

OFFICIAL GAZETTE OF THE UNION

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Body: Acts of the Executive Power

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Establishes the National Commission of Airport Authorities and the National Commission of Port Authorities.

The PRESIDENT OF THE REPUBLIC, in the use of the assignment given to him under art. 84, chapter VI, subheading "a" of the Constitution,

DECREES:

Art. 1. Are instituted the National Commission of Airport Authorities - Conaero, and the National Commission of Port Authorities - Conaportos, with the aim to propose, coordinate and assess measures of efficiency related to activities performed by bodies and public authorities at airports and ports, respectively.

CHAPTER I

The National Commission of airport authorities - CONAERO

Section I

The composition and powers

Subsection I

The Composition

Art. 2. Conaero is composed of representatives of the following organs and entities:

- I - Ministry of Infrastructure, through the Executive-Secretariat, who shall preside;
- II - Chief of Staff of the Presidency of the Republic;
- III - Ministry of Justice and Public Security, through the Federal Police;
- IV - Ministry of Defense, through the Department of Control of Airspace of the Air Force Command;
- V - Ministry of Economy, through the Special Secretariat of the Federal Revenue of Brazil;
- VI - Ministry of Agriculture, Livestock and Supply, through the Department of Agricultural Defence;
- VII - National Health Surveillance Agency - Anvisa; and
- VIII 1 National Agency of Civil Aviation – Anac.

§ 1 Each member of Conaero will have a deputy who shall replace him in his absences and impediments.

§ 2 Conaero members and their respective deputies shall be indicated by the holders of the organs and entities representing and appointed by the Commission.

§ 3 Conaero members and their respective deputies have autonomy for decision making in meetings of the Committee.

§ 4 Conaero may invite to participate in its meetings and those of its Technical Committees, without the right to vote, representatives of sectoral associations and other bodies and public or private entities that can contribute to the debate of the issues.

Subsection II

The tasks

Art. 3. It is incumbent upon Conaero:

I - to coordinate the activities of the organs and public and private entities in airports, within their respective competences;

II - develop, implement and revise the National Program for the Facilitation of Air Transport and the National Civil Aviation Security Program against acts of unlawful interference;

III - advise the public bodies regarding the security policy against acts of unlawful interference and facilitation of air transport;

IV - promote changes, enhancements or revisions of normative acts, procedures and routines of work to optimise the flow of people and goods and the occupation of physical spaces in airports, and the increase of the quality, safety and speed of operational processes;

V - establish performance parameters and minimum standards for public entities and organs in airports and revise them periodically;

VI - propose to bodies or authorities measures to implement the international standards and practices relating to air transport, observed the agreements, treaties and conventions to which the Federative Republic of Brazil is a signatory, in addition to monitor its implementation;

VII - approve the creation of local committees of Authorities at airports and the Technical Committees and establish their respective charters, you will have on your organisation and functioning, as well as monitor and guide their activities;

VIII - assess and decide on the proposals forwarded by the Local Committees of Airport Authorities and the Technical Committees;

IX - monitor the performance of the airport operations, using indicators, with the aid of the airport operator and of the organs and entities (public and private) who exercise activities;

X - coordinate the requirements for airport internationalisation that depend on the manifestation of organs and entities of border control of the country and other authorities established in specific regulations, to the limit of their powers;

XI - adopt its internal regulations, which will provide for its organisation, the form of assessment and determination of the issues; and

XII - propose measures with views to:

(a) improve the flow of information and rulings by electronic means, the sharing of databases and the integration of computerised systems of organs and public entities;

(b) the adequacy and the qualification of human resources for the performance of its activities at airports;

(c) the standardisation of the actions of each one of the members of Conaero in airports, as the performance parameters referred to in subsection V; and

(d) the adequacy of procedures and equipment necessary to meet the requirements of safety, quality and celerity recommended to public activities at airports.

CHAPTER II

The National Commission of Port Authorities - CONAPORTOS

Section I

The composition and powers

Subsection I

The Composition

Art. 4. The Conaportos is composed of representatives of the following organs and entities:

I - Ministry of Infrastructure, through the Executive-Secretariat, who shall preside;

II - Chief of Staff of the Presidency of the Republic;

III - Ministry of Justice and Public Security, through the Federal Police;

IV - Ministry of Defense, through the Navy Command;

V - Ministry of Economy, through the Special Secretariat of the Federal Revenue of Brazil and the Special Secretariat of Foreign Trade and International Affairs;

VI - Ministry of Agriculture, Livestock and Supply, through the Department of Agricultural Defence;

VII - National Agency of Health Surveillance - Anvisa; and

VIII - National Agency of Waterways Transportation - Antaq.

§ 1 Each member of Conaportos will have a deputy who shall replace him in his absences and impediments.

§ 2 Conaportos members and their respective deputies shall be indicated by the holders of the organs and entities representing and appointed by the Commission.

§ 3 Conaportos members and their respective deputies have autonomy for decision making in meetings of the Committee.

§ 4 Conaportos may invite to participate in its meetings and those of its Technical Committees, without the right to vote, representatives of sectoral associations and other bodies and public or private entities that can contribute to the debate of the issues.

