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Safety Recommendation:

The Director-General for Mobility and Transport, European Commission should review Regulation (EC) No 216/2008 in the context of Implementing Regulation (EU) No 628/2013 in order to improve safety oversight including the efficacy and scope of SAFA Inspections and to provide for the extension of oversight responsibilities, particularly in cases where effective oversight may be limited due to resource issues, remote operation or otherwise.

Response:

The Director General for Mobility and Transport, European Commission, advised the AAIU by letter dated 15 April 2014 that:

“DG MOVE believes that the focus on Implementing Regulation (EU) No 628/2013 is justified in order to promote an improvement of the safety oversight by the competent national authorities, as this regulation is the appropriate instrument to both monitor the national implementation of the obligations imposed by Regulation (EC) No 216/2008 and to work consistently towards achieving standardisation across the Union.

The emphasis placed on the efficacy and scope of SAFA inspections has, however, to be carefully qualified. While extremely valuable as a tool to produce quick indicators regarding the safety level of a particular aircraft or operator as far as aircraft condition and flight preparation are concerned, SAFA has intrinsic limitations in other areas, such as for example operations, which have a direct bearing on safety. The nature of SAFA inspections places upper limits on the potential enlargement of the scope of ramp inspections. Therefore, the expectations for a significant improvement of safety oversight through the extension of the nature of SAFA inspections, apart from ensuring an appropriate presence of qualified inspectors at the required airfields, should be kept in check to take account of the very limited potential to extend the existing scope of ramp inspections.

Having said that, DG MOVE believes that the limits of SAFA inspections, particularly evident in cases where effective oversight may be difficult due to remote operation, could well be compensated through 'cooperative oversight arrangements'. Based on Article 10 of Regulation (EC) No 216/2008, this concept of 'cooperative oversight arrangements' has been further developed in Regulation (EU) No 965/2012 on air operations (ARO.GEN.300 €).

DG MOVE agrees with this safety recommendation and considers that it is important to stimulate and promote this concept of cooperative oversight, in particular for remote operations. For instance, the practical application of this concept will be addressed during EASA's standardisation meeting on operations that is scheduled in

October 2014. DG MOVE will endeavour to include the lessons learned from this accident in the Commission's policy initiative on aviation safety.”

AAIU Comment:

Note that the concept of cooperative oversight will be addressed by EASA at a standardisation meeting scheduled in October 2014.

