~(h) safety surveys are carried out as a matter of routine, to recommend improvements where needed, to provide assurance to managers of the safety of activities within their areas and to confirm compliance with the relevant parts of the SMS (safety surveys);~~
- ~~(i) methods are in place to detect changes in functional systems or operations which may suggest any element is approaching a point at which acceptable standards of safety can no longer be met, and that corrective action is taken (safety monitoring);~~
- ~~(j) safety records are maintained throughout the SMS operation as a basis for providing safety assurance to all associated with, responsible for or dependent upon the services provided, and to the Kuwait DGCA (safety records).~~

~~2.1.4.1.1.1. Requirements for safety promotion~~

~~Within the operation of the SMS, providers of air traffic services shall ensure that:~~

- ~~(a) all personnel are aware of the potential safety hazards connected with their duties (safety awareness);~~
- ~~(b) the lessons arising from safety occurrence investigations and other safety activities are disseminated within the organisation at management and operational levels (lesson dissemination);~~
- ~~(c)(a) all personnel are actively encouraged to propose solutions to identified hazards, and changes are made to improve safety where they appear needed (safety improvement).~~
- (b) identifies safety hazards;
- (c) ensures the implementation of remedial action necessary to maintain agreed safety performance;
- (d) provides for continuous monitoring and regular assessment of safety performance including the performance of safety reviews by appropriately trained and qualified personnel;
- (e) aims at a continuous improvement of the overall performance of the safety management system; and
- ~~(a)(f)~~ is acceptable to the ASD.

9.1.5. The ASTS provider shall ensure that adequate provision is made for post implementation monitoring to verify that the defined level of safety continues to be met.

~~2.1.5. Safety requirements for risk assessment and mitigation with regard to changes.~~

9.1.6. w~~W~~ Within the operation of the SMS, providers of air traffic services shall ensure that hazard identification as well as risk assessment and mitigation are systematically conducted for any changes to those parts of the ~~State of Kuwait~~ air traffic control system and supporting arrangements within their managerial control, in a manner which addresses but not limited to:

- (a) the complete life cycle of the constituent part of the ~~State of Kuwait~~ air traffic control system, from initial planning and definition to post-implementation operations, maintenance and decommissioning;
- (b) new ATS procedures;
- (c) implementation of reduced separation minima;



(d) new ATS systems or equipment;

(e) airspace reorganization; and

(f) new facilities or infrastructure.

~~(b)~~(g) the airborne, ground and, if appropriate, spatial components of the ~~State of Kuwait~~ air traffic control system, through cooperation with responsible parties;

(h) the equipment, procedures and human resources of the ~~State of Kuwait~~ air traffic control system, the interactions between these elements and the interactions between the constituent part under consideration and the remainder of the ATS system.

~~(e)~~

9.1.7. The hazard identification, risk assessment and mitigation processes shall include:

~~2.1.6.~~

(a) a determination of the scope, boundaries and interfaces of the constituent part being considered, as well as the identification of the functions that the constituent part is to perform and the environment of operations in which it is intended to operate;

(b) a determination of the safety objectives to be placed on the constituent part, incorporating:

~~(i)~~(c) an identification of ATS-related credible hazards and failure conditions, together with their combined effects;

~~(ii)~~(d) an assessment of the effects they may have on the safety of aircraft, as well as an assessment of the severity of those effects;

~~(iii)~~(e) a determination of their tolerability, in terms of the hazard's maximum probability of occurrence, derived from the severity and the maximum probability of the hazard's effects.

~~(e)~~(f) the derivation, as appropriate, of a risk mitigation strategy which:

~~(i)~~(1) specifies the defences to be implemented to protect against the risk-bearing hazards;

~~(ii)~~(2) includes, as necessary, the development of safety requirements potentially bearing on the constituent part under consideration, or other parts of the ~~State of Kuwait~~ air traffic control system, or environment of operations;

~~(iii)~~(3) presents an assurance of its feasibility and effectiveness.

