

**Government of Pakistan
Institutional Reforms Cell**

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**AGENDA FOR 31st IC MEETING
TO BE HELD ON 16-4-2020**

The agenda of today's meeting is as follow:

1. Plan for restructuring of CAA by Secretary Aviation
2. Update by Establishment Division on Career Planning and Training of officers to cater for the need for specialist officers by various Divisions (Decision of 28th meeting)
3. Update by Establishment Division on revision of job descriptions in the Federal Secretariat
4. Update by Establishment Division on creation of HRMIS
5. Proposal by IRC for Civil Awards for officers in Federal Government

Working Paper on Awards for Top Performing Civil Servants to Boost Performance and Promote Innovation

1. Problem Identification:

- i. General lack of motivation amongst officers
- ii. No incentive for going beyond the call of duty or innovate for the officers
- iii. Presence of several demotivating factors like lower salaries, apprehensions etc.

Research has shown that civil servants often value intrinsic reward more than their peers in the private sector (Crewson, 1997) and they place less importance on higher pay and more value on work that is important as compared to the private-sector (Houston, 2000). Social recognition awards can work as effective tools to boost motivation, promote innovation and increase efficiency in public sector (Borins 2002).

2. Proposed Solution

Social recognition through Civil Awards can serve as an effective zero cost tool to boost motivation and promote innovation. Civil awards are routinely given by the Federal Government every year e.g. President's Pride of Performance. The following process is proposed for nomination and selection.

- a) One award will be given to one officer in each grade from BPS17 to BPS 22.
- b) The Secretary of every Division will forward the performance form for his division by 31st, June of each year.
- c) The Implementation Committee of the Cabinet will select the top civil servant from each grade and send recommendations to the President.
- d) The selected civil servants will be given Pride of Performance Awards on 23rd March every year.

Note: LIMIT IS ONE PAGE ONLY FOR EACH DIVISION

Quantified Performance Data is very important and should include metrics related to performance. E.g. Increase in revenue generation for the year, increase in tax collected during the year, number of summaries initiated, number of files disposed off, number of complaints resolved through Citizen Portal etc.

BPS	NAME OF OFFICER	Achievement/Innovation along with Quantified Performance Data
17		
18		
19		
20		
21		

Name of Division:

Name of Secretary:

Signature of Secretary:

SEPARATION OF REGULATORY AND SERVICE PROVIDER FUNCTIONS OF PCAA

By

Secretary Aviation Division
April 16, 2020

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SEQUENCE

Part-I

BACKGROUND

Part-II

EXISTING LEGAL FRAMEWORK

Part-III

PROPOSED OPTIONS

Part –IV

WAY-FORWARD

2

PART-I BACKGROUND

3

NATIONAL AVIATION POLICY 2019

**Approved vide Federal Cabinet Case No.290/2019
Dated 26.03.2019**

1.3 Role of PCAA as a Regulator & Service provider

“the role of PCAA as a regulator shall be made independent of service providers with financial and administrative autonomy within a period of two years. By setting up a Regulatory Cell within PCAA, organizational change modalities and structure of the Regulator shall be achieved with minimal adverse collateral disadvantage”

[Till March 2021]

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FEDERAL CABINET DECISION

Case No.685/31/2019

Dated 30.07.2019

“Separation of Regulatory and Service Provider Functions of CAA”

“approved in principle, the proposal for segregation of PCAA’s Regulatory and Service Provider function”

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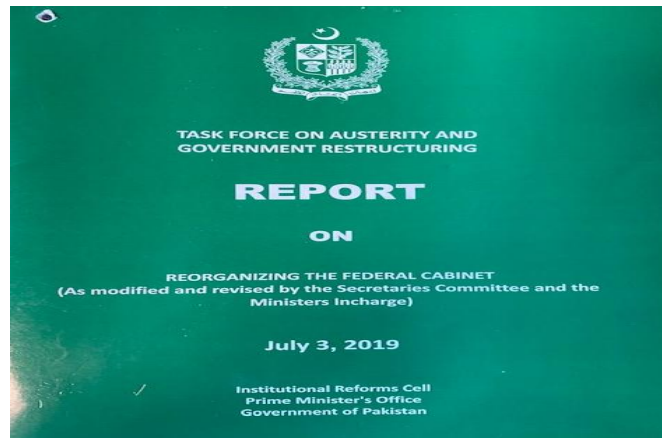


