



International
Civil Aviation
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Международная
организация
гражданской
авиации

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Ref.: AN 8/3-12/42

29 June 2012

Subject: Proposal for Annex 19 and related consequential amendments to Annexes 1, 6, 8, 11, 13 and 14, Volume I

Action required: Comments to reach Montréal by 28 September 2012

Sir/Madam,

1. I have the honour to inform you that the Air Navigation Commission, at the fourth and fifth meetings of its 190th Session on 8 May 2012, considered proposals developed by the Safety Management Panel (SMP) to transfer the provisions on safety management responsibilities and processes from existing Annexes for consolidation in new Annex 19 — *Safety Management*, and related consequential amendment proposals to existing Annexes. The Commission authorized their transmission to Contracting States and appropriate international organizations for comments.

2. To facilitate your review of the proposed new Annex, a clean version is provided in Attachment A. The consequential amendments to Annex 1 — *Personnel Licensing*, Annex 6 — *Operation of Aircraft*, Annex 8 — *Airworthiness of Aircraft*, Annex 11 — *Air Traffic Services*, Annex 13 — *Aircraft Accident and Incident Investigation* and Annex 14 — *Aerodromes, Volume I — Aerodrome Design and Operations* are presented at Attachments B, C, D, E, F and G, respectively. The rationale statements for each proposal related to the new Annex as well as the consequential amendments are provided in Attachment H. The consequential amendments which are repeated for more than one Annex have been summarized in the table provided in Attachment I.

3. Given the relevance of the new Annex to multiple aviation domains, as well as the implications for consequential amendments to multiple Annexes as cited above, consideration should be given to coordinating these amendment proposals with relevant State authorities, including Accident Investigation Authorities.

4. In examining the proposed new Annex and related consequential amendments to existing Annexes, you should not feel obliged to comment on editorial aspects as such matters will be addressed by the Air Navigation Commission during its final review of the draft proposal.

5. May I request that any comments you may wish to make on the proposed Annex 19 or consequential amendments to Annexes 1, 6, 8, 11, 13 and 14, Volume I, be dispatched to reach me not

later than 28 September 2012. The Air Navigation Commission has asked me to specifically indicate that comments received after the due date may not be considered by the Commission and the Council. In this connection, should you anticipate a delay in the receipt of your reply, please let me know in advance of the due date.

6. For your information, the proposed new Annex 19 and consequential amendments to Annexes 1, 6, 8, 11, 13 and 14, Volume I are envisaged for applicability on 14 November 2013. Please note that, independently of the applicability date of Annex 19, most of the SARPS contained in Annex 19 are already applicable as they are existing SARPS transferred from other Annexes.

7. The subsequent work of the Air Navigation Commission and the Council would be greatly facilitated by specific statements on the acceptability or otherwise of the proposed Annex 19 and the consequential amendments to Annexes 1, 6, 8, 11, 13 and 14, Volume I. Please note that, for the review of your comments by the Air Navigation Commission and the Council, replies are normally classified as “agreement with or without comments”, “disagreement with or without comments”, or “no indication of position”. If in your reply the expressions “no objections” or “no comments” are used, they will be taken to mean “agreement without comment” and “no indication of position”, respectively. In order to facilitate proper classification of your response, a form has been included in Attachment J, which may be completed and returned together with your comments, if any, on the proposals in Attachments A, B, C, D, E, F and G.

Accept, Sir/Madam, the assurances of my highest consideration.



Raymond Benjamin
Secretary General

Enclosures:

- A — Clean version of proposed Annex 19
- B — Proposed consequential amendment to Annex 1
- C — Proposed consequential amendment to Annex 6
- D — Proposed consequential amendment to Annex 8
- E — Proposed consequential amendment to Annex 11
- F — Proposed consequential amendment to Annex 13
- G — Proposed consequential amendment to Annex 14, Vol. I
- H — Rationale for proposed Annex 19 and consequential amendments
- I — Summary of repeated consequential amendments related to the proposed Annex 19
- J — Response form

ATTACHMENT A to State letter AN 8/3-12/42

PROPOSED NEW ANNEX ON SAFETY MANAGEMENT

NOTES ON THE PRESENTATION OF THE NEW ANNEX

The text of the proposed new Annex on safety management is shown in clean format.

A-2

TEXT OF PROPOSED NEW ANNEX 19

**International Standards
and Recommended Practices**



**Annex 19
to the Convention on
International Civil Aviation**

Safety Management

**For information regarding the applicability
of Standards and Recommended Practices,
see Chapter 2.**

**First Edition
XXXX 201X**

International Civil Aviation Organization

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Safety Data Collection and Processing Systems**

ATT B-1

ABBREVIATIONS AND SYMBOLS
(used in this Annex)

Abbreviations

XX XX XXXX

PUBLICATIONS
(referred to in this Annex)

Convention on International Civil Aviation (Doc 7300)

Annexes to the Convention on International Civil Aviation

Annex 1 — *Personnel Licensing*

Annex 6 — *Operation of Aircraft*

Part I — *International Commercial Air Transport — Aeroplanes*

Part II — *International General Aviation — Aeroplanes*

Part III — *International Operations — Helicopters*

Annex 8 — *Airworthiness of Aircraft*

Annex 11 — *Air Traffic Services*

Annex 13 — *Aircraft Accident and Incident Investigation*

Annex 14 — *Aerodromes*

Volume I — *Aerodrome Design and Operations*

Manuals

Airworthiness Manual (Doc 9760)

Manual of Civil Aviation Medicine (Doc 8984)

Manual of Procedures for Establishment of a State's Personnel Licensing System (Doc 9379)

Manual of Procedures for Operations Inspection, Certification and Continued Surveillance
(Doc 8335)

Manual on Certification of Aerodromes (Doc 9774)

Manual on the Approval of Training Organizations (Doc 9841)

Safety Management Manual (SMM) (Doc 9859)

Safety Oversight Manual, Part A — The Establishment and Management of a State's Safety Oversight System (Doc 9734)

ANNEX 19 — SAFETY MANAGEMENT

INITIAL PROPOSAL 1

FOREWORD

Historical background

The provisions in this Annex have been developed in response to Recommendations provided by the Directors General of Civil Aviation Conference on a Global Strategy for Aviation Safety (Montréal, 20 to 22 March 2006) (DGCA/06) and the High-level Safety Conference (Montréal, 29 March to 1 April 2010) (HLSC/2010) regarding the need for an Annex dedicated to safety management. The Air Navigation Commission (186-8), having determined these issues to be of sufficient scope and importance, agreed to establish the Safety Management Panel (SMP) to provide recommendations for the development of this Annex.

The Standards and Recommended Practices (SARPs) in this Annex are intended to assist States in managing aviation safety risks, with the objective of continuously reducing the number of aviation accidents and incidents. Given the increasing complexity of the global air transportation system and the interrelated nature of aviation activities required to assure the safe operation of aircraft, this Annex provides the means to support the continued evolution of a proactive strategy to improve safety performance. The foundation of a proactive safety strategy is based on the implementation of SSPs and will continue to rely on the successful implementation of existing international provisions and accident/incident investigation activities.

This Annex consolidates material from existing Annexes regarding SSP, SMS and the collection and use of safety data. The benefit of drawing together this material in a single Annex is to focus States' attention on the importance of integrating the safety management of diverse aviation activities. It also facilitates the evolution of SMS by harmonizing provisions applicable to different types of service providers.

Certain State safety management functions required in Annex 19 may be delegated to a Regional Safety Oversight Organization or a Regional Accident and Incident Investigation Organization on behalf of the State.

This Annex that contains SARPs related to responsibilities and processes underlying the safety management by States was first adopted by the Council on XX XXXX 201X pursuant to the provisions of Article 37 of the Convention on International Civil Aviation (Chicago 1944) and designated as Annex 19 to the Convention. The SARPs were based on provisions for safety management initially adopted by the Council in Annexes 1; 6; Parts I, II and III; 8; 11; 13 and 14, Volume I; and on recommendations of the first special meeting of the SMP (Montréal, 13 to 17 February 2012).

Table A shows the origin of subsequent amendments together with a list of the principal subjects involved and the dates on which the Annex and the amendments were adopted by the Council, when they became effective and when they became applicable.

Action by Contracting States

Notification of differences. The attention of Contracting States is drawn to the obligation imposed by Article 38 of the Convention by which Contracting States are required to notify the Organization of any differences between their national regulations and practices and the International Standards contained in this Annex and any amendments thereto. Contracting States are invited to extend such notification to any differences from the Recommended Practices contained in this Annex, and any amendments thereto when the notification of such differences is important for the safety of air navigation. Further, Contracting States are invited to keep the Organization currently informed of any differences which may subsequently occur or of the withdrawal of any differences previously notified. A specific request for notification of differences will be sent to Contracting States immediately after the adoption of each Amendment to this Annex.

Attention of States is also drawn to the provision of Annex 15 related to the publication of differences between their national regulations and practices and the related ICAO Standards and Recommended Practices through the Aeronautical Information Service, in addition to the obligation of States under Article 38 of the Convention.

Promulgation of information. The establishment and withdrawal of and changes to facilities, services and procedures affecting aircraft operations provided in accordance with the Standards and Recommended Practices specified in this Annex should be notified and take effect in accordance with the provisions of Annex 15.

Status of Annex components

An Annex is made up of the following component parts, not all of which, however, are necessarily found in every Annex; they have the status indicated.

1.—*Material comprising the Annex proper*

- a) *Standards and Recommended Practices* adopted by the Council under the provisions of the Convention. They are defined as follows:

Standard: Any specification for physical characteristics, configuration, matériel, performance, personnel or procedure, the uniform application of which is recognized as necessary for the safety or regularity of international air navigation and to which Contracting States will conform in accordance with the Convention; in the event of impossibility of compliance, notification to the Council is compulsory under Article 38.

Recommended Practice: Any specification for physical characteristics, configuration, matériel, performance, personnel or procedure, the uniform application of which is recognized as desirable in the interest of safety, regularity or efficiency of international air navigation, and to which Contracting States will endeavour to conform in accordance with the Convention.

- b) *Appendices* comprising material grouped separately for convenience but forming part of the Standards and Recommended Practices adopted by the Council.
- c) *Definitions* of terms used in the Standards and Recommended Practices which are not self-explanatory in that they do not have accepted dictionary meanings. A definition does not have

an independent status but is an essential part of each Standard and Recommended Practice in which the term is used, since a change in the meaning of the term would affect the specification.

- d) *Tables* and *Figures* which add to or illustrate a Standard or Recommended Practice and which are referred to therein, form part of the associated Standard or Recommended Practice and have the same status.

It is to be noted that some Standards in this Annex incorporate, by reference, other specifications having the status of Recommended Practices. In such cases, the text of the Recommended Practice becomes part of the Standard.

2.— Material approved by the Council for publication in association with the Standards and Recommended Practices

- a) *Forewords* comprising historical and explanatory material based on the action of the Council and including an explanation of the obligations of States with regard to the application of the Standards and Recommended Practices ensuing from the Convention and the Resolution of Adoption;
- b) *Introductions* comprising explanatory material introduced at the beginning of parts, chapters or sections of the Annex to assist in the understanding of the application of the text;
- c) *Notes* included in the text, where appropriate, to give factual information or references bearing on the Standards or Recommended Practices in question but not constituting part of the Standards or Recommended Practices;
- d) *Attachments* comprising material supplementary to the Standards and Recommended Practices or included as a guide to their application.

Selection of language

This Annex has been adopted in six languages — English, Arabic, Chinese, French, Russian and Spanish. Each Contracting State is requested to select one of those texts for the purpose of national implementation and for other effects provided for in the Convention, either through direct use or through translation into its own national language, and to notify the Organization accordingly.

Editorial practices

The following practice has been adhered to in order to indicate at a glance the status of each statement: *Standards* have been printed in light face roman; *Recommended Practices* have been printed in light face italics, the status being indicated by the prefix **Recommendation**; *Notes* have been printed in light face italics, the status being indicated by the prefix *Note*.

The following editorial practice has been followed in the writing of specifications: for Standards the operative verb “shall” is used, and for Recommended Practices the operative verb “should” is used.

Any reference to a portion of this document, which is identified by a number and/or title, includes all subdivisions of that portion.

Table A. Amendments to Annex 19

<i>Amendment</i>	<i>Source(s)</i>	<i>Subject(s)</i>	<i>Adopted Effective Applicable</i>
1st Edition	Secretariat; first special meeting of the Safety Management Panel (SMP/SM/1)		XX XX XXXX XX XX XXXX XX XX XXXX

**INTERNATIONAL STANDARDS
AND RECOMMENDED PRACTICES**

INITIAL PROPOSAL 2

CHAPTER 1. DEFINITIONS

When the following terms are used in the Standards and Recommended Practices for Safety Management, they have the following meanings:

Accident. An occurrence associated with the operation of an aircraft which, in the case of a manned aircraft, takes place between the time any person boards the aircraft with the intention of flight until such time as all such persons have disembarked, or in the case of an unmanned aircraft, takes place between the time the aircraft is ready to move with the purpose of flight until such time as it comes to rest at the end of the flight and the primary propulsion system is shut down, in which:

- a) a person is fatally or seriously injured as a result of:
 - being in the aircraft, or
 - direct contact with any part of the aircraft, including parts which have become detached from the aircraft, or
 - direct exposure to jet blast,

except when the injuries are from natural causes, self-inflicted or inflicted by other persons, or when the injuries are to stowaways hiding outside the areas normally available to the passengers and crew; or

- b) the aircraft sustains damage or structural failure which:
 - adversely affects the structural strength, performance or flight characteristics of the aircraft, and
 - would normally require major repair or replacement of the affected component,

except for engine failure or damage, when the damage is limited to a single engine, (including its cowlings or accessories), to propellers, wing tips, antennas, probes, vanes, tires, brakes, wheels, fairings, panels, landing gear doors, windscreens, the aircraft skin (such as small dents or puncture holes), or for minor damages to main rotor blades, tail rotor blades, landing gear, and those resulting from hail or bird strike (including holes in the radome); or

- c) the aircraft is missing or is completely inaccessible.

Note 1.— For statistical uniformity only, an injury resulting in death within thirty days of the date of the accident is classified, by ICAO, as a fatal injury.

Note 2.— An aircraft is considered to be missing when the official search has been terminated and the wreckage has not been located.

Note 3.— The type of unmanned aircraft system to be investigated is addressed in 5.1 of Annex 13.

Note 4.— Guidance for the determination of aircraft damage can be found in Attachment G of Annex 13.

Aeroplane. A power-driven heavier-than-air aircraft, deriving its lift in flight chiefly from aerodynamic reactions on surfaces which remain fixed under given conditions of flight.

Aircraft. Any machine that can derive support in the atmosphere from the reactions of the air other than the reactions of the air against the earth's surface.

