



**CYPRUS**

**STATE SAFETY PROGRAMME**

**(SSP)**

**2020 - 2024**

...in compliance with ICAO Annex 19 and ICAO Doc. 9859

---

**DEPARTMENT OF CIVIL AVIATION**

**MINISTRY OF TRANSPORT, COMMUNICATIONS AND WORKS**

**THE REPUBLIC OF CYPRUS**

Date: 08.08.2019



## Contents

Foreword by the Minister .....	3
Foreword by the Permanent Secretary .....	4
Foreword by the Director of Civil Aviation .....	5
Executive Summary.....	7
Abbreviations/definitions .....	8
References .....	9
State safety policy statement .....	10
Chapter 1. State aviation regulatory system .....	11
Chapter 2. State safety policy and objectives.....	12
Chapter 3. State safety risk management.....	22
Chapter 4. State safety assurance .....	24
Chapter 5. State safety training, promotion and communication.....	29
Appendix 1 — State enforcement policy statement .....	31
Appendix 2 — State Plan for Aviation Safety.....	<b>Error! Bookmark not defined.</b>
Appendix 3 — Terms of reference for the SSP Officer .....	<b>Error! Bookmark not defined.</b>

*Note: Appendices 2 and 3 are confidential, for official use only.*



## Foreword by the Minister

The Republic of Cyprus is an island State and considers aviation to be of primary importance for the well-being of its people and the development of its economy. In this regard, the State affords the highest priority to aviation safety in order to ensure the regularity, as well as the continuous development of this highly significant mode of transport.



The State has established a strong regulatory and institutional framework to enable the effective functioning of the aviation domain and has adopted this ambitious State Safety Program to achieve its high level goals. The Program will be updated and adapted as it may be necessary so as to address and resolve any future issues which may arise.

**Vassiliki Anastasiadou**

**Minister of Transport, Communications and Works of the Republic of Cyprus**

August 2019



## Foreword by the Permanent Secretary

Civil Aviation is one of the most significant domains under the responsibility of the Ministry of Transport, Communications and Works. The State affords aviation safety the highest priority and is a top strategic objective of this Ministry. The State Safety Program (SSP) is the tool for implementing this policy and the Ministry's administration is committed to working closely with the Department of Civil Aviation so as to ensure that the aims of the policy are fulfilled. Any corrective measures that need to be taken will be adopted in future editions of the Program and continuous improvement will remain our primary focus.



**Stavros Michael,**

**Permanent Secretary**

**Ministry of Transport, Communications and Works**

August 2019



## Foreword by the Director of Civil Aviation

This document describes the Republic of Cyprus' State Safety Program (SSP). The SSP details the institutional and organizational arrangements, as well the regulatory framework, the policies and the procedures currently established or planned so as to assure the safety of aviation in the State in an efficient and sustainable manner.



The Department of Civil Aviation of Cyprus (DCAC) of the Ministry of Transport, Communication and Works is the State entity primarily responsible for regulating aviation safety, either directly or through the preparation of legislation adopted at Ministerial level<sup>1</sup> or by the House of Representatives. In this respect, it is fully committed to the implementation of this Program and will monitor its effectiveness so as to propose any improvements necessary to achieve its objectives.

**Panayiota Demetriou,**

**Director of the Department of Civil Aviation,**

**Ministry of Transport, Communications and Works**

August 2019

---

<sup>1</sup> Civil Aviation Law 2002 (L. 213(I)/2002) as subsequently amended, Articles 259 and 260.



*<Intentionally left blank>*



## Executive Summary

The Republic of Cyprus is a member of the International Civil Aviation Organisation (ICAO) and the European Union (EU). One of the main principles of the EU legislation<sup>2</sup> on aviation safety is that the application of sound safety management principles is essential for the continuous improvement of civil aviation safety in the Union, the anticipation of emerging safety risks and the efficient utilisation of limited technical resources. It is therefore necessary to establish a common framework for planning and implementing safety improvement actions and to that end, a European Plan for Aviation Safety and a European Aviation Safety Programme has been drawn up at Union level. In order contribute to the success of that Program, each Member State prepares a State Safety Programme (SSP), in accordance with the standards contained in Annex 19 to the Chicago Convention<sup>3</sup>. The Cyprus SSP is aligned with the high level strategy of the *European Aviation Safety Plan*, which calls for all EU Member States<sup>4</sup> to adopt a national aviation safety plan in order to contribute to achieving the overall objective of the European Aviation Safety Program<sup>5</sup>.

