



International
Civil Aviation
Organization

Organisation
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Международная
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航空组织

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Ref.: AN 8/3-15/46

21 July 2015

Subject: Proposals for the amendment of Annexes 19, 8 and 6, Parts I and III relating to safety management

Action required: Comments to reach Montréal by 15 October 2015

Sir/Madam,

1. I have the honour to inform you that the Air Navigation Commission, at the sixth and seventh meetings of its 199th Session held on 9 and 11 June 2015, respectively, considered the proposals developed by the Safety Management Panel (SMP) together with the Airworthiness Panel (AIRP) and the Safety Information Protection Task Force (SIP TF) to amend the Standards and Recommended Practices (SARPs) in Annex 19 — *Safety Management*, Annex 8 — *Airworthiness of Aircraft* and Annex 6 — *Operation of Aircraft, Part I — International Commercial Air Transport — Aeroplanes* and Part III — *International Operations — Helicopters* relating to safety management. The Commission authorized the transmission of these proposals to Contracting States and appropriate international organizations for comments.

2. Given the relevance of the proposed amendments on the protection of safety data and safety information across multiple domains, consideration should be given to coordinating these amendment proposals with the relevant State authorities, including those responsible for State safety management activities as well as appropriate legal and judicial authorities.

3. To further assist you in the review of the proposed SARPs in this respect, the aforementioned proposals to Annexes 19, 8 and 6, Parts I and III are explained in more detail in Attachment A. The proposed amendments to Annex 19, 8 and 6, Parts I and III are contained in Attachments B, C and D, respectively. A rationale box providing more information has been included immediately following each proposal throughout the attachments. For ease of reference, the table found in Attachment E provides a mapping of the proposed Annex 19, Chapter 3 provisions to existing Annex 19 provisions and indicates any change in status.

4. Taking into account the scope and complexity of the proposed amendments, and challenges faced by States in meeting the Global Aviation Safety Plan (GASP) objectives, further guidance material is being developed to assist States in the effective implementation of existing and

proposed provisions in Annex 19. An updated version of the ICAO *Safety Management Manual (SMM)* (Doc 9859) is expected to be published in all ICAO working languages in the second quarter of 2017.

5. Please note that the proposed amendments to Annexes 19, 8 and 6, Parts I and III are anticipated to be put forward for adoption by the Council in March 2016 and to become effective in July 2016. The proposed amendments to Annex 8 are envisaged for applicability in 10 November 2016. The ANC has recommended an applicability date of 8 November 2018 for the proposed amendments to Annexes 19 and 6, Parts I and III.

6. In examining the proposed amendments, 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 amendments.

7. May I request that any comments you may wish to make on the proposed amendments to Annexes 19, 8 and 6, Parts I and III be dispatched to reach me not later than 15 October 2015. 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.

8. 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 amendment proposals. In addition, you are kindly requested to confirm your agreement with the recommended applicability date for the proposed amendments to Annexes 19 and 6, Parts I and III. Alternatively, you may indicate your support for a 5 November 2020 applicability date. In order to facilitate your reply with respect to the applicability date, a form has been included in Attachment F.

9. 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 F which may be completed and returned together with your comments, if any, on the proposals in Attachments B to D.

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



Raymond Benjamin
Secretary General

Enclosures:

- A — Background
- B — Proposed amendment to Annex 19
- C — Proposed amendment to Annex 8
- D — Proposed amendment to Annex 6, Parts I and III
- E — Mapping of the proposed Annex 19, Chapter 3 provisions
- F — Response form

**BACKGROUND INFORMATION ON THE
PROPOSAL RELATING TO SAFETY MANAGEMENT**

1. GENERAL

1.1 The ICAO High-level Safety Conference 2010 (HLSC 2010) recommended the development of a new Annex dedicated to safety management responsibilities and processes which would address the safety management responsibilities of States framed under the State safety programme (SSP) (Recommendation 2/5 refers).

1.2 In addition, the HLSC 2010 recommended that ICAO establish a multidisciplinary group to progress activities regarding the protection of safety data and safety information, including certain accident and incident records as well as data supporting SSPs and safety management systems (SMS) (Recommendation 2/4 a) refers). The 37th Session of the Assembly (Montréal, 28 September – 8 October 2010) instructed the Council to consider enhancing, in view of the results of the work of the multidisciplinary group and taking into account the necessary interaction between safety and judicial authorities in the context of open reporting culture, the provisions on the protection of certain accident and incident records as well as provisions on information gathered through safety management processes with a view to ensure and sustain the availability of information required for the management of safety.

1.3 On 7 December 2010, the Commission (185-7) agreed to establish a multidisciplinary Safety Information Protection Task Force (SIP TF) to provide recommendations for new and/or enhanced provisions and guidance materials intended to assure an appropriate level of protection for certain accident and incident records and information gathered through safety management processes.

1.4 In response, the SIP TF developed recommendations for amendments to Annex 19, addressing various issues associated with the legal protection of information gathered through safety management processes. These recommendations were developed in parallel with the Safety Management Panel (SMP) proposals.

1.5 The development of the new Annex on safety management is following a two-phase process. The first phase, focused on the consolidation and reorganization of Standards and Recommended Practices (SARPs) existing in other Annexes at the time the new Annex was being developed, aimed at ensuring stability and consistency. The first phase, which was completed with the adoption of Annex 19 on 25 February 2013, included the transfer or replication of provisions related to the protection of safety information from Annex 13 — *Aircraft Accident and Incident Investigation* to the new Annex. During the preliminary review for the initial adoption of Annex 19, the ANC (190-4) strongly supported the inclusion of organizations responsible for the type design and/or manufacture of engines and propellers in the initial applicability for Annex 19. However, this was deferred due to the fact that Annex 8 — *Airworthiness of Aircraft* did not include provisions to recognize these organizations as separate from the organization responsible for the type design and manufacture of aircraft.

1.6 The second phase, to consider amendments to safety management provisions, took into consideration many comments received from States and international organizations during the initial adoption of Annex 19. The SMP progressed the work remotely by teleconference and through various meetings, including working group meetings, a Working Group of the Whole Meeting (SMP/WGWHL/2) from 4 to 8 November 2013 and the first “full panel” meeting (SMP/1) from 3 to 7 November 2014, both

held at ICAO Headquarters, Montréal. The SMP/1 was attended by sixty-four participants from twenty States and eight international organizations and delivered a proposal for a comprehensive amendment to Annex 19.

1.7 The fourteenth meeting of the Airworthiness Panel Working Group of the Whole (AIRP/WG/WHL/14) was held from 28 April to 2 May 2014 at ICAO Headquarters, Montréal. It was attended by thirty-sixty participants from thirteen States and five international organizations.

1.8 The AIRP/WG/WHL/14 recommended proposed changes to Annex 8 to include provisions to recognize organizations responsible for the type design and manufacture of engines and propellers to support the extension of SMS applicability to these organizations.

2. OVERVIEW OF AMENDMENT PROPOSALS

Integration of SSP and State safety oversight provisions

2.1 In response to the need to define the relationship between the eight critical elements of a State safety oversight (SSO) system and the SSP framework, the proposed amendments to Chapter 3 of Annex 19 integrate all provisions related to a State's safety management obligations and functions. This proposed integration will need to be supported by new or amended guidance material and training, not only related to SSP but to SSO as well, to help States continue to make progress in implementing SSP and achieve sustainable improved safety performance (HLSC 2015 Recommendation 2/1 refers). In addition, the proposed integration of provisions related to a State's safety management responsibility elevates the elements of the SSP framework, currently contained in Attachment A of Annex 19, to Standards or Recommended Practices.

Enhancements to SMS provisions and extension of SMS applicability

2.2 During the preliminary review for the adoption of Annex 19, the ANC (190-4) strongly supported extending the applicability of SMS to organizations responsible for the type design and/or manufacture of engines and propellers. Nonetheless, the ANC deferred this issue to phase 2 due to the fact that Annex 8 does not include provisions to recognize these organizations as separate from the organization responsible for the type design and manufacture of aircraft. The SMP has worked in coordination with the AIRP to address the recognition of organizations responsible for the type design and/or manufacture of engines and propellers, and to extend the applicability of SMS to these organizations and to identify a State of Design and/or Manufacture that may be separate from the State of Design for the aircraft. The related proposed amendments to Annex 8 can be found in Attachment C and the proposed amendments to Annex 19 are addressed in Chapters 3 and 4 of Attachment B.

2.3 The SMP/1 discussed the extension of SMS to other areas of aviation activity and concluded that the focus should be to improve SMS implementation among existing service providers. For areas of aviation activity that have the potential to introduce hazards to the safe operation of aircraft, the SMP concluded that existing service providers should address these activities as part of their SMS through interface management. The proposal also contains new and amended provisions for Chapter 4 and Appendix 2 to Annex 19, including updates to the provisions for international general aviation and the addition of several notes, to facilitate the implementation of SMS.

Safety information protection

2.4 The High-level Safety Conference 2015 (HLSC 2015), held from 2 to 5 February 2015 in Montréal, noted the work of ICAO, supported by multiple groups of experts, in progressing specific proposals for enhanced protective frameworks of information collected for the purpose of maintaining or improving safety. The conference concluded that the reconciliation of inputs from the relevant groups of experts, as well as those received from States is fundamental for the development, adoption and efficient implementation of new or enhanced provisions on this topic. Additionally, the conference recommended that ICAO make meaningful progress in the adoption of new or enhanced provisions while ensuring their consistency, coherence and clarity.

2.5 Considering the relevant conclusions and recommendations of the HLSC 2015, and replies from States and international organizations to State letter AN 8/1-14/47, a coordination meeting between experts from the SMP and the SIP TF was held from 26 to 27 March 2015 to assist the Secretariat to reconcile any differences between their respective proposals. The coordination meeting used as a baseline recommendations for Amendment 1 to Annex 19, as developed by the SMP, taking into consideration the proposed amendment in State letter AN 8/1-14/47 as well as replies from States and international organizations to the proposal. The main objective was to ensure clarity and consistency of the proposed provisions, and ensure no overlap with provisions on protection of investigation records accorded in Annex 13. The safety information protection provisions in the proposed amendment to Annex 19 found in Attachment B present a consolidated proposal related to the protection of safety data and safety information, as well as related sources, developed by the coordination meeting. Consequential amendments to Annex 6, Parts I and III are found in Attachment D.

ATTACHMENT B to State letter AN 8/3-15/46

PROPOSED AMENDMENT TO ANNEX 19

NOTES ON THE PRESENTATION OF THE AMENDMENT

1. 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:

~~Text to be deleted is shown with a line through it.~~

Text to be deleted

New text to be inserted is highlighted with grey shading.

New text to be inserted

~~Text to be deleted is shown with a line through it~~
followed by the replacement text which is highlighted
with grey shading.

New text to replace existing text

**PROPOSED AMENDMENT TO
INTERNATIONAL STANDARDS
AND RECOMMENDED PRACTICES**

ANNEX 19

TO THE CONVENTION ON INTERNATIONAL CIVIL AVIATION

SAFETY MANAGEMENT

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Editorial Note.— Throughout the Annex, the terms “Each State” and “The State” have been replaced by “States”.

INITIAL PROPOSAL 1

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~~**ATTACHMENT A. Framework for a State safety programme (SSP)**~~

- ~~— 1. State safety policy and objectives~~
- ~~— 2. State safety risk management~~
- ~~— 3. State safety assurance~~
- ~~— 4. State safety promotion~~

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<i>Origin</i>	<i>Rationale</i>
SMP/1	The Table of Contents has been updated to reflect this proposed amendment to Annex 19.

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INITIAL PROPOSAL 2

FOREWORD

Historical background

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In its report to Council on the HLSC 2010 outcomes, the Air Navigation Commission (ANC) had recommended that the development of the new Annex follow a two-phased process. The focus of the first phase was to establish the safety management Annex through the consolidation and reorganization of existing SARPs. Amendment 1 to Annex 19 includes substantive amendments to the safety management provisions as described below.

In recognition of the need to define the relationship between the eight critical elements (CEs) of a State safety oversight (SSO) system found in Appendix 1 and the State safety programme (SSP) framework previously found in Attachment B, Amendment 1 to Annex 19 consolidates the provisions related to States' safety management responsibility in Chapter 3. The critical elements of an SSO system remain visible in Appendix 1 and their role as the foundation of an SSP is clarified in Chapter 3. The integration of the SSO system and SSP aims to facilitate the implementation of an SSP by providing a streamlined set of provisions.

Furthermore, Amendment 1 provides new and amended Standards and Recommended Practices (SARPs) on safety management systems to facilitate implementation, including the addition of several explanatory notes. Amendment 1 also extends the applicability of an SMS to organizations responsible for the type design and manufacture of engines and propellers, which is facilitated by the recognition of these organizations in Annex 8.

Finally, Amendment 1 provides enhanced protections to safety data and safety information as well as their sources. One of the key elements of the proposed amendments is that guidance material contained in Attachment B to Annex 19 be upgraded to the status of SARPs, grouped within a new Appendix. The proposed amendments enhance legal safeguards intended to assure the appropriate use and protection of safety information, thereby facilitating its continued availability to support proactive safety improvement strategies. Definitions for safety data and safety information have also been developed to provide clarity to the scope of the provisions, thereby facilitating consistent application.

As a result of the adoption of Amendment 1, the second edition of Annex 19 was published. This edition reflects the extensive nature of the Amendment which completes the second phase of the development of the Annex. Amendment 1 was adopted by the Council on xx March 2016, became effective xx July 2016 and applicable on 8 November 2018.

<i>Origin</i>	<i>Rationale</i>
SMP/1	The Foreword has been updated to describe the contents of this amendment proposal, which constitutes Phase 2 of the development of Annex 19.