Helicopter. A heavier-than-air aircraft supported in flight chiefly by the reactions of the air on one or more power-driven rotors on substantially vertical axes.

Note.— Some States use the term “rotorcraft” as an alternative to “helicopter”.

Incident. An occurrence, other than an accident, associated with the operation of an aircraft which affects or could affect the safety of operation.

Note.— The types of incidents which are of interest for safety-related studies include the incidents listed in Annex 13, Attachment C.

Industry codes of practice. Guidance material developed by an industry body, for a particular sector of the aviation industry to comply with the requirements of the International Civil Aviation Organization's Standards and Recommended Practices, other aviation safety requirements and the best practices deemed appropriate.

Note.— Some States accept and reference industry codes of practice in the development of regulations to meet the requirements of Annex 19, and make available, for the industry codes of practice, their sources and how they may be obtained.

Operational personnel. Personnel involved in aviation activities who are in a position to report safety information.

Note.— 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 are reduced and controlled to an acceptable level.

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

Safety performance. A State or a service provider's safety achievement as defined by its safety performance targets and safety performance indicators.

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

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

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

Serious injury. An injury which is sustained by a person in an accident and which:

- a) requires hospitalization for more than 48 hours, commencing within seven days from the date the injury was received; or
- b) results in a fracture of any bone (except simple fractures of fingers, toes or nose); or
- c) involves lacerations which cause severe haemorrhage, nerve, muscle or tendon damage; or
- d) involves injury to any internal organ; or
- e) involves second or third degree burns, or any burns affecting more than 5 per cent of the body surface; or
- f) involves verified exposure to infectious substances or injurious radiation.

State of Design. The State having jurisdiction over the organization responsible for the type design.

State of Manufacture. The State having jurisdiction over the organization responsible for the final assembly of the aircraft.

State of the Operator. The State in which the operator's principal place of business is located or, if there is no such place of business, the operator's permanent residence.

State safety programme (SSP). An integrated set of regulations and activities established by a State aimed at managing civil aviation safety.

INITIAL PROPOSAL 3

CHAPTER 2. APPLICABILITY

The Standards and Recommended Practices contained in this Annex shall be applicable to safety management responsibilities of Contracting States and to aviation activities related to, or in direct support of, the safe operation of aircraft.

INITIAL PROPOSAL 4

CHAPTER 3. STATE SAFETY MANAGEMENT RESPONSIBILITIES

Note 1.— This Chapter outlines the safety management responsibilities of the State, through compliance with SARPs, the conduct of its own safety management functions and the surveillance of SMSs implemented in accordance with the provisions in this Annex.

Note 2. — Safety management system provisions pertaining to specific types of aviation activities are addressed in the Annexes applicable to the functions of the individual service providers.

Note 3.— Basic safety management principles applicable to the medical assessment process of licence holders are contained in Annex 1. Guidance is available in the Manual of Civil Aviation Medicine (Doc 8984).

INITIAL PROPOSAL 5

3.1 State safety programme (SSP)

3.1.1 Each State shall establish an SSP for the management of safety in the State, in order to achieve an acceptable level of safety performance in civil aviation that includes the following components:

- a) State safety policy and objectives;
- b) State safety risk management;
- c) State safety assurance; and
- d) State safety promotion.

INITIAL PROPOSAL 6

Note.— A framework for the implementation and maintenance of an SSP is contained in Attachment A, and guidance on a State safety programme is contained in the Safety Management Manual (SMM) (Doc 9859).

INITIAL PROPOSAL 7

3.1.2 The acceptable level of safety performance to be achieved shall be established by the State.

Note.— An acceptable level of safety performance for the State can be demonstrated through the implementation and maintenance of the SSP as well as safety performance indicators and targets showing that safety is effectively managed, built on the foundation of implementation of existing safety-related SARPs.

INITIAL PROPOSAL 8

3.1.3 As part of its SSP, each State shall require that the following service providers under its authority implement an SMS:

- a) approved training organizations in accordance with Annex 1 that are exposed to safety risks related to aircraft operations during the provision of their services;
- b) operators of aeroplanes or helicopters authorized to conduct international commercial air transport, in accordance with Annex 6, Part I or Part III, Section II, respectively;

Note.— When maintenance activities are not conducted by an approved maintenance organization in accordance with Annex 6, Part I, 8.7 but under an equivalent system as in Annex 6, Part I, 8.1.2 or Part III, Section II, 6.1.2, they are included in the scope of the operator's SMS.

- c) approved maintenance organizations providing services to operators of aeroplanes or helicopters engaged in international commercial air transport, in accordance with Annex 6, Part I or Part III, Section II, respectively;
- d) organizations responsible for the type design or manufacture of aircraft, in accordance with Annex 8;
- e) air traffic services providers in accordance with Annex 11; and

Note.— The provision of AIS, CNS, MET and/or SAR services, when under the authority of an air traffic services provider, are included in the scope of the air traffic services provider's SMS. When the provision of AIS, CNS, MET and/or SAR services are wholly or partially provided by an entity other than an ATS provider, the related services that come under the authority of the ATS provider, or those aspects of the services with direct operational implications, are included in the scope of the air traffic services provider's SMS.

- f) operators of certified aerodromes in accordance with Annex 14.

INITIAL PROPOSAL 9

3.1.4 As part of its SSP, each State shall require that international general aviation operators of large or turbojet aeroplanes in accordance with Annex 6, Part II, Section III, implement an SMS.

INITIAL PROPOSAL 10

3.2 State safety oversight

Each State shall establish and implement a system in accordance with Appendix 1 that serves to assure that the State's safety oversight obligations are met.

INITIAL PROPOSAL 11

CHAPTER 4. SAFETY MANAGEMENT SYSTEM (SMS)

Note. — *Guidance on implementation of an SMS is contained in the Safety Management Manual (SMM) (Doc 9859).*

4.1 General

4.1.1 Except as required in 4.2, the SMS of a service provider shall:

- a) be established in accordance with the framework elements contained in Appendix 2; and
- b) be commensurate with the size of the service provider and the complexity of its aviation products or services.

INITIAL PROPOSAL 12

4.1.2 The SMS of an approved training organization, in accordance with Annex 1, that is exposed to safety risks related to aircraft operations during the provision of its services shall be subject to the acceptance of the State(s) responsible for the organization's approval.

4.1.3 The SMS of a certified operator of aeroplanes or helicopters authorized to conduct international commercial air transport, in accordance with Annex 6, Part I or Part III, Section II, respectively, shall be subject to the acceptance of the State of the Operator.

Note.— *When maintenance activities are not conducted by an approved maintenance organization in accordance with Annex 6, Part I, 8.7 but under an equivalent system as in Annex 6, Part I, 8.1.2 or Part III, Section II, 6.1.2, they are included in the scope of the operator's SMS.*

4.1.4 The SMS of an approved maintenance organization providing services to operators of aeroplanes or helicopters engaged in international commercial air transport, in accordance with Annex 6, Part I or Part III, Section II, respectively shall be subject to the acceptance of the State(s) responsible for the organization's approval.

4.1.5 The SMS of an organization responsible for the type design of aircraft in accordance with Annex 8, shall be subject to the acceptance of the State of Design.

4.1.6 The SMS of an organization responsible for the manufacture of aircraft, in accordance with Annex 8, shall be subject to the acceptance of the State of Manufacture.

4.1.7 The SMS of an air traffic services provider, in accordance with Annex 11, shall be subject to the acceptance of the State responsible for the provider's designation.

Note – The provision of AIS, CNS, MET and/or SAR services, when under the authority of an ATS provider, are subject to the requirements contained in this Annex. When the provision of AIS, CNS, MET and/or SAR services are wholly or partially provided by an entity other than an ATS provider, the requirements within this Annex relate to the services that come under the authority of the ATS provider, or those aspects of their services with direct operational implications.

4.1.8 The SMS of an operator of a certified aerodrome, in accordance with Annex 14, shall be subject to the acceptance of the State responsible for the aerodrome's certification.

INITIAL PROPOSAL 13

4.2 International general aviation - aeroplanes

Note.— Guidance on the implementation of an SMS for general aviation is contained in the Safety Management Manual (SMM) (Doc 9859) and industry codes of practice.

4.2.1 The SMS of an international general aviation operator, conducting operations of large or turbojet aeroplanes in accordance with Annex 6, Part II, Section 3, shall be appropriate to the size and complexity of the operation.

4.2.2 **Recommendation.**— *The SMS should as a minimum include:*

- a) a process to identify actual and potential safety hazards and assess the associated risks;*
 - b) a process to develop and implement remedial action necessary to maintain an acceptable level of safety; and*
 - c) provision for continuous monitoring and regular assessment of the appropriateness and effectiveness of safety management activities.*
-

INITIAL PROPOSAL 14

CHAPTER 5. SAFETY DATA COLLECTION, ANALYSIS AND EXCHANGE

Note.— The objective of these specifications is to support safety management activities by collection and analysis of safety data and by a prompt and secure exchange of safety information, as part of the SSP.

5.1 Safety data collection***Reporting systems***

5.1.1 Each State shall establish a mandatory incident reporting system to facilitate collection of information on actual or potential safety deficiencies.

5.1.2 Each State shall establish a voluntary incident reporting system to facilitate collection of information on actual or potential safety deficiencies that may not be captured by the mandatory incident reporting system.

5.1.3 **Recommendation.**— *State authorities responsible for the implementation of the SSP should have access to the incident reporting systems as referenced in 5.1.1 and 5.1.2 to support their safety responsibilities.*

Note.— Each State is encouraged to establish other safety data collection and processing systems to collect safety information that may not be captured by the incident reporting systems mentioned in 5.1.1 and 5.1.2 above.

INITIAL PROPOSAL 15

5.2 Safety data analysis

5.2.1 Each State shall establish and maintain a safety database to facilitate the effective analysis of information on actual or potential safety deficiencies obtained, including that from its incident reporting systems; and to determine any actions required for the enhancement of safety.

Note.— The term “safety database” may refer to a single or multiple database(s). Further guidance on a safety database is contained in the Safety Management Manual (SMM) (Doc 9859).

5.2.2 **Recommendation.**— *Each State should, following the identification of preventive actions required to address actual or potential safety deficiencies, implement these actions and establish a process to monitor implementation and effectiveness of the responses.*

Note.— Additional information on which to base preventive actions may be contained in the Final Reports on investigated accidents and incidents.

5.2.3 **Recommendation.**— *The database systems should use standardized formats to facilitate data exchange.*

Note.— *Each State is encouraged to use an ADREP-compatible system.*

INITIAL PROPOSAL 16

5.3 Safety data protection

Note.— *Attachment B contains legal guidance for the protection of information from safety data collection and processing systems.*

5.3.1 A voluntary incident reporting system shall be non-punitive and afford protection to the sources of the information.

Note 1.— *A non-punitive environment is fundamental to voluntary reporting.*

Note 2.— *Each State is encouraged to facilitate and promote the voluntary reporting of events that could affect aviation safety by adjusting their applicable laws, regulations and policies, as necessary.*

Note 3.— *Guidance related to both mandatory and voluntary incident reporting systems is contained in the Safety Management Manual (SMM) (Doc 9859).*

5.3.2 **Recommendation.**— *States should not make available or use safety data collected, stored and analyzed in accordance with 5.1 and 5.2 for other than safety-related purposes, unless exceptionally and in accordance with their national legislation, the value of its disclosure or use, in any particular instance, outweighs the adverse impact such action may have on aviation safety.*

INITIAL PROPOSAL 17

5.4 Safety information exchange

5.4.1 **Recommendation.**— *If a State, in the analysis of the information contained in its database, identifies safety matters considered to be of interest to other States, that State should forward such safety information to them as soon as possible.*

5.4.2 **Recommendation.**— *Each State should promote the establishment of safety information sharing networks among all users of the aviation system and should facilitate the free exchange of information on actual and potential safety deficiencies.*

Note.— *Standardized definitions, classifications and formats are needed to facilitate data exchange. Guidance material on the specifications for such information-sharing networks will be provided by ICAO upon request.*

INITIAL PROPOSAL 18

APPENDIX 1. STATE SAFETY OVERSIGHT SYSTEM

(See Chapter 3, 3.2)

Note 1.— Guidance on the critical elements of a system that enables a State to discharge its responsibility for safety oversight is contained in the Safety Oversight Manual, Part A, The Establishment and Management of a State’s Safety Oversight System (ICAO Doc 9734).

Note 2.— The term “relevant authorities or agencies” is used in a generic sense to include all authorities with aviation safety oversight responsibility which may be established by the State as separate entities, such as: Civil Aviation Authorities, Airport Authorities, Air Traffic Services Authorities, Accident Investigation Authority, and Meteorological Authority.

Note 3.— See Appendix 5 to Annex 6, Part I and Appendix 1 to Annex 6, Part III for provisions specific to the safety oversight of air operators.

Note 4.— Within the context of this appendix the term “service provider” refers to those organizations listed in Chapter 3, 3.1.3.

1. Primary aviation legislation

1.1 The State shall promulgate a comprehensive and effective aviation law, consistent with the size and complexity of the State’s aviation activity and with the requirements contained in the Convention on International Civil Aviation, that enables the State to regulate civil aviation and enforce regulations through the relevant authorities or agencies established for that purpose.

1.2 The aviation law shall provide personnel performing safety oversight functions access to the aircraft, operations, facilities, personnel and associated records, as applicable, of service providers.

2. Specific operating regulations

The State shall promulgate regulations to address, at a minimum, national requirements emanating from the primary aviation legislation, for standardized operational procedures, products, services, equipment and infrastructures in conformity with the Annexes to the Convention on International Civil Aviation.

Note.— The term “regulations” is used in a generic sense and includes but is not limited to instructions, rules, edicts, directives, sets of laws, requirements, policies, and orders.

3. State system and functions

3.1 The State shall establish relevant authorities or agencies, as appropriate, supported by sufficient and qualified personnel and provided with adequate financial resources. Each State authority or agency shall have stated safety functions and objectives to fulfil its safety management responsibilities.

3.2 **Recommendation.**— *The State should take necessary measures, such as remuneration and conditions of service, to ensure that qualified personnel performing safety oversight functions are recruited and retained.*

3.3 The State shall ensure that inspectors are provided with guidance that addresses ethics, personal conduct and the avoidance of actual or perceived conflicts of interest in the performance of official duties.

3.4 **Recommendation.**— *The State should use a methodology to determine its staffing requirements for personnel performing safety oversight functions, taking into account the size and complexity of the aviation activities in that State.*

Note.— *In addition, Appendix 5 to Annex 6, Part I, and Appendix 1 to Annex 6, Part III, require the State of the Operator to use such a methodology to determine its inspector staffing requirements. Inspectors are a subset of personnel performing safety oversight functions.*

4. Qualified technical personnel

4.1 The State shall establish minimum qualification requirements for the technical personnel performing safety oversight functions and provide for appropriate initial and recurrent training to maintain and enhance their competence at the desired level.

