

OVERSIGHT OF TCO CODE-SHARE 'AN OPERATORS VIEW'

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19th March 2014, Cologne



Regulation

- ORO.AOC.115 Code-share agreements

(a) Without prejudice to applicable EU safety requirements for third country operators and aircraft, an operator certified in accordance with this Part shall enter into a code-share agreement with a third country operator only after:

- (1) having verified that the third country operator **complies with the applicable ICAO standards**; and
- (2) having provided the competent authority with **documented information** enabling such authority to comply with ARO.OPS.105.

(b) When implementing the code-share agreement the operator shall **monitor and regularly assess the ongoing compliance** of the third country operator with the applicable ICAO standards.

(c) The operator certified in accordance with this Part shall not sell and issue tickets for a flight operated by a third country operator when the third country operator is subject to an **operating ban** pursuant to Regulation (EC) No 2111/2005 or is failing to maintain compliance with the applicable ICAO standards.

- AMC1 ORO.AOC.115(a)(1) Initial verification of compliance
- AMC1 ORO.AOC.115(b) Code-share arrangements, code-share audit programme
- AMC2 ORO.AOC.115(b) Code-share agreements, third party providers

ARO.OPS.105

ARO.OPS.105 Code-share arrangements

In considering the safety of a code-share agreement involving a third-country operator, the competent authority shall:

1. **satisfy itself**, following the verification by the operator as set out in ORO.AOC.115, that the third-country operator complies with the applicable ICAO standards;
2. **liaise with the competent authority** of the State of the third-country operator as necessary.

Third party providers

- The initial audit and/or the continuous monitoring may be performed by a third party provider on behalf of the EU operator when it is demonstrated that:
 - Documented arrangement
 - Audit addresses scope of regulation
 - Independence
 - Qualified
 - Access to the report
 - Procedures for closure of findings

Use of IOSA

- Initial verification requirements against applicable ICAO standards
- Independent, qualified auditors against a common standard
- Common structure understood and accepted, operators understand what is written
- Management of audit activity effective
- Foundation for oversight of TCO code-share
- **ORO.GEN.200 (a)(3)**
 - 'Identification of aviation safety hazards entailed by the activities of the operator, their evaluation and the management of associated risks including taking actions to mitigate the risk and verify their effectiveness'
- Not all operators need to meet requirements, size and scope of operator. E.g operators of small aircraft or rotary

Conclusion

- ✓ IOSA fundamental foundation for both initial and continuous compliance at 24 month requirements
- ✓ Report guides the operator to review any elements
- ✓ EASA Ops support the need to include Code-share operations into an operators MS
- ✓ Unambiguous validity through IOSA membership
- ✓ However, will not meet requirements of every possible code-share

Thank you