TABLE-11 - Mapping of Existing Autonomous Bodies, Corporations, Statutory Bodies & Public Sector Companies Etc

Sr. No.	Division	Existing Autonomous Bodies, Corporations, Statutory Bodies & Public Sector Companies Etc	Proposed Configuration
01	Aviation	154. Civil Aviation Authority	To be retained as Autonomous Body under Aviation Division
		155. Pakistan International Airlines Corporation	To become Autonomous Body under Aviation Division

STATUS OF FEDERAL GOV. DIRECTIVES

Authority under section 4 Ord. 1982 is obligated to implement the Federal Cabinet Directive

Section 4. Power of the Federal Government to issue directives, etc.-(1) The Federal Government may, as and when it considers necessary, issue directives to the Authority on matters of policy, and such directives shall be binding on the Authority, and if a question arises whether any matter is a matter of policy or not; the decision of the Federal Government shall be final.

(2).....

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ACTIONS

✓ CAA Change Management Committee [CMC] and sub committees were constituted in July 2019 by Aviation Division with an objective:

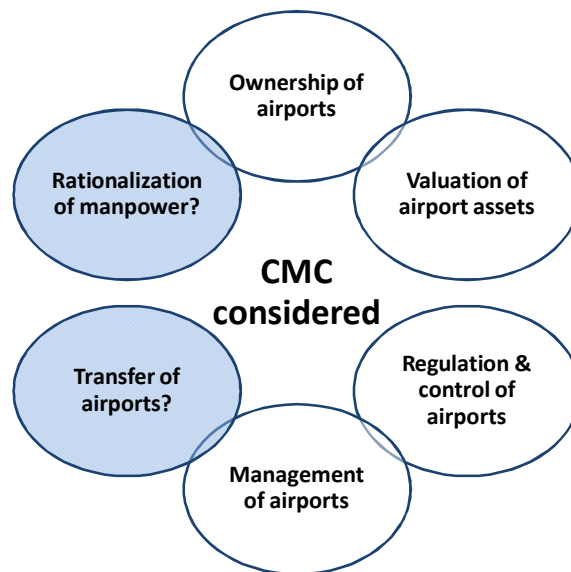
- a) to effect separation of the regulatory functions in accordance with the guiding principles of the International Civil Aviation Organization (ICAO) for improved efficiency in regulatory control; and
- b) delivery of quality services to meet the evolving passenger expectations and demand at par with leading international airports

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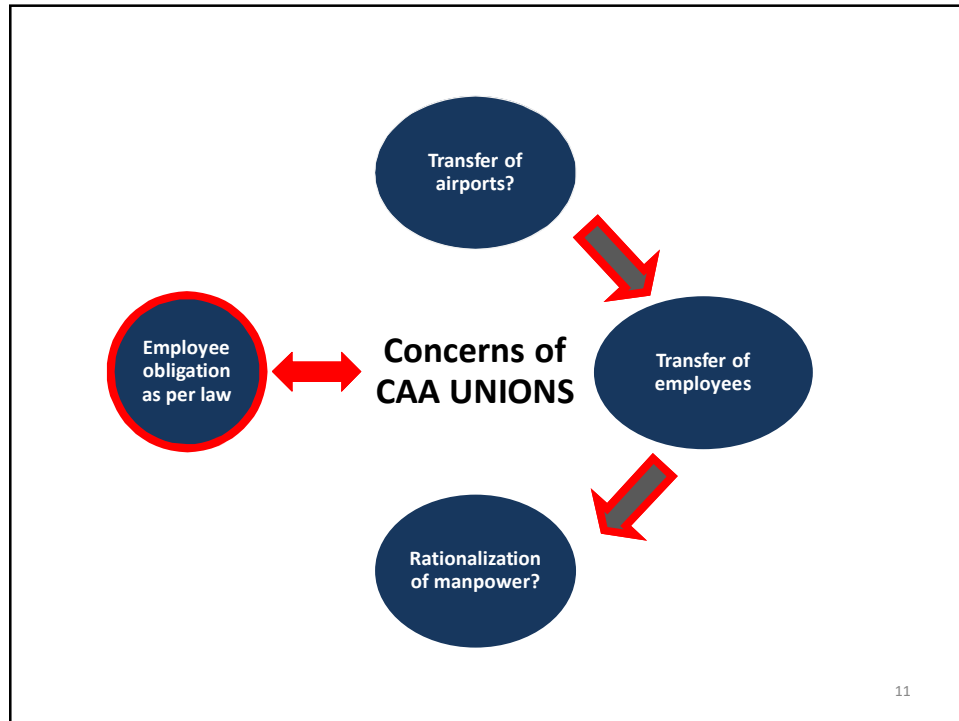
...ACTIONS

