

# AERONAUTICAL INFORMATION CIRCULAR 13/15

## INABILITY OF AIR TRAFFIC CONTROLLERS TO ISSUE CLEARANCES

(Replaces AIC 26/13)

### Intention of Circular

This Aeronautical Information Circular (AIC) informs pilots of procedures that air traffic controllers (ATC) follow when they are unable to issue clearances.

### Background

Between 2006 and 2011, Transport Canada published several Advisory Circulars on reduced and low visibility operations (RVOP/LVOP) and runway protected areas. New direction to ATC followed on how to operate when these conditions existed.

Since implementation, a series of occurrences prompted a review of ATC direction, and it was found that controllers prohibited from providing clearances during RVOP/LVOP were using dissimilar or unclear phraseologies.

**Note:** ATC clearances are based on known traffic conditions and aerodrome limitations which affect the safety of aircraft operations. This encompasses aircraft in flight and on the manoeuvring area, vehicles, and other potential obstructions. ATC are not authorized to issue air traffic control clearances when traffic conditions are unknown, when any part of the aerodrome is partially or fully closed, or when the aerodrome or runway operating minima are not met.

### New Procedures

ATC procedures have been streamlined to ensure consistency. There are two distinct phrases used when unable to issue ATC clearances:

AT YOUR DISCRETION:	Used to approve an aircraft movement on any surface not visible from the control tower due to a physical obstruction other than weather phenomena, or on the apron or non-manoevring area. The pilot is responsible to manoeuvre safely with respect to traffic or hazards encountered during the operation. ATC will provide information on known traffic or obstructions when possible.
UNABLE TO ISSUE CLEARANCE:	Used when a controller is not authorized to issue an ATC clearance. A pilot who continues without a clearance in these circumstances may be subject to regulatory action by Transport Canada. ATC will provide pertinent taxi/take-off/landing information and then file an aviation occurrence report. The pilot is responsible to manoeuvre safely with respect to traffic or other hazards encountered during the operation.

The following table provides scenarios in which ATC may not be able to provide a clearance, ensuing ATC actions, and examples of phraseology that will be used:

<b>BELOW MINIMA</b>			
Reduced/low visibility operating procedures			
Scenario	Pilot Request	Controller Action	Examples
<p>Reduced Visibility Operations Plan (RVOP)/Low Visibility Operations Plan (LVOP) procedures have been implemented and result in manoeuvring area restrictions or closures</p> <p>(RVOP/LVOP procedures vary across Canada, depending on airport operating limits)</p>		<p>Include information in the Automatic Terminal Information Service (ATIS)</p> <p><b>Note:</b> If conditions are rapidly changing, the information may be issued directly by ATC</p>	<p>ATIS REDUCED/LOW VISIBILITY PROCEDURES IN EFFECT. RUNWAY (<i>number</i>) NOT AUTHORIZED FOR TAKEOFF</p> <p style="text-align: center;">or</p> <p>REDUCED/LOW VISIBILITY PROCEDURES IN EFFECT. RUNWAY (<i>number</i>) NOT AUTHORIZED FOR LANDING</p> <p style="text-align: center;">or</p> <p>REDUCED/LOW VISIBILITY PROCEDURES IN EFFECT. RUNWAY (<i>number</i>) NOT AVAILABLE</p>
	<p>Pilot requests taxi and takeoff clearance</p> <p><b>Note:</b> the request must be made prior to:</p> <ul style="list-style-type: none"> <li>▪ Commencing pushback with the intent of taking off;</li> <li>▪ Commencing pushback with the intent to taxi to the de-icing bay; or</li> <li>▪ Commencing taxiing on the manoeuvring area under the aircraft's own power with the intent of taking off.</li> </ul>	<p>ATC will inform the pilot that taxi clearance cannot be issued and provide the reason</p>	<p>PHRASEOLOGY (<i>Aircraft identification</i>), UNABLE TAXI CLEARANCE ON TAXIWAY (<i>name</i>), REDUCED/LOW VISIBILITY PROCEDURES IN EFFECT</p>