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INITIAL PROPOSAL 3

CHAPTER 1. DEFINITIONS

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Hazard. A condition or an object with the potential to cause or contribute to an aircraft incident or accident.

...

Safety data. A defined set of facts or set of safety values collected from various aviation related sources, which when analyzed is used to maintain or improve safety.

Note.— Such safety data is collected from proactive or reactive safety related activities, including but not limited to:

- a) accident or incident investigations;
- b) safety reporting;
- c) continuing airworthiness reporting;
- d) operational performance monitoring;
- e) inspections, audits, surveys; or
- f) safety studies and reviews.

Safety information. Safety data processed, organized or presented in a given context so as to make it useful for the purpose of sharing, exchanging or retaining them for safety management.

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

Safety oversight. A function performed by a State that ensures that aviation licence, certificate, authorization or approval holders comply with safety-related standards, regulations and associated procedures, and includes the assessment of the service providers' SMS where necessary.

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Safety performance target. The planned or intended objective target for a safety performance indicator(s) over a given period that aligns with the organization's safety objectives.

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Surveillance. The State activities through which the State proactively verifies through inspections and audits that aviation licence, certificate, authorization or approval holders continue to meet the established requirements and function at the level of competency and safety required by the State.

<i>Origin</i>	<i>Rationale</i>
SMP/1 and Secretariat	<p>Safety data – intended to apply to the entire Annex and associated Appendices.</p> <p>Safety information – intended to apply to the entire Annex and associated Appendices.</p>

	<p><i>Safety management system</i> Annex 19 uses the terms “accountability” and “responsibility” and derivatives thereof in an inconsistent manner and when these terms are translated into some of the other official ICAO languages the distinction between the two words becomes less clear. Notes have been added in Chapter 2, Applicability to distinguish between “responsibility” and “responsibilities” when referring to States, and at the beginning of Appendix 2 to distinguish between “accountability” and “responsibilities” when referring to service providers. The terms have then been updated throughout this proposal to be consistent with the clarification provided.</p> <p><i>Safety performance target</i> The definition has been amended to reflect the changes made to Annex 19 Appendix 2, Component 1, “Safety policy and objectives”. It is important that safety performance targets be determined with reference to the service provider’s or State’s safety objectives. The clarification of the safety performance target will ensure proper linkage between safety performance measurement and management: Safety performance is measured based on how well the safety objectives are met.</p> <p><i>Surveillance – self-explanatory</i></p> <p><i>Hazard</i> Consistent with the definition currently found in the ICAO <i>Safety Management Manual (SMM)</i> (Doc 9859).</p> <p><i>Safety oversight</i> The scope described is intended to address all the activities conducted under the Universal Safety Oversight Audit Programme consistent with Appendix 1.</p>
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INITIAL PROPOSAL 4

CHAPTER 2. APPLICABILITY

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

Note 1.— Safety management provisions for States are contained in Chapter 3 and relate to a State safety programme.

Note 2.— Safety management provisions for specified aviation service providers and operators are in Chapter 4 and relate to safety management systems (SMSs). Supplementary safety management provisions specific to individual service providers or operators are contained in other Annexes, as referenced in this Annex.

Note 3.— No provision of this Annex is intended to transfer to the State the responsibilities of the aviation service provider or operator. This includes functions related to, or in direct support of, the safe operation of aircraft.

Note 4.— In the context of this Annex, “responsibility” (singular) refers to “State responsibility” with respect to international obligations under the Convention on International Civil Aviation, while

“responsibilities” (plural) should be given its ordinary meaning (i.e., when referring to functions and activities that may be delegated).

<i>Origin</i>	<i>Rationale</i>
SMP/1 and Secretariat	<p>The addition of Note 3 to Annex 19, Chapter 2 clarifies that the responsibilities of a service provider’s safety performance always remains with the service provider.</p> <p>Note 4 has been added to clarify the usage of the terms “responsibility” and “accountability” when referring to States. This is to reflect that the Chicago Convention uses the term “responsibility” to refer to States’ obligations, while the term “accountability” is not used when referring to States elsewhere in the ICAO framework.</p> <p>Changes have been made throughout the Annex 19 amendment proposal to reflect consistency with the proposed Note 4.</p>

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INITIAL PROPOSAL 5

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 organizational arrangements, the processes, the activities and the tools necessary to support a State’s safety management responsibility resulting from the integration of the requirements of a State safety programme (SSP) and the eight critical elements (CEs) of a State safety oversight (SSO) system.~~

Note 2.— Safety management system provisions pertaining to specific types of aviation activities are addressed in the relevant Annexes.

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).

Note 4.— The State safety oversight system in Appendix 1 constitutes the foundation of an SSP.

<i>Origin</i>	<i>Rationale</i>
SMP/1	<p>Note 1 is updated to reflect the full responsibility of the State resulting from the integration of the SSP and SSO systems.</p> <p>Note 4 was added to emphasize the importance of the State safety oversight system as the foundation of a SSP, consistent with HLSC 2015 Recommendation 2/1.</p>

INITIAL PROPOSAL 6

3.1 State safety programme (SSP)

~~3.1.1 Each State shall establish an SSP for the management of safety in the State and maintain a State safety programme that is commensurate with the size and complexity of the State's civil aviation system to fulfil its safety management responsibility, in order to achieve an acceptable level of safety performance in civil aviation. The SSP shall include the following components:~~

~~*Note 1.— States retain responsibility for functions and activities delegated to another State or Regional Safety Oversight Organization.*~~

~~*Note 2.— Guidance on an SSP and the delegation of safety management related functions and activities are contained in the Safety Management Manual (SMM) (Doc 9859).*~~

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

~~*Note 1.— The SSP established by the State is commensurate with the size and the complexity of its aviation activities.*~~

~~*Note 2.— 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).*~~

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

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

~~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 (ATS) providers in accordance with Annex 11; and~~

~~*Note. The provision of AIS, CNS, MET and/or SAR services, when under the authority of an ATS provider, are included in the scope of the ATS 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 ATS provider's SMS.*~~

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

~~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 3, implement an SMS.~~

~~*Note. International general aviation operators are not considered to be service providers in the context of this Annex.*~~

~~3.2 State safety oversight~~

~~Each State shall establish and implement a safety oversight system in accordance with Appendix 1.~~

<i>Origin</i>	<i>Rationale</i>
SMP/1	<p>In integrating the SSO and SSP requirements into Chapter 3, the changes to 3.1 highlight the States' objective in establishing a SSP – to fulfil its safety management responsibility in accordance with this Chapter. The four components of the SSP are now section titles within Chapter 3.</p> <p>The concept that an SSP needs to be commensurate with the size and complexity of the State's civil aviation system can already be found in Attachment A and in a note under 3.1.1 of the current version of Annex 19. Notably, there is a Standard in Chapter 4 pertaining to the size and complexity of an SMS. The inclusion of this text for the SSP provides consistency in the Annex.</p> <p>The inclusion of Note 1 on the delegation of functions and activities (but not responsibility) reflects already established national and regional practices and emphasizes that the "responsibility" is retained by the State.</p> <p>The text of the deleted Note 1 has been incorporated into 3.1. Reference to the SMM in the deleted Note 2 has been incorporated into the new Note 2.</p> <p>In addition, to reflect the wider scope of a State's safety management responsibility, (e.g. licensing responsibility under Annex 1) the qualifier "in this chapter" has been deleted.</p> <p>3.1.2 and the accompanying Note has been moved to 3.4.2.1.</p> <p>3.1.3 was moved to 3.3.2.1</p>

	<p>3.1.4 was moved to 3.3.2.3</p> <p>With the SSO and SSP requirements integrated in Chapter 3, 3.2 is no longer necessary.</p>
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<p>INITIAL PROPOSAL 7</p>

Editorial Note.— Title of new paragraph 3.2 was previously in Chapter 3, paragraph 3.1.1, subparagraph a).

a) **3.2 State safety policy and, objectives and resources**

1. **3.2.1 Primary aviation legislation**

3.2.1.1 States shall establish primary aviation legislation in accordance with section 1 of Appendix 1.

Editorial Note.— New paragraph 3.2.1.2 was extracted from Attachment A, paragraph 1.4.

3.2.1.2 Recommendation.— ~~The State has promulgated an enforcement policy that establishes States should establish an enforcement policy that specifies the conditions and circumstances under which service providers with an SMS are allowed to deal with, and resolve, events involving certain safety deviations, internally, within the context of the service provider’s SMS, their 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.~~

<i>Origin</i>	<i>Rationale</i>
SMP/1	<p>The term “resources” has been added to the title of this component of the SSP to reflect the importance of this aspect to achieve successful implementation of SSP.</p> <p>Standard 3.2.1.1 makes reference to section 1 of Appendix 1 which contains the text of Critical Element 1 of the State safety oversight system as a foundational element of the SSP.</p> <p>Recommendation 3.2.1.2 comes from SSP Element 1.4. The inclusion of the words “with an SMS” is intended to also allow States to consider permitting those service providers that are not required to have an SMS, but have nonetheless voluntarily put in place a functioning SMS, to deal with certain safety deviations internally.</p>

INITIAL PROPOSAL 8

~~2-~~3.2.2 Specific operating regulations

3.2.2.1 States shall establish specific operating regulations in accordance with section 2 of Appendix 1.

Editorial Note.— Extracted from Attachment A, paragraph 2.1.

~~3.2.2.2 The State has established the controls which govern how service providers will identify hazards and manage safety risks. These include the requirements, States shall periodically review specific operating regulations, guidance material 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.~~

<i>Origin</i>	<i>Rationale</i>
SMP/1	<p>Standard 3.2.2.1 makes reference to section 2 of Appendix 1 which contains the text of Critical Element 2 of the State safety oversight system as a foundational element of the SSP.</p> <p>Standard 3.2.2.2 makes reference to SSP Element 2.1. A State needs to periodically review its regulations and guidance material regardless of whether it is focusing on compliance or proactive safety management, hence this SSP Element has been upgraded to a Standard.</p>

INITIAL PROPOSAL 9

~~3-~~3.2.3 State system and functions

3.2.3.1 States shall establish State system and functions in accordance with section 3 of Appendix 1.

Editorial Note.— Extracted from Attachment A, paragraph 1.2.

~~3.2.3.2 **Recommendation.**— The State has identified, defined and documented States should identify, define and document the requirements, obligations, functions and activities responsibilities and accountabilities regarding the establishment and maintenance of the SSP. This includes State safety programme, including the directives to plan, organize, develop, maintain, control and continuously improve the SSP State safety programme 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.~~

3.2.3.3 **Recommendation.**— States should establish a safety policy and safety objectives that reflect their commitment regarding safety and facilitates the promotion of a positive safety culture in the aviation community.

3.2.3.4 **Recommendation.**— The safety policy and safety objectives should be published and periodically reviewed to ensure that they remain relevant and appropriate to the State.

<i>Origin</i>	<i>Rationale</i>
SMP/1	<p>Standard 3.2.3.1 makes reference to Section 3 of Appendix 1 which contains the text of Critical Element 3 of the State safety oversight system as a foundational element of the SSP.</p> <p>Recommendation 3.2.3.2 stems from SSP Element 1.2, State safety responsibilities and accountabilities, and is upgraded to a Recommended Practice to reflect the phased implementation of SSP as outlined in the Global Aviation Safety Plan (GASP) objectives.</p> <p>The two additional Recommended Practices explicitly mention the need to establish the State safety policy and objectives and for making them part of public record. The need for periodic review (albeit not necessarily amendment) stems from the ever-evolving and dynamic nature of aviation. Facilitating the promotion of a positive safety culture is also mentioned as an objective of Recommended Practice 3.2.3.3.</p>

INITIAL PROPOSAL 10

4-3.2.4 Qualified technical personnel

States shall establish requirements for the qualification of technical personnel in accordance with section 4 of Appendix 1.

Note.— The term “technical personnel” refers to those persons performing safety-related functions for or on behalf of the State.

<i>Origin</i>	<i>Rationale</i>
SMP/1	<p>Standard 3.2.4 makes reference to Section 4 of Appendix 1 which contains the text of Critical Element 4 of the State safety oversight system as a foundational element of the SSP.</p> <p>Clarification of the term “technical personnel” is also provided here to expand the usage in Appendix 1 to include safety management related functions as well as safety oversight functions.</p>

INITIAL PROPOSAL 11

5-3.2.5 Technical guidance, tools and provision of safety-critical information

States shall establish technical guidance and tools and provide safety-critical information in accordance with section 5 of Appendix 1.

<i>Origin</i>	<i>Rationale</i>
SMP/1	Standard 3.2.5 makes reference to Section 5 of Appendix 1 which contains the

	text of Critical Element 5 of the State safety oversight system as a foundational element of the SSP.
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INITIAL PROPOSAL 12

Editorial Note.— Insert new paragraph 3.2.6 as follows:

3.2.6 State emergency response plan

3.2.6.1 Recommendation.— *States should develop an aviation emergency response plan to ensure the continued safety of their aviation system in the event of exceptional circumstances.*

Note.— *Exceptional circumstances may include volcanic eruptions, earthquakes, hurricanes, tsunamis or other events that may have an extreme impact on the aviation system.*

3.2.6.2 Recommendation.— *States should ensure that their aviation emergency response plan is properly coordinated among pertinent States and organizations.*

Note.— *This may include coordination of emergency response planning between the civil aviation authority, service providers, emergency management and other State organizations and may specifically address the interaction between air navigation services and overarching emergency response efforts.*

3.2.6.3 Recommendation.— *States should ensure that personnel directly involved in ensuring continued safety of civil aviation operations are adequately qualified and trained for effective emergency response.*

<i>Origin</i>	<i>Rationale</i>
SMP/1	These new Recommended Practices have been introduced to ensure continuous management of safety in the aviation system in the event of catastrophes and emergencies that are beyond aviation but which may have a significant impact on the aviation system. The State emergency response plan should focus on coordination among relevant State agencies, service providers and other States (given that such emergencies may affect the whole aviation system and cut across State boundaries), as well as on training.