4.2 The State shall implement a system for the maintenance of training records.

5. Technical guidance, tools and provision of safety-critical information

5.1 The State shall provide appropriate facilities, comprehensive and up-to-date technical guidance material and procedures, safety critical information, tools and equipment, and transportation means, as applicable, to the technical personnel to enable them to perform their safety oversight functions effectively and in accordance with established procedures in a standardized manner.

5.2 The State shall provide technical guidance to the aviation industry on the implementation of relevant regulations.

6. Licensing, certification, authorization and/or approval obligations

The State shall implement documented processes and procedures to ensure that personnel and organizations performing an aviation activity meet the established requirements before they are allowed to exercise the privileges of a licence, certificate, authorization and/or approval to conduct the relevant aviation activity.

7. Surveillance obligations

The State shall implement documented surveillance processes, by defining and planning inspections, audits, and monitoring activities on a continuous basis, to proactively assure that aviation licence, certificate, authorization and/or approval holders continue to meet the established requirements. This includes the surveillance of personnel designated by the Authority to perform safety oversight functions on its behalf.

8. Resolution of safety issues

8.1 The State shall use a documented process to take appropriate corrective actions, up to and including enforcement measures, to resolve identified safety issues.

8.2 The State shall ensure that identified safety issues are resolved in a timely manner through a system which monitors and records progress, including actions taken by service providers in resolving such issues.

INITIAL PROPOSAL 19

APPENDIX 2. FRAMEWORK FOR A SAFETY MANAGEMENT SYSTEM (SMS)

(See Chapter 4, 4.1.1)

Note.— Within the context of this appendix, the term “service provider” refers to those organizations listed in Chapter 3, 3.1.3.

This appendix specifies the framework for the implementation and maintenance of an SMS. The framework comprises four components and twelve elements as the minimum requirements for SMS implementation:

1. Safety policy and objectives
 - 1.1 Management commitment and responsibility
 - 1.2 Safety accountabilities
 - 1.3 Appointment of key safety personnel
 - 1.4 Coordination of emergency response planning
 - 1.5 SMS documentation
2. Safety risk management
 - 2.1 Hazard identification
 - 2.2 Safety risk assessment and mitigation
3. Safety assurance
 - 3.1 Safety performance monitoring and measurement
 - 3.2 The management of change
 - 3.3 Continuous improvement of the SMS
4. Safety promotion
 - 4.1 Training and education
 - 4.2 Safety communication

1. Safety policy and objectives

1.1 Management commitment and responsibility

The service provider shall define its safety policy in accordance with international and national requirements. The safety policy shall:

- a) reflect organizational commitment regarding safety;

- b) include a clear statement about the provision of the necessary resources for the implementation of the safety policy;
- c) include safety reporting procedures;
- d) clearly indicate which types of behaviours are unacceptable related to the service provider's aviation activities and include the circumstances under which disciplinary action would not apply;
- e) be signed by the accountable executive of the organization;
- f) be communicated, with visible endorsement, throughout the organization; and
- g) be periodically reviewed to ensure it remains relevant and appropriate to the service provider.

1.2 Safety accountabilities

The service provider shall:

- a) identify the accountable executive who, irrespective of other functions, has ultimate responsibility and accountability, on behalf of the organization, for the implementation and maintenance of the SMS;
- b) clearly define lines of safety accountability throughout the organization, including a direct accountability for safety on the part of senior management;
- c) identify the accountabilities of all members of management, irrespective of other functions, as well as of employees, with respect to the safety performance of the SMS;
- d) document and communicate safety responsibilities, accountabilities and authorities throughout the organization; and
- e) define the levels of management with authority to make decisions regarding safety risk tolerability.

1.3 Appointment of key safety personnel

The service provider shall appoint a safety manager who is responsible for the implementation and maintenance of an effective SMS.

Note.— The term “safety manager” is generic. Guidance on how the requirements for a safety manager may be met is contained in the Safety Management Manual (SMM) (Doc 9859)

1.4 Coordination of emergency response planning

1.4.1 The service provider shall ensure that an emergency response plan is properly coordinated with the emergency response plans of those organizations it must interface with during the provision of its products and services.

1.5 SMS documentation

1.5.1 The service provider shall develop an SMS implementation plan, formally endorsed by the organization that defines the organization's approach to the management of safety in a manner that meets the organization's safety objectives.

1.5.2 The service provider shall develop and maintain SMS documentation that describes:

- a) safety policy and objectives;
- b) SMS requirements;
- c) SMS processes and procedures;
- d) accountabilities, responsibilities and authorities for SMS processes and procedures; and
- e) SMS outputs.

1.5.3 The service provider shall develop and maintain an SMS manual as part of its SMS documentation.

Note.— An acceptable Safety Management System Manual can be a stand-alone document or integrated within existing documents. Guidance on how the information in a SMS manual may be organized and presented as part of a service provider's SMS documentation is contained in the Safety Management Manual (SMM) (Doc 9859).

2. Safety risk management

2.1 Hazard identification

2.1.1 The service provider shall develop and maintain a process that ensures that hazards associated with its aviation products or services are identified.

2.1.2 Hazard identification shall be based on a combination of reactive, proactive and predictive methods of safety data collection.

2.2 Safety risk assessment and mitigation

The service provider shall develop and maintain a process that ensures analysis, assessment, and control of the safety risks associated with identified hazards.

3. Safety assurance

3.1 Safety performance monitoring and measurement

3.1.1 The service provider shall develop and maintain the means to verify the safety performance of the organization and to validate the effectiveness of safety risk controls.

3.1.2 The service provider's safety performance shall be verified in reference to the safety performance indicators and safety performance targets of the SMS.

3.2 The management of change

The service provider shall develop and maintain a process to identify changes which may affect the level of safety risk associated with its aviation products or services and to identify and manage the safety risks that may arise from those changes.

3.3 Continuous improvement of the SMS

The Service provider shall monitor and assess the effectiveness of their SMS processes to enable continuous improvement of the overall performance of the SMS.

4. Safety promotion

4.1 Training and education

4.1.1 The service provider shall develop and maintain a safety training programme that ensures that personnel are trained and competent to perform their SMS duties.

4.1.2 The scope of the safety training programme shall be appropriate to each individual's involvement in the SMS.

4.2 Safety communication

The service provider shall develop and maintain a formal means for safety communication that:

- a) ensures personnel are aware of the SMS to a degree commensurate with their positions,
 - b) conveys safety-critical information,
 - c) explains why particular safety actions are taken; and
 - d) explains why safety procedures are introduced or changed.
-

INITIAL PROPOSAL 20

ATTACHMENT A. FRAMEWORK FOR A STATE SAFETY PROGRAMME (SSP)
(See Chapter 3, 3.1.1)

This attachment introduces a framework for the implementation and maintenance of an SSP by a State. An SSP is a management system for the management of safety by the State. The framework includes the four components as established in Chapter 3, 3.1.1 in this Annex and its related eleven elements as outlined hereunder. The implementation of an SSP is commensurate with the size and complexity of the State's aviation system and necessitates coordination among the multiple authorities responsible for individual elements of civil aviation functions in the State. The SSP framework introduced in this attachment, and the SMS framework specified in Appendix 2, must be viewed as complementary, yet distinct, frameworks. This attachment also includes a brief description of each element of the framework.

Note.— Within the context of this attachment the term “service provider” refers to those organizations listed in Chapter 3, 3.1.3.

1. State safety policy and objectives
 - 1.1 State safety legislative framework
 - 1.2 State safety responsibilities and accountabilities
 - 1.3 Accident and incident investigation
 - 1.4 Enforcement policy
2. State safety risk management
 - 2.1 Safety requirements for the service provider's SMS
 - 2.2 Agreement on the service provider's safety performance
3. State safety assurance
 - 3.1 Safety oversight
 - 3.2 Safety data collection, analysis and exchange
 - 3.3 Safety-data-driven targeting of oversight of areas of greater concern or need
4. State safety promotion
 - 4.1 Internal training, communication and dissemination of safety information
 - 4.2 External training, communication and dissemination of safety information

1. State safety policy and objectives

1.1 State safety legislative framework

The State has promulgated a national safety legislative framework and specific regulations, in compliance with international and national standards, that define how the State will conduct the management of safety in the State. This includes the participation of State aviation organizations in specific activities related to the management of safety in the State, and the establishment of the roles, responsibilities and relationships of such organizations. The safety legislative framework and specific regulations are periodically reviewed to ensure they remain relevant and appropriate to the State.

1.2 State safety responsibilities and accountabilities

The State has identified, defined and documented the requirements, responsibilities and accountabilities regarding the establishment and maintenance of the SSP. This includes the directives to plan, organize, develop, maintain, control and continuously improve the SSP in a manner that meets the State's safety objectives. It also includes a clear statement about the provision of the necessary resources for the implementation of the SSP.

1.3 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, and not the apportioning of blame or liability. Such investigations are in support of the management of safety in the State. In the operation of the SSP, the State maintains the independence of the accident and incident investigation organization from other State aviation organizations.

1.4 Enforcement policy

The State has promulgated an enforcement policy that establishes the conditions and circumstances under which service providers are allowed to deal with, and resolve, events involving certain safety deviations, internally, within the context of the service provider's SMS, and to the satisfaction of the appropriate State authority. The enforcement policy also establishes the conditions and circumstances under which to deal with safety deviations through established enforcement procedures.

2. State safety risk management

2.1 Safety requirements for the service provider's SMS

The State has established the controls which govern how service providers will identify hazards and manage safety risks. These include the requirements, specific operating regulations and implementation policies for the service provider's SMS. The requirements, specific operating regulations and implementation policies are periodically reviewed to ensure they remain relevant and appropriate to the service providers.

2.2 Agreement on the service provider's safety performance

The State has agreed with individual service providers on the safety performance of their SMS. The agreed safety performance of an individual service provider's SMS is periodically reviewed to ensure it remains relevant and appropriate to the service providers.

3. State safety assurance

3.1 Safety oversight

The State has established mechanisms to ensure effective monitoring of the eight critical elements of the safety oversight function. The State has also established mechanisms to ensure that the identification of hazards and the management of safety risks by service providers follow established regulatory controls (requirements, specific operating regulations and implementation policies). These mechanisms include inspections, audits and surveys to ensure that regulatory safety risk controls are appropriately integrated into the service provider's SMS, that they are being practised as designed, and that the regulatory controls have the intended effect on safety risks.

Note.— Guidance on the implementation of this element is contained in the Safety Management Manual (SMM) (Doc 9859).

3.2 Safety data collection, analysis and exchange

The State has established mechanisms to ensure the capture and storage of data on hazards and safety risks at both an individual and aggregate State level. The State has also established mechanisms to develop information from the stored data, and to actively exchange safety information with service providers and/or other States as appropriate.

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

The State has established procedures to prioritize inspections, audits and surveys towards those areas of greater safety concern or need, as identified by the analysis of data on hazards, their consequences in operations, and the assessed safety risks.

4. State safety promotion

4.1 Internal training, communication and dissemination of safety information

The State provides training and fosters awareness and two-way communication of safety-relevant information to support, within the State aviation organizations, the development of an organizational culture that fosters an effective and efficient SSP.

4.2 External training, communication and dissemination of safety information

The State provides education and promotes awareness of safety risks and two-way communication of safety-relevant information to support, among service providers, the development of an organizational culture that fosters an effective and efficient SMS.

INITIAL PROPOSAL 21

**ATTACHMENT B. LEGAL GUIDANCE FOR THE PROTECTION OF INFORMATION
FROM SAFETY DATA COLLECTION AND PROCESSING SYSTEMS**

(See Chapter 5, 5.3)

1. Introduction

1.1 The protection of safety information from inappropriate use is essential to ensure its continued availability, since the use of safety information for other than safety-related purposes may inhibit the future availability of such information, with an adverse effect on safety. This fact was recognized by the 35th Assembly of ICAO, which noted that existing national laws and regulations in many States may not adequately address the manner in which safety information is protected from inappropriate use.

1.2 The guidance contained in this Attachment is therefore aimed at assisting States enact national laws and regulations to protect information gathered from safety data collection and processing systems (SDCPS), while allowing for the proper administration of justice. The objective is to prevent the inappropriate use of information collected solely for the purpose of improving aviation safety.

1.3 Because of the different legal systems in States, the legal guidance must allow States the flexibility to draft their laws and regulations in accordance with their national policies and practices.

1.4 The guidance contained in this Attachment, therefore, takes the form of a series of principles that have been distilled from examples of national laws and regulations provided by States. The concepts described in these principles could be adapted or modified to meet the particular needs of the State enacting laws and regulations to protect safety information.

1.5 Throughout this Attachment:

- a) *safety information* refers to information contained in SDCPS established for the sole purpose of improving aviation safety, and qualified for protection under specified conditions in accordance with 3.1 below;
- b) *inappropriate use* refers to the use of safety information for purposes different from the purposes for which it was collected, namely, use of the information for disciplinary, civil, administrative and criminal proceedings against operational personnel, and/or disclosure of the information to the public;
- c) SDCPS refers to processing and reporting systems, databases, schemes for exchange of information, and recorded information and include:
 - 1) records pertaining to accident and incident investigations, as described in Annex 13, Chapter 5;
 - 2) mandatory incident reporting systems, as described in Chapter 5, Section 5.1;

- 3) voluntary incident reporting systems, as described in Chapter 5, Section 5.1; and
- 4) self-disclosure reporting systems, including automatic data capture systems, as described in Annex 6, Part I, Chapter 3, as well as manual data capture systems.

Note.— Information on safety data collection and processing systems can be found in the Safety Management Manual (SMM) (Doc 9859).

2. General principles

2.1 The sole purpose of protecting safety information from inappropriate use is to ensure its continued availability so that proper and timely preventive actions can be taken and aviation safety improved.

2.2 It is not the purpose of protecting safety information to interfere with the proper administration of justice in States.

2.3 National laws and regulations protecting safety information should ensure that a balance is struck between the need for the protection of safety information in order to improve aviation safety, and the need for the proper administration of justice.

2.4 National laws and regulations protecting safety information should prevent its inappropriate use.

2.5 Providing protection to qualified safety information under specified conditions is part of a State's safety responsibilities.

3. Principles of protection

3.1 Safety information should qualify for protection from inappropriate use according to specified conditions that should include, but not necessarily be limited to whether the collection of information was for explicit safety purposes and if the disclosure of the information would inhibit its continued availability.

3.2 The protection should be specific for each SDCPS, based upon the nature of the safety information it contains.

3.3 A formal procedure should be established to provide protection to qualified safety information, in accordance with specified conditions.

3.4 Safety information should not be used in a way different from the purposes for which it was collected.

3.5 The use of safety information in disciplinary, civil, administrative and criminal proceedings should be carried out only under suitable safeguards provided by national law.