This ICAO compliant Program aims towards harmonising the provisions relating to safety management for all aviation entities - aircraft operators, air navigation service providers, certified aerodrome operators, maintenance organisations and organisations responsible for type design and/or assembly of aircraft and training organisations. The Programme is complemented by a plan, describing the actions to be taken by the Republic of Cyprus to mitigate the identified safety risks and, ultimately, to achieve an acceptable level of safety in aviation operations.

---

<sup>2</sup> Regulation (EU) 2018/1139 of the European Parliament and of the Council, of 4 July 2018, on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency (EASA BR).

<sup>3</sup> International Civil Aviation Organization (ICAO), Convention on Civil Aviation ("Chicago Convention"), 7 December 1944, (1994) 15 U.N.T.S. 295.

<sup>4</sup> The Republic of Cyprus is a Member State of the European Union (EU) and applies all EU laws.

<sup>5</sup> <https://www.easa.europa.eu/easa-and-you/safety-management/safety-management-system/sms-europe>.



## Abbreviations/definitions

**Competent Authority** – the competent authority, as referred to in this SSP, is the Department of Civil Aviation of Cyprus (DCAC).

**DCAC** – The Department of Civil Aviation of Cyprus – an entity under the Ministry of Transport, Communication & Works of the Republic of Cyprus.

**ICAO** – International Civil Aviation Organisation

**EASA** – European Aviation Safety Agency

**EASA Basic Regulation**-Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91.

**EPAS** – The European Plan for Aviation Safety, as referred to in the EASA Basic Regulation

**Minister** – In the context of this SSP, the Minister is understood to be the Minister of Transport, Communications and Works of the Republic of Cyprus

**Aviation Organisation** - any entity, other than the Competent Authority of the State or the Aircraft Accident and Incident Investigation Board (AAIIB), which is involved in aviation activities in the Republic of Cyprus. Such entities may include air operators, approved maintenance and training organisations, aerodrome operators and air navigation service providers.

**SO** - The SSP Officer (SO) - a permanent officer of the DCAC, designated by the Director of DCAC, for the maintenance and the monitoring of the implementation of the SSP.

**SSP** – The State Safety Program: the integrated set of regulations and activities described herein, aimed at improving aviation safety, in accordance with the relevant provisions of ICAO Annex 19.



## References

1. ICAO Annex 13, "Aircraft Accident and Incident Investigation"
2. ICAO ANNEX 19, "Safety Management".
3. ICAO Safety Management Manual Document 9859, 3<sup>rd</sup> Edition 2013.
4. European Aviation Safety Plan (as periodically amended).



## State safety policy statement

The vision of the Republic of Cyprus is to maintain the safest possible environment for operators and the travelling public in all transport domains, including aviation. The State is committed to the implementation, the development and improvement of strategies, management systems and processes to ensure that aviation operations uphold the highest level of safety performance and meet national and international standards.

### In this respect, the State's strategic safety objectives are to:

- Continuously improve the safety performance of the State.
- Ensure that aviation organizations establish and maintain appropriate safety management systems and that they remain compliant with the applicable safety regulatory requirements.
- Ensure that the Competent Authority of the State remains compliant with the requirements regarding safety oversight.
- Periodically review the safety legislative framework to ensure that it remains relevant and valid.
- Develop and embed a safety culture across all aviation stakeholders to promote the value of effective safety management and the principle that safety has priority over operational and commercial requirements.
- Allocate sufficient financial and human resources for the establishment and maintenance of the State's Safety Program (SSP).
- Clearly define the duties and responsibilities of personnel for the implementation of the State's Safety Program (SSP).
- Provide all relevant personnel with adequate and appropriate safety training.
- Implement a risk-based based approach for safety oversight.
- Remain with the acceptable levels of safety, expressed in terms of performance indicators and targets.



## **Chapter 1. State aviation regulatory system**

The State aviation regulatory system is comprised of:

- A system by which laws are drafted, reviewed, approved and finally implemented,
- An oversight system to ensure that the law is effectively and continuously applied.
- A sanctions and enforcement system, which is applied when the regulatory requirements are not adequately implemented.

The aviation regulatory system and the associated administrative arrangements are periodically reviewed to ensure that they remain relevant and appropriate for achieving the State's objectives for aviation safety.



## Chapter 2. State safety policy and objectives

### 2.1 State safety legislative framework

The State safety legislative framework is comprised of a combination of National and European Union (EU) laws as well as Standards and Recommended Practices (SARPs) issued by the International Civil Aviation Organisation (ICAO). According to Article 1A of the Republic of Cyprus Constitution, national laws cannot cancel or contradict EU laws.