INITIAL PROPOSAL 13

Editorial Note.— Title of new paragraph 3.3 was previously in Chapter 3, paragraph 3.1.1, subparagraph b).

~~b)~~ 3.3 State safety risk management

~~6-~~3.3.1 Licensing, certification, authorization and/or approval obligations

States shall meet the licensing, certification, authorization and approval obligations in accordance with section 6 of Appendix 1.

<i>Origin</i>	<i>Rationale</i>
SMP/1	Standard 3.3.1 makes reference to Section 6 of Appendix 1 which contains the text of Critical Element 6 of the State safety oversight system as a foundational element of the SSP.

INITIAL PROPOSAL 14

Editorial Note.— The text of the new paragraph 3.3.2 was previously contained in paragraph 3.1.3 of Chapter 3.

3.3.2 Safety management system obligations

~~3.1.3~~ **3.3.2.1** ~~As part of its SSP, each State~~ States shall require that the following service providers under ~~its~~ their 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, engines or propellers, in accordance with Annex 8;
- e) air traffic services (ATS) providers in accordance with Annex 11; and

~~— *Note.*— *The provision of AIS, CNS, MET and/or SAR services, when under the authority of an ATS provider, are included in the scope of the ATS 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 ATS provider’s SMS.*~~

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

Note.— Further details regarding SMS implementation can be found in Chapter 4.

<i>Origin</i>	<i>Rationale</i>
SMP/1, AIRP/WG/WHL/14	The title of 3.3.2 is new and is introduced to frame the provisions for States to require SMS for service providers.

	<p>During the development of the First Edition of Annex 19, the ANC accepted the SMP proposal to extend the requirement for SMS to organizations designing or manufacturing engines or propellers, and for the oversight of the SMS of such organizations to be the responsibility of the State of Design or Manufacture of the engines or propellers, as appropriate. As the ANC considered that the proposal may require coordinated changes to Annex 8, the proposal was deferred to give the opportunity for the alignment of Annex 19 and Annex 8 provisions. During its April 2014 meeting, the Airworthiness Panel (AIRP) developed proposals for amending Annex 8 consistent with the recognition of States of Design and Manufacture of engines and propellers, as required to support this proposal to amend Annex 19.</p> <p>The Note referring to AIS, CNS, MET and SAR has been replaced by a note at the beginning of Appendix 2, generally applicable for all service providers and international general aviation operators.</p> <p>The removal of this explicit note addresses several comments received during consultation period for the initial adoption of Annex 19. The generally applicable note added to the beginning of Appendix 2 will be supported by detailed guidance material, to be developed.</p> <p>A new Note is included to link Chapter 3 to Chapter 4.</p>
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INITIAL PROPOSAL 15

Editorial Note.— Extracted from Attachment A, paragraph 2.2.

3.3.2.2 Recommendation.— ~~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. States should ensure that safety performance indicators and targets established by service providers are acceptable to the State.~~

<i>Origin</i>	<i>Rationale</i>
SMP/1	SMS builds upon: (a) resources (safety policy, SMS Manual, etc.); and (b) activities (hazard identification and analysis, safety risk evaluation, etc.). The safety performance indicators and definition of related safety performance targets provide the State with evidence that the individual service provider not only has the resources necessary to operate an SMS, but also conducts the activities that support achievement of an acceptable level of safety performance, as evidenced by meeting declared safety performance targets. The term “agree with” has been replaced to reflect that a State either accepts or approves the performance indicators and targets.

INITIAL PROPOSAL 16

Editorial Note.— New paragraph 3.3.2.3 and its Note were previously paragraph 3.1.4 of Chapter 3.

3.1.4 3.3.2.3 ~~As part of its SSP, each State~~ States shall require that establish criteria for international general aviation operators of large or turbojet aeroplanes in accordance with Annex 6, Part II, Section 3, to implement an SMS.

Note.— *International general aviation operators are not considered to be service providers in the context of this Annex.*

3.3.2.4 The criteria established in accordance with 3.3.2.3 shall address the framework elements contained in Appendix 2.

<i>Origin</i>	<i>Rationale</i>
SMP/1	This proposal aligns Annex 19 provisions with the language used in Annex 6, Part II in establishing criteria for international general aviation operators. The reference to Appendix 2 for the criteria reflects the reality that this sector of the aviation industry is already applying the full SMS framework in implementing SMS with positive results. The issue of size and complexity is no different than it is for other service providers and will be addressed by guidance material to be developed.

INITIAL PROPOSAL 17

Editorial Note.— Extracted from Attachment A, paragraph 1.3.

~~4.3~~ 3.3.3 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.~~ States shall establish a process to investigate accidents and incidents in accordance with Annex 13 — *Aircraft Accident and Incident Investigation*, in support of the management of safety in the State.

<i>Origin</i>	<i>Rationale</i>
SMP/1	As the content in Annex 13 is more comprehensive and detailed, some of the detail has been removed here and instead reference is made to Annex 13 in order to avoid duplication and facilitate future amendments.

INITIAL PROPOSAL 18

Editorial Note.— Extracted from Attachment A, paragraph 3.2, second sentence.

~~3.2 Safety data collection, analysis and exchange~~ 3.3.4 Safety risk assessment

~~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.~~

3.3.4.1 States ~~has also established~~ shall establish mechanisms to develop safety information from the stored data, and ~~to actively share and exchange~~ safety information with service providers and/or other States as appropriate.

Note.— *Further information regarding safety data collection, and the sharing and exchange of safety information can be found in Chapter 5.*

3.3.4.2 States shall develop and maintain a process that ensures the assessment of safety risks associated with ~~identified~~ hazards.

Note.— *The process may include predictive methods of safety data analysis.*

<i>Origin</i>	<i>Rationale</i>
SMP/1	<p>The title of 3.3.4 is introduced as it is considered an important element of safety risk management, in alignment with the SMS framework and consistent with safety management fundamentals.</p> <p>Standard 3.3.4.1 is slightly updated from the SSP framework element 3.2, second sentence with the supporting Note providing a link to Standard 5.1 in Chapter 5 for the establishment of SDCPS which addresses sentence 1 of the same SSP element.</p> <p>3.3.4.2 was deemed to be essential for safety, and has been elevated to a Standard from Attachment A. While States that have not yet implemented an SSP may not acquire proactive data, they are still required to collect safety data under mandatory reporting systems and would need to assess the hazards to their aviation system based on reactive data.</p> <p>Both provisions in this sub-section have been elevated to a Standard as they are considered essential to the risk management process.</p>

INITIAL PROPOSAL 19

3.3.5 Management of safety risks

3.3.5.1 States shall establish mechanisms for the resolution of safety issues in accordance with section 8 in Appendix 1.

3.3.5.2 **Recommendation.**— *States should develop and maintain a process to manage safety risks and resolve safety deficiencies.*

Note.— Safety risks and safety deficiencies often have underlying factors which need to be carefully assessed.

3.3.5.3 Recommendation.— States should develop and maintain a process to evaluate the effectiveness of actions taken to manage safety risks and resolve safety deficiencies.

Note.— Safety assessment results may be used to support the prioritization of actions to manage safety risks.

<i>Origin</i>	<i>Rationale</i>
SMP/1 and Secretariat	<p>Standard 3.3.5.1 makes reference to Section 8 of Appendix 1 which contains the text of Critical Element 8 of the State safety oversight system as a foundational element of the SSP.</p> <p>Following the identification and assessment of safety risks and the implementation of mitigating actions to address those risks, Recommended Practice 3.3.5.3 highlights the importance of evaluating the effectiveness of the mitigating actions taken. Having a process in place to evaluate the mitigating actions would allow States to focus on those which are more effective in improving safety performance.</p> <p>The title of 3.3.5 is new and is intended to highlight another important aspect of the SSP consistent with safety management fundamentals. The term “management” is used as it includes a number of strategies States may choose including: no action, mitigating action and avoidance of the risk depending on the results of the safety risk assessment.</p> <p>Recommended Practice 3.3.5.2 highlights the distinct step of taking specific action to manage the safety risk after the risk assessment has been conducted or to resolve the safety deficiency.</p> <p>This proposal distinguishes between the safety risk management activities of the State and the analysis of the safety data and safety information to identify hazards. The intention of this proposal and the proposal for Standard 5.2 is to reflect a specific and distinct action required for each provision with no duplication.</p>

INITIAL PROPOSAL 20

Editorial Note.— Title of new paragraph 3.4 was previously in Chapter 3, paragraph 3.1.1, subparagraph c).

~~e~~**3.4 State safety assurance**

~~7~~**3.4.1 Surveillance obligations**

3.4.1.1 States shall meet the surveillance obligations in accordance with section 7 of Appendix 1.

Note.— The surveillance of the service provider takes into consideration the safety performance as well as the size and complexity of its aviation products or services.

Editorial Note.— Extracted from Attachment A, paragraph 3.3.

3.4.1.2 Recommendation.— ~~The State has established~~ States should establish 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.~~

Note.— Organizational risk profiles, outcomes of hazard identification and risk assessment, and surveillance outcomes may provide information for the prioritization of inspections, audits and surveys.

<i>Origin</i>	<i>Rationale</i>
SMP/1	<p>Standard 3.4.1.1 makes reference to section 7 of Appendix 1 which contains the text of Critical Element 7 of the State safety oversight system as a foundational element of the SSP.</p> <p>The Note supporting 3.4.1.1 provides for a risk-based approach to be used for the surveillance of service providers.</p> <p>Reference to SSP Element 3.3. “Examples of sources of information to support the prioritization of surveillance activities” has been moved to the Note so that the Recommended Practice is not overly prescriptive.</p>

INITIAL PROPOSAL 21

Editorial Note.— Extracted from Attachment A, paragraph 2.2

3.4.1.3 Recommendation.— ~~The State has agreed with individual service providers on the safety performance of their SMS. The agreed States should periodically review the safety performance of an individual service provider’s SMS is periodically reviewed to ensure it remains relevant and appropriate to the service providers and to the State safety programme.~~

<i>Origin</i>	<i>Rationale</i>
SMP/1	<p>Reference to SSP Element 2.2. The current text of SSP Element 2.2 is deleted as it suggests that the State needs to establish a quality system, which is not the intention.</p> <p>The safety performance of an individual service provider is an indicator of the effectiveness of the mitigation activities implemented by the State at the national level. The periodic revision of individual service provider safety performance is a partial yet important element of feedback for the State safety programme activities.</p>

INITIAL PROPOSAL 22

3.4.2 State safety performance

Editorial Note.— Paragraph 3.4.2.1 and Note 1 were previously paragraph 3.1.2 of Chapter 3.

~~3.1.2-3.4.2.1 States shall establish~~ the acceptable level of safety performance to be achieved ~~shall be established by the State.~~

Note 1.— Guidance on defining an acceptable level of safety performance is contained in the Safety Management Manual (SMM) (Doc 9859).

Note 2.— An acceptable level of safety performance for the State can be achieved through the implementation and maintenance of the State safety programme as well as safety performance indicators and targets showing that safety is effectively managed and built on the foundation of implementation of existing safety-related SARPs.

Editorial Note.— Extracted from Attachment A, paragraph 3.1, first sentence.

3.4.2.2 Recommendation.— ~~The State has established mechanisms to ensure effective monitoring of the eight critical elements of the safety oversight function.~~ States should evaluate the effectiveness of their individual State safety programmes to maintain or continuously improve their overall level of safety performance.

<i>Origin</i>	<i>Rationale</i>
SMP/1 and Secretariat	<p>A new Note 2 is provided introduce expectations regarding the acceptable level of safety performance. It also addresses the necessary linkages between “an acceptable level of safety performance” and “safety performance indicators and targets”. It also clarifies that effective management of safety is to be built on the foundation of compliance with SARPs.</p> <p>However, a State that has established an SSP should continually assess the effectiveness of its SSP to identify the causes of substandard performance (if any) and to continually improve the organizational arrangements, structures and processes of the SSP. It is also noted that there is a requirement for continuous improvement for SMS as well.</p> <p>Title to reflect the proposed provisions which are related to State safety performance and aligned with the SMS framework and safety management fundamentals.</p> <p>The proposal also highlights that a State with an excellent safety record may maintain or continuously improve its overall level of safety performance.</p>

INITIAL PROPOSAL 23

Editorial Note.— Title of new paragraph 3.5 was previously in Chapter 3, paragraph 3.1.1, subparagraph d).

d) 3.5 State safety promotion

Editorial Note.— Extracted from Attachment A, paragraph 4.1.

4.1-3.5.1 Internal training, communication and dissemination of safety information

Recommendation.— ~~The State provides training and fosters~~ States should promote safety awareness and the two-way communication sharing and exchange of safety-relevant information to support, within the State aviation organizations, the development of an organizational culture that fosters an effective and efficient SSP State safety programme.

Editorial Note.— Extracted from Attachment A, paragraph 4.2.

4.2-3.5.2 External training, communication and dissemination of safety information

Recommendation.— ~~The State provides education and promotes~~ States should promote safety awareness of safety risks and two-way communication of safety relevant and the sharing and exchange of safety information with the aviation community to foster the maintenance and improvement of safety and to support, among service providers, the development of an organizational culture that fosters an effective and efficient SMS a positive safety culture.

