

Appendix C

Administrative Work group Decisions

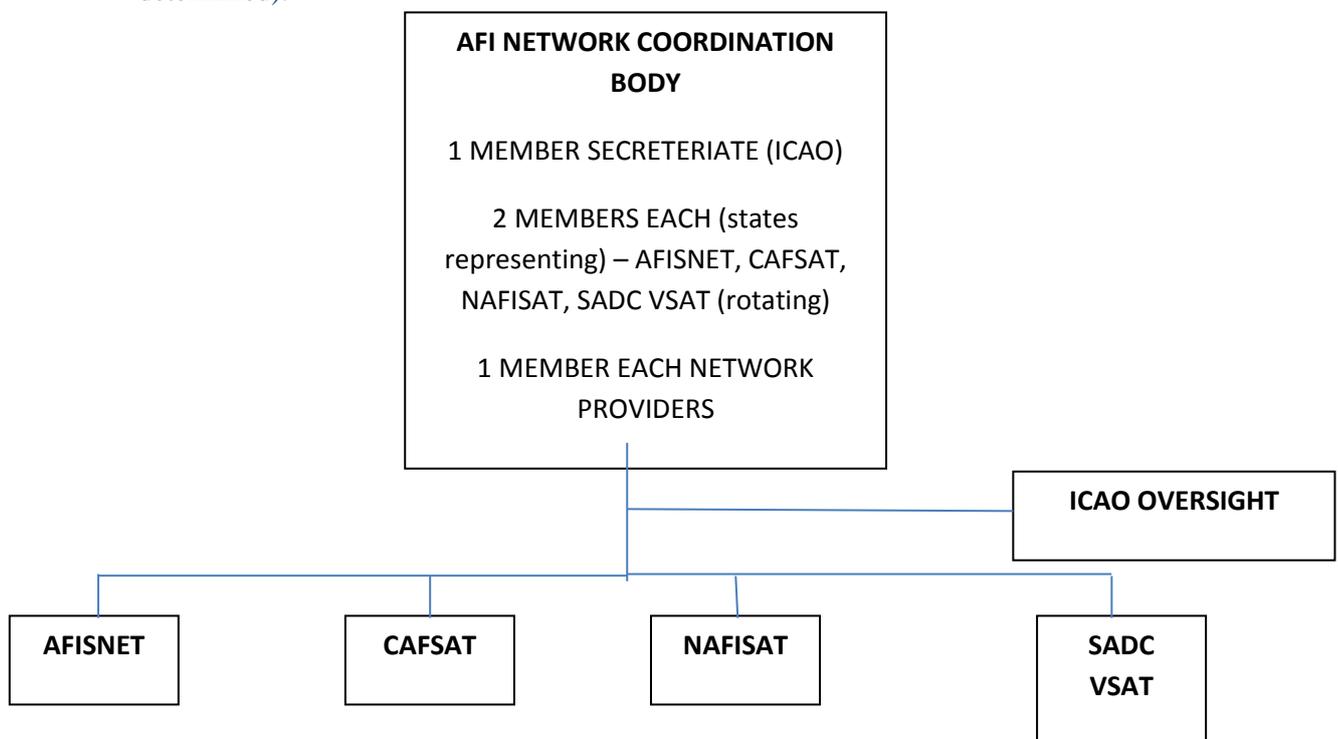
a)Oversight Model

Type of Agreement – *International treaty or administrative agreement*

- Administrative agreements as are currently in place

Institutional framework – *Organization to set up, fund, maintain and operate Network*

- Keep the current structures that manage the various networks. Include an overall co-ordination body made up of representatives from the various network management groups, 2 members each that will rotate, 1 member from the secretariat (ICAO or AFCAC to be determined).



Funding Mechanism – *The costs involved are shared among the participating states in a fair and equitable manner*

- As currently decided by each body.
- Each body will financially support the costs related to the coordination body equally.

Oversight body – *Defines nature of organization to implement and manage facility*

- Strategic oversight will lie with the coordination body

Alignment of technology, rollout, requirements, services etc.