~~(d)~~(g) verification that all identified safety objectives and safety requirements have been met:-

~~(i)~~(1) prior to its implementation of the change;

~~(ii)~~(2) during any transition phase into operational service;-

~~(iii)~~(3) during its operational life;

~~(iv)~~(4) during any transition phase until decommissioning.

~~2.1.7.~~(h) The results, associated rationales and evidence of the risk assessment and mitigation processes, including hazard identification, shall be collated and documented in a manner which ensures that:

~~(a)~~(1) complete arguments are established to demonstrate that the constituent part under consideration, as well as the overall ~~State of Kuwait~~ air traffic control system are, and will remain tolerably safe by meeting allocated safety objectives and requirements. This shall include, as appropriate, specifications of any predictive, monitoring or survey techniques being used;

(2) all safety requirements related to the implementation of a change are traceable to the intended operations/functions.

~~(b)~~

~~2.1.8.~~(i) Hazard identification and severity assessment

A systematic identification of the hazards shall be conducted. The severity of the effects of hazards in a given environment of operations shall be determined using the severity classification scheme set out in the following table while the severity classification shall rely on a specific argument demonstrating the most probable effect of hazards, under the worst-case scenario.



Table 4.1 – Severity Classification

Severity class	Effect on -operations
1 (Most severe)	Accident as -defined in Chapter 1 of KCASR 11
2	Serious incident-
3	Major incident associated with the operation of an aircraft, in which the safety of the aircraft may have been compromised, having led to a near collision between aircrafts, with ground or obstacles.
4	Significant incident involving circumstances indicating that an accident, a serious or major incident could have occurred, if the risk had not been managed within safety margins, or if another aircraft had been in the vicinity.
5 (Least severe)	No immediate effect on safety.

In order to deduce the effect of a hazard on operations and to determine its severity, the process shall include the effects of hazards on the various elements of the ~~State of Kuwait~~ air traffic control system, such as the air crew, the air traffic controllers, the aircraft functional capabilities, the functional capabilities of the ground part of the ~~State of Kuwait~~ air traffic control system, and the ability to provide safe air traffic services.

Risk classification scheme

Safety objectives based on risk shall be established in terms of the hazard's maximum probability of occurrence, derived both from the severity of its effect, and from the maximum probability of the hazard's effect.

As a necessary complement to the demonstration that established quantitative objectives are met, additional safety management considerations shall be applied so that more safety is added to the ~~State of Kuwait~~ air traffic control system, whenever reasonable.

(j) Requirements for safety assurance

Within the operation of the SMS, providers of air traffic services shall ensure that:

- (1) safety surveys are carried out as a matter of routine, to recommend improvements where needed, to provide assurance to managers of the safety of activities within their areas and to confirm compliance with the relevant parts of the SMS (safety surveys);
- (2) methods are in place to detect changes in functional systems or operations which may suggest any element is approaching a point at which acceptable standards of safety can no longer be met, and that corrective action is taken (safety monitoring);
- (3) safety records are maintained throughout the SMS operation as a basis for providing safety assurance to all associated with, responsible for or dependent upon the services provided, and to the Kuwait DGCA (safety records).

9.1.8. Requirements for safety promotion

Within the operation of the SMS, providers of air traffic services shall ensure that:

- (a) all personnel are aware of the potential safety hazards connected with their duties (safety awareness);
- (b) the lessons arising from safety occurrence investigations and other safety activities are disseminated within the organization at management and operational levels (lesson dissemination);
- (c) all personnel are actively encouraged to propose solutions to identified hazards, and changes are made to improve safety where they appear needed (safety



[improvement\).](#)

2.1.9.9.1.9. Safety requirements for engineering and technical personnel undertaking operational safety related tasks

Providers of air navigation services shall ensure that technical and engineering personnel including personnel of subcontracted operating organizations who operate and maintain ATM equipment approved for their operational use have and maintain sufficient knowledge and understanding of the services they are supporting, of the actual and potential effects of their work on the safety of those services, and of the appropriate working limits to be applied.

