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EXTRAORDINARY

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PART I : SECTION (I) — GENERAL

Government Notifications

CIVIL AVIATION ACT, No. 14 OF 2010

REGULATIONS made by me, as the Minister of Civil Aviation by virtue of powers vested in me under Section 117(2) of the Civil Aviation Act, No. 14 of 2010.

PIYANKARA JAYARATNE,
Minister of Civil Aviation.

Battaramulla,
30th September, 2014.

Regulations

1. These Regulations may be cited as “Regulations on Civil Aviation Safety Management No. 01 of 2014” and shall come into operation on 30th September, 2014. Short title and date of operation.
2. These Regulations shall be applicable to safety management functions related to or in direct support of safe operation of civil aircraft. Applicability.
3. There shall be established a State Civil Aviation Safety Programme which may be cited as ‘State Civil Aviation Safety Programme of Sri Lanka’ consisting of the following components for the management of safety in order to achieve an acceptable level of safety performance in civil aviation in Sri Lanka. Establishment of a State Civil Aviation Safety Programme of Sri Lanka.
 - (a) State Civil Aviation Safety Policy and Objectives ;
 - (b) State Civil Aviation Safety Risk Management ;
 - (c) State Civil Aviation Safety Assurance ; and
 - (d) State Civil Aviation Safety Promotion.



Responsibility for development and implementation of State Civil Aviation Safety Programme of Sri Lanka.

4. Civil Aviation Authority of Sri Lanka shall be responsible for the development of the State Civil Aviation Safety Programme of Sri Lanka in conformity with the Standards and Recommended Practices contained in Annex - 19 "Safety Management" to the Convention and any other relevant guidance material issued by the International Civil Aviation Organization and for its effective implementation.

Size and Complexity of the State Civil Aviation Safety Programme of Sri Lanka.

5. The State Civil Aviation Safety Programme of Sri Lanka shall commensurate with the size and complexity of the civil aviation activities of Sri Lanka. The guidance material provided by the International Civil Aviation Organization may be used in the development and maintenance of such a programme.

Acceptable Level of Safety Performance.

6. There shall be established the Acceptable Level of Safety Performance to be achieved by Sri Lanka in conformity with the applicable guidance material published by the International Civil Aviation Organization.

Organizations required to implement Safety Management Systems.

7. An organization holding a Licence, Permit or Certificate of Approval issued by the Civil Aviation Authority of Sri Lanka or Director General of Civil Aviation as the case may be to engage in one or more of the following civil aviation activities in Sri Lanka or any other organization which is required by Annex 19 "Safety Management" to the Convention and stipulated by the Director General of Civil Aviation in terms of an Implementing Standard, shall implement a Safety Management System.

- (a) Training of personnel for grant or renewal of a licence, rating or certificate issued by the Director General of Civil Aviation ;
- (b) Operation of aircraft in Commercial Air Services ;
- (c) Maintenance, Repair or Overhaul of aircraft ;
- (d) Type Design and Manufacture of aircraft ;
- (e) Provision of Air Navigation Services ;
- (f) Provision of Aeronautical Meteorological Service ;
- (g) Operation and Maintenance of Aerodromes ; or
- (h) General Aviation Operations

Requirements to be satisfied by a Safety Management System of an organization.

8. The Safety Management System of an organization mentioned in Regulation 7, shall :
- (a) be established in accordance with the framework elements contained in Annex 19 to the Convention and supplementary safety management provisions contained in other Annexes to the Convention which are specific to individual organizations depending on the activities engaged in ;
 - (b) be commensurate with the size of the organization and the complexity of its aviation operations, services or products.
 - (c) as a minimum include :
 - I. a process to identify actual and potential safety hazards and assess the associated risks ;
 - II. a process to develop and implement remedial action necessary to maintain an acceptable level of safety ; and
 - III. provisions for continuous monitoring and regular assessment of the appropriateness and effectiveness of safety management activities.
 - (d) be acceptable to the Director General of Civil Aviation.

