LEGAL NOTICE No. 342

REPUBLIC OF TRINIDAD AND TOBAGO

THE CIVIL AVIATION ACT, CHAP. 49:03

REGULATIONS

MADE BY THE TRINIDAD AND TOBAGO CIVIL AVIATION AUTHORITY WITH THE APPROVAL OF THE MINISTER UNDER SECTION 33 OF THE CIVIL AVIATION ACT AND SUBJECT TO NEGATIVE RESOLUTION OF PARLIAMENT

THE CIVIL AVIATION [(NO. 12) AERODROME LICENSING] (AMENDMENT) REGULATIONS, 2020

Citation

1. These Regulations may be cited as the Civil Aviation [(No. 12) Aerodrome Licensing] (Amendment) Regulations, 2020.

Interpretation
Chap. 49:03

2. In these Regulations, "the Regulations" means the Civil Aviation [(No. 12) Aerodrome Licensing] Regulations, 2004.

Regulation 2 amended

3. Regulation 2 of the Regulations is amended—

(a) in the definition of "obstacle", by inserting after the words "aircraft in flight", the words "or stand outside those defined surfaces and that have been assessed as being a hazard to air navigation"; and

(b) by inserting in the appropriate alphabetical sequence, the following definitions:

"contaminated runway" means a runway where a significant portion of the runway surface area (whether in isolated areas or not) within the length and width being used is covered by one or more of the substances listed in the runway surface condition descriptors;

"dry runway" means a runway considered dry if its surface is free of visible moisture and not contaminated within the area intended to be used;

"helideck" means a heliport located on a fixed or floating offshore facility such as an exploration or production unit used for the exploitation of oil or gas;

"heliport" means an aerodrome or a defined area on a structure intended to be used wholly or in part for the arrival, departure and surface movement of helicopters;

"isolated aerodrome" means a destination aerodrome for which there is no destination alternate aerodrome suitable for a given aircraft type;

"landing surface" means that part of the surface of an aerodrome which the aerodrome authority has declared available for the normal ground or water run of aircraft landing in a particular direction;

"State of the Aerodrome" means the State in whose territory the aerodrome is located;

"take-off surface" means that part of the surface of an aerodrome which the aerodrome authority has declared available for the normal ground or water run of aircraft taking off in a particular direction;

"wet runway" means the runway surface is covered by any visible dampness of water up to and including 3 mm deep within the intended area of use;".

Regulation 21(1) amended

4. Regulation 21(1) of the Regulations is amended—

(a) in paragraph (b), by deleting the word "and";

(b) by renumbering paragraph (c) as paragraph (d); and

(c) by inserting after paragraph (b), the following paragraph:

"(c) subject to the published conditions of use, ensure that his aerodrome and its facilities, be kept continuously available for flight operations during their published hours of operation, irrespective of weather conditions; and".

Regulation 52(4) amended

5. Regulation 52(4) of the Regulations is amended in paragraph (a) by inserting after the words "identify safety hazards", the words "from collected safety data and ensures the assessment of safety risks associated with identified hazards".

6. The Regulations are amended, by revoking Schedule 2 and substituting the following schedule: Schedule 2 revoked and substituted

"SCHEDULE 2

[Regulation 52(4)(e)]

FRAMEWORK FOR A SAFETY MANAGEMENT SYSTEM (SMS)

The following are the minimum standards for a Safety Management System (SMS) for an Aerodrome Operator Organization. An SMS is a management system for the management of safety by a aerodrome operator organisation.

GENERAL

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

1. Safety policy and objectives are as follows:
   (a) Management commitment;
   (b) Safety accountability and responsibilities;
   (c) Appointment of key safety personnel;
   (d) Coordination of emergency response planning; and
   (e) SMS documentation.
2. Safety risk management are as follows:
   (a) Hazard identification; and
   (b) Safety risk assessment and mitigation.
3. Safety assurance are as follows:
   (a) Safety performance monitoring and measurement;
   (b) The management of change; and
   (c) Continuous improvement of the SMS.
4. Safety promotion are as follows:
   (a) Training and education; and
   (b) Safety communication.