Subsection II

The tasks

Art. 5. It is incumbent upon Conaportos:

I - to promote the integration of the activities of the organs and public entities in organised ports and port facilities;

II - promote changes, enhancements or revisions of normative acts, procedures and routines of work to optimise the flow of ships, goods, products and people and the occupation of physical spaces in organised ports and the increase of the quality, safety and speed of operational processes;

III - establish and monitor performance parameters for components and public entities in organised ports and port facilities and propose its revision, where necessary;

IV - establish mechanisms to ensure efficiency in the release of goods and products for operators who meet the requirements established by the organs and public entities in organised ports and port facilities;

V - propose to bodies or authorities measures to implement the international standards and practices relating to the port operation and maritime transport, observed the agreements, treaties and conventions to which the Federative Republic of Brazil is a signatory;

VI - propose and promote, within the framework of organised ports and port facilities, measures with the aim of:

(a) improve the flow of information and the operational processes;

(b) enabling the sharing of databases and the integration of computerised systems of organs and public entities;

(c) empower the agents of public organs and entities for the improvement of the efficiency of their activities;

(d) standardise the actions of organs and public entities;

(e) facilitate the financial and material resources for the efficient performance of the organs and public entities;

(f) improve the criteria for supervisory activities, based on risk analysis; and

(g) standardise procedures to meet the requirements of safety, quality and celerity;

VII - establish the Local Committees of Port Authorities and Technical Committees and establish their respective internal rules, which will regulate its organisation and functioning;

VIII - assess and decide on the proposals forwarded by the Local Committees of Port Authorities and by the Technical Committees.

CHAPTER III

The Operation

Art. 6. Conaero and Conaportos will meet regularly quarterly and extraordinarily whenever convened by its President or at the request of its members.

§ 1 The quorum for the Conaero and Conaportos meetings is two-thirds of the members, and the quorum of approval is consensual.

§ 2 The deliberations of Conaero and Conaportos shall be recorded in the minutes, the disclosure of ongoing discussions without the prior consent of the Chairman of the Committee prohibited.

Art. 7. The members of Conaero and Conaportos may participate in the meetings and thematic working groups through videoconferencing provided that there are technological resources available and that the request is made in advance.

Sole Paragraph. Any expenses with the displacements of members or deputies of Conaero and Conaportos to participate in meetings or thematic working groups are chargeable to the account of the organs and entities represented.

Art. 8. Conaero and Conaportos may establish thematic working groups, called Technical Committees and local sub-collegiates, as the case may be, Local Committees of Airport Authorities and Local Committees of Port Authorities, for assessment of specific matters and monitoring of the implementation of their actions.

Art. 9. The Technical Committees, the Local Committees of Airport Authorities and the Local Committees of Port Authorities:

I – will be composed in the form of an act of the respective Commission;

II – will have its composition limited to the number of members of its Committee;

III - will have a temporary character and duration not exceeding one year;

IV – will have their motivation and their duties laid down in the act of institution; and

V - are limited to:

(a) six Technical Committees operating simultaneously in each Commission;

(b) the number of Local Committees of Airport Authorities operating simultaneously equivalent to the total number of airports that are enabled to regular international air traffic of passengers and cargo; and

(c) the number of Local Committees of Port Authorities operating simultaneously equivalent to the total number of organised ports under the jurisdiction of the port authority.

§ 1 the airport operator and the port authority shall coordinate, chair and secretary the works of the Local Committees of Airport Authorities and the Local Committees of Port Authorities, respectively, and may invite, to participate in its meetings, representatives of other organs or entities (public or private) which exercise activities at airports and ports.

§ 2 the airport operator and the port authority will provide administrative support to the activities of the Local Committees of Airport Authorities and the Local Committees of Port Authorities, respectively, including the provision of facilities with infrastructure and equipment necessary for the functioning as the centre of information and coordinated management of its operations and activities.

Art. 10. The Secretariat of the Conaero shall be exercised by the National Secretariat of Civil Aviation of the Ministry of Infrastructure.

Art. 11. The Secretariat of the Conaportos shall be exercised by the National Secretariat of Ports and Waterway Transport of the Ministry of Infrastructure.

Art. 12. Conaero and Conaportos will last for an indefinite period.

Art. 13. Participation in the Conaero, Conaportos, in Technical Committees, the Local Committees of Airport Authorities and the Local Committees of Port Authorities will be considered relevant public service provision, not remunerated.

CHAPTER IV

Final provisions

Art. 14. Conaero and Conaportos will approve their internal regulations by way of resolution, which will provide for their organisational structure and functioning, within ninety days, counted from the date of publication of this Decree, following the provisions in §1 of art 6.

Art. 15. Are hereby repealed:

I - Decree no. 7,554, of 15 August 2011; and

II - Decree no. 7,861, of 6 December 2012.

Art. 16. This Decree shall enter into force on the date of its publication.

Brasilia, 9 April 2020; 199th year and 132nd year of the Independence of the Republic.

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Tarcisio Gomes de Freitas

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