



International  
Civil Aviation  
Organization

Organisation  
de l'aviation civile  
internationale

Organización  
de Aviación Civil  
Internacional

Международная  
организация  
гражданской  
авиации

منظمة الطيران  
المدني الدولي

国际民用  
航空组织

Tel.: +1 (514) 954-8219 ext. 6300

Ref.: EC 6/3-12/44

5 July 2012

**Subject:** Adoption of Amendment 23 to Annex 9

**Action Required:** a) Notify any disapproval before 29 October 2012; b) Notify any differences and compliance before 29 January 2013

Sir/Madam,

1. I have the honour to inform you that Amendment 23 to the *International Standards and Recommended Practices Facilitation* (Annex 9 to the Convention on International Civil Aviation) was adopted by the Council at the fourth meeting of its 196th Session on 18 June 2012. Copies of the Amendment and the Resolution of Adoption are available as attachments to the electronic version of this State letter on the ICAO-NET ([www.icao.int/icaonet](http://www.icao.int/icaonet)), where you can access all other relevant documentation.

2. When adopting the amendment, the Council prescribed 29 October 2012 as the date on which it will become effective, except for any part concerning which a majority of Contracting States may have registered their disapproval before that date. In addition, the Council resolved that Amendment 23, to the extent it becomes effective, will be applicable on 28 February 2013.

3. Amendment 23 is a revised version of the document currently found in Appendix 13 to Annex 9. The improved document is intended to enhance data sharing and efficient response in the event of a pandemic or large scale epidemic.

4. In conformity with the Resolution of Adoption, I request that:

- a) before 29 October 2012 you inform me if there is any part of Amendment 23 concerning which your State wishes to register disapproval, using the form at Attachment B for this purpose. Please note that only statements of disapproval need to be registered and that if you do not reply it will be assumed that your State does not disapprove of the amendment; and

b) before 29 January 2013 you inform me of the following, using the form at Attachment C for this purpose:

- 1) any differences that will exist on 28 February 2013 between the national regulations or practices of your State and the provisions of the whole of Annex 9, as amended by all amendments up to and including Amendment 23 and thereafter of any further differences that may arise; and
- 2) the date or dates by which your State will have complied with the provisions of the whole of Annex 9, as amended by all amendments up to and including Amendment 23.

5. With reference to the request in paragraph 4 a) above, it should be noted that a registration of disapproval of Amendment 23 or any part thereof in accordance with Article 90 of the Convention does not constitute a notification of differences under Article 38 of the Convention. To comply with the latter provision, a separate statement is necessary if any differences do exist, as requested in paragraph 4 b) 1). It is recalled in this respect that international Standards in Annexes have a conditional binding force, to the extent that the State or States concerned have not notified any differences thereto under Article 38 of the Convention.

6. Guidance on the determination and reporting of differences is given in the note on the notification of differences (Attachment A). Please note that a detailed repetition of previously notified differences, if they continue to apply, may be avoided by stating the current validity of such differences.

7. I would appreciate it if you would also send a copy of your notifications, referred to in paragraph 4 b) above, to the ICAO Regional Office Director accredited to your State.

Accept, Sir/Madam, the assurances of my highest consideration.



Raymond Benjamin  
Secretary General

**Enclosures:**

- A — Note on the notification of differences to Annex 9
- B — Form on notification of disapproval of all or part of Amendment 23 to Annex 9
- C — Form on notification of compliance with or differences from Annex 9

**NOTE ON THE NOTIFICATION OF DIFFERENCES TO ANNEX 9  
AND FORM OF NOTIFICATION**

*(Prepared and issued in accordance with instructions of the Council)*

1. *Introduction*

1.1 The Assembly and the Council, when reviewing the notification of differences by States in compliance with Article 38 of the Convention, have repeatedly noted that the state of such reporting is not entirely satisfactory.

1.2 With a view to achieving a more comprehensive coverage, this note is issued to facilitate the determination and reporting of such differences and to state the primary purpose of such reporting.

1.3 The primary purpose of reporting of differences is to promote safety and efficiency in air navigation by ensuring that governmental and other agencies, including operators and service providers, concerned with international civil aviation are made aware of all national regulations and practices in so far as they differ from those prescribed in the ICAO Standards.

1.4 Contracting States are, therefore, requested to give particular attention to the notification before 29 January 2013 of differences with respect to Standards in Annex 9. The Council has also urged Contracting States to extend the above considerations to Recommended Practices.

1.5 Contracting States are asked to note further that it is necessary to make an explicit statement of intent to comply where such intent exists, or where such is not the intent, of the difference or differences that will exist. This statement should be made not only to the latest amendment but to the whole Annex, including the amendment.

