

Eight Critical Element of a safety oversight system.

ICAO Contracting States, in their effort to establish and implement an effective safety oversight system, need to consider the critical elements for safety oversight (CE). Critical elements are essentially the safety defence tools of a safety oversight system and are required for the effective implementation of safety-related policy and associated procedures. States are expected to implement safety oversight critical elements in a way that assumes the shared responsibility of the State and the aviation community. Critical elements of a safety oversight system encompass the whole spectrum of civil aviation activities, including areas such as aerodromes, air traffic control, communications, personnel licensing, flight operations, airworthiness of aircraft, accident/incident investigation, and transport of dangerous goods by air. The effective implementation of the CE is an indication of a State's capability for safety oversight.

ICAO has identified and defined the following critical elements of a State's safety oversight system:

Parliament Act
Regulations of
Criminal offenses

CE-1. *Primary aviation legislation.* The provision of a comprehensive and effective aviation law consistent with the environment and complexity of the State's aviation activity and compliant with the requirements contained in the Convention on International Civil Aviation.

NAA Issued Rules
EASR, FAR,
ICAO SARPs

CE-2. *Specific operating regulations.* The provision of adequate regulations to address, at a minimum, national requirements emanating from the primary aviation legislation and providing for standardized operational procedures, equipment and infrastructures (including safety management and training systems), in conformance with the Standards and Recommended Practices (SARPs) contained in the Annexes to the Convention on International Civil Aviation.

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

CE-3. *State civil aviation system and safety oversight functions.* The establishment of a Civil Aviation Authority (CAA) and/or other relevant authorities or government agencies, headed by a Chief Executive Officer, supported by the appropriate and adequate technical and non-technical staff and provided with adequate financial resources. The State authority must have stated safety regulatory functions, objectives and safety policies.

Note.— The term “State civil aviation system” 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: CAA, Airport Authorities, Air Traffic Service Authorities, Accident Investigation Authority, and Meteorological Authority.

CE-4. *Technical personnel qualification and training.* The establishment of minimum knowledge and experience requirements for the technical personnel performing safety oversight functions and the provision of appropriate training to maintain and enhance their competence at the desired level. The training should include initial and recurrent (periodic) training.

- CE-5. *Technical guidance, tools and the provision of safety-critical information.*** The provision of technical guidance (including processes and procedures), tools (including facilities and equipment) and safety-critical information, as applicable, to the technical personnel to enable them to perform their safety oversight functions in accordance with established requirements and in a standardized manner. In addition, this includes the provision of technical guidance by the oversight authority to the aviation industry on the implementation of applicable regulations and instructions.
- CE-6. *Licensing, certification, authorization and approval obligations.*** The implementation of 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.
- CE-7. *Surveillance obligations.*** The implementation of processes, such as inspections and audits, to proactively ensure that aviation licence, certificate, authorization and/or approval holders continue to meet the established requirements and function at the level of competency and safety required by the State to undertake an aviation-related activity for which they have been licensed, certified, authorized and/or approved to perform. This includes the surveillance of designated personnel who perform safety oversight functions on behalf of the CAA.
- CE-8. *Resolution of safety concerns.*** The implementation of processes and procedures to resolve identified deficiencies impacting aviation safety, which may have been residing in the aviation system and have been detected by the regulatory authority or other appropriate bodies.

Note.— This would include the ability to analyse safety deficiencies, forward recommendations, support the resolution of identified deficiencies, as well as take enforcement action when appropriate.