- ✓ CMC deliberated and discussed various options for implementation, including analysis of existing
 - position of law and rules
 - role as a regulator and airport services provider @ airports/aerodrome
 - employees obligation
 - valuation of assets

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CMC REPORT December 13, 2019

Recommendations.-

- ✓ The segregation of regulatory and airport service functions of PCAA be carried out by way of amendments in the existing primary legislation
- ✓ Consolidated CAA fund to be maintained with administrative control of Principal Accounting Officer
- ✓ Uniform Service Structure to be ensured
- ✓ HR control on Employees to remain intact
- ✓ Vested right of serving and retired employees to remain intact

PART-II
EXISTING LEGAL FRAMEWORK

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CONST. 1973

Federal Legislative List

Fourth Schedule

Item 22 & 32

“22. Aircraft and air navigation; the provision of aerodromes; regulation and organization of air traffic and of aerodromes.

32. International treaties, conventions and agreements and International arbitration.”

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INTERNATIONAL COMMITMENTS

- ✓ Chicago Convention 1944

- ✓ Aviation Regulatory aspects are based on:-
 - 19 Annexes [continuous process];
 - 4 Procedures for Air Navigation Services;
 - 10,000 SARPS; and
 - More than 50 Manuals and Circulars.

ANNEX[S] TO ICAO CONVENTION

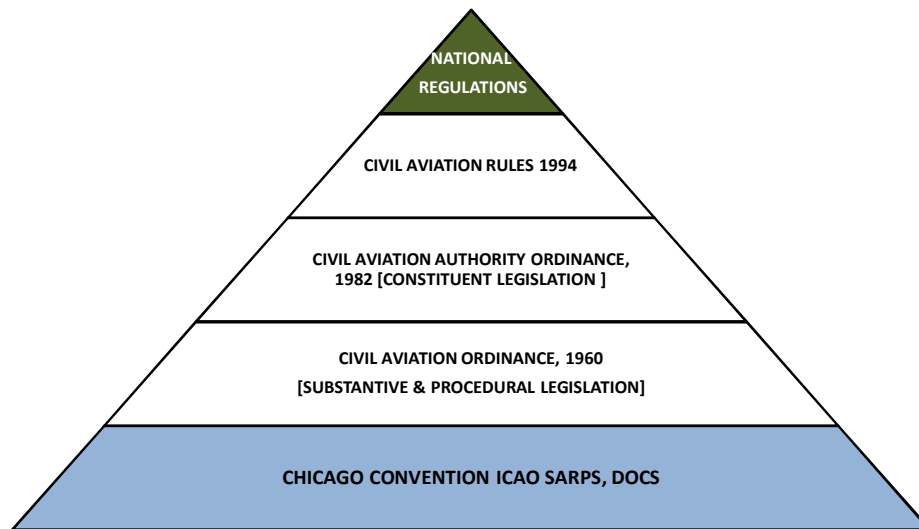
- **Annex 1** Personnel Licensing
- **Annex 2** Rules of the Air
- **Annex 3** Meteorological Service for International Air Navigation
- **Annex 4** Aeronautical Charts
- **Annex 5** Units of Measurement to be Used in Air and Ground Operations
- **Annex 6** Operation of Aircraft
- **Annex 7** Aircraft Nationality and Registration Marks
- **Annex 8** Airworthiness of Aircraft
- **Annex 9** Facilitation

.....ANNEX[S]

- **Annex 10** Aeronautical Telecommunications
- **Annex 11** Air Traffic Services
- **Annex 12** Search and Rescue
- **Annex 13** Aircraft Accident and Incident Investigation
- **Annex 14** Aerodromes
- **Annex 15** Aeronautical Information Services
- **Annex 16** Environmental Protection
- **Annex 17** Security: Safeguarding International Civil Aviation Against Acts of Unlawful Interference
- **Annex 18** The Safe Transport of Dangerous Goods by Air
- **Annex 19** Safety Management