At national level, primary legislative acts are drafted by the government of the Republic and are approved by the House of Representatives. Based on these, secondary laws or implementing rules in the form of ministerial decrees may also be issued by the Minister of Transport. National legislation is applicable to organisations operating in the State, as well as the Competent Authority itself.

In addition to the above, the competent Authority and organisations in the State are required to adhere to and apply the relevant EU laws on aviation matters. It should be noted that, EU law is quite extensive on all aviation domains, and, according to the State's Constitution, EU laws have precedence over national laws. In this respect, the Civil Aviation Law of 2002 [(L.213 (I)/2002) as subsequently amended ((hereinafter "the Civil Aviation Law")) mainly covers the roles and the responsibilities of the various aviation entities in the State, as well as the administrative arrangements necessary to implement the requirements stemming from EU Law and the ICAO standards. The Civil Aviation Law also contains provisions for items or issues of local nature, which are not covered by EU law and/or ICAO standards. Nevertheless, the aviation *safety* regulatory requirements are mostly contained in the EU laws and the ICAO Standards.

The State participates in the drafting and the final approval of related EU legislation, to the extent foreseen by the Treaties of the European Union.

The safety legislative framework and specific administrative arrangements are periodically reviewed and amended as necessary so as to ensure that they remain relevant and valid.



### 2.1.1 Primary legislation

At national level, the primary Legislative Acts on aviation safety consist of:

- The Law Ratifying the International Civil Aviation Convention of 1944 and its Thirteen Protocols 1947 to 1984 and Related Issues Law of 1988 (213/1988)<sup>6</sup>
- The Civil Aviation Law

According to the provisions of the Law Ratifying the Chicago Convention (213/1988), the SARPs issued by ICAO are adopted and applied as regulatory requirements, while the Civil Aviation Law establishes the ways and means by which EU Law and ICAO standards are implemented. In addition, the Civil Aviation Law of 2002 establishes the Competent Authority for safety oversight, and includes, inter alia, the arrangements for the collection of airport fees, provisions for the issuance of airworthiness and air operator certificates and the licensing of personnel. Finally, the Law establishes the enforcement mechanism to be applied in the cases of non-adherence to the applicable provisions. The investigation of aviation accidents and incidents is addressed with the Aviation Accident and Incident Law of 2015.(L. 73(I)/2015, hereinafter the “Aviation Accident and Incident Law”)<sup>7</sup>.

At EU level, the main legislative Act on aviation safety is the EASA Basic Regulation, which establishes the safety requirements on Competent Authorities and aviation organizations in the field of air traffic management, flight operations, airworthiness, personnel licensing and aerodrome operations.

Other legislative Acts include the Single European Sky package of EU regulations and implementing rules<sup>8</sup>.

---

<sup>6</sup> Ο περί της Σύμβασης Διεθνούς Πολιτικής Αεροπορίας του 1944 και Δεκατριών Πρωτοκόλλων αυτής του 1947 έως 1984 (Κυρωτικός) και περί Συναφών Θεμάτων Νόμος του 1988 (Ν. 213/1988)

<sup>7</sup> Ο περί Διερεύνησης Αεροπορικών Ατυχημάτων και Συμβάντων Νόμος του 2015 (Ν. 73(I)/2015)

<sup>8</sup> [https://ec.europa.eu/transport/modes/air/single\\_european\\_sky/implementing\\_rules\\_en](https://ec.europa.eu/transport/modes/air/single_european_sky/implementing_rules_en)



### 2.1.2 Subsidiary legislation

At national level, subsidiary legislation stems from the Civil Aviation Law. Articles 259 – “Authorities of the Council of Ministers” and 260 - “Authority of the Minister”, authorize the Council of Ministers and Minister of Transport, Communication and Works respectively, to issue secondary legislation, applicable to individuals and organisations so as to ensure the application of the primary laws mentioned in 2.1.1 above. In addition, Article 260 authorises the Minister of Transport Communications and Works to delegate upon the Competent Authority the power to take similar actions<sup>9</sup>.

At EU level, implementing rules in the areas foreseen by the provisions of the Basic Regulation are issued.

### 2.1.3 Operating and administrative procedures

Mandatory operating and administrative procedures are promulgated by the Competent Authority (DCAC) in the form of Aeronautical Information Circulars (AICs). These Circulars are disseminated to the appropriate stakeholders on the basis of an official distribution list and made publically available on the DCAC’s website.

### 2.1.4 Industry guidance material

The State periodically produces industry guidance material, which is disseminated mainly in the form of Aeronautical Information Circulars. In addition, official guidance material from recognised international organisations, such as ICAO and EASA are extensively used, both by aviation organisations and the Competent Authority of the State.