With regard to the personnel involved in safety-related tasks including personnel of subcontracted operating organizations, providers of air traffic services shall document the adequacy of the competence of the personnel; the rostering arrangements in place to ensure sufficient capacity and continuity of service; the personnel qualification schemes and policy, the personnel training policy, training plans and records as well as arrangements for the supervision of non-qualified personnel. They shall have procedures in place for cases where the physical or mental condition of the personnel is in doubt.

9.1.10. Providers of air traffic services shall maintain a register of information on the numbers, status and deployment of the personnel involved in safety related tasks.

That register shall:

- (a) identify the accountable managers for safety-related functions;
- (b) record the relevant qualifications of technical and operational personnel, against required skills and competence requirements;
- (c) specify the locations and duties to which technical and operational personnel are assigned, including any rostering methodology.

2.1.10.9.1.11. Working methods and operating procedures

Providers of air traffic services shall be able to demonstrate that their working methods and operating procedures are compliant with the standards in the following ~~annexes to the Convention on International Civil Aviation~~ [KCASRs](#) as far as they are relevant for the provision of air traffic services in the airspace concerned:

- (a) ~~ICAO Annex~~ [KCASR](#) 2 on rules of the air.-
- (b) ~~ICAO Annex~~ [KCASR](#) 10 on aeronautical telecommunications, Volume II on communication procedures including those with PANS Status;-
- (c) ~~ICAO Annex~~ [KCASR](#) 11 on air traffic services.-

2.2.9.2. Quality management system

Air traffic service providers shall have in place a quality management system which covers all air traffic services that they provide, according to the following principles.-

The quality management system shall:

- (a) ~~9.2.1.~~ [9.2.1.](#) define the quality policy in such a way as to meet the needs of different users as closely as possible;
- (b) ~~9.2.2.~~ [9.2.2.](#) set up a quality assurance programme that contains procedures designed to verify that all operations are being conducted in accordance with applicable

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requirements, standards and procedures;

- ~~(c)~~ 9.2.3. provide evidence of the functioning of the quality management system by means of manuals and monitoring documents;
- ~~(d)~~ 9.2.4. appoint management representatives to monitor compliance with, and adequacy of, procedures to ensure safe and efficient operational practices;
- ~~(e)~~ 9.2.5. perform reviews of the quality management system in place and take remedial actions, as appropriate.

An ISO 9001 certificate, issued by an appropriately accredited organization, covering the air traffic services of the provider shall be considered as a sufficient means of compliance. The air traffic service provider shall accept the disclosure of the documentation related to the certification to the Kuwait DGCA upon the latter's request.

Air traffic service providers may integrate safety, security and quality management systems into their management system.

9.3. Safety Reviews

9.3.1. The ATS provider shall conduct regular and systematic safety reviews by personnel qualified through training, experience, and expertise and having a full understanding of relevant Standards and Recommended Practices (SARPs), Procedures for Air Navigation Services (PANS), safe operating practices, and human factors principles.

9.3.2. The scope of ATS unit safety reviews should include at least the following issues:

(a) Regulatory issues to ensure that:

- (1) ATS operation manuals, ATS unit instructions and air traffic control (ATC) coordination procedures are complete, concise and up-to-date;
- (2) the ATS route structure, where applicable, provides for:
 - adequate route spacing; and
 - crossing points for ATS routes located so as to reduce the need for controller intervention and for inter- and intra-unit coordination;
- (3) the separation minima used in the airspace or at the aerodrome are appropriate and all the provisions applicable to those minima are being complied with;
- (4) where applicable, provision is made for adequate observation of the manoeuvring area, and procedures and measures aimed at minimizing the potential for inadvertent runway incursions are in place. This observation may be performed visually or by means of an ATS surveillance system;
- (5) appropriate procedures for low visibility aerodrome operations are in place;
- (6) traffic volumes and associated controller workloads do not exceed defined, safe levels and that procedures are in place for regulating traffic volumes whenever necessary;
- (7) procedures to be applied in the event of failures or degradations of ATS systems, including communications, navigation and surveillance systems, are practicable and will provide for an acceptable level of safety; and
- (8) procedures for the reporting of incidents, follow up action, detected adverse trends in number & types of incidents and other safety-related occurrences are implemented, that the reporting of incidents is encouraged and that such reports are reviewed to identify the need for any remedial action.