Note 1.— Refer to Chapter 5, 5.3 for further details regarding safety information sharing and exchange.

Note 2.— Promoting safety awareness could include identifying accessible safety training for the aviation community.

<i>Origin</i>	<i>Rationale</i>
SMP/1 and Secretariat	<p>Reference to SSP Element 4.1. The need to provide internal training has been removed as it is already addressed by 3.2.4 and Section 4 of Appendix 1.</p> <p>With the integration of SSO/SSP, external communication by the State will need to go beyond SMS. The changes also aim to clarify that awareness and information sharing activities by the State do not impose the obligation by the State to provide formal training.</p> <p>Reference is updated to reflect the maintenance OR improvement of safety for consistency throughout the Annex.</p>

INITIAL PROPOSAL 24

CHAPTER 4. SAFETY MANAGEMENT SYSTEM (SMS)

Note 1.— Guidance on implementation of an SMS is contained in the Safety Management Manual (SMM) (Doc 9859).

Note 2.— ~~The~~ In the context of this chapter, the term “service provider” refers to those organizations listed in Chapter 3, ~~3.1.3-3.3.2.1~~.

Note 3.— An organization may elect to extend one SMS across multiple service provider activities.

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.

4.1.2 The service provider shall develop a plan to facilitate initial SMS implementation.

<i>Origin</i>	<i>Rationale</i>
SMP/1	<p>A clarification is added to Note 2.</p> <p>The new Note 3 acknowledges that taking an integrated approach to managing safety is of particular interest for service providers falling into more than one category of services being subject to ICAO SMS SARPs (as defined in section 4.1). This is consistent with the SMM. Having this stated in the SMM only is not deemed sufficient to ensure that States will not require a separate SMS in this case. The new note clarifies that such organizations may cover more than one category of services defined in Chapter 4 under a single SMS, without suggesting that a single SMS is the only option.</p> <p>It is proposed to remove the requirement for an initial SMS implementation plan from Appendix 2, Element 1.5 “SMS documentation” and to add the above 4.1.2 Standard in Chapter 4. The new Standard will maintain the need for an initial implementation plan, while ensuring that the SMS framework in Appendix 2 only includes “permanent” provisions. This change is expected to prevent possible differences in interpretation by different regulators, hence it will contribute to a harmonised application of the SMS framework.</p>

INITIAL PROPOSAL 25

~~4.1.2~~ 4.1.3 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 made acceptable to the State(s) responsible for the organization’s approval.

~~4.1.3~~ 4.1.4 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 made acceptable to 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~~ 4.1.5 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 made acceptable to the State(s) responsible for the organization’s approval.

~~4.1.5~~ 4.1.6 The SMS of an organization responsible for the type design of aircraft, engines or propellers in accordance with Annex 8, shall be made acceptable to the State of Design.

~~4.1.6~~ 4.1.7 The SMS of an organization responsible for the manufacture of aircraft, engines or propellers in accordance with Annex 8, shall be made acceptable to the State of Manufacture.

<i>Origin</i>	<i>Rationale</i>
SMP/1, AIRP/WG/WHL/14	During the development of the First Edition of Annex 19, the ANC accepted the SMP proposal to extend the requirement for safety management systems to organizations designing or manufacturing engines or propellers, and for the oversight of the SMS of such organizations to be the responsibility of the State of Design or Manufacture of the engines or propellers, as appropriate. As the ANC considered that the proposal may require coordinated changes to Annex 8, the proposal was deferred into the Annex 19 future work programme to give the opportunity for the alignment of Annex 19 and Annex 8 provisions. During its April meeting, the AIRP developed changes to Annex 8 consistent with the recognition of States of Design and Manufacture of engines and propellers, as required by the proposed changes to Annex 19.

INITIAL PROPOSAL 26

~~4.1.7~~ 4.1.8 The SMS of an ATS provider, in accordance with Annex 11, shall be made acceptable to 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 included in the scope of the ATS 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 their services with direct operational implications, are included in the scope of the ATS provider’s SMS.

~~4.1.8~~ 4.1.9 The SMS of an operator of a certified aerodrome, in accordance with Annex 14, shall be made acceptable to the State responsible for the aerodrome’s certification.

<i>Origin</i>	<i>Rationale</i>
SMP/1	AIS, CNS, MET, SAR explicit note replaced by a generally applicable note added to Appendix 2 addressing all service providers.

INITIAL PROPOSAL 27

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 commensurate with the size and complexity of the operation and meet the criteria established by the State of Registry.

~~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.~~

<i>Origin</i>	<i>Rationale</i>
SMP/1	Removing 4.2.2 establishes the same SMS standard to all the industry organizations identified in this Chapter. Also identifies which State the international general aviation operator should look to for the criteria to be met. This is in alignment with the provisions and with the language used in Annex 6 Part II in establishing criteria for international general aviation operators and is consistent with the proposal for Chapter 3.

INITIAL PROPOSAL 28

CHAPTER 5. SAFETY DATA AND SAFETY INFORMATION COLLECTION, ANALYSIS, PROTECTION, SHARING AND EXCHANGE

Note.— The objective of ~~these specifications~~ this chapter is to ensure the continued availability of safety data and safety information 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 and processing systems

Reporting systems

5.1.1 States shall establish safety data collection and processing systems (SDCPS) to capture, store, aggregate and enable the analysis of safety data and safety information.

Note 1.— SDCPS refers to processing and reporting systems, safety databases, schemes for exchange of information, and recorded information including but not limited to:

- a) data and information pertaining to accident and incident investigations;*
- b) data and information related to safety investigations by State authorities or aviation service providers;*
- c) mandatory safety reporting systems as indicated in 5.1.2;*
- d) voluntary safety reporting systems as indicated in 5.1.3; and*
- e) 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 2.— Guidance related to SDCPS is contained in the Safety Management Manual (SMM) (Doc 9859).

Note 3.— The term “safety database” may refer to a single or multiple database(s).

Note 4.— SDCPS may include inputs from State, industry and public sources, and may be based on reactive and proactive methods of safety data and safety information collection.

~~5.1.1~~ 5.1.2 ~~Each State~~ States shall establish a mandatory ~~incident~~ safety reporting system to facilitate collection of information on actual or potential safety deficiencies that includes the collection and analysis of incident reports.

~~5.1.2~~ 5.1.3 ~~Each State~~ States shall establish a voluntary ~~incident~~ safety reporting system to facilitate collection of information on actual or potential safety deficiencies that may not be collect and analyse safety data and safety information not captured by the mandatory ~~incident~~ safety reporting system systems.

~~5.1.3~~ **5.1.4 Recommendation.**— ~~Subject to Standard 5.3.1,~~ State authorities responsible for the implementation of the SSP should have access to ~~appropriate information available in the incident reporting systems~~ the SDCPS as referenced in 5.1.1 and 5.1.2 to support their safety responsibilities, in accordance with the principles in Appendix 3.

~~Note 1.~~— State authorities responsible for the implementation of the SSP include accident investigation authorities.

~~Note 2.~~— 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.

Editorial Note.— Extracted from paragraph 5.2, 5.2.3.

~~5.2.3~~ **5.1.5 Recommendation.**— The database systems should use standardized ~~formats~~ taxonomy to facilitate ~~data~~ safety information sharing and exchange.

~~Note.~~— ~~Each State is~~ States are encouraged to use an ADREP-compatible system.

<i>Origin</i>	<i>Rationale</i>
<p>Coordination meeting and Secretariat</p>	<p>Relevant provisions were amended to ensure that the protection should be accorded to safety data and safety information collected by and produced through SDCPS, and not SDCPS themselves. There is a fundamental difference between the protection of information and the protection of systems used to collect, store and process such information. Such protection could lead to SDCPS being used to improperly conceal information, which would be counter to the intended purpose and would potentially undermine the effectiveness of protective frameworks for safety data and information.</p> <p>Mandatory and voluntary reporting systems are critical to the implementation of State safety programmes and safety management systems. Relevant provisions were amended to reflect that as a minimum, States will be required to collect incident reports. States will have discretion to decide whether other safety data and information should be captured by mandatory and voluntary safety reporting systems. The intention is to further elaborate in the guidance material to be developed.</p> <p>The title has been updated to reflect the proposed contents of this Chapter.</p>

INITIAL PROPOSAL 29

5.2 Safety data and safety information 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) and may include the accident and incident database. Provisions on an accident and incident database are included in Annex

~~13—Aircraft Accident and Incident Investigation. Additional guidance on a safety database is also included in the Safety Management Manual (SMM) (Doc 9859).~~

5.2.1 States shall establish and maintain a process to analyse the safety data and safety information from the SDCPS and associated safety databases.

Note 1.— Specific State provisions for addressing identified hazards and safety deficiencies as part of their safety risk management and safety assurance processes can be found in Chapter 3.

Note 2.— The State’s process seeks to identify systemic and cross-cutting hazards that might not otherwise be identified by the safety data analysis processes of individual service providers

~~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.~~

Origin	Rationale
Secretariat	The title of this section is updated to include safety information as well as safety data. The wording of Standard 5.2.1 is simplified to focus on the action required by the State. The two new Notes provide the link to the safety risk management and safety assessment provisions in Chapter 3 and clarify the complementary role of the analysis done at the State level to that of the analysis done by service providers. Recommendation 5.2.2 is addressed in Chapter 3 as part of the SSP functions and activities. Recommendation 5.2.3 is reflected in 5.1.5 and the Note under the existing 5.2.1 is now addressed by the notes supporting 5.1.1 (SDCPS).

INITIAL PROPOSAL 30

5.3 Safety data and safety information protection

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

5.3.1 A States shall accord protection to safety data and safety information captured in voluntary incident safety reporting system shall be non-punitive systems and afford protection to the related sources of the information in accordance with Appendix 3.

Note 1.— A non-punitive environment is fundamental to voluntary reporting. Sources include individuals and organizations.

5.3.2 **Recommendation.**— States should extend the protection referred to in 5.3.1 to safety data and safety information captured in mandatory safety reporting system and related sources.

Note 2-1.— 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. A reporting environment where employees and operational personnel may trust that their actions or omissions that are commensurate with their training and experience will not be punished is fundamental to safety reporting.

Note 3-2.— Guidance related to both mandatory and voluntary ~~incident~~ safety reporting systems is contained in the Safety Management Manual (SMM) (Doc 9859).

~~5.3.2~~ **5.3.3 Recommendation.**— ~~States should not~~ Subject to 5.3.1 and 5.3.2, States shall not make available or use safety data ~~referenced in~~ or safety information collected, stored or analysed in accordance with 5.1 or 5.2 for other than safety related purposes, unless exceptionally, an appropriate authority determines 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 for purposes other than maintaining or improving safety, unless the competent authority determines in accordance with Appendix 3 that a principle of exception applies.

5.3.4 States shall not be prevented from using safety data or safety information to take any preventive, corrective or remedial action that is necessary to maintain or improve aviation safety.

Note.— Specific provision aimed at ensuring that there is no overlap with the protection of investigation records in Annex 13 is contained in 1.2 of Appendix 3.

5.3.5 States shall take necessary measures, including the promotion of a positive safety culture to encourage safety reporting through the systems referred to in 5.1.

Note 1.— Guidance related to safety culture is contained in the Safety Management Manual (SMM) (Doc 9859.)

5.3.6 **Recommendation.**— States should facilitate and promote safety reporting by adjusting their applicable laws, regulations and policies, as necessary.

5.3.7 **Recommendation.**— In support of the determination referred to in 5.3.3, States should institute and make use of appropriate advance arrangements between their authorities and State bodies entrusted with aviation safety and those entrusted with the administration of justice. Such arrangements should take into account the principles specified in Appendix 3.

Note.— These arrangements may be formalized through legislation, protocols, agreements or memoranda of understanding.

<i>Origin</i>	<i>Rationale</i>
Coordination meeting	<p>Certain provisions in Section 5.3 were re-ordered for better flow and consistency with the principles of protection and exception contained in the proposed Appendix 3. The language used in Section 5.3 as well as in the proposed Appendix 3 was harmonized with language contained throughout Annex 19 and other Annexes.</p> <p>An enabling clause was introduced since proposed Appendix 3 forms part of SARPs and should be subject to an enabling clause.</p>

	<p>In addition to the term “operational personnel”, the word “employees” was introduced. The word “employees” includes management personnel that is not covered by the term “operational personnel”. However, the term “operational personnel” covers personnel contracted by the organisation while not being an employee, that is not covered by the word “employees”.</p> <p>A new Note was introduced to make it clear that the term “sources” included not only individuals but also organizations. In certain States, organizations are participating in voluntary reporting systems, and their support is critical in initiating and maintaining safety reporting systems. Organizations therefore should be accorded protection similar to the protection afforded to operational personnel and employees.</p> <p>Safety data and safety information in voluntary reporting systems should be accorded a higher level of protection through a Standard to ensure their continued availability and greater uniformity among States. The protection of safety data and safety information in mandatory reporting systems, which differs among various legal systems, should be reflected in a Recommendation.</p> <p>The concept of “appropriate use” was introduced within the relevant provisions. States’ use of safety data and safety information to take preventative, corrective or remedial actions necessary to maintain or improve safety should be considered appropriate. It was also agreed to transfer the substance of the definition “inappropriate use” to the principles of protection contained in Appendix 3.</p> <p>A new Note was introduced to make it clear what advance arrangements can be concluded between State authorities and State bodies entrusted with aviation safety and those entrusted with the administration of justice.</p>
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INITIAL PROPOSAL 31

5.4 Safety information sharing and exchange

5.4.1 **Recommendation.**—*If a State, in the analysis of the information contained in its ~~database~~ SDCPS, identifies safety matters considered to be of interest to other States, that State ~~should~~ shall forward such safety information to them as soon as possible. Prior to sharing such information, States shall agree on the level of protection and conditions on which safety information will be shared. The level of protection and conditions shall be consistent with Appendix 3.*

5.4.2 **Recommendation.**—*Each State ~~should~~ States shall promote the establishment of safety information sharing or exchange networks among users of the aviation system, and ~~should~~ facilitate the ~~free~~ sharing and exchange of safety information ~~on actual and potential safety deficiencies~~, unless national law provides otherwise.*

Note.— Standardized definitions, classifications and formats are needed to facilitate data exchange. Guidance material on the specifications for such information sharing networks are available from ICAO. Information on the sharing of safety information can be found in the ICAO Code of Conduct on the Sharing and Use of Safety Information in the Global Aviation Safety Plan (Doc 10004).

