

<b>Safety Recommendation Number:</b>	IRLD2021031
<b>AAIU Event Reference:</b>	IRL00917016
<b>AAIU Report Number:</b>	2021-008
<b>Date of Publication of Safety Recommendation:</b>	5 November 2021
<b>Safety Recommendation Status:</b>	In process of implementation

**Safety Recommendation:**

The Minister for Transport should ensure that the Department has sufficient specialist aviation expertise to enable it to discharge effective oversight of the full range of IAA activities.

**Response:**

On 01 February 2022, and in subsequent engagement with the AAIU, the Department of Transport provided the following response to this Safety Recommendation:

*"On behalf of the Minister I would like to convey the following:*

*This recommendation is accepted.*

*The Department of Transport has contracted aviation expertise available to it. In addition, periodic review of the Irish Aviation Authority (IAA) by the Department is built into the Irish Aviation Authority Act 1993. Section 32 of the 1993 Act requires the Minister to appoint an independent person or body to carry out an examination of the performance by the IAA of its functions in so far as they relate to the application and enforcement of technical and safety standards in relation to aircraft and air navigation. The examination is a safeguard to ensure that safety standards are upheld.*

*The Department's current assessment is that there are significant advantages to the approach of externally contracting specialist aviation expertise as required. It gives access to a greater range, depth and quantum of expertise compared to a standing appointment of a single expert on contract or otherwise.*

*Previously, the Department rarely contracted specialist aviation expertise other than to undertake the examination of IAA performance of its functions relating to the application and enforcement of safety and technical standards, under section 32 of the IAA Act 1993. In the light of the AAIU interim report on the R116 accident, specialist aviation expertise has been contracted much more regularly and this approach will continue as we engage with an evolving regulatory and safety oversight environment. Recent examples include the Department's engagement of expertise to advise on the framing of search and rescue provisions in the Air Navigation and Transport Bill, accessing advice to inform our engagement with the Irish Aviation Authority on draft Search and Rescue Rules and contracting expertise to undertake a review of IAA's regulation of areas outside the European aviation safety regulatory regime.*

*The Department will continue to consider on a case by case basis where such additional expertise can usefully be drawn upon with regard to the roles of the IAA. As you are aware, the statutory requirement for a comprehensive review of the safety standards upheld by the IAA on a three yearly basis remains in place alongside the oversight activities undertaken by ICAO and EASA.*

*However, we recognise the need to further examine our practice in this area, and to take further additional measures, as highlighted by safety recommendation IRLD2021031. Accordingly, we will undertake further analysis of best practice in assuring Ministerial and Departmental oversight of aviation safety regulation. In doing so, we will undertake a review of:*

- the oversight of aviation safety regulation in other jurisdictions, and*
- the oversight of safety regulation in other sectors in Ireland.*

*We are now moving to scope this work more fully and decide arrangements for delivery. We plan to complete the review work by the end of quarter 1 2023."*

On 19 September 2023, the Department of Transport provided the following update for this Safety Recommendation:

*"In response to IRLD2021031 the Department of Transport committed to undertaking further analysis of best practice in assuring Ministerial and Departmental oversight of aviation safety regulation. The Department is currently reviewing the oversight of aviation safety regulation in other jurisdictions, and the oversight of safety regulation in other sectors in Ireland.*

*It recently engaged independent aviation consultants to carry out a review of aviation expertise utilised by EU ministries with responsibility for civil aviation.*

*It is anticipated that the full review will be completed by the end of Q3 2023. A further update will issue once the review process has been completed."*

**AAIU Comment:**

The AAIU notes the Minister's response of 01 February 2022.

The AAIU notes that the Minister has accepted the Safety Recommendation, and the AAIU also notes the Q1 2023 timescale for further update.

The AAIU considers the status of this Safety Recommendation to be 'In process of implementation'.

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