

Guidance material for ICAO Doc 4444 PANS-ATM para 8.6.5.2 regarding the responsibility for obstacle clearance and correction for low temperature effect

This Guidance material applies from **October 7, 2021**, when national regulation on air traffic management (BSL G 8-1) § 8 (1), stating difference from ICAO Doc 4444 PANS-ATM para 8.5.6.2, is repealed.

ICAO Doc 4444 PANS-ATM para 8.6.5.2 is not entirely clear with respect to who, of the pilot in command or the air traffic controller, the responsibility rests with regarding obstacle clearance and the correction for low temperature effect. Avinor Flysikring AS has, in co-operation with the Norwegian Civil Aviation Authority and the aircraft operators, prepared this matrix on how we interpret the paragraph:

Abbreviations:

ATC	Air Traffic Control	FPL	Flight Plan
ATS	Air Traffic Services	SID	Standard Instrument Departure
DCT	Direct	STAR	Standard Instrument Arrival

The following prerequisites are made:

1. The statement «resume own navigation» in para 8.6.5.2 shall be understood as "the point where the aircraft re-join the flight planned route or a published ATS route or instrument procedure"
2. A route in an approved FPL defined by DCTs shall be understood as an ATS route
3. ATC shall not use the phrase «when ready» when granting a change in the route segment of a SID before the aircraft is at or above the safe altitude
4. The pilot shall inform ATS before he/she makes any altitude corrections based on the low temperature effect
5. This guidance material is valid in controlled airspace

Situation	Responsibility regarding obstacle clearance and correction for low temperature effect
1 Vectoring	ATCs responsibility in controlled airspace If the pilot requests vectoring in uncontrolled airspace ref. Doc 4444 para. 8.6.5.1 d) and 15.4.1.6, the pilot has the responsibility
2 Visual approach	Pilots responsibility
3 a) When following a published ATS route (airway, SID, STAR, instrument procedure, holding pattern)	Pilots responsibility
3 b) When following a cleared flight planned route defined by DCTs	Pilots responsibility
4 IFR flights entering controlled airspace (e.g. departing from an uncontrolled airport) or VFR flights requesting IFR clearance into controlled airspace	Pilots responsibility until the flight has reached or passed the lowest safe altitude established for that part of the controlled airspace
5 IFR flights requesting clearance to leave controlled airspace (e.g. for approach to an uncontrolled airport)	Pilots responsibility below the lowest safe altitude established for that part of the controlled airspace
6 a) Direct routing which takes an aircraft off an ATS route, (airway, SID, STAR, instrument procedure, holding pattern)	ATCs responsibility ANSPs must ensure that coordination procedures cover relevant information to downstream sectors/units

6 b) Omnidirectional SID	Pilots responsibility Except when vectored by ATC (ref. para 1) a turn cleared by ATC in an omnidirectional SID is part of the SID and thus the pilots responsibility
6 c) IFR departures from a controlled airport without a published SID	Pilots responsibility
7 IFR flights on own navigation requesting to circumnavigate adverse weather	Pilots responsibility
8 Visual departure (ref. Doc 7030 EUR, para 6.5.4 and 10.4)	Pilots responsibility
9 When low ceiling and icing conditions precludes the use of altitudes corrected for low temperature effect (e.g. helicopter flights offshore)	Pilots responsibility
10 When ATC is provided as procedural control (without any ATS surveillance)	Pilots responsibility
11 Flights in uncontrolled airspace	Pilots responsibility