1.6 If previous notifications have been made in respect of this Annex, detailed repetition may be avoided, if appropriate, by stating the current validity of the earlier notification. States are requested to provide updates of the differences previously notified after each amendment, as appropriate, until the difference no longer exists.

2. *Notification of differences to Annex 9, including Amendment 23*

2.1 Past experience has indicated that the reporting of differences to Annex 9 has in some instances been too extensive since some appear merely to be a different manner of expressing the same intent.

2.2 Guidance to Contracting States in the reporting of differences to Annex 9 can only be given in very general terms. Where the national regulations of States call for compliance with procedures that are not identical but essentially similar to those contained in the Annex, no difference should be reported since the details of the procedures existing are the subject of notification through the medium of aeronautical information publications. Although differences to Recommended Practices are not notifiable under Article 38 of the Convention, Contracting States are urged to notify the Organization of the differences between their national regulations and practices and any corresponding Recommended Practices contained in an Annex. States should categorize each difference notified on the basis of whether the corresponding national regulation is:

- a) ***More exacting or exceeds the ICAO Standard or Recommended Practice (SARP) (Category A)***. This category applies when the national regulation is more demanding than the corresponding SARP, or imposes an obligation within the scope of the Annex which is not covered by a SARP. This is of particular importance where a State requires a higher standard which affects the operation of aircraft of other Contracting States in and above its territory;
- b) ***Different in character or other means of compliance (Category B)***. This category applies when the national regulation is different in character from the corresponding ICAO SARP, or when the national regulation differs in principle, type or system from the corresponding SARP, without necessarily imposing an additional obligation. This category would be applied to a national regulation which achieves, by other means, the same objective as that of the corresponding ICAO SARPs and so cannot be classified under a) or c).
- c) ***Less protective or partially implemented/not implemented (Category C)***. This category applies when the national regulation is less protective than the corresponding SARP; or when no national regulation has been promulgated to address the corresponding SARP, in whole or in part.

2.3 For States that have already fully reported differences from Annex 9 or have reported that no differences exist, the reporting of any further differences occasioned by the amendment should be relatively straightforward; however, attention is called to paragraph 1.5 wherein it is indicated that this statement should be not only to the latest amendment but to the whole Annex, including the amendment.

### 3. *Form of notification of differences*

3.1 Differences should be notified in the following form:

- a) *Reference*: the number of the paragraph or subparagraph in Annex 9 as amended which contains the Standard or Recommended Practice to which the difference relates;
- b) *Category*: the category of the difference as A, B or C in accordance with paragraph 2.2 above;
- c) *Description of the difference*: clear and concise description of the difference and its effect; and
- d) *Remarks*: the reasons for the difference and intentions, including any planned date for implementation.

3.2 The differences notified will be recorded in a Supplement to the Annex, normally in the terms used by the Contracting State when making the notification. In the interest of making the Supplement as useful as possible, please make statements as clear and concise as possible and confine remarks to essential points. Comments on implementation, in accordance with paragraph 4 b) 2) of the Resolution of Adoption, should not be combined with those concerning differences. The provision of extracts from national regulations cannot be considered as sufficient to satisfy the obligation to notify differences. General comments that do not relate to specific differences will not be published in Supplements.

-----

ATTACHMENT B to State letter EC 6/3-12/44

NOTIFICATION OF DISAPPROVAL OF ALL OR PART OF  
AMENDMENT 23 TO ANNEX 9

To: The Secretary General  
International Civil Aviation Organization  
999 University Street  
Montréal, Quebec  
Canada H3C 5H7

(State) \_\_\_\_\_ hereby wishes to disapprove the following parts  
of Amendment 23 to Annex 9 (please use extra sheets as required):

Signature \_\_\_\_\_ Date \_\_\_\_\_

- Notes.-
- 1) If you wish to disapprove all or part of Amendment 23 to Annex 9, please dispatch this notification of disapproval to reach ICAO Headquarters by 29 October 2012. If it has not been received by that date it will be assumed that you do not disapprove of the amendment. **If you approve of all parts of Amendment 23, it is not necessary to return this notification of disapproval.**
  - 2) This notification should not be considered a notification of compliance with or differences from Annex 9. Separate notifications on this are necessary. (see Attachment C).
-



ATTACHMENT C to State letter EC 6/3-12/44

**NOTIFICATION OF COMPLIANCE WITH OR DIFFERENCES FROM  
ANNEX 9 (INCLUDING ALL AMENDMENTS UP TO AND INCLUDING  
AMENDMENT 23)**

To: The Secretary General  
International Civil Aviation Organization  
999 University Street  
Montréal, Quebec  
Canada H3C 5H7

1. No differences will exist on \_\_\_\_\_ between the national regulations and/or practices of (State) \_\_\_\_\_ and the provisions of Annex 9, including all amendments up to and including Amendment 23.