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INTL. COMMITMENT vs. CIVIL AVIATION LAWS



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CIVIL AVIATION LAWS

THE CIVIL AVIATION ORDINANCE, 1960 [ORDINANCE No. XXXII OF 1960]

An Ordinance to make better provision for the control of manufacture, possession, use, operation, sale, import and export of aircraft, the control and regulation of air transport services, **and the control and development of aerodromes in Pakistan**

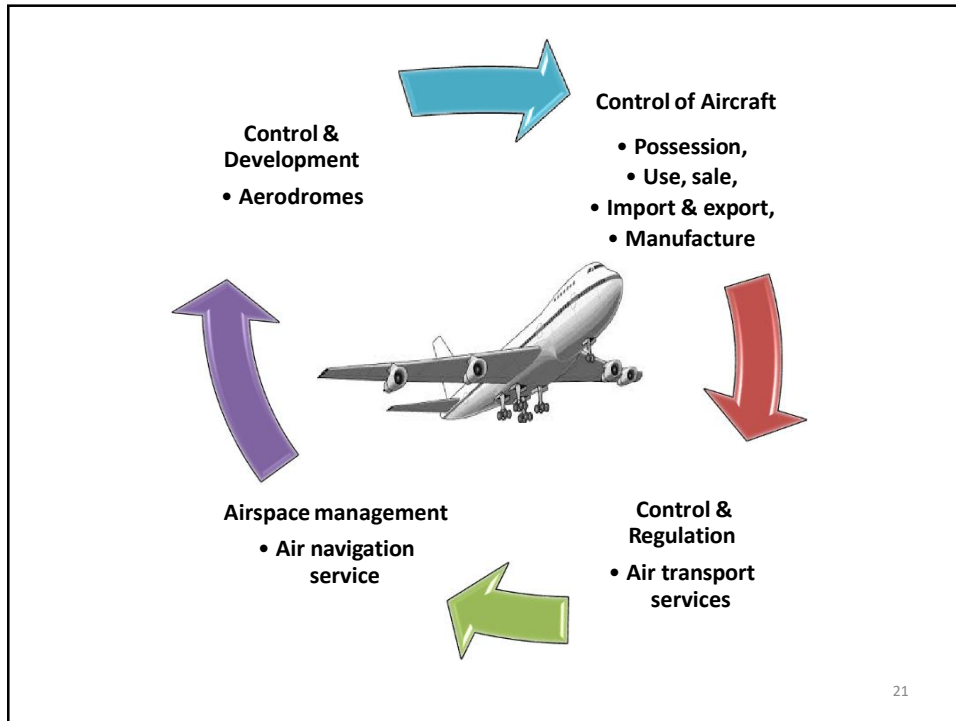
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CIVIL AVIATION LAWS

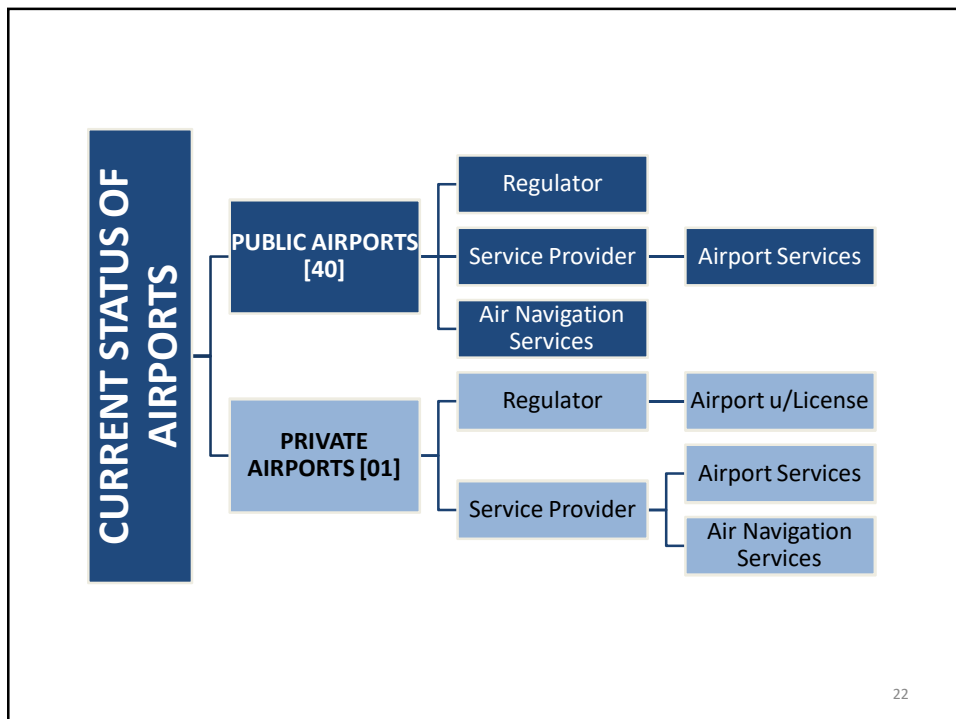
THE PAKISTAN CIVIL AVIATION AUTHORITY ORDINANCE, 1982 [ORDINANCE No. XXX OF 1982]