4. Principles of exception

Exceptions to the protection of safety information should only be granted by national laws and regulations when:

- a) there is evidence that the occurrence was caused by an act considered, in accordance with the law, to be conduct with intent to cause damage, or conduct with knowledge that damage would probably result, equivalent to reckless conduct, gross negligence or wilful misconduct;
- b) an appropriate authority considers that circumstances reasonably indicate that the occurrence may have been caused by conduct with intent to cause damage, or conduct with knowledge that damage would probably result, equivalent to reckless conduct, gross negligence or wilful misconduct; or
- c) review by an appropriate authority determines that the release of the safety information is necessary for the proper administration of justice, and that its release outweighs the adverse domestic and international impact such release may have on the future availability of safety information.

5. Public disclosure

5.1 Subject to the principles of protection and exception outlined above, any person seeking disclosure of safety information should justify its release.

5.2 Formal criteria for disclosure of safety information should be established and should include, but not necessarily be limited to, the following:

- a) disclosure of the safety information is necessary to correct conditions that compromise safety and/or to change policies and regulations;
- b) disclosure of the safety information does not inhibit its future availability in order to improve safety;
- c) disclosure of relevant personal information included in the safety information complies with applicable privacy laws; and
- d) disclosure of the safety information is made in a de-identified, summarized or aggregate form.

6. Responsibility of the custodian of safety information

Each SDCPS should have a designated custodian. It is the responsibility of the custodian of safety information to apply all possible protection regarding the disclosure of the information, unless:

- a) the custodian of the safety information has the consent of the originator of the information for disclosure; or
- b) the custodian of the safety information is satisfied that the release of the safety information is in accordance with the principles of exception.

7. Protection of recorded information

Considering that ambient workplace recordings required by legislation, such as cockpit voice recorders (CVRs), may be perceived as constituting an invasion of privacy for operational personnel that other professions are not exposed to:

- a) subject to the principles of protection and exception above, national laws and regulations should consider ambient workplace recordings required by legislation as privileged protected information, i.e. information deserving enhanced protection; and
- b) national laws and regulations should provide specific measures of protection to such recordings as to their confidentiality and access by the public. Such specific measures of protection of workplace recordings required by legislation may include the issuance of orders of non-public disclosure.

— END —

ATTACHMENT B to State letter AN 8/3-12/42

PROPOSED AMENDMENT TO ANNEX 1

NOTES ON THE PRESENTATION OF THE AMENDMENT

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new text to replace existing text

TEXT OF PROPOSED AMENDMENT TO THE
INTERNATIONAL STANDARDS AND
RECOMMENDED PRACTICES
PERSONNEL LICENSING

ANNEX 1
TO THE CONVENTION ON INTERNATIONAL CIVIL AVIATION

...

CHAPTER 1. DEFINITIONS AND GENERAL RULES
CONCERNING LICENCES

1.1 Definitions

...

INITIAL PROPOSAL 1

Error. An action or inaction by an operational person that leads to deviations from organizational or the operational person's intentions or expectations.

Note.— See Attachment E of Annex 13 — Aircraft Accident and Incident Investigation Chapter 1 of Annex 19 — Safety Management for a ~~description~~ definition of operational personnel.

...

~~**Safety management system.** A systematic approach to managing safety, including the necessary organizational structures, accountabilities, policies and procedures.~~

...

State safety programme (SSP). An integrated set of regulations and activities established by a State aimed at ~~improving~~ managing civil aviation safety.

...

Threat. Events or errors that occur beyond the influence of an operational person, increase operational complexity and must be managed to maintain the margin of safety.

Note.— See Attachment E of Annex 13 — Aircraft Accident and Incident Investigation Chapter 1 of Annex 19 — Safety Management for a ~~description~~ definition of operational personnel.

...

INITIAL PROPOSAL 2

1.2 General rules concerning licences

...

1.2.4 Medical fitness

...

1.2.4.2 **Recommendation.**— *From 18 November 2010 States should apply, as part of their State safety programme, basic safety management principles to the medical assessment process of licence holders, that as a minimum include:*

- a) *routine analysis of in-flight incapacitation events and medical findings during medical assessments to identify areas of increased medical risk; and*
- b) *continuous re-evaluation of the medical assessment process to concentrate on identified areas of increased medical risk.*

Note.— *A framework for the implementation and maintenance of a State safety programme is contained in Attachment A to Annex 19. Guidance on State safety programmes and safety management principles is contained in the Safety Management Manual (SMM) (Doc 9859) and the Manual of Civil Aviation Medicine (Doc 8984).*

...

1.2.8 Approved training and approved training organization

...

1.2.8.2 The approval of a training organization by a State shall be dependent upon the applicant demonstrating compliance with the requirements of Appendix 2 and ~~Appendix 4~~ and the relevant provisions contained in Annex 19.

Note 1.— *Annex 19 contains safety management provisions for an approved training organization that is exposed to safety risks related to aircraft operations during the provision of its services.*

Note 2.— *Guidance on approval of a training organization can be found in the Manual on the Approval of Training Organizations (Doc 9841).*

...

INITIAL PROPOSAL 3

APPENDIX 2. APPROVED TRAINING ORGANIZATION

(Chapter 1, 1.2.8.2 refers)

Note.— Annex 19 contains safety management provisions for an approved training organization that is exposed to safety risks related to aircraft operations during the provision of its services.

...

~~4.— Safety management~~

~~4.1 States shall require, as part of their State safety programme, that an approved training organization that is exposed to safety risks during the provision of its services implement a safety management system acceptable to the State that, as a minimum:~~

- ~~a) identifies safety hazards;~~
- ~~b) ensures the implementation of remedial action necessary to maintain agreed safety performance;~~
- ~~c) provides for continuous monitoring and regular assessment of the safety performance; and~~
- ~~d) aims at a continuous improvement of the overall performance of the safety management system.~~

Note.— Guidance on defining safety performance is contained in the Safety Management Manual (SMM) (Doc 9859).

~~4.2 A safety management system shall clearly define lines of safety accountability throughout the approved training organization, including a direct accountability for safety on the part of senior management.~~

Note 1.— The framework for the implementation and maintenance of a safety management system is contained in Appendix 4. Guidance on safety management systems is contained in the Safety Management Manual (SMM) (Doc 9859).

Note 2.— A framework for the implementation and maintenance of a State safety programme is contained in Attachment C.

Editorial Note.— Renumber subsequent paragraphs.

...

**~~APPENDIX 4. FRAMEWORK FOR
SAFETY MANAGEMENT SYSTEMS (SMS)~~**

(Chapter 1, 1.2.8.2 refers)

Editorial Note.— Delete Appendix 4 in toto.

...

~~ATTACHMENT C. — FRAMEWORK FOR THE
STATE SAFETY PROGRAMME (SSP)~~

...

Editorial Note.— Delete Attachment C in toto.

...

ATTACHMENT C to State letter AN 8/3-12/42

PROPOSED AMENDMENT TO ANNEX 6, PARTS I, II AND III

NOTES ON THE PRESENTATION OF THE AMENDMENT

The text of the amendment is arranged to show deleted text with a line through it and new text highlighted with grey shading, as shown below:

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new text to replace existing text

TEXT OF PROPOSED AMENDMENT TO THE

**INTERNATIONAL STANDARDS
AND RECOMMENDED PRACTICES**

OPERATION OF AIRCRAFT

**ANNEX 6
TO THE CONVENTION ON INTERNATIONAL AVIATION**

**PART I
INTERNATIONAL COMMERCIAL AIR TRANSPORT — AEROPLANES**

...

Editorial Note.— Delete reference to the *Safety Management Manual* (Doc 9859) and add Annex 19 in the list of publications.

...

INITIAL PROPOSAL 1

CHAPTER 1. DEFINITIONS

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

...

~~*State safety programme.* An integrated set of regulations and activities aimed at improving safety.~~

...

INITIAL PROPOSAL 2

CHAPTER 3. GENERAL

...

3.3 Safety management

Note.— *Annex 19 contains safety management provisions for air operators.*

~~3.3.1— States shall establish a State safety programme in order to achieve an acceptable level of safety in civil aviation.~~

~~Note.— A framework for the implementation and maintenance of a State safety programme is contained in Attachment I, and guidance on a State safety programme is contained in the Safety Management Manual (SMM) (Doc 9859).~~

~~3.3.2— The acceptable level of safety to be achieved shall be established by the State.~~

~~Note.— Guidance on defining an acceptable level of safety is contained in the Safety Management Manual (SMM) (Doc 9859).~~

~~3.3.3— States shall require, as part of their State safety programme, that an operator implement a safety management system acceptable to the State of the Operator that, as a minimum:~~

- ~~a) identifies safety hazards;~~
- ~~b) ensures the implementation of remedial action necessary to maintain agreed safety performance;~~
- ~~c) provides for continuous monitoring and regular assessment of the safety performance; and~~
- ~~d) aims at a continuous improvement of the overall performance of the safety management system.~~

~~Note.— Guidance on defining safety performance is contained in the Safety Management Manual (SMM) (Doc 9859).~~

~~3.3.4— A safety management system shall clearly define lines of safety accountability throughout the operator's organization, including a direct accountability for safety on the part of senior management.~~

~~Note.— The framework for the implementation and maintenance of a safety management system is contained in Appendix 7. Guidance on safety management systems is contained in the Safety Management Manual (SMM) (Doc 9859).~~

Editorial Note.— Renumber subsequent paragraphs.

...

3.3.73 A flight data analysis programme shall be non-punitive and contain adequate safeguards to protect the source(s) of the data.

~~Note 1.— Guidance on flight data analysis programmes is contained in the Safety Management Manual (SMM) (Doc 9859).~~

~~Note 2.— Legal guidance for the protection of information from safety data collection and processing systems is contained in Annex 13, Attachment E Attachment B to Annex 19.~~

...

INITIAL PROPOSAL 3

CHAPTER 4. FLIGHT OPERATIONS

...

4.2 Operational certification and supervision

...

4.2.1.8 The State of the Operator shall establish a system for both the certification and the continued surveillance of the operator in accordance with Appendix 5 and Appendix 1 to Annex 19 to ensure that the required standards of operations established in 4.2 are maintained.

...

4.2.2 Surveillance of operations by a foreign operator

4.2.2.1 Contracting States shall recognize as valid an air operator certificate issued by another Contracting State, provided that the requirements under which the certificate was issued are at least equal to the applicable Standards specified in this Annex and in Annex 19.

...

INITIAL PROPOSAL 4

CHAPTER 8. AEROPLANE MAINTENANCE

...

8.7 Approved maintenance organization

...

8.7.1 Issue of approval

8.7.1.1 The issue of a maintenance organization approval by a State shall be dependent upon the applicant demonstrating compliance with the requirements of 8.7 and the relevant provisions contained in Annex 19 for such organizations.

8.7.1.2 The approval document shall contain at least the following:

- a) organization's name and location;
- b) date of issue and period of validity;
- c) terms of approval.

8.7.1.3 The continued validity of the approval shall depend upon the organization remaining in compliance with the requirements of 8.7 and with the relevant provisions contained in Annex 19 for an approved maintenance organization.

...

8.7.3 Safety management

Note.— Annex 19 contains safety management provisions for approved maintenance organizations.

~~8.7.3.1 States shall establish a State safety programme in order to achieve an acceptable level of safety in civil aviation.~~

~~*Note.— A framework for the implementation and maintenance of a State safety programme is contained in Attachment I, and guidance on a State safety programme is contained in the Safety Management Manual (SMM) (Doc 9859).*~~

~~8.7.3.2 The acceptable level of safety to be achieved shall be established by the State.~~

~~*Note.— Guidance on defining an acceptable level of safety is contained in the Safety Management Manual (SMM) (Doc 9859).*~~

~~8.7.3.3 States shall require, as part of their State safety programme, that a maintenance organization implement a safety management system acceptable to the State that, as a minimum:~~

- ~~a) identifies safety hazards;~~
- ~~b) ensures the implementation of remedial action necessary to maintain agreed safety performance;~~
- ~~c) provides for continuous monitoring and regular assessment of the safety performance; and~~
- ~~d) aims at a continuous improvement of the overall performance of the safety management system.~~

~~*Note.— Guidance on defining safety performance is contained in the Safety Management Manual (SMM) (Doc 9859).*~~

~~8.7.3.4 A safety management system shall clearly define lines of safety accountability throughout a maintenance organization, including a direct accountability for safety on the part of senior management.~~

~~*Note.— The framework for the implementation and maintenance of a safety management system is contained in Appendix 7. Guidance on safety management systems is contained in the Safety Management Manual (SMM) (Doc 9859).*~~

...

INITIAL PROPOSAL 5

**CHAPTER 10. FLIGHT OPERATIONS OFFICER/
FLIGHT DISPATCHER**

...

10.5 **Recommendation.**— *A flight operations officer/flight dispatcher should not be assigned to duty after 12 consecutive months of absence from such duty, unless the provisions of 10.23 are met.*

...

INITIAL PROPOSAL 6

**APPENDIX 2. ORGANIZATION AND CONTENTS OF
AN OPERATIONS MANUAL**

(See Chapter 4, 4.2.3.1)

...

2. Contents

The operations manual referred to in 1.1 and 1.2 shall contain at the least the following:

2.1 General

...

2.1.34 Details of the safety management system (SMS) provided in accordance with Chapters 3 and 4, 3.3.3 of Annex 19.

...

INITIAL PROPOSAL 7

APPENDIX 5. SAFETY OVERSIGHT OF AIR OPERATORS

(Note.— See Chapter 4, 4.2.1.8)

Note 1.— Appendix 1 to Annex 19 contains the general provisions for a State safety oversight system.

Note 2.— This Appendix provides additional provisions for the safety oversight of international commercial air transport operators.

1. Primary aviation legislation

~~1.1~~ The State of the Operator shall enact and implement laws that enable the State to regulate civil aviation through a Civil Aviation Authority (CAA) or equivalent organization established for that purpose. The legislation shall empower the authority to discharge the oversight responsibilities of the State. The legislation shall provide for the making of regulations, the certification and continued supervision of air operators, and the resolution of safety issues identified by the authority and to ensure that compliance will result in an acceptable level of safety for the operations undertaken.

Note 1.— The term authority as used in this Appendix refers to the Civil Aviation Authority as well as equivalent organizations, including inspectors and staff.

~~1.2~~ The State of the Operator shall ensure that the laws of the State require air operators to provide the authority with access to their personnel, aircraft, operations and facilities and associated records for the purpose of certification and continued surveillance.

Note 2.— Guidance on the critical elements of a system that enables a State to discharge its responsibility for inspection, certification and continued surveillance of operations is contained in the Safety Oversight Manual (Doc 9734), Part A—The Establishment and Management of a State's Safety Oversight System, the Manual of Procedures for Operations Inspection, Certification and Continued Surveillance (Doc 8335) and the Airworthiness Manual (Doc 9760).