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(b) Operational and technical issues to ensure that:

- (1) The environmental working conditions meet established levels for temperature, humidity, ventilation, noise and ambient lighting, and do not adversely affect controller performance;
- (2) automation systems generate and display flight plan, control and coordination data in a timely, accurate and easily recognizable manner and in accordance with Human Factors principles;
- (3) equipment, including input/output devices for automation systems, are designed and positioned in the working position in accordance with ergonomic principles;
- (4) communications, navigation, surveillance and other safety significant systems and equipment:
 - are tested for normal operations on a routine basis;
 - meet the required level of reliability and availability as defined by the appropriate authority;
 - provide for the timely and appropriate detection and warning of system failures and degradations;
 - include documentation on the consequences of system, subsystem and equipment failures and degradations;
 - include measures to control the probability of failures and degradations; and
 - include adequate backup facilities and/or procedures in the event of a system failure or degradation; and

c) Licensing and training issues to ensure that:

- (1) controllers are adequately trained and properly licensed with valid ratings;
- (2) controller competency is maintained by adequate and appropriate refresher training, including the handling of aircraft emergencies and operations under conditions with failed and degraded facilities and systems;
- (3) controllers, where the ATC unit/control sector is staffed by teams, are provided relevant and adequate training in order to ensure efficient teamwork;
- (4) the implementation of new or amended procedures, and new or updated communications, surveillance and other safety significant systems and equipment is preceded by appropriate training and instruction;
- (5) controller competency in the English language is satisfactory in relation to providing ATS to international air traffic; and
- (6) standard phraseology is used.

2.3.10. Operations manuals

10.1. Air traffic service providers shall provide and keep up-to-date operations manuals relating to the provision of their services for the use and guidance of operations personnel. They shall ensure that:

10.1.1 ~~operations manuals contain the instructions~~ a statement signed by the Accountable Manager on behalf of the applicant's organization confirming that the operation manual and any included procedures:

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- (a) Define the organization and demonstrate its means and methods for ensuring ongoing compliance with this and any other applicable KCASR; and
 (b) Are required to be complied with by its personnel at all times; and
- 10.1.2 the duties and responsibilities of the senior person or persons including matters for which they have responsibility to deal directly with the AUTHORITY on behalf of the organization; and
- 10.1.3 an organization chart showing lines of responsibility of the senior persons and extending to each location; and
- 10.1.4 in the case of an organization providing air traffic services from more than 1 ATS unit a table listing:
 (a) locations of ATS units; and
 (b) the aerodrome or airspace being serviced; and
 (c) the services provided; and
- 10.1.5 details of the applicant's staffing structure for each ATS unit; and
- 10.1.6 details of procedures required by paragraph 3 "Human Resources " points (3.2.1) through (3.2.8); and
- ~~(a)~~ 10.1.7 the information required by the operations personnel to perform their duties; regarding hours of service, the establishment of an air traffic service, and any transitional arrangements; and
- 10.1.8 ~~relevant parts~~ details of the operations manuals are accessible to systems and procedures regarding co- ordination requirements; and
- 10.1.9 details of the procedures required regarding language proficiency; and
- ~~(b)~~ 10.1.9.1 -details of procedures required regarding the training and assessment of ATS personnel concerned; and regarding the qualifications of ATS training personnel; and
- ~~(c)~~ the operations personnel are expeditiously informed of amendments to the operations manual applying to their duties as well as of their entry into force.
- 3. Security**
- 10.1.10 ~~Air traffic service providers shall establish a~~ details of the procedures required regarding the notification of facility status; and
- 10.1.11 procedures regarding shift administration; and
- 10.1.12 details of the procedures required regarding disruptions to service; and
- 10.1.13 details of the program required regarding security arrangements; and
- 10.1.14 details of the procedures required regarding the keeping of logbooks and position logs; and
- 10.1.15 details of the procedures required regarding the control of documentation; and
- ~~3.1.~~ 10.1.16 details of systems and procedures required regarding the collecting and management system to ensure of records; and
- ~~(a)~~ 10.1.17 the security details of their ATS facilities systems and personnel so as to prevent unlawful interference with procedures required regarding the provision of air traffic area control and approach control services; and
- ~~(b)~~ the security details of operational data they receive or produce or otherwise employ, so that access to it is restricted only to those authorised.