WHEREAS it is expedient to establish a Civil Aviation Authority to provide for the promotion and regulation of civil aviation activities and **to develop an infrastructure** for safe, efficient, adequate, economical and properly coordinated civil air transport service in Pakistan;

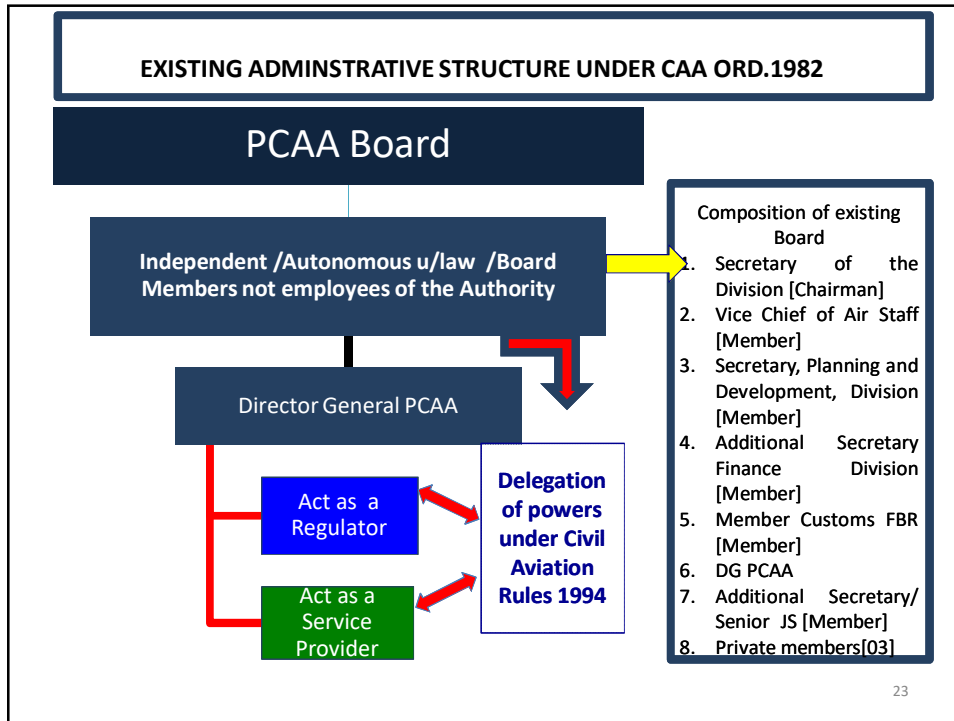
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PART-III

PROPOSED OPTIONS

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PROPOSED OPTIONS

Short Term

- **Option A** [minimum 03 months from the date of approval]
- **Option B** [minimum 08 months from the date of enactment or promulgation of Amending Ord]

Long Term

- **Option C** [minimum 24 months from the date of enactment or promulgation of New Laws/ Ord]

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SHORT TERM

OPTION –A

WITHOUT AMENDMENT IN EXISTING LAW &

AS PER CLAUSE 1.3 OF THE NATIONAL AVIATION
POLICY 2019

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SHORT TERM

OPTION - A

Functional separation of PCAA is achievable without amendment in primary legislation