2. Specific operating regulations

~~2.1~~ The State of the Operator shall adopt regulations that provide for the certification and continued surveillance of aircraft operations and the maintenance of aircraft in conformity with the Annexes to the Convention on International Civil Aviation.

~~2.2~~ The State of the Operator shall ensure that its regulations are sufficiently comprehensive, detailed and current with respect to changes in technology and the operating environment to ensure that satisfactory compliance will result in an acceptable level of safety for the operations undertaken.

3. CAA structure and State safety oversight system and functions

3.1 The State of the Operator shall ensure that the authority is responsible for the safety oversight of air operators and that it has resources appropriate to the size and complexity of civil air operations under the jurisdiction of the State, to effectively discharge the responsibilities of the State.

~~5.13.2~~ The State of the Operator shall use a methodology to determine its inspector staffing requirements according to the size and complexity of civil air operations in that State.

~~5.23.3~~ **Recommendation.**— *The methodology in ~~5.1~~ 3.2 should be documented.*

3.24 The State of the Operator shall ensure that authority inspectors have adequate support, credentials and transportation to accomplish, independently, their certification and continued surveillance tasks.

Editorial Note.— Renumber paragraphs 4 and 5 below for consistency with Appendix 1 to Annex 19.

54. Qualified technical personnel

~~5.1 The State of the Operator shall use a methodology to determine its inspector staffing requirements according to the size and complexity of civil air operations in that State.~~

~~5.2 **Recommendation.**— *The methodology in 5.1 should be documented.*~~

~~5.3 The State of the Operator shall establish qualification requirements to ensure that its inspector personnel have operational or technical work experience and training compatible with those activities they are required to certificate or inspect.~~

Editorial Note.— Move the Note under 5.3 to the end of the paragraph.

5.4 The State of the Operator shall require **that the authority inspectors to complete** initial and recurrent training **of the authority inspectors in relevant technical subjects (including aircraft-specific subjects) and in skills necessary to effectively accomplish their certification and continued surveillance tasks.**

Note.— *Guidance on experience and training for inspectors is contained in the Manual of Procedures for Operations Inspection, Certification and Continued Surveillance (Doc 8335).*

~~5.5 **Recommendation.**— *The State of the Operator should take the necessary measures, such as remuneration and conditions of service, to ensure that qualified inspectors are recruited and retained.*~~

45. Technical guidance, tools and provision of safety-critical information

~~45.1~~ 4.5.1 The State of the Operator shall ensure that authority inspectors are provided with technical guidance manuals containing the policies, procedures and standards to be used in the certification and continued surveillance of air operators.

~~45.2~~ 4.5.2 The State of the Operator shall ensure that authority inspectors are provided with technical guidance manuals containing the policies, procedures and standards to be used in the resolution of safety issues, including enforcement.

~~45.3~~ 4.5.3 The State of the Operator shall ensure that authority inspectors are provided with technical guidance manuals that address ethics, personal conduct and the avoidance of actual or perceived conflicts of interest in the performance of official duties.

6. Licensing and eCertification obligations

~~6.1 The State of the Operator shall use a documented process for the certification of air operators that includes thorough technical evaluations that lead to approval or acceptance of procedures, documents and operations as specified in Annex 6, Part I.~~

6.2 The State of the Operator shall require, prior to commencement of new commercial air transport operations, air operators to demonstrate that they can safely conduct the proposed operations.

Note.— *Attachment E contains further information in this regard.*

7. Continued surveillance obligations

~~7.1 The State of the Operator shall use a documented process for the continued surveillance of air operators to verify the continued validity of the air operator certificates issued by the authority.~~

7.2 The State of the Operator shall use an ongoing surveillance plan to confirm that operators continue to meet the relevant requirements for initial certification and that each air operator is functioning satisfactorily.

8. Resolution of safety issues

Note.— Provisions for the resolution of safety issues are contained in Appendix 1 to Annex 19.

~~8.1 The State of the Operator shall use a documented process to take appropriate corrective actions, up to and including enforcement measures, to resolve identified safety issues.~~

~~8.2 The State of the Operator shall ensure that identified safety issues are resolved in a timely manner through a system which monitors and records progress, including actions taken by the air operator, in resolving such issues.~~

...

INITIAL PROPOSAL 8

~~APPENDIX 7. FRAMEWORK FOR SAFETY MANAGEMENT SYSTEMS (SMS)~~

~~(See Chapter 3, 3.3.4, and Chapter 8, 8.7.3.4)~~

Editorial Note.— Delete Appendix 7 in toto and renumber subsequent appendices accordingly.

...

INITIAL PROPOSAL 9

~~APPENDIX 87. FATIGUE RISK MANAGEMENT SYSTEM REQUIREMENTS~~

...

2. FATIGUE RISK MANAGEMENT PROCESSES

2.1 Identification of hazards

Note.— Legal guidance for the protection of information from safety data collection and processing systems is contained in ~~Annex 13, Attachment E~~ Attachment B to Annex 19.

...

INITIAL PROPOSAL 10

**~~ATTACHMENT I. FRAMEWORK FOR THE
STATE SAFETY PROGRAMME (SSP)~~**

Editorial Note.— Delete Attachment I in toto and renumber subsequent attachments accordingly.

...

**Part II
INTERNATIONAL GENERAL AVIATION — AEROPLANES**

...

Editorial Note.— Delete reference to the *Safety Management Manual* (Doc 9859) and add Annex 19 in the list of publications.

...

**SECTION 1
GENERAL**

CHAPTER 1.1 DEFINITIONS

...

INITIAL PROPOSAL 11

~~*Safety management system.* A systematic approach to managing safety, including the necessary organizational structures, accountabilities, policies and procedures.~~

...

INITIAL PROPOSAL 12

**SECTION 3
LARGE AND TURBOJET AEROPLANES**

...

CHAPTER 3.3 GENERAL

...

3.3.2 Safety management system

Note.— *Annex 19 contains safety management provisions for international general aviation operators of large or turbojet aeroplanes, as well as a definition for safety management system.*

~~3.3.2.1~~— ~~An operator shall establish and maintain a safety management system that is appropriate to the size and complexity of the operation.~~

~~3.3.2.2~~ **Recommendation.**— ~~The safety management system should as minimum include:~~

~~a) a process to identify actual and potential safety hazards and assess the associated risks;~~

~~b) a process to develop and implement remedial action necessary to maintain an acceptable level of safety; and~~

~~c) provision for continuous monitoring and regular assessment of the appropriateness and effectiveness of safety management activities.~~

Note.— *Guidance on safety management systems is contained in the Safety Management Manual (SMM) (Doc 9859) and industry codes of practice.*

...

Part III INTERNATIONAL OPERATIONS — HELICOPTERS

...

Editorial Note.— Delete reference to the *Safety Management Manual* (Doc 9859) and add Annex 19 in the list of publications.

...

SECTION I

GENERAL

...

INITIAL PROPOSAL 13

CHAPTER 1. DEFINITIONS

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

...

~~**State safety programme.** An integrated set of regulations and activities aimed at improving safety.~~

...

SECTION II

INTERNATIONAL COMMERCIAL AIR TRANSPORT

...

INITIAL PROPOSAL 14

CHAPTER 1. GENERAL

...

1.3 Safety management

Note.— Annex 19 contains safety management provisions for air operators.

~~1.3.1— States shall establish a State safety programme in order to achieve an acceptable level of safety in civil aviation.~~

~~*Note.— A framework for the implementation and maintenance of a State safety programme is contained in Attachment I, and guidance on a State safety programme is contained in the Safety Management Manual (SMM) (Doc 9859).*~~

~~1.3.2— The acceptable level of safety to be achieved shall be established by the State.~~

~~1.3.3— States shall require, as part of their State safety programme, that an operator implement a safety management system acceptable to the State of the Operator that, as a minimum:~~

- ~~a) identifies safety hazards;~~
- ~~b) ensures the implementation of remedial action necessary to maintain agreed safety performance;~~
- ~~c) provides for continuous monitoring and regular assessment of the safety performance; and~~
- ~~d) aims at a continuous improvement of the overall performance of the safety management system.~~

~~*Note.— Guidance on defining safety performance is contained in the Safety Management Manual (SMM) (Doc 9859).*~~

~~1.3.4— A safety management system shall clearly define lines of safety accountability throughout the operator's organization, including a direct accountability for safety on the part of senior management.~~

~~*Note.— The framework for the implementation and maintenance of a safety management system is contained in Appendix 4. Guidance on safety management systems is contained in the Safety Management Manual (SMM) (Doc 9859).*~~

1.3.51 Recommendation.— *An operator of a helicopter of a certified take-off mass in excess of 7 000 kg or having a passenger seating configuration of more than 9 and fitted with a flight data recorder should establish and maintain a flight data analysis programme as part of its safety management system.*

Note.— An operator may contract the operation of a flight data analysis programme to another party while retaining overall responsibility for the maintenance of such a programme.

1.3.62 A flight data analysis programme shall be non-punitive and contain adequate safeguards to protect the source(s) of the data.

Note 1.— Guidance on flight data analysis programmes is contained in the Safety Management Manual (SMM) (Doc 9859).

Note 2.— Legal guidance for the protection of information from safety data collection and processing systems is contained in ~~Annex 13, Attachment E~~ Attachment B to Annex 19.

...

INITIAL PROPOSAL 15

CHAPTER 2. FLIGHT OPERATIONS

...

2.2 Operational certification and supervision

2.2.1 The air operator certificate

...

2.2.1.8 The State of the Operator shall establish a system for both the certification and the continued surveillance of the operator in accordance with Appendix 1 and Appendix 1 to Annex 19 to ensure that the required standards of operations established in 2.2 are maintained.

...

2.2.2 Surveillance of operations by a foreign operator

2.2.2.1 Contracting States shall recognize as valid an air operator certificate issued by another Contracting State provided that the requirements under which the certificate was issued are at least equal to the applicable Standards specified in this Annex and in Annex 19.

...

INITIAL PROPOSAL 16

APPENDIX 1. SAFETY OVERSIGHT OF AIR OPERATORS

(See Section II, Chapter 2, 2.2.1.8)

Note 1.— Appendix 1 to Annex 19 contains the general provisions for a State safety oversight system.

Note 2.— This Appendix provides additional provisions for the safety oversight of international commercial air transport operators.

1. Primary aviation legislation

~~1.1~~ The State of the Operator shall enact and implement laws that enable the State to regulate civil aviation through a Civil Aviation Authority (CAA) or equivalent organization established for that purpose. The legislation shall empower the authority to discharge the oversight responsibilities of the State. The legislation shall provide for the making of regulations, the certification and continued supervision of air operators, and the resolution of safety issues identified by the authority and to ensure that compliance will result in an acceptable level of safety for the operations undertaken.

Note 1.— The term authority as used in this Appendix refers to the Civil Aviation Authority as well as equivalent organizations, including inspectors and staff.

~~1.2~~ The State of the Operator shall ensure that the laws of the State require air operators to provide the authority with access to their personnel, aircraft, operations and facilities and associated records for the purpose of certification and continued surveillance.

Note 2.— Guidance on the critical elements of a system that enables a State to discharge its responsibility for inspection, certification and continued surveillance of operations is contained in the Safety Oversight Manual (Doc 9734), Part A—The Establishment and Management of a State's Safety Oversight System, the Manual of Procedures for Operations Inspection, Certification and Continued Surveillance (Doc 8335), and the Airworthiness Manual (Doc 9760).

2. Specific operating regulations

~~2.1~~ The State of the Operator shall adopt regulations that provide for the certification and continued surveillance of aircraft operations and the maintenance of aircraft in conformity with the Annexes to the Convention on International Civil Aviation.

~~2.2~~ The State of the Operator shall ensure that its regulations are sufficiently comprehensive, detailed and current with respect to changes in technology and the operating environment to ensure that satisfactory compliance will result in an acceptable level of safety for the operations undertaken.

3. ~~CAA structure and~~ State safety oversight system and functions

3.1 The State of the Operator shall ensure that the authority is responsible for the safety oversight of air operators ~~and that it has resources appropriate to the size and complexity of civil air operations under the jurisdiction of the State, to effectively discharge the responsibilities of the State.~~

~~5.13.2~~ The State of the Operator shall use a methodology to determine its inspector staffing requirements according to the size and complexity of civil air operations in that State.

~~5.23.3~~ **Recommendation.**— *The methodology in ~~5.1~~ 3.2 should be documented.*

3.42 The State of the Operator shall ensure that authority inspectors have adequate support, credentials and transportation to accomplish, independently, their certification and continued surveillance tasks.

Editorial Note.— Renumber paragraphs 4 and 5 below for consistency with Appendix 1 to Annex 19.

45. Qualified technical personnel

~~5.1~~ The State of the Operator shall use a methodology to determine its inspector staffing requirements according to the size and complexity of civil air operations in that State.

~~5.2~~ **Recommendation.**— *The methodology in 5.1 should be documented.*

~~5.3~~ The State of the Operator shall establish qualification requirements to ensure that its inspector personnel have operational or technical work experience and training compatible with those activities they are required to certificate or inspect.

Editorial Note.— Move the Note under 5.3 to the end of the paragraph.

5.4 The State of the Operator shall require authority inspectors that the to complete initial and recurrent training of the authority inspectors in relevant technical subjects (including aircraft-specific subjects) and in skills necessary to effectively accomplish their certification and continued surveillance tasks.

Note.— *Guidance on experience and training for inspectors is contained in the Manual of Procedures for Operations Inspection, Certification and Continued Surveillance (Doc 8335).*

~~5.5~~ **Recommendation.**— *The State of the Operator should take the necessary measures, such as conditions of service, to ensure that qualified inspectors are recruited and retained.*

54. Technical guidance, tools and provision of safety-critical information

54.1 The State of the Operator shall ensure that authority inspectors are provided with technical guidance manuals containing the policies, procedures and standards to be used in the certification and continued surveillance of air operators.

54.2 The State of the Operator shall ensure that authority inspectors are provided with technical guidance manuals containing the policies, procedures and standards to be used in the resolution of safety issues, including enforcement.

4.5.3 The State of the Operator shall ensure that authority inspectors are provided with technical guidance manuals that address ethics, personal conduct and the avoidance of actual or perceived conflicts of interest in the performance of official duties.

6. ~~Licensing and~~ Certification obligations

6.1 ~~The State of the Operator shall use a documented process for the certification of air operators that includes thorough technical evaluations that lead to approval or acceptance of procedures, documents and operations as specified in Section II.~~

6.2 The State of the Operator shall require, prior to commencement of new commercial air transport operations, air operators to demonstrate that they can safely conduct the proposed operations.

7. Continued surveillance obligations

7.1 ~~The State of the Operator shall use a documented process for the continued surveillance of air operators to verify the continued validity of the air operator certificates issued by the authority.~~

7.2 The State of the Operator shall use an ongoing surveillance plan to confirm that operators continue to meet the relevant requirements for initial certification and that each air operator is functioning satisfactorily.