2. The following differences will exist on \_\_\_\_\_ between the regulations and/or practices of (State) \_\_\_\_\_ and the provisions of Annex 9, including Amendment 23. (Please see Note 3 below.)

<b>a) Annex Provision</b> (Please give exact paragraph reference)	<b>b) Difference Category</b> (Please indicate A, B, or C)	<b>c) Details of Difference</b> (Please describe the difference precisely)	<b>d) Remarks</b> (Please indicate reasons for the difference)
--	---	---	---

(Please use extra sheets as required)

(cont'd)

3. By the dates indicated below, (State) \_\_\_\_\_ will have complied with the provisions of Annex 9, including all amendments up to and including Amendment 23 for which differences have been notified in 2 above.

a) **Annex Provision**                      b) **Date**                                      c) **Comment**

(Please use extra sheets as required)

Signature \_\_\_\_\_ Date \_\_\_\_\_

Notes. —

- 1) If paragraph 1 above is applicable to you, please complete paragraph 1 and return this form to ICAO Headquarters. If paragraph 2 is applicable to you, please complete paragraphs 2 and 3 and return the form to ICAO Headquarters.
- 2) Please dispatch the form to reach ICAO Headquarters by 29 January 2013.
- 3) A detailed repetition of previously notified differences, if they continue to apply, may be avoided by stating the current validity of such differences.
- 4) Guidance on the notification of differences from Annex 9 is provided in the Note on Notification of Differences at Attachment A.
- 5) Please send a copy of this notification to the ICAO Regional Director accredited to your State.

— END —

**AMENDMENT No. 23**

**TO THE**

**INTERNATIONAL STANDARDS  
AND RECOMMENDED PRACTICES**

# **FACILITATION**

**ANNEX 9**

**TO THE CONVENTION ON INTERNATIONAL CIVIL AVIATION**

The amendment to Annex 9 contained in this document was adopted by the Council of ICAO on **18 June 2012**. Such parts of this amendment as have not been disapproved by more than half of the total number of Contracting States on or before **29 October 2012** will become effective on that date and will become applicable on **28 February 2013** as specified in the Resolution of Adoption. (State letter EC 6/3-12/44 refers.)

**JUNE 2012**

**INTERNATIONAL CIVIL AVIATION ORGANIZATION**



**AMENDMENT 23 TO THE INTERNATIONAL STANDARDS  
AND RECOMMENDED PRACTICES**

**FACILITATION – ANNEX 9**

**RESOLUTION OF ADOPTION**

*The Council*

Acting in accordance with the Convention on International Civil Aviation, and particularly with the provisions of Articles 37, 54 and 90 thereof,

1. *Hereby adopts* on 18 June 2012 Amendment 23 to the International Standards and Recommended Practices contained in the document entitled *International Standards and Recommended Practices, Facilitation* which for convenience is designated Annex 9 to the Convention;
2. *Prescribes* 29 October 2012 as the date upon which the said Amendment shall become effective, except for any part thereof in respect of which a majority of the Contracting States have registered their disapproval with the Council before that date;
3. *Resolves* that the said Amendment or such parts thereof as have become effective shall become applicable on 28 February 2013;
4. *Requests the Secretary General:*
  - a) to notify each Contracting State immediately of the above action and immediately after 29 October 2012 of those parts of the Amendment which have become effective;
  - b) to request each Contracting State:
    - 1) to notify the Organization (in accordance with the obligation imposed by Article 38 of the Convention) of the differences that will exist on 28 February 2013 between its national regulations or practices and the provisions of the Standards in the Annex as hereby amended, such notification to be made before 29 January 2013, and thereafter to notify the Organization of any further differences that arise;
    - 2) to notify the Organization before 29 January 2013 of the date or dates by which it will have complied with the provisions of the Standards in the Annex as hereby amended;
  - c) to invite each Contracting State to notify additionally any differences between its own practices and those established by the Recommended Practices contained in the Annex as hereby amended, following the procedure specified in sub-paragraph b) above with respect to differences from Standards.

-----



# AMENDMENT 23 TO THE INTERNATIONAL STANDARDS AND RECOMMENDED PRACTICES

## ANNEX 9 – FACILITATION

**Amend** Appendix 13 to Annex 9 – *Facilitation* by **replacing** the existing Appendix 13 with the new Appendix 13, as indicated in the page that follows.