### 2.1.5 Civil Aviation Authority framework and accountabilities

The DCAC is the Competent Authority established by the State to plan and continuously monitor the safety related activities foreseen in the SSP.

---

<sup>9</sup> With Order 57 /2007, the Minister delegated to the Competent Authority the power to issue, amend and repeal Order and Decisions with respect to specific issues detailed therein.



DCAC is organised in a number of sections which deal with the main aviation domains, i.e.

- Flight operations, airworthiness and personnel licensing
- ATM and ATCO licensing
- Air Transport and Aerodromes

Additionally the DCAC uses the services of a contracted qualified Doctor for the oversight of the relevant aeromedical requirements.

With regards to Air Traffic Management, the Department is organised into two different sections, one dealing with service provision aspects and the other with the oversight of air navigation services. These two sections are functionally independent from each other, as required by Article 4 of Regulation (EU) 549/2004<sup>10</sup>.

The Director of DCAC is responsible for the overall performance of the Department; nevertheless, each Section Head is responsible for the smooth functioning and performance of their individual sections, as indicated in the organisational chart below:

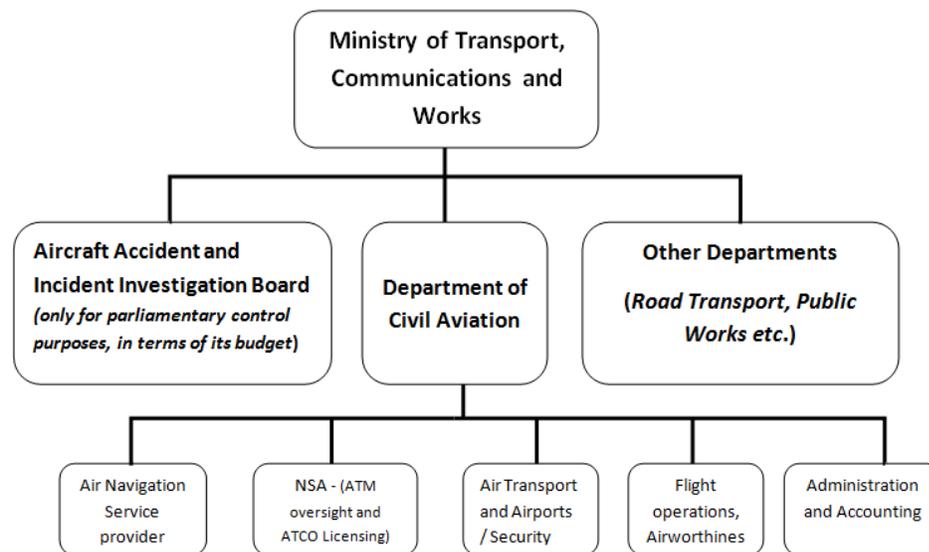


Figure 1: DCAC organization chart

<sup>10</sup> Regulation (EC) No 549/2004 of the European Parliament and of the Council of 10 March 2004 laying down the framework for the creation of the single European sky (the Framework Regulation) as amended by Regulation (EC) No 1070/2009 of the European Parliament and of the Council of 21 October 2009.



### 2.1.6 Review of the regulatory framework

The regulatory framework for aviation safety is regularly reviewed by the State, both at national and EU level.

At national level, the Competent Authority monitors the development and the amendment of ICAO SARPs and of EU law and proposes revisions when the primary or secondary legislation needs to be updated so as to remain current or when the oversight or enforcement aspects need to be amended so as to be more effective.

At EU level, the State participates in relevant fora where aviation safety legislation is being drafted or revised.

### 2.1.7 SSP documentation and records

The SSP is drafted, updated or amended as necessary by the Competent Authority of the State (DCAC). All new editions of the SSP are approved by the Minister of Transport, Communications and Works.

The Competent Authority maintains the master copy of the SSP, and a record of its periodic amendments.

The SSP is made available to all DCAC staff having safety oversight responsibilities in the Department.

The main body of the SSP and Appendices 1 and 2 are also publicly available on the DCAC website.



## 2.2 State safety responsibilities and accountabilities

The responsibilities for the establishment and maintenance of the SSP are as follows:

### 2.2.1 State Safety Policy

The State Safety Policy describes the vision, the goals and the overarching principles of the State with regards to aviation safety. The State Safety Policy is established by the Minister of Transport, Communications and Works.

### 2.2.2 SSP development and maintenance

The SSP will be updated every five years or earlier, if the developments in the aviation domain necessitate more frequent revisions.

### 2.2.3 SSP responsibilities and resources – SSP Coordination Committee

The SSP Coordination Committee is a body, established at national level within the Competent Authority, having the overall responsibility for the monitoring of the implementation of the SSP.