8. Resolution of safety issues

Note.— Provisions for the resolution of safety issues are contained in Appendix 1 to Annex 19.

8.1 ~~The State of the Operator shall use a documented process to take appropriate corrective actions, up to and including enforcement measures, to resolve identified safety issues.~~

8.2 ~~The State of the Operator shall ensure that identified safety issues are resolved in a timely manner through a system which monitors and records progress, including actions taken by the air operator, in resolving such issues.~~

...

INITIAL PROPOSAL 17

~~APPENDIX 4. FRAMEWORK FOR SAFETY MANAGEMENT SYSTEMS (SMS)~~

(See Chapter 1, 1.3)

Editorial Note.— Delete Appendix 4 in toto and renumber subsequent appendix accordingly.

...

INITIAL PROPOSAL 18

ATTACHMENT G. CONTENTS OF AN OPERATIONS MANUAL
Supplementary to Section II, Chapter 2, 2.2.3.1

...

2. Contents

The operations manual referred to in 1.1 and 1.2 should contain at the least the following:

2.1 General

...

2.1.27 Details of the safety management system (SMS) provided in accordance with ~~Section II, Chapter 1, 1.3.3~~ Chapters 3 and 4 of Annex 19.

...

INITIAL PROPOSAL 19

~~**ATTACHMENT I. FRAMEWORK FOR THE
STATE SAFETY PROGRAMME (SSP)**~~

Editorial Note.— Delete Attachment I in toto.

...

ATTACHMENT D to State letter AN 8/3-12/42

PROPOSED AMENDMENT TO ANNEX 8

NOTES ON THE PRESENTATION OF THE AMENDMENT

The text of the amendment is arranged to show deleted text with a line through it and new text highlighted with grey shading, as shown below:

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**TEXT OF PROPOSED AMENDMENT TO THE
INTERNATIONAL STANDARDS AND
RECOMMENDED PRACTICES**

AIRWORTHINESS OF AIRCRAFT

**ANNEX 8
TO THE CONVENTION ON INTERNATIONAL CIVIL AVIATION**

...

PART I. DEFINITIONS

...

INITIAL PROPOSAL 1

~~*Safety management system.* A systematic approach to managing safety, including the necessary organizational structures, accountabilities, policies and procedures.~~

...

~~*State safety programme.* An integrated set of regulations and activities aimed at improving safety.~~

...

INITIAL PROPOSAL 2

**PART II. PROCEDURES FOR CERTIFICATION
AND CONTINUING AIRWORTHINESS**

...

CHAPTER 5. SAFETY MANAGEMENT

~~*Note.— Safety management provisions for organizations responsible for the type design or manufacture of aircraft are contained in Annex 19.*~~

~~5.1—States shall establish a State safety programme in order to achieve an acceptable level of safety in civil aviation.~~

~~*Note.— A framework for the implementation and maintenance of a State safety programme is contained in the Attachment to this Part and guidance on a State safety programme is contained in the Safety Management Manual (SMM) (Doc 9859).*~~

~~5.2—The acceptable level of safety to be achieved shall be established by the State.~~

~~Note.— Guidance on acceptable levels of safety is contained in the Safety Management Manual (SMM) (Doc 9859).~~

~~5.3— From 14 November 2013, a State of Design or Manufacture shall require, as part of its State safety programme, that an organization responsible for the type design or manufacture of aircraft implement a safety management system acceptable to the State that, as a minimum:~~

- ~~a) identifies safety hazards;~~
- ~~b) ensures the implementation of remedial action necessary to maintain agreed safety performance;~~
- ~~c) provides for continuous monitoring and regular assessment of the safety performance; and~~
- ~~d) aims at a continuous improvement of the overall performance of the safety management system.~~

~~Note.— Guidance on defining safety performance is contained in the Safety Management Manual (SMM) (Doc 9859).~~

~~5.4— From 14 November 2013, a safety management system shall clearly define lines of safety accountability throughout the organization responsible for the type design or manufacture of aircraft, including a direct accountability for safety on the part of senior management.~~

...

INITIAL PROPOSAL 3

~~**ATTACHMENT TO PART II. FRAMEWORK FOR THE
STATE SAFETY PROGRAMME (SSP)**~~

Editorial Note.— Delete Attachment to Part II.

ATTACHMENT E to State letter AN 8/3-12/42

PROPOSED AMENDMENT TO ANNEX 11

NOTES ON THE PRESENTATION OF THE AMENDMENT

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TEXT OF PROPOSED AMENDMENT TO THE
INTERNATIONAL STANDARDS AND
RECOMMENDED PRACTICES
AIR TRAFFIC SERVICES

ANNEX 11
TO THE CONVENTION ON INTERNATIONAL CIVIL AVIATION

...

INITIAL PROPOSAL 1

CHAPTER 1. DEFINITIONS

...

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

State safety programme. An integrated set of regulations and activities aimed at improving safety.

...

INITIAL PROPOSAL 2

CHAPTER 2. GENERAL

...

2.27 Safety management

~~2.27.1 States shall establish a State safety programme, in order to achieve an acceptable level of safety in civil aviation.~~

~~Note.— A framework for the implementation and maintenance of a State safety programme is contained in Attachment D, and guidance on a State safety programme is contained in the Safety Management Manual (SMM) (Doc 9859).~~

~~2.27.2 The acceptable level of safety to be achieved shall be established by the State.~~

~~Note.— Guidance on defining an acceptable level of safety is contained in the Safety Management Manual (SMM) (Doc 9859).~~

~~2.27.3 States shall require, as part of their State safety programme, that an air traffic services provider implement a safety management system acceptable to the State that, as a minimum:~~

- ~~a) identifies safety hazards;~~

- ~~b) ensures the implementation of remedial action necessary to maintain agreed safety performance;~~
- ~~e) provides for continuous monitoring and regular assessment of the safety performance; and~~
- ~~d) aims at a continuous improvement of the overall performance of the safety management system.~~

Note.— *Guidance on defining safety performance is contained in the Safety Management Manual (SMM) (Doc 9859).*

~~2.27.4 A safety management system shall clearly define lines of safety accountability throughout the air traffic services provider, including a direct accountability for safety on the part of senior management.~~

Note 1.— *The framework for the implementation and maintenance of a safety management system is contained in Appendix 6. Guidance on safety management systems is contained in the Safety Management Manual (SMM) (Doc 9859), and associated procedures are contained in the PANS-ATM (Doc 4444).*

Note 2.— *The provision of AIS, CNS, MET and/or SAR services, when under the authority of an ATS provider, are subject to the requirements of 2.27.3 and 2.27.4. When the provision of AIS, CNS, MET and/or SAR services are wholly or partially provided by an entity other than an ATS provider, the requirements under 2.27.3 and 2.27.4 relate to the services that come under the authority of the ATS provider, or those aspects of the services with direct operational implications.*

Note.— *Annex 19 contains the safety management provisions applicable to ATS providers.*

2.27.5¹ Any significant safety-related change to the ATS system, including the implementation of a reduced separation minimum or a new procedure, shall only be effected after a safety assessment has demonstrated that an acceptable level of safety will be met and users have been consulted. When appropriate, the responsible authority shall ensure that adequate provision is made for post-implementation monitoring to verify that the defined level of safety continues to be met.

Note 1.— *When, due to the nature of the change, the acceptable level of safety cannot be expressed in quantitative terms, the safety assessment may rely on operational judgement.*

Note 2.— *Guidance on SMS is contained in the Safety Management Manual (SMM) (Doc 9859), and associated procedures are contained in the PANS-ATM (Doc 4444).*

...

INITIAL PROPOSAL 3

~~**APPENDIX 6. FRAMEWORK FOR
SAFETY MANAGEMENT SYSTEMS (SMS)**~~
(See Chapter 2, 2.27.4)

Editorial Note.— Delete Appendix 6 in toto.

...

<p>INITIAL PROPOSAL 4</p>

**~~ATTACHMENT D. FRAMEWORK FOR THE
STATE SAFETY PROGRAMME (SSP)~~**

Editorial Note.— Delete Attachment D in toto.

...

ATTACHMENT F to State letter AN 8/3-12/42

PROPOSED AMENDMENT TO ANNEX 13

NOTES ON THE PRESENTATION OF THE AMENDMENT

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new text to replace existing text

**TEXT OF PROPOSED AMENDMENT TO THE
INTERNATIONAL STANDARDS AND
RECOMMENDED PRACTICES
AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION
ANNEX 13
TO THE CONVENTION ON INTERNATIONAL CIVIL AVIATION**

...

INITIAL PROPOSAL 1

CHAPTER 1. DEFINITIONS

...

State safety programme. (SSP) An integrated set of regulations and activities established by a State aimed at improving managing civil aviation safety.

...

INITIAL PROPOSAL 2

CHAPTER 3. GENERAL

...

~~STATE SAFETY PROGRAMME~~

~~3.2 States shall establish a State safety programme, in order to achieve an acceptable level of safety in civil aviation.~~

~~Note.— A framework for the implementation and maintenance of a State safety programme is contained in Attachment F and guidance on a State safety programme is contained in the Safety Management Manual (SMM) (Doc 9859).~~

Editorial Note.— Renumber subsequent paragraphs accordingly.

...

INITIAL PROPOSAL 3

CHAPTER 8. ACCIDENT PREVENTION MEASURES

Note 1.— The objective of these specifications is to promote accident prevention by collection and analysis of safety data and by a prompt exchange of safety information, as part of the State safety programme.

Note 2. — Annex 19 contains provisions for a State safety programme.

Incident reporting systems

~~8.1— A State shall establish a mandatory incident reporting system to facilitate collection of information on actual or potential safety deficiencies.~~

~~8.2— A State shall establish a voluntary incident reporting system to facilitate collection of information on actual or potential safety deficiencies that may not be captured by the mandatory incident reporting system.~~

~~*Note.— States are encouraged to establish other safety data collection and processing systems to collect safety information that may not be captured by the incident reporting systems mentioned in 8.1 and 8.2 above.*~~

~~8.3— A voluntary incident reporting system shall be non-punitive and afford protection to the sources of the information.~~

~~*Note 1.— A non-punitive environment is fundamental to voluntary reporting.*~~

~~*Note 2.— States are encouraged to facilitate and promote the voluntary reporting of events that could affect aviation safety by adjusting their applicable laws, regulations and policies, as necessary.*~~

~~*Note 3.— Guidance related to both mandatory and voluntary incident reporting systems is contained in the Safety Management Manual (SMM) (Doc 9859).*~~

~~*Note 4.— Attachment E contains legal guidance for the protection of information from safety data collection and processing systems.*~~

Database systems and analysis — Preventive actions

~~8.4— A State shall establish and maintain an accident and incident database to facilitate the effective analysis of information on actual or potential safety deficiencies obtained, including that from its incident reporting systems, and to determine any preventive actions required.~~

~~8.5— **Recommendation.**— The database systems should use standardized formats to facilitate data exchange.~~

~~*Note 1.— Guidance material related to the specification for such databases will be provided by ICAO upon request from States.*~~

~~Note 2.— States are encouraged to foster regional arrangements, as appropriate, when implementing 8.4.~~

~~Note.3 — Additional information on which to base preventive actions may be contained in the Final Reports on investigated accidents and incidents.~~

~~Note 4.— States are encouraged to use an ADREP compatible system for accident/incident reporting as well as for collecting, storing, and disseminating relevant safety information.~~

~~8.6 **Recommendation.**— A State should, following the identification of preventive actions required to address actual or potential safety deficiencies, implement these actions and establish a process to monitor implementation and effectiveness of the responses.~~

~~Note.— Additional information on which to base preventive actions may be contained in the Final Reports on investigated accidents and incidents.~~

~~8.7 **Recommendation.**— If a State, in the analysis of the information contained in its database, identifies safety matters considered to be of interest to other States, that State should forward such safety information to them as soon as possible.~~

~~8.8¹ **Recommendation.**— In addition to safety recommendations arising from accident and incident investigations, safety recommendations may result from diverse sources, including safety studies. If safety recommendations are addressed to an organization in another State, they should also be transmitted to that State’s investigation authority.~~

~~**Exchange of safety information**~~

~~8.9 **Recommendation.**— States should promote the establishment of safety information sharing networks among all users of the aviation system and should facilitate the free exchange of information on actual and potential safety deficiencies.~~

~~Note.— Standardized definitions, classifications and formats are needed to facilitate data exchange. Guidance material on the specifications for such information sharing networks will be provided by ICAO upon request.~~

...

INITIAL PROPOSAL 4

ATTACHMENT F. FRAMEWORK FOR THE STATE SAFETY PROGRAMME (SSP)

Editorial Note.— Delete Attachment F in toto and renumber subsequent attachment accordingly.

...

ATTACHMENT G to State letter AN 8/3-12/42

PROPOSED AMENDMENT TO ANNEX 14, VOLUME I

NOTES ON THE PRESENTATION OF THE AMENDMENT

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**TEXT OF PROPOSED AMENDMENT TO THE
INTERNATIONAL STANDARDS AND
RECOMMENDED PRACTICES**

AERODROMES

**ANNEX 14
TO THE CONVENTION ON INTERNATIONAL CIVIL AVIATION**

**VOLUME I
AERODROME DESIGN AND OPERATIONS**

...

CHAPTER 1. GENERAL

...

INITIAL PROPOSAL 1

1.1 Definitions

...

Safety management system (SMS). A systematic approach to managing safety including the necessary organizational structure, accountabilities, policies and procedures

...

~~*State safety programme*. An integrated set of regulations and activities aimed at improving safety.~~

...

INITIAL PROPOSAL 2

1.4 Certification of aerodromes

...

1.4.4 As part of the certification process, States shall ensure that an aerodrome manual which will include all pertinent information on the aerodrome site, facilities, services, equipment, operating procedures, organization and management including a safety management system, is submitted by the applicant for approval/acceptance prior to granting the aerodrome certificate.

Note.— The intent of a safety management system is to have in place an organized and orderly approach in the management of aerodrome safety by the aerodrome operator. Annex 19 contains the safety management provisions applicable to certified aerodromes. Guidance on an aerodrome safety

management system is given in the Safety Management Manual (SMM) (Doc 9859) and in the Manual on Certification of Aerodromes (Doc 9774).

...