- Safety and technical oversight (audit function) will lie within the ICAO structures.

- Operational administrative, technical and safety oversight will continue as currently run within each network setup.

Mandate of Oversight body – *Ensure set up, operation, maintenance, expansion and funding*

- Ensure set up, operation, maintenance, expansion and funding as per the current network body structures of AFISNET, CAFSAT, NAFISAT and SADC VSAT
- The safety and technical audit function is mandated to ICAO to be carried out against applicable SARPS, regional plans and APIRG requirements

Mandate of Network provider – *Functions and supporting services*

- As currently mandated by the governing bodies of the AFISNET, CAFSAT, NAFISAT and SADC VSAT.
- Implement, operate, maintain the network and ensure present and future performance in line with strategic objectives and oversight body requirements

Any delegated ANSP aspects – *Information on expected consequences on the overall AFI air navigation system or any part thereof*

- Provision of aeronautical ground to ground interconnection services on behalf of states

Handling of Pre-implementation costs – *Determination of the costs attributed should be in a manner acceptable to all the participating states*

- States are responsible for costs within the current structures of AFISNET, CAFSAT, NAFISAT and SADC VSAT.

Cost Determination – *Format of annual costs, i.e. Capex, operational, maintenance, administrative overheads, depreciation and/or amortization and per-implementation*

- All expenses

Cost sharing – *Each state to assume responsibility for its share of the costs involved (partnership with users)*

- States are responsible for costs within the current structures of AFISNET, CAFSAT, NAFISAT and SADC VSAT.

Cost Recovery mechanism – *To be “multinationally” financed or refinanced by a state, group of states or by an agency as established under the authority of an agreement by states*

- Cost recovery is managed within the current structures of AFISNET, CAFSAT, NAFISAT and SADC VSAT.

Budget Approval – *Proper financial control will require costs and revenues to be estimated in advance*

- Budget approval is handled within the current structures of AFISNET, CAFSAT, NAFISAT and SADC VSAT.

Financial audit and taxation – *Addressed in the context of the overall operations*

- Managed within the current structures of AFISNET, CAFSAT, NAFISAT and SADC VSAT.
- It is however recommended that all bodies are audited by an external audit body annually and taxation is handled as per the requirements of the state.

Any other issues –

- None

b) States' Commitment

Financial, Managerial and other contracting aspects –

- There are currently agreements in place within the AFISNET, CAFSAT, NAFISAT and SADC VSAT structures that should continue, however the agreements that are in place should ensure that the following elements are defined:
 - Objective
 - Obligations of the parties
 - Definition and description of the network and services
 - Establishment, operation and maintenance of the network
 - Legal, financial and other responsibilities and liabilities
- Proposed Coordinating body requires:
 - Terms of reference / mandate
 - Objective
 - Defined membership
 - Tenure
 - Obligations of the parties
 - Legal, financial and other responsibilities and liabilities

C, D and E) Legal, Governance and Financial Issues

Managerial and other contracting aspects should be included as listed:

- Governing bodies and decision making arrangements
- Organisation and staffing
- Consultation
- Pre-implementation considerations
- Cost Determination
- Cost sharing
- Recovery of costs from users
- Budgeting
- Authority to approve the budget
- Financial auditing
- Taxation and other government levies
- Procedures for settlement of disputes
- Accessions, withdrawals, amendments to and termination of agreement
- Any other relevant business

Maintenance

The aspect of maintenance across all networks should be managed as part of the individual contracts with the applicable service providers in terms of the agreements in place in the AFISNET, CAFSAT, NAFISAT and SADC VSAT agreements as amended when necessary. This should include but not be limited to:

- Service level agreement
- Support plan

Participating members of the administrative group

- Kenya (chairman)
- Libya
- Ethiopia
- Seychelles
- Zambia
- South Africa
- Mozambique
- Egypt
- Cameroon
- Nigeria
- Botswana
- ASECNA
- Sudan

END