<i>Origin</i>	<i>Rationale</i>
Coordination meeting and Secretariat	<p>In addition to “safety information exchange”, a concept of “safety information sharing” was introduced since they are different in nature. Safety information exchange requires exchange of information between at least two participants, when sharing of safety information can be done unilaterally.</p> <p>A new element was introduced in 5.4.1. Agreeing on the protection of safety information shared with another State is a necessary step prior to forwarding such information.</p>

INITIAL PROPOSAL 32

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 (Doc 9734).

Note 2.— The term “relevant authorities or agencies” is used in a generic sense to include all authorities with aviation safety management and oversight responsibility which may be established by the State-States as separate entities, such as: Civil Aviation Authorities, Airport Authorities, ATS 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.*~~

<i>Origin</i>	<i>Rationale</i>
SMP/1	<p>To include safety management as well as safety oversight responsibility when mentioning “relevant authorities or agencies”.</p> <p>Note 4 is not appropriate as the safety oversight system encompasses the oversight of all regulated entities and not just those service providers that are required to have an SMS.</p>

INITIAL PROPOSAL 33

1. Primary aviation legislation

1.1 ~~The State-States~~ shall promulgate a comprehensive and effective aviation law, ~~consistent~~ commensurate with the size and complexity of ~~the State’s~~ their aviation activity and consistent with the requirements contained in the Convention on International Civil Aviation, ~~that enables the State to~~

~~regulate~~ to enable the oversight and management of civil aviation and the ~~enforce~~ enforcement of regulations through the relevant authorities or agencies established for that purpose.

Note.— This includes ensuring that the aviation law remains relevant and appropriate to the State.

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~~ States 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.

<i>Origin</i>	<i>Rationale</i>
SMP/1	<p>“Regulating civil aviation” is implicit in the management of civil aviation safety, since regulations are part of the risk controls a State has.</p> <p>Note added to support 1.1 to reflect the need to maintain the aviation law relevant and appropriate.</p>

INITIAL PROPOSAL 34

3. State system and functions

3.1 ~~The State~~ States shall establish relevant authorities or agencies, as appropriate, supported by sufficient and qualified personnel and provided with adequate financial resources for the management of safety.

3.2 ~~The State~~ States ~~authority~~ authorities or ~~agency~~ agencies shall have stated safety functions and objectives to fulfil ~~its~~ their safety management ~~responsibilities~~ responsibility.

Editorial Note.— Extracted from Attachment A, paragraph 1.1, second sentence

Note.— This includes the participation of the 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.

~~3.2~~ 3.3 **Recommendation.**— ~~The State~~ States 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~~ 3.4 ~~The State~~ States shall ensure that personnel performing safety oversight functions 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 3.5 **Recommendation.**— ~~The State~~ States 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~~ their 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.

Origin	Rationale
SMP/1	<p>The inclusion of “for the management of safety” is to clarify that all authorities and agencies responsible for managing safety and oversight need to be adequately resourced.</p> <p>The proposed Note supporting 3.1 comes from SSP Element 1.1.</p>

INITIAL PROPOSAL 35

4. Qualified technical personnel

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

4.2 ~~The State~~ States shall implement a system for the maintenance of training records ~~for technical personnel~~.

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

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

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

~~The State~~ States 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 States 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 States 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 States 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.

<i>Origin</i>	<i>Rationale</i>
SMP/1	<p>Training is required for all personnel performing safety-related functions (for example HQ staff involved in rule development), and not just those staff performing safety oversight functions.</p> <p>Modification to 4.2 for consistency with 3.2.4 of Chapter 3 and 5.1 of Appendix 1.</p>

INITIAL PROPOSAL 36

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

(See Chapter 4, 4.1.1)

Note 1.— Guidance on the implementation of the framework for an SMS is contained in the Safety Management Manual (SMM) (Doc 9859).

Note 2.— Within the context of this appendix, the term “service provider” refers to those organizations listed in Chapter 3, 3.1.3-3.3.2.

Note 3.— The service provider’s interfaces with other service providers and subcontractors can have a significant contribution to the safety of its products or services. Guidance on interface management as it relates to SMS is provided in the Safety Management Manual (SMM) (Doc 9859).

Note 4.— In the context of this appendix as it relates to service providers, an “accountability” refers to an “obligation” that may not be delegated, and “responsibilities” refers to functions and activities that may be delegated.

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~~-accountability and responsibilities
 - 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

<i>Origin</i>	<i>Rationale</i>
SMP/1 and Secretariat	<p>The proposed addition of Note 3 is intended to address the consideration of SMS interfaces and third party services. Note 3 further replaces the specific note associated with ATS (Chapters 3 and 4) with a generic note associated with all service providers. The guidance to consider interfaces is applicable to all service providers.</p> <p>As the SMP does not recommend introducing additional applicability of SMS to Annex 19 at this time, other than for engine and propeller design and manufacturing organizations, the proposed Note 3 provides a reminder that a service provider’s SMS should consider interfaces with other service providers and sub-contracted services.</p> <p>Note 4 clarifies the use of “accountability” and “responsibilities” for the purpose of this Appendix. Updates to the use of these terms are reflected in each initial proposal for this Appendix. Edition 1 of Annex 19 uses the terms “accountability” and “responsibility” and derivatives, thereof, in an inconsistent manner and when these terms are translated into some of the other official ICAO languages, the distinction between the two words becomes less clear. The Note distinguishes between “accountability” and “responsibilities” and the usage of these terms is updated throughout this Appendix in a consistent manner. Because “accountability” is considered more important, i.e. accountability cannot be delegated, whereas responsibilities can, wherever accountability and</p>

	<p>responsibilities appear in the same sentence, accountability is listed first.</p> <p>“Responsibility” is removed from element 1.1 of the SMS framework to reflect the content of the provisions and as “accountability” and “responsibilities” are addressed in the following section.</p> <p>Element 3.3 is deleted consistent with Initial Proposal 42.</p>
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INITIAL PROPOSAL 37

1. Safety policy and objectives

1.1 Management commitment ~~and responsibility~~

1.1.1 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.

1.1.2 Taking due account of its safety policy, the service provider shall define safety objectives. The safety objectives shall:

- a) form the basis for safety performance monitoring and measurement as required by 3.1.2;
- b) reflect the service provider’s commitment to maintain or continually improve the overall performance of the SMS;
- c) be communicated throughout the organization; and
- d) be periodically reviewed to ensure they remain relevant and appropriate to the service provider.

Note.— Guidance on setting safety objectives is provided in the Safety Management Manual (SMM) (Doc 9859).

<i>Origin</i>	<i>Rationale</i>
SMP/1 and	The new sub-element 1.1.2 is added to clarify the provisions in element 1.1,

Secretariat	<p>referring to Safety policy and objectives, while the existing element 1.1 does not elaborate upon, nor make any reference to safety objectives. Adding a new sub-element requiring the service provider to develop and communicate safety objectives will contribute to efficient implementation of the safety policy and will create a link between policy, objectives and safety performance measurement. The new sub-element will also help clarify the basis for the service provider to define their safety performance indicators and related targets (please see proposed changes to the definition of “safety performance target” and 3.1.2).</p> <p>“Responsibility” is removed from the title to reflect the content of the provisions and as “accountability” and “responsibilities” are addressed in the following section.</p>
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INITIAL PROPOSAL 38

1.2 Safety ~~accountabilities~~ accountability and responsibilities

The service provider shall:

- a) identify the accountable executive who, irrespective of other functions, ~~has ultimate responsibility and accountability, on behalf of~~ is accountable to the organization, for the implementation and maintenance of ~~the~~ an effective 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~~ responsibilities 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 ~~accountability,~~ 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~~ the SMS.

Note.— Depending on the size of the service provider 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 as their sole function or combined with other duties, provided these do not result in any conflicts of interest.

<i>Origin</i>	<i>Rationale</i>
SMP/1	The safety manager’s responsibilities include the implementation and maintenance of the SMS. The accountable executive is accountable for ensuring an “effective” SMS. The accountable executive can delegate how an “effective” SMS is maintained, but

	<p>retains the accountability. Therefore, the proposal is to move the Standard for an “effective” SMS from the safety manager (element 1.3) to the accountable executive (element 1.2).</p> <p>Depending on the number of staff within a service provider and the expertise available related to safety management processes, in particular related to safety risk management, safety assurance and safety investigations, it may be difficult for some organizations to have a dedicated safety manager solely assigned with SMS related tasks. Smaller organizations may need to combine functions to fulfil the SMS SARPs. Therefore, it is proposed to add the Note to clarify that the appointed safety manager may be assigned as a part-time function or may be combined with other functions. The text of the note is consistent with guidance provided in the ICAO <i>Safety Management Manual (SMM)</i> (Doc 9859).</p>
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INITIAL PROPOSAL 39

1.4 Coordination of emergency response planning

The service provider required to establish and maintain an emergency response plan for accidents and incidents in aircraft operations and other aviation emergencies shall ensure that ~~an~~ the 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.

<i>Origin</i>	<i>Rationale</i>
SMP/1	Element 1.4 of the SMS framework is reworded to make it clear which service providers the Standard applies to. This amendment would limit the applicability to only those service providers that are required in their appropriate domains to establish and maintain an emergency response plan.

INITIAL PROPOSAL 40

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.~~

~~1.5.2-1.5.1~~ 1.5.1 The service provider shall develop and maintain SMS documentation that describes its:

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

~~4.5.3~~ 1.5.2 The service provider shall develop and maintain an SMS manual as part of its SMS documentation.

Note.— Depending on the size of the service provider and the complexity of its aviation products or services, the SMS manual and SMS documentation may be in the form of stand-alone documents or may be integrated with other organizational documents (or documentation) maintained by the service provider.

<i>Origin</i>	<i>Rationale</i>
SMP/1	<p>It is proposed to remove the requirement for an initial SMS implementation plan from Appendix 2 element 1.5 “SMS documentation” and add a Standard in Chapter 4 (new 4.1.2). This change will maintain the need for an initial implementation plan, while ensuring that the SMS framework in Appendix 2 only includes “permanent” provisions. Removing a one-time implementation element from the SMS framework is expected to prevent possible differences in interpretation by different regulators, hence it will contribute to a harmonized application of the SMS framework.</p> <p>Regulators should not expect small organizations to have the same amount of SMS documentation (manuals and procedures) as larger ones. To provide flexibility, it should also not be required to produce a separate SMS manual. Service providers should be allowed to determine how to document what needs to be documented depending on their organizational set-up and available tools. However, they should be able to demonstrate to the competent authority where each of the items that need to be described is documented. Large service providers, on the other hand, may have more complex processes and procedures, their SMS documentation may be distributed or they may have a separate SMS manual as implied by the proposed Note to support Standard 1.5.2.</p>

INITIAL PROPOSAL 41

2. Safety risk management

2.1 Hazard identification

2.1.1 The service provider shall develop and maintain a process ~~that~~ to identify 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, ~~and~~ 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.

Note.— The process may include predictive methods of safety data analysis.

<i>Origin</i>	<i>Rationale</i>
SMP/1	<p>While current Annex 19 Standard 2.1.2 requires hazard identification through reactive, proactive and predictive methods of safety data collection, Annex 19 first edition does not provide any definitions for the terms “reactive”, “proactive” and “predictive”. Moreover, the ICAO <i>Safety Management Manual (SMM)</i> (Doc 9859) mainly provides contextual explanations, and uses these terms in relation not only to data collection methodologies for hazard identification, but also to safety performance indicators and safety reporting systems.</p> <p>In the area of safety data collection for hazard identification, considering the need to address a variety of service providers with different sizes and complexity, the absence of clear definitions for the terms used it is proposed to amend Standard 2.1.2 in a way as to focus on reactive and proactive methods only. This would clearly be preferable considering possible differences in interpretation of the terms “proactive” and “predictive”, respectively, in relation to safety data collection.</p> <p>This change does not intend to suggest that predictive schemes no longer have a place in SMS, as these could be considered a subset of “proactive methods”. If deemed necessary for a particular type of service provider, more specific provisions, including on predictive methods, for safety data collection may be addressed as part of the technical Annexes.</p>

INITIAL PROPOSAL 42

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.

Note.— An internal audit process is one means to assess the effectiveness of safety risk controls. Guidance on the scope of the internal audit process is contained in the Safety Management Manual (SMM) (Doc 9859).

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 in support of the organization’s safety objectives.

~~3.3—Continuous improvement of the SMS~~

3.1.3 The service provider shall monitor and assess the effectiveness of its SMS processes to enable maintain or continuously improvement of the overall safety performance of the SMS its services or products.

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.

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.