INITIAL PROPOSAL 3

1.5—Safety management

~~1.5.1—States shall establish a State safety programme in order to achieve an acceptable level of safety in civil aviation.~~

~~Note.—A framework for the implementation and maintenance of a State safety programme is contained in Attachment C, and guidance on a State safety programme is contained in the Safety Management Manual (SMM) (Doc 9859).~~

~~1.5.2—The acceptable level of safety to be achieved shall be established by the State.~~

~~Note.—Guidance on defining an acceptable level of safety is contained in the Safety Management Manual (SMM) (Doc 9859).~~

~~1.5.3—States shall require, as part of their State safety programme, that a certified aerodrome implement a safety management system acceptable to the State that, as a minimum:~~

- ~~a) identifies safety hazards;~~
- ~~b) ensures the implementation of remedial action necessary to maintain agreed safety performance;~~
- ~~c) provides for continuous monitoring and regular assessment of the safety performance; and~~
- ~~d) aims at a continuous improvement of the overall performance of the safety management system.~~

~~Note.—Guidance on defining safety performance is contained in the Safety Management Manual (SMM) (Doc 9859).~~

~~1.5.4—A safety management system shall clearly define lines of safety accountability throughout a certified aerodrome, including a direct accountability for safety on the part of senior management.~~

~~Note.—The framework for the implementation and maintenance of a safety management system is contained in Appendix 7. Guidance on safety management systems is contained in the Safety Management Manual (SMM) (Doc 9859), and in the Manual on Certification of Aerodromes (Doc 9774).~~

Editorial Note.— Renumber subsequent paragraphs accordingly.

...

INITIAL PROPOSAL 4

~~**APPENDIX 7. FRAMEWORK FOR
SAFETY MANAGEMENT SYSTEMS (SMS)**~~

Editorial Note.— Delete Appendix 7 in toto.

...

INITIAL PROPOSAL 5

~~**ATTACHMENT C. FRAMEWORK FOR THE
STATE SAFETY PROGRAMME (SSP)**~~

Editorial Note.— Delete Attachment C in toto.

...

ATTACHMENT H to State letter AN 8/3-12/42

RATIONALE FOR THE NEW ANNEX ON SAFETY MANAGEMENT

Paragraph reference	Rationale
Foreword	<p>The Foreword includes contextual information regarding the development of a safety management Annex, including references to recommendations emanating from the Directors General of Civil Aviation Conference (DGCA/06) and the High-level Safety Conference (HLSC/2010) as well as standard language for action by Contracting States, status of Annex components, selection of languages and editorial practices.</p>
Chapter 1. Definitions	<p>The definitions of <i>Accident, Aeroplane, Aircraft, Helicopter, Incident, Industry code of practice, Serious injury, State of Design, State of Manufacturer</i> and <i>State of the Operator</i>, which currently exist in other Annexes, have been replicated in Annex 19 and will remain in the relevant Annexes in which they are used.</p> <p>The note accompanying the definition of <i>Incident</i> was duplicated from Annex 13 and amended to refer to safety-related studies in lieu of accident prevention studies.</p> <p>The <i>safety management system</i> definition was modified to include the “SMS” acronym.</p> <p>The definition of <i>State safety programme (SSP)</i> has been modified to reflect the fact that an SSP is established by the State and aimed at managing civil aviation safety.</p> <p>The proposed definition of <i>operational personnel</i> and its Note are based on the description of “operational personnel” as contained in Attachment E to Annex 13. The inclusion of this definition is deemed appropriate due to the SMP proposal that Attachment E to Annex 13 be duplicated in Annex 19. The text from Attachment E, 1.5 b) is slightly modified for the purpose of consistency with other Annex 19 provisions to reference personnel involved in aviation activities.</p> <p>The new definitions <i>Safety, Safety performance, Safety performance indicator, Safety performance target</i> and <i>Safety risk</i> are specific to the concept of safety management and are included in Annex 19.</p>
Chapter 2. Applicability	<p>This chapter frames the applicability of safety management responsibilities of Contracting States and aviation activities related to, or in direct support of, the safe operation of aircraft.</p>
Chapter 3. State Safety Management Responsibilities Introductory Note	<p>Three introductory Notes have been added:</p> <ol style="list-style-type: none"> 1. to clarify the functions that underlie a State’s safety management responsibilities; 2. To refer the reader to other Annexes for SMS provisions pertaining to specific types of aviation activities applicable

Paragraph reference	Rationale
	<p>to the individual service providers; and</p> <p>3. To refer the reader to Annex 1 and the Manual of Civil Aviation Medicine (Doc 8984) for basic safety management principles applicable to the medical assessment process of license holders.</p>
Chapter 3, 3.1.1	<p>Transfer of existing Standards from multiple Annexes to create a single requirement for States to establish an SSP. The following amendments have been made to the existing provisions: editorial changes for purposes of clarity; the inclusion of “safety performance” as the SSP objective to be achieved and the introduction of the four SSP framework components into the requirement. The introduction of the SSP components creates a new requirement, which is deemed necessary to facilitate harmonized SSP implementation.</p>
Chapter 3, 3.1.1 Note	<p>The Note is transferred from the other Annexes with an amended reference to Attachment A.</p>
Chapter 3, 3.1.2	<p>Transfer of existing Standards from multiple Annexes requiring that the acceptable level of safety be established by the State. The existing provisions have been amended to indicate that “safety performance” is to be achieved through SSP implementation. A Note has been added to indicate how safety performance can be demonstrated.</p>
Chapter 3, 3.1.3	<p>Transfer of existing provisions requiring the implementation of SMS as part of a State’s SSP. Editorial amendments have been made, beginning the provision with “As part of its SSP, each State shall” to be consistent with the Convention on International Civil Aviation and provisions throughout Annex 19. The existing requirements have been consolidated in 3.1.3 a) through f) to list each of the service provider organizations for whom the related SMS requirements are applicable. Specific requirements related to the acceptability of a service provider’s SMS are contained separately in Chapter 4 to Annex 19. These amendments are necessary to accurately identify in a single provision the service providers currently referenced individually in Annexes 1, 6, 8, 11 and 14. The SMS applicability of 3.1.3 a) is clarified to include “related to aircraft operations.” Notes are added to clarify the scope of the SMS requirements in 3.1.3 b) and e).</p> <p>The SMS framework becomes applicable to aircraft design and manufacturing organizations. The extension of SMS provisions to engine and propeller design and manufacturing organizations is pending additional work to be done in Annex 8 to provide a proper framework for the issuance of type certificates by a State of Design for an engine or a propeller.</p>
Chapter 3, 3.1.4	<p>A new provision regarding the SMS requirement for international general aviation operators is necessary for the purpose of clarity and</p>

Paragraph reference	Rationale
	consistency. The SMP determined that the categorization of service providers refers to those organizations for which the requirements contained within the SMS framework are applicable. The SMS framework is not applicable to international general aviation operators. Therefore, a separate provision regarding SMS requirements for general aviation operators was deemed appropriate by the SMP.
Chapter 3, 3.2	The SMP recommended a new requirement for States to implement safety oversight systems in accordance with the provisions contained in Appendix 1 of Annex 19.
Chapter 4. Safety Management System 4.1.1	This SMS requirement for service providers contains a reference to the elements of the SMS framework in Appendix 2. Language regarding the requirements for an SMS to be commensurate with the size of the service provider and the complexity of its aviation products or services is included, which has been transferred from the SMS framework to this provision. The intent of 4.1.1 is consistent with existing requirements.
Chapter 4, 4.1.2 to 4.1.8	These Standards establish the requirements for a particular organization's SMS to be acceptable to the relevant State. Each Standard preserves the intent of the original requirement in Annexes 1, 6, 8, 11 and 14. Each Standard identifies the specific service provider to which it applies and the State responsible to assess the acceptability of the organization's SMS.
Chapter 4, 4.2	These provisions are transferred from Annex 6 Part II, Section III, with minor editorial changes to identify that the Standard applies to large or turbo-jet operations in accordance with Part II, Section III.
Chapter 5. Safety Data Collection, Analysis and Exchange Title, Introductory Note and 5.1	<p>The title of Chapter 5 in Annex 19 was developed based on element 3.2 of the SSP framework.</p> <p>The existing Note in Chapter 8 of Annex 13 is included with amendments to align the title of the chapter with the objectives of the specifications related to safety management activities.</p> <p>Paragraph 5.1.1 is the transfer of an existing Standard to consolidate safety management provisions relevant to safety data collection, analysis, protection and exchange.</p> <p>Paragraph 5.1.2 is the transfer of an existing Standard to consolidate safety management provisions relevant to safety data collection, analysis, protection and exchange.</p> <p>The note associated with the Standard on which 5.1.2 is based has been elevated to a Recommended Practice in paragraph 5.1.3 to ensure that appropriate entities would have access to reporting systems listed in 5.1.1 and 5.1.2 to support their investigation responsibilities.</p> <p>The transfer of 5.1.1 and 5.1.2 includes an editorial amendment to begin the provision with "Each State shall" to be consistent with the</p>

Paragraph reference	Rationale
	Convention on International Civil Aviation and throughout Annex 19. The Note following 5.1.3 has also been amended accordingly.
Chapter 5, 5.2	<p>Paragraph 5.2.1 is the transfer of an existing Standard to consolidate safety management provisions relevant to safety data collection, analysis, protection and exchange.</p> <p>The transfer includes an editorial amendment to begin the provision with “Each State shall” to be consistent with the Convention on International Civil Aviation and throughout Annex 19. The language of the provision was also amended to reference a safety database, which includes data obtained through safety management processes.</p> <p>A Note was developed to clarify that “safety database” may refer to a single or multiple database(s).</p> <p>Paragraph 5.2.2 is the transfer of an existing Recommended Practice and its Note to consolidate safety management provisions.</p> <p>The transfer includes an editorial amendment to begin the provision with “Each State shall” to be consistent with the Convention on International Civil Aviation and throughout Annex 19.</p> <p>Paragraph 5.2.3 is the transfer of an existing Recommended Practice and its Note to consolidate safety management provisions relevant to safety data collection, analysis, protection and exchange.</p> <p>The transfer includes an editorial amendment to the Note to be consistent with the objectives of the specifications related to safety management activities.</p>
Chapter 5, 5.3	<p>Paragraph 5.3.1 is the transfer of an existing Standard and its Notes to consolidate safety management provisions relevant to safety data collection, analysis, protection and exchange.</p> <p>The transfer includes an editorial amendment to begin Note 2 with “Each State” to be consistent with the Convention on International Civil Aviation and throughout Annex 19.</p> <p>Proposed Recommended Practice 5.3.2 is based on Standard 5.12 of Annex 13. The SMP concluded that a Recommended Practice is appropriate as a Standard at this point in time.</p>
Chapter 5, 5.4	<p>Paragraph 5.4.1 is the transfer of an existing Recommended Practice to consolidate safety management provisions relevant to safety data collection, analysis, protection and exchange.</p> <p>Paragraph 5.4.2 is the transfer of an existing Recommended Practice to consolidate safety management provisions relevant to safety data collection, analysis, protection and exchange.</p> <p>The transfer includes an editorial amendment to begin the provision with “Each State shall” to be consistent with the Convention on</p>

Paragraph reference	Rationale
	International Civil Aviation and throughout Annex 19.
Appendix 1. State Safety Oversight System	The provisions in Appendix 1 are taken largely from Appendix 5 and Appendix 1 of Annex 6, Parts I and III, respectively, and amended to include additional language from the critical elements of safety oversight as contained in the Safety Oversight Manual (Doc 9734). The resulting provisions in Appendix 1 create general requirements for a State safety oversight system, with sector-specific requirements for the oversight of air operators retained in Annex 6, Parts I and III. Note that both Appendix 5 and Appendix 1 remain in Annex 6, Parts I and III, respectively.
Appendix 2. Framework for Safety Management System (SMS)	<p>All SMS framework element descriptions were reformatted as itemized bullets for ease of readability.</p> <p>Existing language in the introductory paragraph “The implementation of the framework shall be commensurate with the size of the organization and the complexity of the services provided” has been transferred from the Appendix to Chapter 4, 4.1.1 and modified (with the term “service provider” used instead of references to individual organizations).</p>
Attachment A. Framework for State Safety Programme (SSP)	The introductory paragraph was amended for the following purposes: the text has been revised to reference the inclusion of the four SSP components as requirements in Chapter 3, 3.1.1.
Attachment B. Legal Guidance for the Protection of Information from Safety Data Collection and Processing Systems	This attachment is a duplication of Attachment E from Annex 13 to provide safety management provisions relevant to the legal protection of information from safety data collection and processing systems.

RATIONALE FOR THE PROPOSED AMENDMENT TO ANNEX 1

Paragraph reference	Rationale
Chapter 1. Definitions and General Rules Concerning Licences	<p>The SMS definition is transferred to Annex 19.</p> <p>Consequential amendment is due to a modification of the SSP definition in Annex 19.</p> <p>Two Notes are amended to refer the reader to Annex 19 for the definition of “operational personnel”.</p>
Chapter 1, 1.2.4.2 Note and 1.2.8.2	<p>1.2.4.2 Note: the reference to Attachment C is amended as a result of its transfer to Annex 19.</p> <p>1.2.8.2: the reference to Appendix 4 is amended as a result of its transfer to Annex 19. A Note is added to refer the reader to Annex 19 for safety management provisions for approved training organizations.</p>
<p>Appendix 2. Approved Training Organization, Introductory Note and Section 4</p> <p>Appendix 4. Framework for Safety Management Systems (SMS)</p> <p>Attachment C. Framework for the State Safety Programme (SSP)</p>	<p>Appendix 2: a Note is added to refer the reader to Annex 19 for the safety management provisions of an approved training organization.</p> <p>Appendix 2, paragraph 4: the SMS provisions for an approved training organization that is exposed to safety risks during the provision of its services are transferred to Annex 19.</p> <p>Appendix 4 and Attachment C to Annex 1 are transferred to Annex 19.</p>

RATIONALE FOR THE PROPOSED AMENDMENT TO ANNEX 6

Paragraph reference	Rationale
Part I, Chapter 1. Definitions	<p>The SMS definition is retained with its acronym added.</p> <p>The SSP definition is transferred to Annex 19 as this term is no longer used in Annex 6.</p>
Part I, Chapter 3. General 3.3	<p>A Note is added to refer the reader to Annex 19 for safety management provisions for air operators.</p> <p>Provisions for the SSP and the SMS of air operators (3.3.1 through 3.3.4) are transferred to Annex 19.</p> <p>Sector specific provisions are kept (e.g. for the flight data analysis programme). Note 1 under renumbered 3.3.3 is deleted as the material has been removed from the current edition of Doc 9859.</p> <p>Note 2 under renumbered 3.3.3 becomes Note and is amended as a result of Attachment E to Annex 13 being duplicated in Annex 19.</p>
Part I, Chapter 4. Flight Operations 4.2.1.8 and 4.2.2.1	<p>This amends current requirements specific to operational certification and supervision as a result of the transfer of Annex 6 provisions to Annex 19.</p>

Paragraph reference	Rationale
Part I, Chapter 8. Aeroplane maintenance 8.7.1 and 8.7.3	<p>This amends current provisions specific to approval of maintenance organizations as a result of the transfer of Annex 6 provisions to Annex 19.</p> <p>A Note is added to refer the reader to Annex 19 for safety management provisions for approved maintenance organizations.</p> <p>Provisions for the SSP and the SMS of air operators (8.7.3.1 through 8.7.3.4) are transferred to Annex 19.</p>
Part I, Chapter 10. Flight Operations Officer/Flight Dispatcher 10.4	Editorial correction to the reference.
Part I, Appendix 2. Organization and Contents of an Operations Manual 2.1.34	This amends the current requirement as a result of the transfer of Annex 6 SMS provisions to Annex 19.
Part I, Appendix 5. Safety Oversight of Air Operators	<p>Note 1 is added to refer the reader to Annex 19 for general safety oversight system provisions.</p> <p>Note 2 is added to indicate that specific provisions for the safety oversight of air operators remain in Appendix 5 to Annex 6.</p> <p>The generic requirements for the safety oversight of air operators are transferred to Annex 19, while specific requirements remain in Annex 6 and are amended as necessary. The titles in Appendix 5 are amended where appropriate to match the titles in Appendix 1 to Annex 19.</p>
Part I, Appendix 7. Framework for Safety management Systems (SMS)	Appendix 7 is transferred to Annex 19.
Part I, Appendix 8. Fatigue Risk Management System Requirements 2.1, Note	The Note is amended to refer the reader to Annex 19 as a result of the duplication of Attachment E to Annex 13.
Part I, Attachment I. Framework for the State Safety Programme (SSP)	This attachment is transferred to Annex 19.
Part II, Section 1, Chapter 1.1. Definitions	The SMS definition is transferred to Annex 19 as the term is no longer used in this Annex.
Part II, Section 3, Chapter 3.3 General 3.3.2	A Note is added to Annex 6, Part II, Section 3, 3.3.2 referring the reader to Annex 19 for the safety management provisions for international general aviation operators of large or turbojet aeroplanes.