### ~~APPENDIX 13. PUBLIC HEALTH PASSENGER LOCATOR CARD~~

PUBLIC HEALTH PASSENGER LOCATOR CARD		
Public Health Passenger Locator Card to be completed when public health authorities suspect the presence of a communicable disease. The information you provide will assist the public health authorities to manage the public health event by enabling them to trace passengers who may have been exposed to communicable disease. The information is intended to be held by the public health authorities in accordance with applicable law and to be used only for public health purposes.		
Flight Information		
1. Airline and Flight Number	2. Date of arrival	3. Seat Number where you actually sat on the aircraft
<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>	<input type="text"/> <input type="text"/>
Airline Flight Number	DD MM YYYY	
Personal Information		
4. Name		
<input type="text"/>		<input type="text"/>
Family Name		Given Name(s)
Your Current Home Address (including country)		
<input type="text"/>		<input type="text"/>
Street Name and Number		City State/Province
Country		
Your Contact Phone Number (Residential or Business, Cell, Mobile)		
<input type="text"/>	<input type="text"/>	<input type="text"/>
Country code	Area code	Phone Number
<input type="text"/>		<input type="text"/>
E-mail address		<input type="text"/>
<input type="text"/>		<input type="text"/>
Passport or Travel Document Number		Issuing Country/Organization
<input type="text"/>		<input type="text"/>
Contact Information		
5. Address and phone number where you can be contacted during your stay or, if visiting many places, your mobile phone number and initial address		
<input type="text"/>		<input type="text"/>
Street Name and Number		City State/Province
<input type="text"/>		<input type="text"/>
Country		ZIP/Postal Code Telephone Number (including country code) or mobile phone number
<input type="text"/>		<input type="text"/>
6. Contact information for the person who will best know where you are for the next 31 days, in case of emergency or to provide critical health information to you. Please provide the name of a close personal contact or a work contact. This must NOT be you.		
a. Name		
<input type="text"/>		<input type="text"/>
Family Name		Given Name(s)
b. Telephone Number		
<input type="text"/>	<input type="text"/>	<input type="text"/>
Country Code	Area Code	Phone Number
<input type="text"/>		<input type="text"/>
c. Address		
<input type="text"/>		<input type="text"/>
Street Name and Number		City State/Province
<input type="text"/>		<input type="text"/>
Country		ZIP/Postal Code
<input type="text"/>		<input type="text"/>
7. Are you traveling with anyone else? YES/NO Circle appropriate response. If so, with whom? (name of Individual(s) or Group)		
<input type="text"/>		
<input type="text"/>		

## APPENDIX 13. PUBLIC HEALTH PASSENGER LOCATOR FORM

**Public Health Passenger Locator Form:** To protect your health, public health officers need you to complete this form whenever they suspect a communicable disease on-board a flight. Your information will help public health officers to contact you if you were exposed to a communicable disease. It is important to fill out this form completely and accurately. **Your information is intended to be held in accordance with applicable laws and used only for public health purposes.** *Thank you for helping us to protect your health.*

*One form should be completed by an adult member of each family. Print in capital (UPPERCASE) letters. Leave blank boxes for spaces.*

**FLIGHT INFORMATION:**

1. Airline name	2. Flight number	3. Seat number	4. Date of arrival (yyyy/mm/dd)
			2 0

**PERSONAL INFORMATION:**

5. Last (Family) Name	6. First (Given) Name	7. Middle Initial	8. Your sex
			Male <input type="checkbox"/> Female <input type="checkbox"/>

PHONE NUMBER(S) where you can be reached if needed. Include country code and city code.

9. Mobile	10. Business
11. Home	12. Other
13. Email address	

**PERMANENT ADDRESS:**

14. Number and street ( <i>Separate number and street with blank box</i> )	15. Apartment number

16. City	17. State/Province

18. Country	19. ZIP/Postal Code

**TEMPORARY ADDRESS:** If you are a visitor, write only the first place where you will be staying.

20. Hotel name (if any)	21. Number and street ( <i>Separate number and street with blank box</i> )	22. Apartment number

23. City	24. State/Province

25. Country	26. ZIP/Postal Code

**EMERGENCY CONTACT INFORMATION** of someone who can reach you during the next 30 days

27. Last (Family) Name	28. First (Given) Name	29. City

30. Country	31. Email

32. Mobile phone	33. Other phone

**34. TRAVEL COMPANIONS — FAMILY:** Only include age if younger than 18 years

Last (Family) Name	First (Given) Name	Seat number	Age <18
(1)			
(2)			
(3)			
(4)			

**35. TRAVEL COMPANIONS — NON-FAMILY:** Also include name of group (if any)

Last (Family) Name	First (Given) Name	Group ( <i>tour, team, business, other</i> )
(1)		
(2)		

*Note – The Public Health Passenger Locator Form can be downloaded at*  
<http://www.icao.int/safety/aviation-medicine/Pages/guidelines.aspx> or  
<http://www.capsca.org/CAPSCARef.html#EvalForms>