
**SUBJECT: NOTICE OF INTENTION TO CONSTRUCT, ALTER, ACTIVATE OR DEACTIVATE
AN AERODROME**

1. GENERAL

- A. This advisory circular (CT) contains information about standards, practices and procedures that the Authority has found to be acceptable for compliance with the associated rule.
- B. Consideration will be given to other methods of compliance which may be presented to the Authority.

2. PURPOSE

This advisory circular (CT) provides methods acceptable to the Authority for showing compliance with the notification requirements in CV CAR 14.

3. APPLICABILITY

This material is intended for any person proposing to construct, alter, activate, or deactivate an aerodrome to which CV CAR Part 14 applies, of the requirement to notify the AAC of their plans. It also outlines some of the airspace utilisation factors which should be considered early.

4. RELATED CV CAR

This CT relates specifically to CAR PART 14 and MOS 14.

5. NOTICE OF INTENTION TO CONSTRUCT, ALTER OR DEACTIVATE AN AERODROME

5.1 Notice is required

- A. Directive DT 42-002 requires that prior notice be given to the Civil Aviation Authority (AAC) whenever a person intends to construct, alter, activate or deactivate an aerodrome. This notice will enable the AAC staff to identify whether the use of the airspace associated with the aerodrome proposal will be a hazard to other established airspace users. It will also allow identification of problems to do with safety of persons and property on the ground.
- B. It is also necessary to consider efficient use of airspace at an early stage. The AAC, after receiving such notice, will give advice on the effects the proposal

would have on the use of navigable airspace by aircraft and on the safety of persons and property on the ground.

- C. The AAC will maintain a database of all notified aerodromes so that each aerodrome's use of airspace can be taken into account in any future proposed use of airspace such as by new aerodromes, low flying areas, military exercises and similar.

5.2 Projects requiring notice

CV CAR Part 14 and DT 42-002, requires any person who intends to do any of the following to notify the AAC.

- (1) Construct or otherwise establish an aerodrome to which Part 14 applies, or activate such an aerodrome.
- (2) Construct, realign, alter, or activate any runway or other aircraft landing or take-off area of an aerodrome to which Part 14 applies.
- (3) Deactivate, discontinues using, or abandons an aerodrome, to which DT 42-002 applies, or any landing or take-off area of such an aerodrome, for a period of one year or more.

5.3 How to submit a notice

- A. Notice concerning the construction, alteration, and activation of any aerodrome must be submitted to the AAC on a properly completed form F42-010. The notice must be submitted at least 90 days before the day that the work is to begin.
- B. Information concerning the deactivation, discontinued use, or abandonment of an aerodrome, or any landing or take-off area of an aerodrome, must be submitted in writing to the AAC at least 30 days before the date planned for deactivation, discontinuation of use, or abandonment.
- C. Copies of form F42-010 may be obtained from the AAC or downloaded from the AAC web site.

Avenida Cidade de Lisboa, Nº 34.
Phone 2 60 3430,
Fax 2611075.
Site www.aac.cv

An example of the form and the instructions for completion are shown in Appendix 1.

5.4 Airspace utilisation considerations

The AAC will conduct an aeronautical study. This is to determine the effect of the aerodrome proposal on the safe and efficient use of airspace, by aircraft, and on the safety of persons and property on the ground. Some of the factors considered in the study are:

- (1) the existing or anticipated aerodrome traffic circuits of neighbouring aerodromes;

- (2) the existing and projected airspace use;
- (3) the existing or proposed man-made objects;
- (4) the natural objects and features within the affected area;
- (5) the persons and property within the affected area;
- (6) the adjustment, of other aviation requirements, that may be needed to accommodate the aerodrome proposal; and
- (7) the possible revisions of the aerodrome proposal, that may be necessary, to eliminate a hazardous or inefficient use of airspace.

5.5 Consultation with interested persons

As part of the aeronautical study, the AAC is required under DT 42-002 to consult with such persons, representative groups, and organisations as the CAA considers appropriate. This consultation may be accomplished through interviews, conferences, informal meetings or through the distribution of circulars describing the proposal and offering a period of time within which the public may submit comments on the proposal.