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~~3.1.1. The security management system shall define:~~

- ~~(c) the procedures relating to security risk assessment and mitigation, security monitoring and improvement, security reviews systems and lesson dissemination;~~
- ~~(d) the means designed to detect security breaches and to alert personnel with appropriate security warnings;~~
- ~~(e) the means of containing the effects of security breaches and to identify recovery action and mitigation procedures to prevent reoccurrence.~~

~~4. Human resources~~

~~10.1.18 Air traffic service providers shall employ appropriately skilled personnel to ensure required regarding the provision of air traffic services in a safe, efficient, continuous and sustainable manner. In this context, they shall establish policies for the recruitment and training of personnel in accordance with KCASR 1 – Part ATCO Licensing and Medical aerodrome control service; and~~

10.1.19 details of the procedures required regarding responsibility for control regarding transfer of responsibility; and

10.1.20 details of systems and procedures required regarding the provision of flight information service; and

10.1.21 details of the procedures required regarding ATC clearances; and

10.1.22 details of the procedures required regarding deviations from an ATC clearance; and

10.1.23 details of the procedures required regarding the processing of flight plans; and

10.1.24 details of the procedures required regarding air traffic flow management; and

10.1.25 details of the procedures required regarding control of persons and vehicles at aerodromes; and

10.1.26 details of the runway safety program required; and

10.1.27 the contingency arrangements and plans required; and

10.1.28 details of the procedures required regarding aircraft emergencies, in-flight contingencies and interceptions; and

10.1.29 details of the procedures required regarding time; and

10.1.30 details of altimeter setting procedures required; and

10.1.31 details of altimeter setting procedures required regarding Fatigue Risk Management System (FRMS)

10.1.32 details of the systems, procedures, and programs required regarding the Safety Management System (SMS); and

10.1.33 details of the systems, procedures, and programs required regarding the Quality Management System (QMS); and

10.1.34 details of the systems, procedures, and programs required regarding the Safety Reviews; and

10.1.35 details of systems and procedures required regarding the provision of alerting service; and

10.1.36 details of the radio and telephone procedures required; and

10.1.37 details of the procedures required regarding the provision of surveillance services; and



10.1.38 details of the systems and procedures required regarding meteorological information and reporting; and

10.1.39 details of the systems and procedures required regarding information requirements; and

10.1.40 details of the procedures required regarding incidents; and

10.1.41 details required regarding procedures following a serious incident or accident; and

10.1.42 details of the procedures required regarding the application of priorities;

10.1.43 ~~(45)~~ details of the procedures required regarding separation criteria and minima; and

10.1.44 details of the procedures required regarding the allocation of minimum flight altitudes; and

10.1.45 pProcedures to control, amend and distribute the operation manual.

10.1.46 tThe applicant's operation manual shall be acceptable to the AUTHORITY.

~~4.1.~~

5.11. Quality of services

5.1.11.1. Open and transparent provision of air traffic services

~~5.1.1.~~11.1.1. Air traffic service providers shall provide air traffic services in an open and transparent manner. They shall publish the conditions of access to their services and establish a formal consultation process with the users of air traffic services on a regular basis, either individually or collectively, and at least once a year.