The SSP Coordination Committee is comprised of the Director of the DCAC and the Heads of the DCAC sections responsible for the oversight of Air Navigation Services, Flight Operations/Airworthiness and the Aerodrome Operations domains. The Committee may invite aviation organizations or persons to its meetings, so as to consult on specific safety matters.

The SSP Coordination Committee convenes at least on an annual basis, by June of each year at the latest, so as to review the effective implementation of the SSP.

The Director of DCAC is responsible for providing the necessary resources for the implementation of the SSP and the Minister of Transport, Communications and Works is facilitating this activity by allocating the necessary funds in the State's budget.

The Director of DCAC is also responsible for designating the focal point for the SSP, hereafter referred to as the "SSP Officer". The SSP Officer acts as the Secretary of the National SSP



Coordination Committee and is the first point of contact with external entities regarding SSP matters. This person is provided with clear terms of reference regarding his or her responsibilities for the maintenance and the monitoring of the implementation of the SSP.

#### 2.2.4 SSP improvement/review

The SSP will be periodically reviewed by the SSP Coordination Committee, as foreseen in Section 2.2.3. Any necessary improvements to the SSP will be incorporated in a revised version of the Program.

As part of its review, the SSP Coordination Committee will take into account any developments and updates of the European Plan for Aviation Safety (EPAS), which is issued and revised annually by EASA. The EPAS, a key component of the *European Aviation Safety Program*, provides a coherent and transparent framework for safety work at European level, helping the identification of major safety risks and defining the actions to be taken. It also supports the Member States of the European Union in implementing their State Safety Programs and facilitates sharing of best practices and expert knowledge.

The European Aviation Safety Program (EASP) identifies the following four areas as the most relevant to aviation safety:

- Systemic Issues,
- Operational Issues,
- Emerging issues,
- Human Factors and Performance

These same areas will be the focus of the National SSP Coordination Committee when considering the necessary improvements to the Cyprus SSP, on the basis of the safety trends identified through leading and lagging indicators, such as the analysis of reported incidents. The Committee will also consider any relevant developments in the external environment, such as changes in the ICAO standards and recommended practices and the EU regulatory framework.



### 2.2.5 State acceptable levels of safety

The State's acceptable levels of safety are expressed as alert thresholds to the targets set to each safety performance indicator adopted in this SSP. These, are presented in more detail in Appendix 2.

### 2.3 State accident and incident investigation

The State has established an independent accident and incident investigation process, the sole objective of which is the prevention of accidents and incidents. The responsible entity for implementing this process is the Cyprus Aircraft Accident and Incident Investigation Board (AAIIB), established in accordance with the Aviation Accident and Incident Law..

The Board is an independent entity and its work is not influenced by the Competent Authority or any other aviation organization. AAIIB inspectors are persons with extensive experience in the field of aviation and are independent to any other aviation entity in the State. The Chairman and its members are appointed by the Council of Ministers, following a proposal by the Minister of Transport, Communications and Works. The AAIIB reports only to the Minister of Transport, Communications and Works, purely parliamentary control purposes, in terms of its budget.. Its mission is to improve aviation safety via the prompt investigation of accidents and serious incidents, and to propose measures that will prevent the recurrence of such events.

The organization and execution of the investigation of civil aviation accidents and serious incidents is conducted in accordance with ICAO Annex 13, Regulation (EU) No 996/2010<sup>11</sup> and the Aviation Accident and Incident Law.

It should be noted that the results and recommendations of the investigations cannot be used to apportion of blame or liability<sup>12</sup>. In this respect, the DCAC holds regular discussions with

---

<sup>11</sup> Regulation (EU) No 996/2010 of the European Parliament and of the Council of 20 October 2010 on the investigation and prevention of accidents and incidents in civil aviation and repealing Directive 94/56/EC .

<sup>12</sup> This policy does not prevent the judiciary of the State from conducting its own investigations to examine the possibility of gross negligence or malicious intent which may be associated with an aviation accident.



judiciary authorities in order to promote an approach of “just culture”, according to which only gross negligent behaviour is punished. Competent Authority personnel, together with personnel from the judiciary authority of the State participate in meetings and workshops which aim towards developing a common understanding on how best to improve safety without jeopardising the willingness of aviation entities’ personnel to report safety occurrences.