- Two senior positions namely Additional Director Generals be created, to head Regulatory and Airport Services Divisions
- Delegation of functional powers of Regulatory and Airport Services by the Director General
- Standalone “Rules” & “National Regulations” to be prescribed for the Regulatory and Airport Services
- Allocation of separate budget for Regulatory and Airport Services Divisions

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SHORT TERM

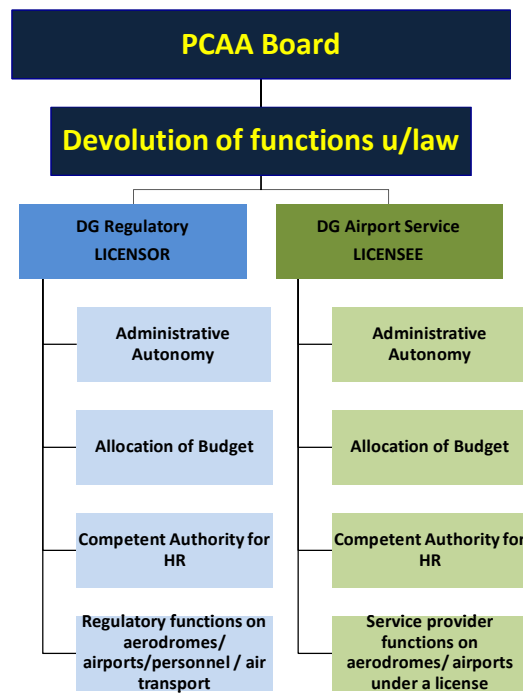
OPTION –B
AMENDMENTS IN EXISTING LAW

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SHORT TERM

New Concept of “Devolution” of power by Amendments in CAA Ord. 1982

**SHORT
TERM**



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PROPOSAL

SHORT TERM

Amendment in Pakistan Civil Aviation Ordinance 1982 to ensure.-

PCAA Board, exercise all powers including regulatory and airport services function

Chairman of PCAA Board to be the Executive Head of PCAA instead of DG;

Two new statutory positions of DG Regulatory and DG Airport Services to be created with administrative and financial autonomy, etc.

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CAA FUNCTIONS

SHORT TERM

REGULATORY

- Regulator of **ICAO 19 Annex**;
- Implementation of other Int. commitments
 - Control & regulate
 - Aerodrome siting and Licensing;
 - Airport Services;
 - Air Transport Services;
 - Air Navigation Services;
 - Aircraft Manufacturing and Design Industry;
 - Meteorological Services;
 - Security Services;
 - Personnel Licensing;
 - Flight Standard/ Airworthiness;
 - Medical Assessment, etc.

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CAA FUNCTIONS

SHORT TERM

AIRPORT SERVICE
PROVIDER

- Operation & management of public airport under a license;
 - Service at Terminal building & airside;
 - Apron management;
 - Passenger facilitation and processing;
 - Baggage processing;
 - Maintenance of facilities their up-gradation, replacements, overhauls at due date;
 - Serviceability of systems & equipment, buildings, allied infrastructure including equipment, systems, facilities, etc.;
 - Management of existing commercial concessions
 - Ground handling facilities; etc

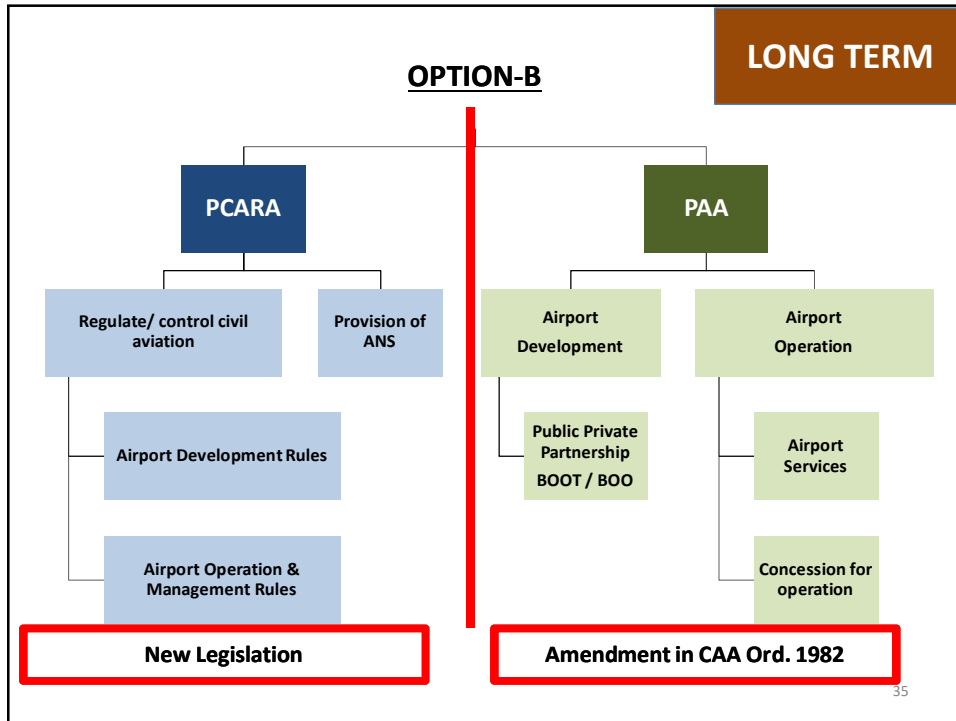
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LONG TERM