Paragraph reference	Rationale
	The safety management provisions are transferred to Annex 19.
Part III, Section 1, Chapter 1. Definitions	The SMS definition is retained with its acronym added. The SSP definition is transferred to Annex 19 as the term is no longer used in this Annex.
Part III, Section II, Chapter 1. General 1.3	A Note is added to refer the reader to Annex 19 for safety management provisions for air operators. Provisions for the SSP and the SMS of air operators (1.3.1 through 1.3.4) are transferred to Annex 19. Sector specific provisions are kept (e.g. for the flight data analysis programme) Note 1 under renumbered 1.3.2 is deleted as the material has been removed from the current edition of Doc 9859. Note 2 under renumbered 1.3.2 becomes Note and is amended as a result of Attachment E to Annex 13 being duplicated in Annex 19.
Part III, Section II, Chapter 2, 2.2.1.8 and 2.2.2.1	This amends current provisions specific to operational certification and supervision as a result of the transfer of Annex 6 provisions to Annex 19.
Part III, Appendix 1. Safety Oversight of Air Operators	Note 1 is added to refer the reader to Annex 19 for general safety oversight system provisions. Note 2 is added to indicate that specific provisions for the safety oversight of air operators remain in Appendix 5 to Annex 6. The generic provisions for the safety oversight of air operators are transferred to Annex 19, while specific provisions remain in Annex 6 and are amended as necessary. The titles in Appendix 5 are amended where appropriate to match the titles in Appendix 1 to Annex 19.
Part III, Appendix 4. Framework for Safety Management Systems (SMS)	Appendix 4 is transferred to Annex 19.
Part III, Attachment G. Contents of an Operations Manual 2.1.27	This amends the current requirement as a result of the transfer of Annex 6 SMS provisions to Annex 19.
Part III, Attachment I. Framework for the State Safety Programme (SSP)	The SSP provisions are transferred to Annex 19.

RATIONALE FOR THE PROPOSED AMENDMENT TO ANNEX 8

Paragraph reference	Rationale
Part I. Definitions	The SSP and the SMS definitions are transferred to Annex 19 as these terms are no longer used in this Annex.
Chapter 5. Safety Management	A Note is added to refer the reader to Annex 19 for relevant safety management provisions. Provisions for the SSP and the SMS of organizations responsible for the type design or manufacture of aircraft (5.1 through 5.4) are transferred to Annex 19.
Attachment to Part II. Framework for the State Safety Programme (SSP)	This attachment is transferred to Annex 19.

RATIONALE FOR THE PROPOSED AMENDMENT TO ANNEX 11

Paragraph reference	Rationale
Chapter 1. Definitions	The SMS is retained with its acronym added. The SSP definition is transferred to Annex 19 as the term is no longer used in Annex 11.
Chapter 2. General 2.27	The provisions for the SSP and the SMS of air traffic service (ATS) providers (2.27.1 through 2.27.4) are transferred to Annex 19. A Note is added to refer the reader to Annex 19 for related safety management provisions. Sector specific provisions are kept (e.g. for safety related changes to the ATS system) with the Note added to refer the reader to guidance in the Safety Management Manual as well as procedures in PANS-ATM.
Appendix 6. Framework for Safety Management Systems (SMS)	The appendix containing the SMS framework is transferred to Annex 19.
Attachment D. Framework for the State Safety Programme (SSP)	The attachment containing the SSP framework is transferred to Annex 19.

RATIONALE FOR THE PROPOSED AMENDMENT TO ANNEX 13

Paragraph reference	Rationale
Chapter 1. Definitions	Consequential amendment is due to a modification of the SSP definition in Annex 19.
Chapter 3. State Safety Programme 3.2	Standard 3.2 and related Note in Annex 13 are transferred to Annex 19 to consolidate existing safety management provisions.
Chapter 8. Accident Prevention Measures	Note 2 is added to refer to the reader to Annex 19 for provisions related to a State safety programme and existing Note is now Note 1. Safety data collection, analysis and exchange provisions (8.1; 8.2; 8.3; 8.4; 8.5; 8.6; 8.7 and 8.9) are transferred to Annex 19, with the exception of the Note 3 under the previous Recommended Practice 8.5.
Attachment F. Framework for the State Safety Programme (SSP)	This attachment containing the SSP framework is transferred to Annex 19.

RATIONALE FOR THE PROPOSED AMENDMENT TO ANNEX 14, VOLUME I

Paragraph reference	Rationale
Chapter 1. General, 1.1 Definitions	The SMS definition is retained with the SMS acronym added. The definition of SSP is transferred to Annex 19 as the term is no longer used in Annex 14, Volume I.
Chapter 1, 1.4 Certification of aerodromes 1.4.4	The Note is amended to refer the reader to Annex 19 for safety management system provisions.
Chapter 1, 1.5 Safety management	The provisions for the SSP and the SMS for certified aerodromes (1.5.1 through 1.5.4) are transferred to Annex 19.
Appendix 7. Framework for Safety Management Systems (SMS)	This appendix containing the SMS framework is transferred to Annex 19.
Attachment C. Framework for the State Safety Programme (SSP)	This attachment containing the SSP framework is transferred to Annex 19.

ATTACHMENT I to State letter AN 8/3-12/42

SUMMARY OF REPEATED CONSEQUENTIAL AMENDMENTS RELATED TO THE PROPOSED ANNEX 19

Consequential Amendment	Annex 1	Annex 6			Annex 8	Annex 11	Annex 13	Annex 14, Vol. 1
		Part I	Part II	Part III				
Transfer safety management system definition to Annex 19 (Ch. 1).	Chapter 1		Chapter 1.1		Part I			
Amend safety management system definition to add acronym.		Chapter 1		Chapter 1		Chapter 1		Chapter 1
Amend State safety programme definition to add acronym and text to clarify that an SSP is established by the State and aimed at “managing civil aviation safety.”	Chapter 1						Chapter 1	
Transfer State safety programme definition to Annex 19 (Ch. 1) with modifications to add acronym and text to clarify that an SSP is established by a State and aimed at “managing civil aviation safety.”		Chapter 1		Chapter 1	Part I	Chapter 1		Chapter 1
Add (or amend) Note to refer the reader to Annex 19 for relevant safety management requirements.	Paragraph 1.2.8.2, Note AND Appendix 2, Note (add)	Section 3.3, Note AND Section 8.7.3, Note (add)	Paragraph 3.3.2, Note (add)	Section 1.3, Note (add)	Part II, Ch. 5, Note (add)	Section 2.27, Note (add)		Paragraph 1.4.4, Note (amend)
Transfer and amend the SSP Standard to Annex 19 (3.1.1)		Paragraphs 3.3.1 AND		Paragraph 1.3.1	Part II, paragraph	Paragraph 2.27.1	Paragraph 3.2	Paragraph 1.5.1

Consequential Amendment	Annex 1	Annex 6			Annex 8	Annex 11	Annex 13	Annex 14, Vol. 1
		Part I	Part II	Part III				
with “acceptable level of safety” modified to “acceptable level of safety performance”.		8.7.3.1			5.1			
Transfer and amend Note referring to the SSP framework in Attachment A and to the SMM (Doc 9859) for guidance on a SSP, to Annex 19. (3.1.1 Note).		Paragraph 3.3.1, Note AND paragraph 8.7.3.1, Note		Paragraph 1.3.1, Note	Part II, paragraph 5.1, Note	Paragraph 2.27.1, Note	Paragraph 3.2, Note	Paragraph 1.5.1, Note
Transfer and amend Standard requiring establishment of the “acceptable level of safety” to be achieved to Annex 19 (3.1.2) with “acceptable level of safety” modified to “acceptable level of safety performance”.		Paragraphs 3.3.2 AND 8.7.3.2		Paragraph 1.3.2	Part II, paragraph 5.2	Paragraph 2.27.2		Paragraph 1.5.2
Delete Note referring the reader to the SMM (Doc 9859) for guidance on defining an “acceptable level of safety performance”.		Paragraph 3.3.2, Note AND 8.7.3.2, Note	Paragraph 1.3.2 Note		Part II, paragraph 5.2, Note	Paragraph 2.27.2, Note		Paragraph 1.5.2, Note
Transfer requirement for SMS implementation by relevant service providers to Annex 19 (3.1.3, 4.1 and Appendix 2).	Appendix 2, paragraph 4.1	Paragraphs 3.3.3 AND 8.7.3.3		Paragraph 1.3.3	Paragraph 5.3	Paragraph 2.27.3		Paragraph 1.5.3
Delete Note referring the reader to the SMM (Doc 9859) for guidance on defining safety performance.	Appendix 2, paragraph 4.1, Note	Paragraph 3.3.3, Note and 8.7.3.3, Note		Paragraph 1.3.3, Note	Paragraph 5.3, Note	Paragraph 2.27.3, Note		Paragraph 1.5.3, Note
Transfer Standard for an SMS to clearly define lines of	Appendix 2, paragraph 4.2	Paragraphs 3.3.4 AND		Paragraph 1.3.4	Paragraph 5.4	Paragraph 2.27.4		Paragraph 1.5.4

Consequential Amendment	Annex 1	Annex 6			Annex 8	Annex 11	Annex 13	Annex 14, Vol. 1
		Part I	Part II	Part III				
accountability to Annex 19, Appendix 2 (1.2).		8.7.3.4						
Transfer Note referencing SMS framework for relevant service providers and the Safety Management Manual (Doc 9859) for guidance on implementation of SMS to Annex 19 (Ch. 4).	Appendix 2, paragraph 4.2 Note 1.	Paragraph 3.3.4, Note AND paragraph 8.7.3.4		Paragraph 1.3.4, Note		Paragraphs 2.27.4, Note 1		Paragraph 1.5.4, Note
Delete Note as the material has been removed from the current edition of the SMM (Doc 9859).		Paragraph 3.3.7, Note 1		Paragraph 1.3.6, Note 1				
Amend Note to refer to Attachment B in Annex 19.		Paragraph 3.3.7, Note 2 Appendix 8, paragraph 2.1, Note		Paragraph 1.3.6, Note 2				
Amend Standards specific to operational certification and supervision to include references to Annex 19 provisions.		Section 4.2		Section 2.2				
Add Note 1 to refer to Annex 19 for <i>general</i> safety oversight system requirements.		Appendix 5		Appendix 1				
Add Note 2 to indicate that <i>specific</i> requirements for the safety oversight of air operators remain in the relevant Appendices to Annex 6.		Appendix 5		Appendix 1				
Transfer the generic requirements for the safety oversight of air operators to Annex 19 (Appendix 1) while specific requirements remain in		Appendix 5		Appendix 1				

Consequential Amendment	Annex 1	Annex 6			Annex 8	Annex 11	Annex 13	Annex 14, Vol. 1
		Part I	Part II	Part III				
Annex 6 and are amended as necessary. The titles in the relevant Appendices are amended where appropriate to match the titles in Appendix 1 to Annex 19.								
Copy Recommendation dealing with methodology to determine staffing requirements to Annex 19, (Appendix 1, paragraph 3.4) for personnel performing safety oversight functions; Move from 5.1 and 5.2 to 3.2 and 3.3		Appendix 5, paragraphs 5.1 and 5.2		Appendix 1, paragraphs 5.1 and 5.2				
Transfer the safety management systems framework to Annex 19, Appendix 2.	Appendix 4	Appendix 7		Appendix 4		Appendix 6		Appendix 7
Transfer the State safety programme framework to Annex 19, Attachment A.	Attachment C	Attachment I		Attachment I	Attachment to Part II	Attachment D	Attachment F	Attachment C

ATTACHMENT J to State letter AN 8/3-12/42

**RESPONSE FORM TO BE COMPLETED AND RETURNED TO ICAO TOGETHER
WITH ANY COMMENTS YOU MAY HAVE ON THE PROPOSED AMENDMENTS**

To: The Secretary General
International Civil Aviation Organization
999 University Street
Montréal, Quebec
Canada, H3C 5H7

(State) _____

Please make a checkmark (✓) against one option for each amendment. If you choose options “agreement with comments” or “disagreement with comments”, **please provide your comments on separate sheets.**

	<i>Agreement without comments</i>	<i>Agreement with comments*</i>	<i>Disagreement without comments</i>	<i>Disagreement with comments</i>	<i>No position</i>
Proposed new Annex on Safety Management (Attachment A refers)					
Amendment to Annex 1 — <i>Personnel Licensing</i> (Attachment B refers)					
Amendment to Annex 6 — <i>Operation of Aircraft</i> (Attachment C refers)					
Amendment to Annex 8 — <i>Airworthiness of Aircraft</i> (Attachment D refers)					
Amendment to Annex 11 — <i>Air Traffic Services</i> (Attachment E refers)					
Amendment to Annex 13 — <i>Aircraft Accident and Incident Investigation</i> (Attachment F refers)					
Amendment to Annex 14 — <i>Aerodromes, Volume I — Aerodrome Design and Operations</i> (Attachment G refers)					

*“Agreement with comments” indicates that your State or organization agrees with the intent and overall thrust of the amendment proposal; the comments themselves may include, as necessary, your reservations concerning certain parts of the proposal and/or offer an alternative proposal in this regard.

Signature: _____ Date: _____