Origin	<i>Rationale</i>
SMP/1	<p>Changes have been proposed to better align element 3.1 Safety performance monitoring and measurement with the proposed changes to the safety objectives of element 1.1.2. The new sub-element 1.1.2 requires the service provider to develop and communicate safety objectives which are linked to safety performance measurement. The new sub-element provides the basis for the safety performance indicators and related targets under element 3.1.</p> <p>The Note clarifies the role of internal audit within the larger SMS framework.</p> <p>In many areas that are subject to aviation regulations, applicable requirements, industry standards (including ISO 9001 and AS/EN9100) and/or non-aviation related regulatory requirements may contain management system related provisions calling for some type of quality system with an internal audit (or compliance monitoring) function being a common feature. Such function internal to the organization to monitor compliance with the rules and with the organization’s own procedures should be considered an essential element of its SMS: It will ensure that those risk controls that are applied in response to statutory or regulatory requirements are properly implemented, integrated with the SMS and effectively monitored.</p> <p>It is important that the internal audit is seen to cover all aspects of the</p>

	<p>organisation's procedures, not just the ones associated with the functioning of the SMS elements.</p> <p>Section 3.3 of this Appendix has been modified for consistency with 3.3.5 to reflect that the goal is to maintain or continually improve safety performance. The provision has also been moved under 3.1 as it is considered part of safety performance monitoring and measurement and to resolve the issue of consistency with the title.</p>
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INITIAL PROPOSAL 43

Editorial Note.— Delete Attachment A in toto.

~~ATTACHMENT A. FRAMEWORK FOR A STATE SAFETY PROGRAMME (SSP)~~

(See Chapter 3, 3.1.1)

Origin	Rationale
SMP/1	The provisions in this Attachment have been integrated in Chapter 3 and are shown here deleted in toto.

INITIAL PROPOSAL 44

~~ATTACHMENT B. LEGAL GUIDANCE FOR THE PROTECTION OF INFORMATION FROM SAFETY DATA COLLECTION AND PROCESSING SYSTEMS APPENDIX 3. PRINCIPLES FOR THE PROTECTION OF SAFETY DATA, SAFETY INFORMATION AND RELATED SOURCES~~

(See Chapter 5, 5.3)

~~1. Introduction~~

~~1.1 Note 1.— The protection of safety data, safety information from inappropriate use and related sources is essential to ensure its continued availability, since the use of safety data and safety information for purposes other than maintaining or improving safety-related purposes may inhibit the future availability of such data and information, with a significant adverse effect on safety. This fact was recognized by the 35th Session of the ICAO Assembly, 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.~~

~~1.3 Note 2.— Because In view of the different legal systems in States, the legal guidance must allow States have the flexibility to draft their laws and regulations in accordance with their national policies and practices.~~

~~1.2 Note 3.— The guidance principles contained in this attachment is therefore appendix are aimed at assisting States to enact and adopt national laws and, regulations and policies to protect safety data and safety information gathered from safety data collection and processing systems (SDCPS), as well as related sources, while allowing for the proper administration of justice and necessary actions for maintaining or improving aviation safety.~~

Note 4.— The objective is to ~~prevent the inappropriate use of~~ ensure the continued availability of safety data and safety information collected solely for the purpose of ~~by~~ restricting its use for the purposes other than maintaining or 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, 5.1, of this Annex;~~

~~3) voluntary incident reporting systems, as described in Chapter 5, 5.1, of this Annex; 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).~~

2.1. 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 1.1 National laws and States shall, through national laws, regulations and policies protecting safety data, safety information should and related sources, ensure that:~~

a) a balance is struck between the need for the protection of safety data, safety information in order to and related sources to maintain or improve aviation safety, and the need for the proper administration of justice;

b) safety data, safety information and related sources are protected in accordance with this appendix;

c) the conditions under which safety data, safety information and related sources qualify for protection, are specified; and

d) safety data and safety information remain available for the purpose of maintaining or improving aviation safety.

~~2.2 Note.— It is not the purpose of protecting—The protection of safety data and safety information is not intended to interfere with the proper administration of justice in States.~~

1.2 When an investigation under Annex 13 – *Aircraft Accident and Incident Investigation* has been instituted, accident and incident investigation records listed in paragraph 5.12 of Annex 13 shall be subject to the protections accorded therein instead of the protections accorded by this Annex.

~~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.~~

3-2. 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.~~ 2.1 States shall ensure that safety data or safety information is not used for:

- a) disciplinary, civil, administrative and criminal proceedings against employees, operational personnel or organizations;
- b) disclosure to the public; or
- c) any purposes other than maintaining or improving safety;

unless a principle of exception applies.

2.2 States shall accord protection to safety data, safety information and related sources by ensuring that:

- a) ~~The~~ the protection should be specific for each SDCPS, based upon the nature of the safety information it contains. is specified based on the nature of safety data and safety information;

~~3.3 b) A~~ a formal procedure should be established to provide protection to qualified safety data, safety information, in accordance with specified conditions, and related sources is established;

~~3.4 c) Safety~~ safety data and safety information should will not be used in a way different from the purposes for which it was collected, unless a principle of exception applies;

~~3.5-d) The to the extent that a principle of exception applies, States shall ensure that the use of safety data and safety information in disciplinary, civil, administrative and criminal proceedings should will be carried out only under suitable authoritative safeguards provided by national law.~~

Note.— Authoritative safeguards include legal limitations or restrictions such as protective orders, closed proceedings, in-camera review, and de-identification of data for the use or disclosure of safety information in judicial or administrative proceedings.

4.3. Principles of exception

Exceptions to the protection of safety data, safety information ~~should~~ and related sources shall only be granted by national laws and regulations when the competent authority:

- a) ~~determines that there is evidence~~ are facts and circumstances reasonably indicating that the occurrence ~~was~~ may have been caused by an act or omission considered, in accordance with the law national laws, to be conduct with intent to cause damage, or conduct with knowledge that damage would probably result, equivalent to reckless conduct, constituting gross negligence or, wilful misconduct or done with criminal intent;
- 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~~
- e) b) review by an appropriate authority after reviewing the safety data or safety information, determines that ~~the~~ its release of the safety information is necessary for the proper administration of justice, and that the benefits of its release outweighs the adverse domestic and international impact such release may is likely to have on the future collection and availability of safety data and safety information-; or
- c) after reviewing the safety data or safety information, determines that its release is necessary for maintaining or improving safety, and that the benefits of its release outweigh the adverse domestic and international impact such release is likely to have on the future collection and availability of safety data and safety information.

Note 1.— In administering the decision, the competent authority takes into account the consent of the source of the safety data and safety information.

Note 2.— Different competent authorities may be designated for different circumstances. The competent authority could include, but is not limited to, judicial authorities or those otherwise entrusted with aviation responsibilities designated in accordance with national law.

5.4. 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.~~ 4.1 States shall provide that the formal procedure referred to in 2.2 b) include that any person seeking disclosure of safety data or safety information shall provide the justification for its release.

4.2 States that have right-to-know laws shall, in the context of requests made for public disclosure, create exceptions from public disclosure to ensure the continued confidentiality of voluntarily supplied safety data and safety information.

Note.— Laws, regulations and policies commonly referred to as right-to-know laws (freedom-of-information, open records, or sunshine laws) allow for public access to information held by the State.

5.2.4.3 ~~Formal criteria for~~ Where disclosure of safety information should be established and should include, but not necessarily be limited to, the following is made in accordance with section 3, States shall ensure that:

- ~~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;~~
- e) a) public disclosure of relevant personal information included in the safety data or safety information complies with applicable privacy laws; and
- d) b) public disclosure of the safety data or safety information is made in a de-identified, summarized or aggregate form.

6.5. Responsibility of the custodian of safety data and safety information

5.1 ~~Each~~ States shall ensure that each SDCPS ~~should have~~ has a designated custodian. ~~It is the responsibility of the custodian of to apply the protection to safety data and safety information to apply all possible protection regarding the disclosure of the information, unless in accordance with this appendix:~~

- ~~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.~~

Note.— The custodian may refer to an individual or organization.

7.6. Protection of recorded information data

~~Note.— Considering that ambient~~ Ambient workplace recordings required by legislation, such as national laws, for example 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.~~

6.1 States shall, through national laws and regulations, provide specific measures of protection regarding the confidentiality and access by the public to ambient workplace recordings.

6.2 States shall, through national laws and regulations, treat ambient workplace recordings required by national laws and regulations as privileged protected data subject to the principles of protection and exception as provided for in this appendix.

<i>Origin</i>	<i>Rationale</i>
Coordination meeting	<p data-bbox="500 289 1412 390">Elevating Attachment B of Annex 19 to the status of an appendix will move the principles of safety information protection from guidance material to SARPs and thus provide greater impetus for their implementation.</p> <p data-bbox="500 426 1412 688">In proposed section 1, a new provision was introduced in order to ensure that there is no potential overlap with the protection provisions in Annex 6 and Annex 13. A new provision ensures that once an investigation under Annex 13 has been initiated, the applicable accident investigation records would be subject to the protections accorded by that Annex, instead of those contained in Annex 19. There is no overlap as the Annex 6 proposal, as set out in State letter AN 6/1.2-15/13, refers to the protections accorded by Annex 19.</p> <p data-bbox="500 724 1412 888">All principles of protection and exceptions were moved to the proposed appendix to ensure clarity. The substance of the term “inappropriate use” was transferred to the principles of protection. Reference to the sources in the relevant provision related to principles of protection and exceptions were introduced.</p> <p data-bbox="500 924 1412 993">A new explicative Note on the competent authority was introduced in proposed section 3.</p> <p data-bbox="500 1029 1412 1192">In proposed section 4, a new provision, which covers States that have right-to-know laws, was introduced. Under these circumstances, in the context of requests made for public disclosure of voluntarily supplied information, certain exceptions would apply to accord protection to the safety data and safety information.</p> <p data-bbox="500 1228 1412 1392">Consistent with responses from States and international organizations to State letter AN 9/1-14/47, the provisions related to the responsibility of the custodian of safety data and information were amended in proposed section 5. A designated custodian should administer the protection of safety data and information in accordance with the proposed appendix.</p> <p data-bbox="500 1428 1412 1719">The protection of recorded data was introduced in proposed section 6. Recordings containing safety data should be afforded a higher degree of protection in the proposed appendix of Annex 19. Annex 13 provisions do not accord any protection to information captured by cockpit voice recorders (CVRs) outside of aircraft accident and incident investigations. Although, the proposed amendment to Annex 6 in State letter AN 6/1.2-15/13 contains provisions related to CVRs, they do not in themselves establish any protection for CVRs except by reference to the protection established in Annex 19.</p>

ATTACHMENT C to State letter AN 8/3-15/46

**PROPOSED AMENDMENT TO
INTERNATIONAL STANDARDS
AND RECOMMENDED PRACTICES
AIRWORTHINESS OF AIRCRAFT**

ANNEX 8

NOTES ON THE PRESENTATION OF THE AMENDMENT

1. 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:

~~Text to be deleted is shown with a line through it.~~

Text to be deleted

New text to be inserted is highlighted with grey shading.

New text to be inserted

~~Text to be deleted is shown with a line through it~~
followed by the replacement text which is highlighted
with grey shading.

New text to replace existing text

**PROPOSED AMENDMENT TO
INTERNATIONAL STANDARDS
AND RECOMMENDED PRACTICES**

ANNEX 8

**TO THE CONVENTION ON INTERNATIONAL CIVIL AVIATION
AIRWORTHINES OF AIRCRAFT**

...

INITIAL PROPOSAL 1

PART I. DEFINITIONS

...

Organization responsible for the type design. The organization that holds the type certificate, or equivalent document, for an aircraft, engine or propeller type, issued by a Contracting State.

...

State of Manufacture. The State having jurisdiction over the organization responsible for the final assembly of the aircraft, engine or propeller.

...

Type Certificate. A document issued by a Contracting State to define the design of an aircraft, engine or propeller type and to certify that this design meets the appropriate airworthiness requirements of that State.

Note.— In some Contracting States a document equivalent to a type certificate may be issued for an engine or propeller type.

Type design. The set of data and information necessary to define an aircraft, engine or propeller type for the purpose of airworthiness determination.

...

<i>Origin</i>	<i>Rationale</i>
AIRP/WG/WHL/14	<p>a) A new definition of “organisation responsible for the type design” is introduced, based on that already contained in Doc 9760, <i>Airworthiness Manual</i> but amended to remove assigned responsibilities that should not be in a definition.</p> <p>A “Type Certificate” as defined in Annex 8, only addresses the identification and approval of the type design (product level). However, a type certificate also serves to identify the “organization responsible for the type design”. This</p>

	<p>term is correctly used in Annex 19. The organizational link to “<i>Type Certificate</i>” is currently missing and unclear in Annex 8 but included in Doc 9760. The expression “or equivalent document” is added to reflect the possible absence of a type certificate prior to Amendment 98 of Annex 8 and to reflect that some Contracting States do not refer to type certificates when issuing approval for engines or propellers (e.g. Japan).</p> <p>b) The definition of “<i>State of Manufacture</i>” is expanded to include engine and propeller.</p> <p>c) Type certificates for engines and propellers are formally introduced. In the past, their existence was recognised by a note in 1.4.1. The issuance of each type certificate could be associated with a different State of Design to oversee the type design. The manufacture of each aircraft, engine or propeller could be overseen by a different State of Manufacture.</p> <p>A note is added to the definition of “<i>Type Certificate</i>” to reflect that there may be some variance in the terminology for engines and propellers in some Contracting States.</p> <p>d) New definition of “<i>Type design</i>” is introduced. This term is already extensively used in the Annex.</p> <p>e) Once adopted, Doc 9760 will be amended to reflect the definitions used in the revised Annex 8.</p>
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INITIAL PROPOSAL 2

PART II. PROCEDURES FOR CERTIFICATION AND CONTINUING AIRWORTHINESS

...