## 2.4 Enforcement policy

The State’s sanctions and enforcement policy and procedures are provided by Articles 243 to 258 of the Civil Aviation Law. In addition, enforcement procedures are laid down in the Civil Aviation (Measures for oversight and Compliance of Organisations with certain Regulations and the imposition of Sanctions) Regulations of 2011 (P.I. 72/2011)<sup>13</sup> and the Civil Aviation (Designation of the Competent Body and determination of Sanctions for the Implementation of EASA Basic Regulation and of the implementing acts issued by virtue thereof Regulations of 2017 (P.I. 42/2017)<sup>14</sup>.

As a general principle, the State will apply enforcement measures when it considers that other means, for maintaining compliance with regulations and the required safety performance, have not been effective.

According to the national law, enforcement measures are imposed by the Minister of Transport, Communications and Works, following a reasoned proposal to this effect by the Competent Authority. Enforcement actions are directed towards aviation organisations and may include financial penalties, operating restrictions and the revocation or suspension of the certificates or licenses issued to aviation entities or persons.

---

<sup>13</sup> Οι περί Πολιτικής Αεροπορίας (Μέτρα Εποπτείας και Συμμόρφωσης των Οργανισμών με Ορισμένους Κανονισμούς και Επιβολή Κυρώσεων) Κανονισμοί του 2011, Ε.Ε. Παρ.ΙΙΙ(1), Αρ. 4481, Σελ. 501, 11/3/2011.

<sup>14</sup> Οι περί Πολιτικής Αεροπορίας (Ορισμός Αρμόδιου Φορέα και Θέσπιση Κυρώσεων για την Εφαρμογή του Κανονισμού (ΕΚ) αριθ. 216/2008 και των Εκτελεστικών Κανόνων Αυτού) Κανονισμοί του 2017, Ε.Ε. Παρ.ΙΙΙ(1), Αρ. 4995, Σελ. 289, 10/2/2017.



Additional enforcement measures are foreseen in Aviation Accident and Incident Law. According to Article 23 of the said law, anyone convicted of not complying with its provisions commits a criminal offence and is subject to imprisonment for a period not exceeding three years or a fine not exceeding thirty thousand euros, or both.



## Chapter 3. State safety risk management

### 3.1 Safety requirements for the organisations' SMS

The requirements for safety management systems (SMS) which are to be applied by aviation organisations are described in the EASA Basic Regulation and its implementing rules. These requirements are consistent with the standards contained in ICAO Annex 19.

The State implements the said rules as part of its obligations as an EU member State. In this respect, it may issue administrative rules for the effective implementation of the EU Law at the national level, such as for managing functional changes or for safety reporting. Nevertheless, in ad hoc cases, if and when deemed necessary, the State has the option to also issue safety rules, in accordance with the provisions of the Civil Aviation Law.

EU laws contain the provisions for the effective implementation of the safety risk management (SRM) component of the SMS which, in turn, ensures that service providers and operators identify hazards and manage the related risks. For non-regulated organizations such as subcontractors, the EU Law obliges the SMS-approved organizations to require, contractually, from such subcontractors, the execution of hazard identification and risk management processes, as may be appropriate.

### 3.2 Agreement of product or an organisation's safety performance

In terms of the aviation related services, organisations in the State are required to define within their SMS, their acceptable levels of performance. The acceptable level is expressed as target on safety indicators, appropriate and pertinent to the individual organisation's activities. These targets and indicators are agreed with by the State, as part of the overall acceptance of the concerned organisation's SMS.

In terms of aviation related products, at the moment, there are no systems, components or any kind of hardware used in the aviation domain which is manufactured in Cyprus. In this respect, the State does not define or monitor levels of safety performance for products.



It should be noted that, the Competent Authority, in compliance with EU law, may issue a safety directive, addressed to an organisation under its scope, when it identifies an urgent, unsafe condition in the operations of the concerned organisation. Such a condition may include a design or manufacturing fault identified in a product used in the aviation domain. In such a case, the Competent Authority will duly notify the European Commission and any other concerned entity.

### **3.3 Periodic assessment of an organisation's SMS**

The oversight of the safety performance of an organisation is within the normal scope of the Competent Authority's oversight activities, i.e. audits and inspections. In this regard, the safety management systems of such organisations are periodically reviewed, so as to ensure that they remain relevant and valid, as well as compliant with the applicable rules.



## Chapter 4. State safety assurance

### 4.1 Safety oversight

The State has established mechanisms to ensure the effective monitoring of all the critical elements of the safety oversight function. The State has also established mechanisms to ensure that aviation organisations are duly engaged in the identification of safety hazards and the management of safety risks. These mechanisms include inspections, audits and surveys to ensure that the above-mentioned processes are integrated and documented in the organisations' safety management systems and that their implementation leads to a reduction of safety risks.