CONTENTS FOR SMS IMPLEMENTATION

1. Safety policy and objectives
   (a) Management commitment shall include the following:
      (i) The aerodrome operator shall define its safety policy in accordance with international and national requirements. The safety policy shall—
         (A) reflect organisational commitment regarding safety, including the promotion of a positive safety culture;
         (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 in relation to the aerodrome operator's aviation activities and include the circumstances under which disciplinary action would not apply;

(E) be signed by the accountable executive of the organisation;

(F) be communicated, with visible endorsement, throughout the organisation; and

(G) be periodically reviewed to ensure it remains relevant and appropriate to the aerodrome operator; and

(ii) Taking due account of its safety policy, the aerodrome operator shall define safety objectives. The safety objectives shall—

(A) form the basis for safety performance monitoring and measurement as required under paragraph 3;

(B) reflect the aerodrome operator's commitment to maintain or continuously improve the overall effectiveness of the SMS;

(C) be communicated throughout the organisation; and

(D) be periodically reviewed to ensure they remain relevant and appropriate to the aerodrome operator.

(b) Safety accountability and responsibilities

The aerodrome operator shall—

(i) identify the accountable executive who, irrespective of other functions, is accountable on behalf of the organisation for the implementation and maintenance of an effective SMS;

(ii) clearly define lines of safety accountability throughout the organisation, including a direct accountability for safety on the part of senior management;

(iii) identify the responsibilities of all members of management, irrespective of other functions, as well as of employees, with respect to the safety performance of the organisation;

(iv) document and communicate safety accountability, responsibilities and authorities throughout the organisation; and

(v) define the levels of management with authority to make decisions regarding safety risk tolerability.

(c) Appointment of key safety personnel

(i) The aerodrome operator shall appoint a safety manager who is responsible for the implementation and maintenance of the SMS; and

(ii) Depending on the size of the aerodrome operator and the complexity of its aviation products or services, the responsibilities for the implementation and maintenance of the SMS may be assigned to one or more persons, fulfilling the role of safety manager, as their sole function or combined with other duties, provided these do not result in any conflicts of interest.

(d) Coordination of emergency response planning

The aerodrome operator shall—

(i) establish and maintain an emergency response plan for accidents and incidents in aircraft operations and other aviation emergencies; and

(ii) ensure that the emergency response plan is properly coordinated with the emergency response plans of those organisations it must interface with during the provision of its products and services.

(e) SMS documentation

(i) The aerodrome operator shall develop and maintain an SMS manual that describes its—

(A) safety policy and objectives;

(B) SMS requirements;

(C) SMS processes and procedures;

(D) Accountability, responsibility, and authorities for SMS processes and procedures; and

(E) the SMS manual may be in the form of stand-alone documents or may be integrated with other organisational documents maintained by the aerodrome operator; and

(ii) The aerodrome operator shall—

(A) develop and maintain SMS operational records as part of its SMS documentation; and

(B) the SMS operational records may be in the form of stand-alone documents or may be integrated with other organisational documents maintained by the aerodrome operator.

2. Safety risk management

(a) Hazard identification

(i) The aerodrome operator shall develop and maintain a process to identify hazards associated with its aviation services; and

(ii) Hazard identification shall be based on a combination of reactive and proactive methods; and

(b) Safety risk assessment and mitigation

(i) The aerodrome operator shall develop and maintain a process that ensures analysis, assessment and control of the safety risks associated with identified hazards; and

(ii) The process may include predictive methods of safety data analysis.

3. Safety assurance

(a) Safety performance monitoring and measurement

(i) The aerodrome operator shall develop and maintain the means to verify the safety performance of the organisation and to validate the effectiveness of safety risk controls; and

(ii) The aerodrome operator's safety performance shall be verified in reference to the safety performance indicators and safety performance targets of the SMS in support of the organisation's safety objectives.

(b) The management of change

The aerodrome operator 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.

(c) Continuous improvement of the SMS

The aerodrome operator shall monitor and assess its SMS processes to maintain or continuously improve the overall effectiveness of the SMS.

4. Safety promotion

(a) Training and education

(i) The aerodrome operator shall develop and maintain a safety training programme that ensures that personnel are trained and competent to perform their SMS duties; and

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

(b) Safety communication

The aerodrome operator shall develop and maintain a formal means for safety communication that—

(i) ensures personnel are aware of the SMS to a degree commensurate with their positions;

(ii) conveys safety-critical information;

(iii) explains why particular actions are taken to improve safety; and

(iv) explains why safety procedures are introduced or changed.".

Made by the Trinidad and Tobago Civil Aviation Authority this 13th day of October, 2020.

F. REGIS
Trinidad and Tobago Civil Aviation Authority

Approved by the Minister of Works and Transport this 13th day of October, 2020.

R. SINANAN
Minister of Works and Transport

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