<b>BELOW MINIMA</b>			
Reduced/low visibility operating procedures			
Scenario	Pilot Request	Controller Action	Examples
	Pilot is taxiing for takeoff when RVOP/LVOP procedures are implemented that result in manoeuvring area restrictions or closures	<p>ATC will:</p> <ul style="list-style-type: none"> <li>▪ Inform the pilot that a clearance cannot be issued on the intended runway;</li> <li>▪ Provide the reason;</li> <li>▪ Determine if another runway is available for takeoff;</li> <li>▪ Inform the pilot of the alternate runway; and</li> <li>▪ Request the pilot's intentions.</li> </ul> <p>If no alternate runway is available, ATC will request the pilot's intentions</p>	<p>PHRASEOLOGY (<i>Aircraft identification</i>), UNABLE CLEARANCE. REDUCED/LOW VISIBILITY PROCEDURES IN EFFECT. RUNWAY (<i>number</i>) CLOSED</p> <p>Then, if appropriate:</p> <p>(<i>Aircraft identification</i>), RUNWAY (<i>number</i>) AVAILABLE, ADVISE INTENTIONS</p> <p style="text-align: center;">or</p> <p>(<i>Aircraft identification</i>), UNABLE CLEARANCE. REDUCED/LOW VISIBILITY PROCEDURES IN EFFECT. ALL RUNWAYS CLOSED. ADVISE INTENTIONS</p>
	Pilot requests taxi after landing	ATC will provide taxi clearance	PHRASEOLOGY ( <i>Aircraft identification</i> ), TAXI VIA ( <i>taxi route</i> )
	Pilot requests landing or takeoff	<p>ATC will:</p> <ul style="list-style-type: none"> <li>▪ Inform the pilot that a clearance cannot be issued;</li> <li>▪ Provide the reason; and</li> <li>▪ Request pilot intentions.</li> </ul>	PHRASEOLOGY ( <i>Aircraft identification</i> ), UNABLE CLEARANCE. RUNWAY ( <i>number</i> ), ARRIVALS NOT AUTHORIZED, ADVISE INTENTIONS
	Pilot chooses to land or take off	<p>When traffic permits, ATC will:</p> <ul style="list-style-type: none"> <li>▪ Inform the pilot that a clearance cannot be issued;</li> <li>▪ Provide landing/take-off information;</li> <li>▪ Notify the airport operator; and</li> <li>▪ File a TC Aviation Occurrence Report.</li> </ul>	<p>PHRASEOLOGY: (<i>Aircraft identification</i>), UNABLE CLEARANCE RUNWAY (<i>number</i>), WIND (if required), (other information if required)</p> <p><b>Note:</b> Information may be: traffic, hazards, obstructions, runway exit, runway surface conditions, or other pertinent information</p>

**OBSTRUCTED RUNWAY PROTECTED AREA**

Controller unable to determine if runway or runway protected area is free/will be free of obstacles before:  
 a) the arrival crosses the threshold, or b) before the departure starts take-off roll

Scenario	Pilot Request	Controller Action	Examples
ATC is unable to issue a clearance	Pilot requests landing or takeoff	ATC will: <ul style="list-style-type: none"> <li>▪ Inform the pilot that a clearance cannot be issued;</li> <li>▪ Provide the reason; and</li> <li>▪ Request pilot intentions.</li> </ul>	PHRASEOLOGY: ( <i>Aircraft identification</i> ), UNABLE CLEARANCE. RUNWAY ( <i>number</i> ), PROTECTED AREA OBSTRUCTED. ADVISE INTENTIONS  <b>Note:</b> obstacles include taxiing aircraft and ground traffic.
	Pilot chooses to land or take off	When traffic permits ATC will: <ul style="list-style-type: none"> <li>▪ Inform the pilot that a clearance cannot be issued;</li> <li>▪ Provide landing/take-off information;</li> <li>▪ Notify the airport operator; and</li> <li>▪ File a TC Aviation Occurrence Report.</li> </ul>	PHRASEOLOGY: ( <i>Aircraft identification</i> ), UNABLE CLEARANCE, WIND (if required), ( <i>other information</i> , if required)  <b>Note:</b> Information may be: traffic, hazards, obstructions, runway exit, runway surface conditions or other pertinent information