9. Basic safety management principles applicable to the medical assessment process of licence holders shall be in conformity with the Annex 1 - 'Personnel Licensing' to the Convention and other guidance material published by the International Civil Aviation Organization. Application of Safety Management Principles in Medical Assessment.
10. Civil Aviation Authority of Sri Lanka or Director General of Civil Aviation as the case may be shall establish a Safety Oversight System satisfying the requirements stipulated in the Annex 19 - 'Safety Management' to the Convention. Establishment of a Safety Oversight System.
11. There shall be established by the Director General of Civil Aviation,
 - (a) A Mandatory Aviation Occurrence Reporting System for collection of information on all occurrences which include accidents, serious incidents or any other incidents as specified by him.
 - (b) A Voluntary Aviation Reporting System for collection of information on actual or potential safety breaches, deficiencies, hazards or concerns that may not be captured by the Mandatory Aviation Occurrence Reporting System. A voluntary aviation reporting system shall afford protection to the sources of the information and be non-punitive.
 Establishment of Aviation Reporting Systems.
12. Each organization specified in Regulation 7 and relevant operational personnel employed by such organization, shall comply with the Mandatory Aviation Occurrence Reporting System specified in Regulation 11(a). Such organizations or personnel shall make use of the Voluntary Aviation Reporting System for reporting to the Director General of Civil Aviation any safety breach, deficiency, hazard or concern relating to civil aviation. Compliance with Mandatory Aviation Occurrence Reporting System and use of Voluntary Aviation Reporting System.
13. Civil Aviation Authority of Sri Lanka may establish any other safety data collection systems to collect and process safety information that may not be captured by the Aviation Reporting Systems provided under Regulation 11. Other means of Capturing Safety Information and Processing.
14. Civil Aviation Authority of Sri Lanka shall in conformity with the applicable Standards and Recommended Practices establish and maintain a safety database to facilitate the effective collection and analysis of information on actual or potential safety deficiencies obtained, including that from its Aviation Reporting Systems, and to determine any action required for the enhancement of civil aviation safety. Establishment of a Safety Database.
15. Director General of Civil Aviation may following the identification of preventive or remedial action required to address actual or potential civil aviation safety deficiencies, implement recommended action in conformity with the applicable Standards and Recommended Practices, and establish a process to monitor implementation and effectiveness of the responses. Preventive Action to address actual or potential safety deficiencies.
16. Civil Aviation Authority of Sri Lanka or Director General of Civil Aviation as the case may be shall not make available or use safety data referenced in Regulation 11, for other than safety - related purposes, unless exceptionally, a court of law in Sri Lanka determines in accordance with the applicable legislation, the value of its disclosure or use in any particular instance, outweighs the adverse impact such action may have on aviation safety. Protection of Safety Data.

Exchange of
Safety
Information
among States.

17. If the Director General of Civil Aviation, in the analysis of the information contained in its database, identifies safety matters considered to be of interest to other States, he may forward such safety information to such States as soon as possible.

Safety
Information
sharing
networks.

18. Director General of Civil Aviation may promote the establishment of safety information sharing networks among users of the aviation system and facilitate the free exchange of information on actual or potential safety deficiencies. Standardized definitions, classifications and formats as are needed to facilitate data exchange may be developed in this respect in association with the applicable guidance material published by the International Civil Aviation Organization.

Definitions.

19. When the following terms are used in relation to Safety Management, they shall have the following meanings :

Operational personnel : Personnel involved in aviation activities who are in a position to report safety information. Such personnel include, but are not limited to : flight crews ; air traffic controllers ; aeronautical station operators ; maintenance technicians ; personnel of aircraft design and manufacturing organizations ; cabin crews ; flight dispatchers, apron personnel and ground handling personnel.

Safety : The state in which risks associated with aviation activities, related to, or in direct support of the operation of aircraft, are reduced and controlled to an acceptable level.

Annex : Annex - 19 “Safety Management” to the Convention.

Convention : The Convention defined in the Civil Aviation Act, No. 14 of 2010.

Safety Management System (SMS) : A systematic approach to managing safety, including the necessary organizational structures, accountabilities, policies and procedures.

Safety performance : A State of a service provider’s safety achievement as defined by its safety performance targets and safety performance indicators.

Safety performance indicator : A data-based parameter used for monitoring and assessing safety performance.

Safety performance target : The planned or intended objective for safety performance indicator(s) over a given period.

Safety risk : The predicted probability and severity of the consequences or outcomes of a hazard.

State Civil Aviation Safety Programme (SSP) : An integrated set of regulations and activities aimed at improving civil aviation safety.