~~5.1.2.~~11.1.2. Air traffic service providers shall not discriminate on the grounds of the nationality or identity of the user or the class of users.-

~~5.1.3.~~11.1.3. Where the ~~State of Kuwait~~ decides to ~~organise~~organize the provision of specific air traffic services in a competitive environment, the ~~Kuwait-DGCA~~ may take all appropriate measures to ensure that the providers of these specific air traffic services shall neither engage in conduct that would have as its object or effect the prevention, restriction or distortion of competition, nor shall they engage in conduct that amounts to an abuse of a dominant position in accordance with applicable national law.

~~5.1.4.~~11.1.4. Providers of air traffic services shall notify to the ~~Kuwait-DGCA~~:

- (a) their legal status, their ownership structure and any arrangements having a significant impact on control over their assets;
- (b) any links with ~~organisations~~organizations not involved in the provision of air traffic services, including commercial activities in which they are engaged either directly or through related undertakings, which account for more than 1 % of their expected revenue; furthermore, they shall notify any change of any single shareholding which represents 10 % or more of their total shareholding.

~~4.1.1.~~11.1.5. Providers of air traffic services shall take all necessary measures to prevent any situation of conflict of interests that could compromise the impartial and objective provision of their services.

5.2.12. Contingency plans

Air traffic service providers shall have in place contingency plans for all the air traffic services they provide in the case of events which result in significant degradation or



interruption of their operations.

6.13. Reporting requirements

~~7.1~~13.1. Air traffic service providers shall provide an annual report of their activities to Kuwait DGCA.

That annual report shall cover any significant activities and developments in particular in the area of safety and shall include as a minimum:

- ~~(a)~~13.1.1. an assessment of the level of performance of air traffic services generated;
- ~~(b)~~13.1.2. developments in operations and infrastructure;
- ~~(c)~~13.1.3. information about the formal consultation process with the users of its services;
- ~~(d)~~13.1.4. information about the human resources policy.

~~7.2~~13.2. ACCIDENT/INCIDENT OR OCCURRENCE REPORTING

~~7.2.1~~13.2.1. Purpose

The purpose is to make Air Traffic Services in the State of Kuwait aware of the Kuwait Aviation Occurrence Reporting System (KAORS) and to seek the cooperation of all to report the details of any accidents/incidents according to procedures set out in this ~~notice~~KCASR.

~~7.2.2~~13.2.2. Background

The KAORS was established to assist the Kuwait DGCA-ASD in early identification of potential hazards and system deficiencies, and to assist in the assessment of associated hazards or system deficiencies.

~~7.2.3~~13.2.3. Information

The reporting of accidents/incidents under the KAORS system is a **mandatory requirement**. However, the DGCA-ASD encourages Voluntary Confidential Reporting to the same criteria across the whole spectrum of the State of Kuwait Civil Aviation Operations. Without prejudice to the proper discharge of its responsibilities, the DGCA will not disclose the name of the person submitting a Voluntary Confidential Report or of a person to whom it relates unless, in either case, the person authorizes disclosure.

The reporting of all accidents/incidents will assist Kuwait DGCA-ASD in responding to events that may have safety implications to Air Navigation Service Provider, or affect



the State of Kuwait Civil Aviation Transportation System.

The overall objective of the DGCA-ASD in operating Operations Occurrence Reporting is to use the reported information to improve the level of flight safety and not to attribute blame.

~~7.3~~ 13.3. Critical and High-Profile Events for Immediate Reporting

~~(A)~~ 13.3.1. Aircraft evacuation due to potential hazard

~~(B)~~ 13.3.2. Dangerous Goods Spill affecting safety

~~(C)~~ 13.3.3. Aircraft Hijacking

~~(D)~~ 13.3.4. Hostage Taking

~~(E)~~ 13.3.5. Terrorist activities

~~(F)~~ 13.3.6. Bomb Threats/Bomb Found

~~7.4~~ 13.4. Mandatory Reportable Occurrences

~~13.4.1)~~ 13.4.1. Aircraft Accident

: Any aviation occurrence where, at any time during ATC operating at any working position.