OPTION –C

STANDALONE BILL [REGULATORY]
&
AMENDMENT BILL [AIRPORT SERVICES]

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LONG TERM

A

Bill
to establish to the **Civil Aviation Regulatory Authority**

WHEREAS it is expedient to establish a Civil Aviation Regulatory Authority to provide for the control and regulation of civil aviation activities; and to ensure civil aviation safety and security; to give effect to the convention[s], treaties and agreements on international civil aviation;

AND WHEREAS to make provisions for the control and regulation of aerodromes, airports and related infrastructure; and to control and regulate safe, secure, efficient, adequate, economical and properly coordinated civil air transport service in Pakistan;

AND WHEREAS to make better provisions for the control and regulation of manufacture, design, possession, use, acquisition, operation, sale, import and export of aircraft; and to provide for any matters arising out of or connected therewith or ancillary thereto;

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LONG TERM

An

Ordinance to establish a Civil Airports Authority

WHEREAS it is expedient to establish a Civil Airport Authority to provide for the operation and development of airports and aerodromes in Pakistan; and infrastructure for its safe, efficient, adequate, economical and properly coordinated air transport operations in Pakistan;

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LONG TERM

Existing Civil Aviation Authority shall be renamed as.-

“Pakistan Civil Airports Authority”

- ✓ All assets/airports and aerodrome to be retained;
- ✓ Only infrastructure and employees related to Regulatory and ANS to be transferred to a newly established PCARA;

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STATE	Civil Aviation Authority	Airport Authority
PAKISTAN	YES	NO
INDIA	NO	YES
CHINA	YES	NO
IRAN	YES	YES[Iran Airports Co.]
SRI LANKA	YES	YES
MALAYSIA	YES	NO
UK	YES	NO/Airports Act
NEW ZEALAND	YES	YES
SINGAPORE	YES	NO
SOUTH AFRICA	YES	YES [Airports Management Co.]

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STATE	Civil Aviation Authority	Airport Authority
Australia	YES	Airport Act [TD control leased airports]
Bangladesh	YES	NO
UAE	YES	NO
South Korea	NO	Korea Airports Co.

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PART-IV

WAY FORWARD

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WAY FORWARD

APPROVAL is solicited for implementation of Federal Directive by introduction of:-

- **Short Term**

- OPTION –A under the existing organizational structure without any legislative change

OR

- OPTION – B Amendment in the existing Civil Aviation Authority Ord. 1982 and rules/regulations prescribed thereunder

- **Long Term**

- OPTION – C Standalone legislation[s] for Civil Aviation Regulatory Authority and Civil Airports Authority

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PROPOSED TIMELINES

	OPTIONS	STATUS	IMPLEMENTATION TIMELINES/ FOLLOW UP ACTIONS
SHORT TERM			
A	No change in primary legislation	4 months for draft Rules	minimum 03 months from the date of approval of delegated legislation by Federal Cabinet
B	Draft CAA Amendment Bill	Completed	Minimum 08 months from its enactment or promulgation
LONG TERM			
C	Draft [Civil Airports Authority] Amendment Bill		Minimum 24 months from its enactment or promulgation
	Draft Civil Aviation Regulatory Authority Bill		Minimum 24 months from its enactment or promulgation

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THANK YOU

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