The State's Oversight obligations are implemented via audits and inspections to assure that an adequate level of regulatory compliance is maintained by organisations and that their respective aviation-related activities are performed safely. The State's oversight obligations include the acceptance of an SMS implemented by each of the organizations operating in the State as well as the periodic assessment of their SMS performance.

#### 4.1.1 Certification, approval and licensing system

When so required by national or EU Law, the Competent Authority issues certificates or licenses to organisations or individuals in order to allow the conduct of specific aviation related operations, such as the provision of air traffic control services, aerodrome operations, air operator services, etc .

The State's safety oversight system covers the obligations related to the licensing of personnel, the initial approval (Certification) and the subsequent oversight of the aviation organisations in the State, so as to ensure their continuous compliance with national regulations, ICAO SARPs and the relevant EU Law.

The State's initial approval, certification or designation of an organization implies also the approval of the entity's SMS. It is understood that, certain elements in an organization's SMS



will be in place at the time of the organization's initial approval, while other elements will be established in documentation and will be implemented in a phased approach.

#### **4.1.2 Risk based safety oversight**

The Competent Authority follows documented audit processes to identify deficiencies in the organisations under its scope and to oversee their correction. Through these processes the Competent Authority can identify the areas with the most safety concerns and focus its subsequent audits in these particular areas. Organisations with higher risk are inspected more often and/or in more detail so as to ensure that appropriate corrective actions are being taken.

The Competent Authority verifies compliance with the applicable safety regulatory requirements through an oversight program which covers activities related to operational, technical and human resource aspects. The usual audit planning cycle is 24 months; however this period may be extended to 48 months when the Competent Authority has sufficient confidence that a particular organisation implements the regulatory requirements in a consistent manner.

The various DCAC Sections hold regular management review meetings to discuss the effectiveness of their oversight activities and to take their own corrective measures whenever deemed necessary.

#### **4.1.3 Internal SSP review/quality assurance**

The SSP is regularly reviewed in accordance with the process described in section 2.2.3 "SSP improvement/review". When deemed necessary, the Director of DCAC may ask for a more detailed internal audit of the SSP, so as to verify the correct implementation of its provisions.

#### **4.1.4 External SSP review/audit**

The Competent Authority will accept and facilitate an external review of its SSP when so requested by the ICAO or by EASA.



## 4.2 Safety data collection, analysis and exchange

The State has established documented processes to ensure the capture and storage of data on hazards and safety risks, both for individual organisations and at an aggregate State level. Such hazards and safety risks are identified following the analysis and investigation of reported safety occurrences, in compliance with the provisions and the requirements of Regulation (EU) 376/2014<sup>15</sup>.

The State's safety data collection and processing system (SDCPS<sup>16</sup>) ensures the capture, storage and aggregation of data on accidents, incidents and hazards obtained through the State's mandatory and voluntary reporting system.

The various types of safety data are consolidated within a centralized software application, called ECCAIRS. This application allows EU member States to actively share safety information with organisations and/or other States, as may be appropriate. The availability of these safety data sources enables the monitoring of SSP safety indicators, such as accident and incident rates and adverse trends.

According to National Law, the Competent Authority for the collection and storage of safety data and reports is the DCAC.

---

<sup>15</sup> Regulation (EU) No 376/2014 of the European Parliament and of the Council of 3 April 2014 on the reporting, analysis and follow-up of occurrences in civil aviation, amending Regulation (EU) No 996/2010 of the European Parliament and of the Council and repealing Directive 2003/42/EC of the European Parliament and of the Council and Commission Regulations (EC) No 1321/2007 and (EC) No 1330/2007.

<sup>16</sup> The SDCPS used by EU Member States is ECCAIRS - European Co-ordination Centre for Accident and Incident Reporting Systems - <http://eccairsportal.jrc.ec.europa.eu>



#### 4.2.1 Occurrence reporting system

Occurrence reporting, analysis and follow-up in the State are done in accordance with the provisions of Regulation (EU) 376/2014 on the Reporting, Analysis and follow-up of occurrences in Civil Aviation. This Regulation specifies the types and categories of safety incidents that need to be reported mandatorily. At the same time, the Regulation allows for any other of safety events to be reported voluntarily.

The DCAC has issued Aeronautical Information Circulars<sup>17</sup>, containing the administrative details regarding the way by which individuals and organisations are obliged to report, as well as on the follow up on the reported safety incidents. These include both offline and online reporting methods. Online reporting requires that, individuals or organisations wishing to report an occurrence must do so using a software application compatible with ECCAIRs.

The State's Aircraft Accident and Incident Investigation Board (AAIIB) is notified by the Competent Authority of all reported incidents. Nevertheless, the AAIIB investigation and analysis process remains independent from the one which may be performed by the Competent Authority itself.