CHAPTER 1. TYPE CERTIFICATION

1.1 Applicability

The Standards of this chapter shall be applicable to all aircraft, and to engines and propellers if type certificated separately, ~~of types~~ for which the application for certification was submitted to a Contracting State on or after 13 June 1960, except that:

- a) the provisions of 1.4 of this part shall only be applicable to an aircraft type for which an application for a Type Certificate is submitted to the State of Design on or after 2 March 2004; ~~and~~
- b) the provisions of 1.4 of this part shall only be applicable to an engine or propeller type for which an application for a Type Certificate is submitted to the State of Design on or after 10 November 2016; and

b)c) the provisions of 1.2.5 of this part shall only be applicable to an aircraft type for which an application for a Type Certificate is submitted to the State of Design on or after 31 December 2014.

Note.— Normally, a request for a Type Certificate is submitted by the ~~aircraft~~ manufacturer when the aircraft, engine or propeller is intended for serial production.

<i>Origin</i>	<i>Rationale</i>
AIRP/WG/WHL/14	<p>a) Engine and propeller type certificates are introduced as an option, in recognition that some States may not issue type certificates for engines and propellers.</p> <p>b) The Note regarding normal practice has been changed from “<i>aircraft</i>” to “<i>aircraft, engine or propeller</i>” and the “<i>aircraft manufacturer</i>” is changed to “<i>manufacturer</i>”, to cover the changed scope.</p>

INITIAL PROPOSAL 3

1.2 Design aspects of the appropriate airworthiness requirements

1.2.1 The design aspects of the appropriate airworthiness requirements, used by a Contracting State for type certification ~~in respect of a class of aircraft~~ of an aircraft, engine or propeller or for any change to such type certification, shall be such that compliance with them will ensure compliance with the Standards of Part II of this Annex and, where applicable, with the Standards of Parts III, IV, V, VI or VII of this Annex.

...

1.2.3 Where the design features of a particular aircraft, engine or propeller render any of the design aspects of the appropriate airworthiness requirements or the Standards in Parts III, IV, V, VI or VII inappropriate, the Contracting State shall apply appropriate requirements that will give at least an equivalent level of safety.

1.2.4 Where the design features of a particular aircraft, engine or propeller render any of the design aspects of the appropriate airworthiness requirements or the Standards in Parts III, IV, V, VI or VII inadequate, additional requirements that are considered by the Contracting State to give at least an equivalent level of safety shall be applied.

<i>Origin</i>	<i>Rationale</i>
AIRP/WG/WHL/14	<p>a) The term “<i>aircraft</i>” is replaced with ‘<i>aircraft, engine or propeller</i>’ throughout to reflect the possibility of separate type certification of engines and propellers.</p> <p>b) Use of the term “<i>class of aircraft</i>” was considered to be unclear and its extension to engines and propellers would further add confusion. The term has been deleted without any loss of intent.</p> <p>c) 1.2.5 is unchanged, as the requirement is at aircraft level.</p>

...

INITIAL PROPOSAL 4

1.3 Proof of compliance with the appropriate airworthiness requirements

1.3.1 There shall be an approved design consisting of such drawings, specifications, reports and documentary evidence as are necessary to define the design of the aircraft, engine or propeller and to show compliance with the design aspects of the appropriate airworthiness requirements.

Note.— The approval of the design is facilitated, in some States, by approving the design organization.

1.3.2 The aircraft, engine or propeller shall be subjected to such inspections and ground and flight tests as are deemed necessary by the State to show compliance with the design aspects of the appropriate airworthiness requirements.

1.3.3 In addition to determining compliance with the design aspects of the appropriate airworthiness requirements for an aircraft, engine or propeller, Contracting States shall take whatever other steps they deem necessary to ensure that the design approval is withheld if the aircraft, engine or propeller is known or suspected to have dangerous features not specifically guarded against by those requirements.

1.3.4 A Contracting State issuing an approval for the design of a modification, of a repair or of a replacement part shall do so on the basis of satisfactory evidence that the aircraft, engine or propeller is in compliance with the airworthiness requirements used for the issuance of the Type Certificate, its amendments or later requirements when determined by the State.

Note 1.— While a repair may be completed and shown to be in compliance with the set of requirements that had been selected for the original type certification of the aircraft, engine or propeller, some repairs may need to be shown to comply with the latest applicable certification requirements. In such cases, States may issue a repair design approval against the latest set of requirements for that aircraft, engine or propeller type.

Note 2.— The approval of the design of a modification to an aircraft, engine or propeller is signified, in some States, by the issuance of a supplemental Type Certificate or amended Type Certificate.

<i>Origin</i>	<i>Rationale</i>
AIRP/WG/WHL/14	The term “aircraft” is replaced with “aircraft, engine or propeller” throughout to reflect the possibility of separate type certification of engines and propellers.

INITIAL PROPOSAL 5

1.4 Type Certificate

1.4.1 The State of Design, upon receipt of satisfactory evidence that the aircraft type (or engine type or propeller type, if certificated separately) is in compliance with the design aspects of the appropriate airworthiness requirements, shall issue a Type Certificate to define the type design and to signify its approval of the design of the aircraft type.

Note.— Some Contracting States also issue Type Certificates for engines and propellers.

1.4.2 When a Contracting State, other than the State of Design, issues a Type Certificate for an aircraft, engine or propeller type, it shall do so on the basis of satisfactory evidence that the aircraft, engine or propeller type is in compliance with the design aspects of the appropriate airworthiness requirements.

<i>Origin</i>	<i>Rationale</i>
AIRP/WG/WHL/14	a) Engine and propeller type certificates are introduced as an option, in recognition that some States may not issue type certificates for engines and propellers. b) Editorial changes to increase readability and to be consistent with defined terminology. c) The note to 1.4.1 is no longer necessary and is removed. d) 1.4.2 is changed to reflect the wider applicability to engines and propellers.

INITIAL PROPOSAL 6

CHAPTER 2. PRODUCTION

2.1 Applicability

The Standards of this chapter are applicable to the production of all aircraft ~~and aircraft parts~~, engines, propellers and parts.

<i>Origin</i>	<i>Rationale</i>
AIRP/WG/WHL/14	Applicability extended to engines and propellers.

2.2 Aircraft, engine and propeller production

The State of Manufacture shall ensure that each aircraft, engine or propeller, including aircraft ~~parts~~ manufactured by sub-contractors and/or suppliers, is airworthy at the time of release.

<i>Origin</i>	<i>Rationale</i>
AIRP/WG/WHL/14	<p>a) Title and text changed to better reflect the applicability.</p> <p>b) The words “<i>at the time of release</i>” are added to limit the period of State of Manufacture’s responsibility (as currently written this is open ended).</p>

INITIAL PROPOSAL 7

2.3 ~~Aircraft parts~~ Parts production

The Contracting State ~~taking responsibility~~ having jurisdiction over the organization responsible for the production of ~~aircraft~~ parts manufactured under the design approval referred to in 1.3.4 of Part II shall ensure that the ~~aircraft~~ parts are airworthy at the time of release.

<i>Origin</i>	<i>Rationale</i>
AIRP/WG/WHL/14	<p>a) Title and text changed to remove “<i>aircraft</i>” to clarify that all parts of the aircraft/engine/propeller are included.</p> <p>b) Text changed to better reflect State responsibility.</p> <p>c) Words “<i>at the time of release</i>” are added to limit the period of the Contracting State’s responsibility (as currently written this is open ended).</p>

INITIAL PROPOSAL 8

2.4 Production approval

2.4.1 When approving production of an aircraft, engine, propeller or ~~aircraft~~ parts, the Contracting State having jurisdiction over the organization responsible for production shall:

- a) examine the supporting data and inspect the production facilities and processes so as to determine that the manufacturing organization is in compliance with the appropriate production requirements; and
- b) ensure that the manufacturing organization has established and can maintain a quality system or a production inspection system such as to guarantee that each aircraft, engine, propeller or ~~aircraft~~ part produced by the organization or by sub-contractors and/or suppliers is airworthy at the time of release.

Note 1.— Normally, the oversight of production is facilitated by approving the manufacturing organization.

Note 2.— Where the State of Manufacture is a State other than the Contracting State where the ~~aircraft~~ parts are produced, there may be an agreement or arrangement acceptable to both States to

support the oversight responsibilities of the State of Manufacture over the organizations manufacturing the ~~aircraft~~ parts.

2.4.2 The manufacturing organization shall hold, for each aircraft, engine, propeller or ~~aircraft~~ part concerned, a design approval as referred to in 1.3 of Part II or the right of access under an agreement or arrangement to the approved design data relevant for production purposes.

2.4.3 Records shall be maintained such that the origin of ~~the~~ each aircraft, engine, propeller and ~~of the aircraft~~ parts, and ~~their~~ its identification with the approved design and productions data can be established.

Note.— The origin of an aircraft, engine, propeller and ~~of the aircraft~~ parts refers to the manufacturer, the date of manufacture, the serial number or other information that can be tracked to its production record.

2.4.4 Where the State of Manufacture is other than the State of Design, there shall be an agreement or arrangement acceptable to both States to:

- a) ensure that the manufacturing organization has the right of access to the approved design data relevant for production purposes; and
- b) address the responsibilities of each State with regard to design, manufacture and ~~continued~~ continuing airworthiness of the aircraft, engine or propeller.

<i>Origin</i>	<i>Rationale</i>
AIRP/WG/WHL/14	<ul style="list-style-type: none"> a) Text changed to extend applicability to engines and propellers and to clarify the State’s responsibility. b) The term “<i>at the time of release</i>” is added to limit the period of the Contracting State’s responsibility (as currently written this is open ended). c) In 2.4.3 “<i>productions</i>” replaced with “<i>production data</i>” for readability. d) In 2.4.4. “<i>continued</i>” is replaced by “<i>continuing</i>” to reflect defined ICAO terminology.

...

INITIAL PROPOSAL 9

CHAPTER 4. CONTINUING AIRWORTHINESS OF ~~AIRCRAFT~~

<i>Origin</i>	<i>Rationale</i>
AIRP/WG/WHL/14	Title changed to extend applicability to engines, propellers and parts.

INITIAL PROPOSAL 10

4.1 Applicability

The Standards of this chapter are applicable to all aircraft, engines, propellers and parts.

<i>Origin</i>	<i>Rationale</i>
AIRP/WG/WHL/14	Text changed to extend applicability to engines, propellers and parts.

INITIAL PROPOSAL 11

**4.2 Responsibilities of Contracting States
in respect of continuing airworthiness**

Note.— *Guidance on continuing airworthiness requirements is contained in the Airworthiness Manual (Doc 9760).*

4.2.1 State of Design

4.2.1.1 The State of Design of an aircraft shall:

- a) transmit to every Contracting State which has in accordance with 4.2.3 a) advised the State of Design of the aircraft that it has entered the aircraft on its register, and to any other Contracting State upon request, any generally applicable information which it has found necessary for the continuing airworthiness and safe operation of the aircraft, including any its engines and propellers when applicable, and for the safe operation of the aircraft, (hereinafter called mandatory continuing airworthiness information) and notification of the suspension or revocation of a Type Certificate;

...

Note 3.— *If the State of Design of the aircraft is satisfied that mandatory continuing airworthiness information previously issued by the State of Design of the engine or propeller under 4.2.1.2 fully addresses a continuing airworthiness issue, then the State of Design of the aircraft need not retransmit that information to Contracting States that have already been informed.*

...

- ~~d) ensure that, where the State of Manufacture of an aircraft is other than the State of Design, there is an agreement acceptable to both States to ensure that the manufacturing organization cooperates with the organization responsible for the type design in assessing information received on experience with operating the aircraft.~~

4.2.1.2 The State of Design of an engine or a propeller, where it is different from the State of Design of the aircraft, shall:

- a) transmit any continuing airworthiness information to the State of Design of the aircraft and to any other Contracting State upon request.

Note.— While the overall responsibility for the transmission of mandatory continuing airworthiness information rests with the State of Design of the aircraft, it is recognised that some States of Design of the engine or propeller transmit mandatory continuing airworthiness information directly to States of Registry and other Contracting States. This practice has the benefit of speeding up the availability of mandatory continuing airworthiness information and processing this information in the normal way in accordance with 4.2.3 d). However, if the State of Design of the aircraft subsequently transmits additional mandatory continuing airworthiness information to that of the State of Design of the engine or propeller, then the mandatory continuing airworthiness information originating from the State of Design of the aircraft must take precedence in case of incompatibility.

- b) ensure that, in respect of engines and propellers installed on aeroplanes over 5 700 kg and helicopters over 3 175 kg maximum certificated take-off mass, there exists a system for:
 - i) receiving information submitted in accordance with 4.2.3 f);
 - ii) deciding if and when airworthiness action is needed;
 - iii) developing the necessary airworthiness actions.

4.2.1.3 Where the State of Design of a modification is different from the State of Design of the aircraft, engine or propeller ~~product~~ being modified, the State of Design of the modification shall transmit the mandatory continuing airworthiness information to all States that have the modified aircraft on their registries.

4.2.1.4 Where, for a given aircraft, engine or propeller, the State of Manufacture is other than the State of Design, then the State of Design shall ensure that there is an agreement acceptable to both States to ensure that the manufacturing organization cooperates with the organization responsible for the type design in assessing information on the design, manufacture and operation of the aircraft, engine or propeller.