5.6 Determinations

- A. The purpose of an aeronautical study is to give advice in the form of a determination issued by the AAC. These determinations will be issued in one of the following categories:
 - (1) **Unobjectionable.** An unobjectionable determination will be made when the Civil Aviation Authority is satisfied that the proposed action will not adversely affect the safe and efficient use of airspace by aircraft or the safety of persons or property on the ground.
 - (2) **Conditional.** A conditional determination will be made when the AAC identifies objectionable aspects of a proposed action but specifies conditions which, if complied with, satisfy the AAC that the proposed action will not adversely affect the safe and efficient use of airspace by aircraft, nor the safety of persons or property on the ground.
 - (3) **Objectionable.** An objectionable determination will be made when the AAC identifies objectionable aspects of the proposed action and will specify the AAC reasons for finding the proposed action objectionable.
- B. Should an action which was deemed to be objectionable by the AAC proceed, the AAC will take such action considered necessary to remove or overcome any hazardous use of airspace. The AAC will confidently expect the proponent and other parties to respect the AAC advice made in the interest of the overall safety in the civil aviation system.
- C. The Government and local authorities administer the use of land under the provisions of the applicable Law. The AAC will establish liaison with those Authorities to coordinate their activities about aerodrome proposals and about objects affecting navigable airspace. Articles 34 and 43 of the Aeronautical

Code require that Government and local authorities take due consideration of any objectionable determinations issued by the AAC.

- D. The determination will be issued to the proponent, appropriate local authorities, and other interested persons.

5.7 Charting of aerodromes

- A. As part of the study, the AAC will determine if the location of the aerodrome needs to be shown on aeronautical charts to:
 - (1) alerting over flying aircraft to the presence of the aerodrome; and
 - (2) aid navigation to the aerodrome; and
 - (3) indicate the availability of the aerodrome for use in an emergency.
- B. Aeronautical studies, about aerodrome proposals remote from other established aerodromes, with no apparent third party risk, will probably not require addressing any matter other than charting.

5.8 Effective period of the determination

- A. Unobjectionable and conditional aerodrome determinations will contain a void date.
- B. The purpose of the void date is to allow for the orderly planning of aerodromes and to eliminate needless protection of airspace. However, an extension to the void date may be requested by petition to the AAC. The AAC will consider all requests if the reasons for not completing the action by the specified time are valid.

5.9 Revision of the determination

Interested persons may, at least 15 days in advance of the void date, petition the AAC to revise a determination. The AAC will consider any new facts that change the basis on which the determination was made.

5.10 Notice of the completion

The proponent of an aerodrome proposal involving the construction, alteration, or activation, of an aerodrome must notify the AAC in writing within 15 days after completion of the action.

5.11 Promulgation of aerodrome data and information

It is required that the operators of certificated aerodromes promulgate the data and information in the Aeronautical Information Publication. This will assist the aircraft operators, particularly air transport operators, in complying with the requirements for use of aerodromes under Part 14. For this purpose, aerodrome operators should refer to CT 42-011, Notification of Aerodrome Data and Information, which details the data and information to be provided to the Aeronautical Information Service and the administrative details involved.

5.12 Planning advice

- A. The Civil Aviation Authority is available to provide advice, during project planning stages, on the feasibility of a project from an airspace utilisation standpoint.
- B. Prospective project sponsors are encouraged to take advantage of this service, particularly on new aerodrome projects, before money is expended for acquisition of property or for elaborate engineering plans. Such advice is informal in nature and the proposal will not be circulated to the public for comments unless specifically requested by the proponent.

5.13 Other legal requirements

A determination issued by the Civil Aviation Authority does not pre-empt or waive any district or regional rules or regulations or any other civil aviation regulations. Proponents of aerodrome projects should become acquainted with the other legal requirements, applicable to the nature of the planned project, which may play a decisive role in the success or failure of their plans. Coordinating these matters is the responsibility of the project proponent and is not that of the Civil Aviation Authority.



Carlos Monteiro
President of the Board

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