



General Aviation
Manufacturers Association



17 March 2022

DELIVERED VIA EMAIL

Hon. Omar Alghabra
Minister of Transportation

Dear Minister Alghabra:

The undersigned associations are writing you with concerns about the lack of regulatory consultation leading up to the February announcement by NAV CANADA to mandate changes to the transponder equipage requirements.

We urgently request a meeting to discuss our concerns, as well as how to facilitate the development of a collaborative and interoperable environment between industry stakeholders, NAV CANADA, and Transport Canada (TC) to advance a modern and safe framework for surveillance.

The expanded mandate imposes a change to aircraft transponders, requiring them to include Automatic Dependent Surveillance-Broadcast (ADS-B), and specifically requiring antenna diversity or a single antenna capable of transmitting both towards ground and space. The announcement indicates required compliance for certain operators by February 23, 2023, with indications of a much broader requirement to be established no earlier than 2026. TC's current stance represents a reversal from assurances that industry received in 2019 and 2021, indicating regulatory consultation would be required before moving forward (note the attached correspondence).

While we support the use of ADS-B enabled surveillance, the deployment must balance costs and be executed in context of a comprehensive surveillance strategy that leverages ground-based infrastructure (*i.e.*, radar and ADS-B ground stations) to complement space-based ADS-B and the potential benefits to all stakeholders that may be realized from a combined system.

Additionally, meeting a February 2023 date will not be possible for some airspace users because of the lack of available compliant equipment and installations for many aircraft models. Furthermore, our assessment indicates that there is insufficient capacity to perform the upgrades on impacted aircraft during the next 11 months.

Due to the complexity of meeting the additional equipment requirement to support a space-based mandate, and because of the expected substantial cost that this mandate will impose on certain airspace users, there is an essential role for TC to fully examine how to best advance an ADS-B performance requirement with changes to its existing transponder standards.

In addition, the costs associated with this equipage mandate are significant, with most aircraft requiring, at minimum, another antenna (for which there is no standard). This involves wiring, interior work, and, in some cases, penetration of the pressure vessel. For Canadian and US operators, who have already equipped with bottom-mount antenna installations to meet US ADS-B requirements from 2020, many will have to completely re-do their installations to meet the requirement of the Canadian mandate.

It should also be noted here that in 2019 and 2021 TC communicated to stakeholders that a formal process would be undertaken to properly review and implement any ADS-B mandate and Industry would be engaged through all conventional forums including Canadian Aviation Regulation Advisory Council (CARAC). To date there has been no official consultation or engagement by TC on this subject. TC has recently indicated its intent to revise a regulatory standard and approve changes to the Designated Airspace Handbook (DAH). As such, it is not at all clear whether TC is in fact imposing the mandate itself, or rather that TC is supporting the mandate to be imposed by NAV CANADA. If it is NAV CANADA imposing the mandate, such a method of implementing such a major change to Canadian airspace sets a dangerous precedent by allowing a private organization, with no regulatory authority, to make changes without official consultation through the well-established TC Canadian Aviation Regulatory Advisory Council (CARAC) process. This action is not only counter to normal TC-industry consultation but was previously disallowed by TC for the same reasons. If it is the case that TC is imposing the mandate itself (as the appropriate regulatory body), it is still unclear the mechanism whereby a revision to a standard would force an amendment to the DAH and, in turn, have the effect of mandating aircraft equipage by a certain date.

Industry has not yet been offered any further opportunity for consultation other than participating in the NPA process for the standard change in "fall 2022", yet Phase I of the mandate is to come into effect soon thereafter in February 2023. Given the degree of concern in the industry regarding this initiative from various perspectives and the lack of clarity regarding the mechanism for the mandate, the industry would not wish to wait for the NPA to have a meaningful dialogue with TC on this topic.

For the foregoing reasons, we respectfully request a meeting at your earliest convenience.

Respectfully,

Aerospace Industries Association of Brazil
Aerospace Industries Association of Canada
Air Transport Association of Canada
Aircraft Electronics Association
Aircraft Owners and Pilots Association
Alaska Airmen Association
Canadian Business Aviation Association

Canadian Owners and Pilots Association
Experimental Aircraft Association
General Aviation Manufacturers Association
National Air Transportation Association
National Business Aviation Association
Northern Air Transport Association

CC:

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Enclosures: ADS-B Letter to NAV CANADA, RDIMS-#15858688., Canada ADS-B Mandate Industry Letter