<i>Origin</i>	<i>Rationale</i>
AIRP/WG/WHL/14	<ul style="list-style-type: none"> a) Text amended to clarify that the responsibility for transmitting continuing airworthiness information does not change and rests with the State of Design of the aircraft. b) Text “<i>and safe operation</i>” is moved to increase readability. c) The “<i>when applicable</i>” has been deleted as it could be misunderstood. In the original context it refers to the class of aircraft, but now could be confused with a State’s responsibility. Text is changed to add “including any engines and propellers”. This maintains the State of Design overall responsibility. d) A new note 3 is added. This avoids the undesirable consequences that if a State of Design of an engine/propeller issues mandatory continuing

	<p>airworthiness information (MCAI) to Contracting States, then the State of Design of the aircraft is not then obliged to transmit this same information. The State of Design of the aircraft may form the view that the issue is addressed by the engine/propeller State of Design MCAI, and no additional aircraft-level information is needed.</p> <p>e) Paragraph 4.2.1.1(d) is deleted. A new 4.2.1.4 is created that is applicable to all States of Design.</p> <p>f) A new note is added to recognise that a State of Design of the engine/propeller may transmit mandatory continuing airworthiness information directly to States of Registry and other Contracting States. This practice has the benefit that MCAI is available in a shorter timeframe and should be encouraged for safety reasons. In many cases, the safety issue will be fully addressed by the mandatory continuing airworthiness information produced by the State of Design of the engine or propeller, and therefore the State of Design of the aircraft does not need to take any additional action. However, if this is not the case, additional mandatory continuing airworthiness information may be produced by the State of Design of the aircraft, and will also need to be addressed by States. In the event that there is an incompatibility between the two sets of information, the instructions from the State of Design of the aircraft must take precedence.</p> <p>g) Paragraph 4.2.1.2(b) is added to create obligations and responsibilities on the State of Design of the engine or propeller.</p> <p>h) Text of 4.2.1.3 changed to reflect defined terminology.</p> <p>i) New paragraph 4.2.1.4 is created based on the deleted text of 4.2.1.1(d) but expanded to include all States of Design. The text “<i>information received on experience with operating the aircraft</i>” is broadened to “<i>information on the design, manufacture or operation of the aircraft, engine or propeller</i>”. The intent is to create a two-way communication between the two States, and the design and manufacturing organizations under their jurisdiction, to address all continuing airworthiness issues and not just those based on external information received from operators.</p>
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4.2.2 State of Manufacture

The State of Manufacture ~~of an aircraft~~ shall ensure that where it is not the State of Design there is an agreement acceptable to both States to ensure that the manufacturing organization cooperates with the organization responsible for the type design in assessing ~~information received on experience with operating~~ the design, manufacture and operation of the aircraft, engine or propeller.

<i>Origin</i>	<i>Rationale</i>
AIRP/WG/WHL/14	<p>a) The term “<i>aircraft</i>” is deleted or replaced with “<i>aircraft, engine or propeller</i>” to reflect the expanded scope.</p> <p>b) The scope of information to be assessed is expanded to include design, manufacture and operation and not limited to that received from operators. It therefore ensure cooperation on all aspects of continuing airworthiness.</p>

4.2.3 State of Registry

The State of Registry shall:

...

- c) develop or adopt requirements to ensure the continuing airworthiness of the aircraft during its service life, including requirements to ensure that the aircraft:

...

- ii) is maintained in an airworthy condition and in compliance with the maintenance requirements of Annex 6, and where applicable, Parts III, IV, V, VI and VII of this Annex;

...

- e) ensure ~~the transmission to the State of Design of that~~ all mandatory continuing airworthiness information ~~in respect of a product or a modification~~ which it, as the State of Registry, originated in respect of that aircraft, ~~is transmitted to the appropriate State of Design;~~ and
- f) ensure that, in respect of aeroplanes over 5 700 kg and helicopters over 3 175 kg maximum certificated take-off mass, there exists a system whereby information on faults, malfunctions, defects and other occurrences that cause or might cause adverse effects on the continuing airworthiness of the aircraft is transmitted to the organization responsible for the type design ~~of that aircraft~~. Where a continuing airworthiness safety issue is associated with a modification, the State of Registry shall ensure that there exists a system whereby the above information is transmitted to the organization responsible for the design of the modification.

Note. — Guidance on interpretation of “the organization responsible for the type design” is contained in the Airworthiness Manual (Doc 9760).

<i>Origin</i>	<i>Rationale</i>
AIRP/WG/WHL/14	<ul style="list-style-type: none"> a) In 4.2.3(c)(ii) Part VI and Part VII on engines and propellers respectively, are added for completeness. b) In 4.2.3(d) the text remains unchanged. The State of Registry should react to continuing airworthiness information coming from any State of Design. In case of any contradictory information, continuing airworthiness information coming from the State of Design of the aircraft will take precedence (as detailed in the note to 4.2.1.2). c) 4.2.3(e) is rewritten to improve clarity. “<i>Appropriate State of Design</i>” is added to clarify where the continuing airworthiness information should be transmitted.

4.2.4 All Contracting States

Each Contracting State shall establish, in respect of aeroplanes over 5 700 kg and helicopters over 3 175 kg maximum certificated take-off mass, the type of ~~service~~ information that is to be reported to its airworthiness authority by operators, organizations responsible for type design and maintenance organizations. Procedures for reporting this information shall also be established.

<i>Origin</i>	<i>Rationale</i>
AIRP/WG/WHL/14	“Service” is removed to avoid the misconception that reported information is only related to in-service operations. The intent is to capture all potential hazards that could impact on continuing airworthiness, including design and manufacturing.

ATTACHMENT D to State letter AN 8/3-15/46

PROPOSED AMENDMENT TO ANNEX 6, PARTS I AND III

NOTES ON THE PRESENTATION OF THE AMENDMENT

1. 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:

~~Text to be deleted is shown with a line through it.~~

Text to be deleted

New text to be inserted is highlighted with grey shading.

New text to be inserted

~~Text to be deleted is shown with a line through it~~
followed by the replacement text which is highlighted
with grey shading.

New text to replace existing text

**PROPOSED AMENDMENT TO
INTERNATIONAL STANDARDS
AND RECOMMENDED PRACTICES**

ANNEX 6

TO THE CONVENTION ON INTERNATIONAL CIVIL AVIATION

OPERATION OF AIRCRAFT

PART I

INTERNATIONAL COMMERCIAL AIR TRANSPORT — AEROPLANES

...

CHAPTER 3. GENERAL

...

3.3 Safety management

...

3.3.3 A flight data analysis programme shall be non-punitive and contain adequate safeguards to protect the source(s) of the data in accordance with Appendix 3 to Annex 19.

Note 1.— Guidance on the establishment of flight data analysis programmes is included in the Manual on Flight Data Analysis Programmes (FDAP) (Doc 10000).

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

<i>Origin</i>	<i>Rationale</i>
Secretariat	Editorial – to ensure the references are updated to reflect the elevated status of the Attachment B to Appendix 3.

...

CHAPTER 4. FLIGHT OPERATIONS

...

4.10 Fatigue management

...

4.10.6 Where an operator implements an FRMS to manage fatigue-related safety risks, the operator shall, as a minimum:

- a) incorporate scientific principles and knowledge within the FRMS;

- b) identify fatigue-related safety hazards and the resulting risks on an ongoing basis;
- c) ensure that remedial actions, necessary to effectively mitigate the risks associated with the hazards, are implemented promptly;
- d) provide for continuous monitoring and regular assessment of the mitigation of fatigue risks achieved by such actions; and
- e) provide for continuous improvement to the overall performance of the FRMS.

Note 1.— Detailed requirements for an FRMS are in Appendix 7.

Note 2.— Provisions on the protection of safety data, safety information and related sources are contained in Appendix 3 to Annex 19.

<i>Origin</i>	<i>Rationale</i>
Secretariat	Reference to Appendix 3 of Annex 19 added.

...

APPENDIX 7. FATIGUE RISK MANAGEMENT SYSTEM REQUIREMENTS

...

2. Fatigue risk management processes

2.1 Identification of hazards

Note.— Legal guidance for Provisions on the protection of safety data, safety information and related sources from safety data collection and processing systems is are contained Attachment B in Appendix 3 to Annex 19.

<i>Origin</i>	<i>Rationale</i>
Secretariat	Editorial – to ensure the references are updated to reflect the elevated status of the Attachment B to Appendix 3.

...

**PART III
INTERNATIONAL OPERATIONS – HELICOPTERS**

...

**SECTION II
INTERNATIONAL COMMERCIAL AIR TRANSPORT**

...

CHAPTER 1. GENERAL

...

1.3 Safety management

...

1.3.2 A flight data analysis programme shall be non-punitive and contain adequate safeguards to protect the source(s) of the data in accordance with Appendix 3 to Annex 19.

Note 1.— Guidance on the establishment of flight data analysis programmes is included in the Manual on Flight Data Analysis Programmes (FDAP) (Doc 10000).

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

<i>Origin</i>	<i>Rationale</i>
Secretariat	Editorial – to ensure the references are updated to reflect the elevated status of the Attachment B to Appendix 3.

ATTACHMENT E to State letter AN 8/3-15/46

MAPPING OF THE PROPOSED ANNEX 19, CHAPTER 3 PROVISIONS

PROPOSED ANNEX 19, CHAPTER 3 PROVISIONS		REF, CURRENT ANNEX 19
3.1	State Safety Programme (<i>Standard</i>)	Title 3.1, Standard 3.1.1 Note 1 under 3.1.1
3.2	State safety policy, objectives and resources (<i>amended</i>)	Standard, 3.1.1 a)
3.2.1	Primary aviation legislation	Appendix 1, Section 1, title
3.2.1.1	<i>Standard</i>	Appendix 1, Section 1
3.2.1.2	<i>Recommended Practice</i>	Attachment A, para 1.4
3.2.2	Specific operating regulations	Appendix 1, Section 2, title
3.2.2.1	<i>Standard</i>	Appendix 1, Section 2
3.2.2.2	<i>Standard</i>	Attachment A, para 2.1
3.2.3	State system and functions	Appendix 1, Section 3, title
3.2.3.1	<i>Recommended Practice</i>	Appendix 1, Section 3
3.2.3.2	<i>Recommended Practice</i>	Attachment A, para 1.2
3.2.3.3	<i>Recommended Practice</i> (new)	-
3.2.3.4	<i>Recommended Practice</i> (new)	-
3.2.4	Qualified technical personnel (<i>Standard</i>)	Appendix 1, Section 4
3.2.5	Technical guidance, tools and provision of safety-critical information (<i>Standard</i>)	Appendix 1, Section 5
3.2.6	State emergency response plan (new)	-
3.2.6.1	<i>Recommended Practice</i> (new)	-
3.2.6.2	<i>Recommended Practice</i> (new)	-
3.2.6.3	<i>Recommended Practice</i> (new)	-
3.3	State safety risk management	Standard 3.1.1 b)
3.3.1	Licensing, certification, authorization and/or approval obligations (<i>Standard</i>)	Appendix 1, Section 6
3.3.2	Safety management system obligations (new)	-
3.3.2.1	<i>Standard</i>	Standard 3.1.3
3.3.2.2	<i>Recommended Practice</i>	Attachment A, para 2.2
3.3.2.3	<i>Standard</i>	Standard 3.1.4
3.3.2.4	<i>Standard</i> (new)	-
3.3.3	Accident and incident investigation (<i>Standard</i>)	Attachment A, para 1.3
3.3.4	Safety risk assessment (new)	-
3.3.4.1	<i>Standard</i>	Attachment A, para 3.2
3.3.4.2	<i>Standard</i> (new)	-
3.3.5	Management of safety risks (new)	-
3.3.5.1	<i>Standard</i>	Appendix 1, Section 8
3.3.5.2	<i>Recommended Practice</i> (new)	-
3.3.5.3	<i>Recommended Practice</i> (new)	-
3.4	State safety assurance	Standard 3.1.1 c)
3.4.1	Surveillance obligations	Appendix 1, Section 7, title
3.4.1.1	<i>Standard</i>	Appendix 1, Section 7
3.4.1.2	<i>Recommended Practice</i>	Attachment A, para 3.3
3.4.1.3	<i>Recommended Practice</i>	Attachment A, para 2.2
3.4.2	State safety performance (new)	-
3.4.2.1	<i>Standard</i>	Standard 3.1.2

3.4.2.2	<i>Recommended Practice (new)</i>	
3.5	State safety promotion	Standard 3.1.1 d)
3.5.1	Internal communication and dissemination of safety information <i>(Recommended Practice)</i>	Attachment A, para 4.1
3.5.2	External communication and dissemination of safety information <i>(Recommended Practice)</i>	Attachment A, para 4.2

Note 1 : Appendices include Standards and Recommended Practices

Note 2 : Attachments contain only Guidance Material

ATTACHMENT F to State letter AN 8/3-15/46

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 Robert-Bourassa Boulevard
 Montréal, Quebec
 Canada, H3C 5H7

(State) _____

Please make a checkmark (✓) against one option for each amendment and for the preferred applicability date. If you choose options “agreement with comments”, “disagreement with comments” or “Support 5 November 2020”, **please provide your comments and supporting rationale 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>
Amendment to Annex 19 — <i>Safety Management</i> (Attachment B refers)					
Amendment to Annex 8 — <i>Airworthiness of Aircraft</i> (Attachment C refers)					
Amendment to Annex 6 — <i>Operation of Aircraft</i> (Attachment D 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.

	<i>Confirm 8 November 2018 (as recommended)</i>	<i>Support 5 November 2020 with supporting rationale**</i>	<i>No position</i>
Applicability date for Annex 19 — <i>Safety Management</i> and Annex 6 — <i>Operation of Aircraft</i>			

**“Support for 5 November 2020 applicability” indicates that your State or organizations would prefer a later applicability than that recommended. Please provide supporting rationale.

Signature: _____ Date: _____