REASONS OTHER THAN TRAFFIC			
Scenario	Pilot Request	Controller Action	Examples
<p>ATC cannot issue a clearance for a reason other than traffic</p> <p><b>Note:</b> may occur when:</p> <ul style="list-style-type: none"> <li>The airport/part of the airport is closed by the operator; or</li> <li>ATC is directed by NAV CANADA or other authority to deny taxi clearance</li> </ul>	Pilot requests a landing, takeoff or other manoeuvre	<p>ATC will:</p> <ul style="list-style-type: none"> <li>Inform the pilot that a clearance cannot be issued;</li> <li>Provide the reason;</li> <li>Quote pertinent NOTAM(s) or airport condition directive(s); and</li> <li>Request the pilot's intentions</li> </ul>	<p>PHRASEOLOGY:</p> <p>(Aircraft identification), NOTAM SPRINGBANK STATES RUNWAY ZERO SEVEN IS CLOSED FOR MAINTENANCE UNTIL (Date, Time). ADVISE INTENTIONS</p>
	Pilot chooses to land/take off or manoeuvre	<p>When traffic permits, ATC will:</p> <ul style="list-style-type: none"> <li>Inform the pilot that a clearance cannot be issued;</li> <li>Provide required landing, takeoff or manoeuvring information;</li> <li>Notify the airport operator; and</li> <li>File a TC Aviation Occurrence Report</li> </ul>	<p>PHRASEOLOGY:</p> <p>(Aircraft identification), UNABLE CLEARANCE, WIND (if required), (other information, if required)</p> <p><b>Note:</b> Information may be: traffic, hazards, obstructions, runway exit, runway surface conditions or other pertinent information</p>

AT YOUR DISCRETION		
Pilot Request	Controller Action	Examples
Push back	ATC will provide ground traffic, if possible	<p>PHRASEOLOGY:</p> <p>(Aircraft identification), PUSH BACK AT YOUR DISCRETION, and if possible, TRAFFIC (description)</p>
Taxi on a non-manoeuving area	Workload permitting, ATC will provide information on traffic and obstructions	<p>PHRASEOLOGY:</p> <p>(Aircraft identification), TAXI AT YOUR DISCRETION, and if necessary, TRAFFIC (description)</p>

AT YOUR DISCRETION		
Pilot Request	Controller Action	Examples
Taxi on a manoeuvring area not visible from the control tower or non-manoevring area	ATC will provide ground traffic, if possible	PHRASEOLOGY: (Aircraft identification), (area) NOT VISIBLE, TAXI AT YOUR DISCRETION ON TAXIWAY (name)  <b>Note:</b> This means that the view of the manoeuvring area is obstructed by a structure(s); it does not include restricted visibility due to weather
Fixed-wing aircraft landing or taking off from a non-manoevring area that is approved for that purpose  <b>Note:</b> may be an area at or adjacent to the airport, not at the airport, but in the control zone; a water aerodrome; a temporary landing area in the control zone; etc.	ATC will provide traffic and obstruction information, and control instructions as necessary	PHRASEOLOGY: (Aircraft identification), TRAFFIC (description), WIND (if required), LAND/TAKE OFF AT YOUR DISCRETION, and if necessary FROM (location)
Helicopter landing or takeoff from a non-manoevring area that is approved for that purpose		

## Publication Changes

A future edition of the *Transport Canada Aeronautical Information Manual* (TC AIM – TP 14371E) will be amended to reflect this information.

## Validity

Effective 2 May 2013. For further information, please contact:

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