~~13.4.2)~~ 13.4.2. Aircraft Incident

: Any aviation occurrence involving an aircraft where:

- (a) engine failure, fire, flameout,
- (b) smoke or fire occurs,
- (c) Navigation aids failure,
- (d) Radar failure, communication
- (e) rejected take-off,
- (f) go-around (not related to weather), rejected landing,
- (g) the aircraft fails to remain within the landing and take-off area, lands with one or more landing gear retracted or drags a wing tip, tail or engine pod,
- (h) landing gear malfunction, a collision or risk of collision with any other aircraft or with any vehicle, terrain or obstacle occurs, including a collision or risk of collision,
- (i) the aircraft receives a Traffic Alert and Collision Avoidance System (TCAS) Resolution Advisory air misses,
- (j) operation of any primary warning or caution system associated with ATC systems or equipment unless:

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- (1) the maintenance conclusively established that the condition was false at the time it occurred; or,
- (2) the indication was confirmed as false immediately,
- (k) failure of emergency system or equipment, including any exit door and lighting, to perform satisfactorily,
- (l) unauthorized incursion or operating irregularity involving vehicles, pedestrians or animals,
- (m) failure of a navigational aid, approach aid, communications system, airport lighting, power failure or any other system breakdown which has an adverse effect upon flight safety or major impact on operations,
- (n) criminal action - hijacking, bomb threat, riot, sabotage, or breach of aviation/airport security,
- (o) unavailability of a runway due to any obstructions or foreign object that results in a major impact on airport operations,
- (p) bird strikes,
- (q) missing aircraft reports, Search and Rescue activation, Emergency Locator Transmitter (ELT) activation,
- (r) labor action affecting operational capability,
- (s) item dropped from an aircraft,
- (t) Regulatory infractions which have immediate safety implications, involve commercial Air Operators or may generate media attention,
- (u) environmental emergencies such as a fuel spill, hazardous chemical or radioactive spill on airport property,
- (v) death or serious injury to employees or members of the public while on duty,
- (a)(w) Any occurrence which may generate a high degree of public interest or concern, or could be a direct interest to specific Foreign Civil Aviation Authorities.

7.513.5. Reporting Responsibility

The Air Traffic Services shall forward a copy of the Operations Occurrence Report for those occurrences classified as Critical and High-Profile Events immediately after the event by email to the DGCA-ASD (mor-asd@dgca.gov.kw) or via [ASD electronic system](#). ~~Fax no. 2476-5796+965 247 135 04~~. The original copy of the Critical and High-Profile Events, and original copy of other Reportable Occurrences, shall be forwarded to the DGCA- ASD no later than 72 hours from the time of the occurrence. The Air Traffic Services safety officer shall report to the DGCA-ASD the results of their investigation of the occurrence when completed.

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Annex II – Conditions to be attached to ATS Provider Certificates

1. Certificates shall specify:

- (a) The ~~Kuwait DGCA~~ as the competent authority issuing the certificate;
- (b) the applicant (name and address);
- (c) the air traffic services which are certified;
- (d) a statement of the applicant's conformity with the requirements for ATS provision, as defined in this regulation;
- (e) the date of issue and the period of validity of the certificate.

2. Additional conditions attached to certificates may, as appropriate, be related to:

- (a) non-discriminatory access to services for airspace users and the required level of performance of such services, including safety and interoperability levels;
- (b) the operational specifications for the particular services;
- (c) the time by which the services should be provided;
- (d) the various operating equipment to be used within the particular services;
- (e) ring-fencing or restriction of operations of services other than those related to the provision of air traffic services;
- (f) contracts, agreements or other arrangements between the service provider and a third party and which concern the service(s);
- (g) provision of information reasonably required for the verification of compliance of the services with the regulatory requirements, including plans, financial and operational data, and major changes in the type and/or scope of air traffic services provided;
- ~~(h)~~—any other legal conditions which are not specific to air traffic services, such as conditions relating to the suspension or revocation of the certificate.

~~(a)~~(h)

END