Organisations are required to investigate all reportable incidents which are associated with safety hazards, either individually or in groups of events. The Competent Authority monitors the follow-up actions that organizations are taking in order to identify the causal factors for the events and the measures taken to avoid recurrence of the reported safety incident.

It is emphasized that the collection and analysis of air safety reports is done with the sole purpose of preventing recurrence, and not for apportioning blame.

---

<sup>17</sup> AIC C003-16 "Occurrence Reporting Format" and AIC N004-18 "Follow up report"



#### 4.2.2 Voluntary/confidential reporting system

Voluntary safety reports received may also require some form of follow-up investigation or evaluation to identify any safety risks and take corrective actions, as may be necessary. As in the case of the mandatory occurrence reporting system, the identity of the person submitting a voluntary report is kept confidential.

#### 4.2.3 Safety-data-driven targeting of oversight of areas of greater concern or need

The Competent Authority applies a risk based oversight approach, as described in Section 4.1.2. In this regard, occurrence data is analyzed so as to identify key risk areas and to adapt its oversight plans accordingly, addressing first the areas of the highest concern.



## Chapter 5. State safety training, promotion and communication

### 5.1 Safety training

#### 5.1.1 Safety training for the Competent Authority personnel

The Competent Authority ensures that the personnel engaged in safety oversight activities is adequately trained and competent to carry out its tasks and responsibilities. In this respect, the DCAC establishes a Training Program and an associated Training Plan for each of its oversight sections. The training may be provided internally, by staff with extensive knowledge and experience in a specific subject, or externally, by recognized training organizations.

For newly recruited staff, the Training Programs foresee an initial training period which covers the internal and external environment of the Authority as well as the applicable legal framework, including the SSP. Subsequently, oversight personnel are trained in the application of auditing techniques. The audit training is completed after an on-the-job trial period, during which oversight staff are assessed for their competency to perform audits and inspections without supervision.

Following the initial training, oversight personnel receive specialised training in safety related subjects, according to their particular duties and their schemes of services. Finally, safety oversight staff is provided with recurrent training, so as to ensure that they remain competent to perform their tasks. This training focuses, as a minimum, to the latest changes in aviation legislation and any major industry developments, such the introduction of a new aircraft type or a new technological methods for aircraft surveillance.

The Competent Authority's training programs are regularly reviewed so as to ensure their effectiveness and validity.



### 5.1.2 Safety training for organisations

The training principles and approach described above also apply to aviation organizations, as they are included in the relevant EU regulatory framework. The Competent Authority ensures, via audits and inspections that these principles are adhered to.

## 5.2 Communication and dissemination of safety information

All aviation stakeholders are encouraged to share and communicate any information that they consider relevant and useful for improving safety, in any means possible.

If the Competent Authority identifies an urgent, unsafe condition related to equipment or infrastructure elements, such as a fault in the design or manufacture of an aircraft engine component or an ATM system component, it may issue and promulgate a *Safety Directive*, in accordance with the relevant provisions of the EU law. It shall then communicate this *Safety Directive* to the appropriate European Commission agencies and any other concerned entity in the aviation domain.

In the case of an aviation accident or a serious incident, the AAIB will communicate its investigation findings and recommendations to ICAO, the appropriate European Commission agencies and any other concerned State or aviation entity deemed necessary, according to the requirements of Regulation (EU) 996/2010<sup>18</sup> and ICAO Annex 13. Furthermore, the AAIB will notify any other findings and recommendations to the Competent Authority and the Ministry of Transport, Communications and Works when the results of incident investigations indicate that there may be proactive or reactive measures to be taken so as to ensure that the safety performance of the State remains within acceptable levels.

---

<sup>18</sup> Regulation (EU) No 996/2010 of the European Parliament and of the Council of 20 October 2010 on the investigation and prevention of accidents and incidents in civil aviation and repealing Directive 94/56/EC Text with EEA relevance



## **Appendix 1 — State enforcement policy statement**

The State will only apply enforcement measures when it considers that other actions, intended to assure compliance with Regulations and the required safety performance, have not been effective.

Sanctions and enforcement on individuals follows the principles of just culture and is only applied in cases of gross negligence. Mistakes and errors by individuals can be accepted without apportionment of blame, provided that they are duly reported so as to facilitate their investigation and the identification of systemic causal factors, and to take remedial measures which mitigate the risk of recurrence. The reporting of safety occurrences is the personal responsibility of aviation professionals and failure to report them is considered to be a serious violation of the applicable EU and National Legislation.