European Union Aviation Safety Agency

FAQ n.19148

FAQs:

ORO.GEN, Part-ORO, Air Operations, Regulations

Question:

If an operator is considered complex , may a person hold the position as a Safety Manager and at the same time be one (or more) of the nominated persons as described in ORO.GEN.210(b), taken into account the size and complexity of the operator?

Answer:

There is no guidance indicating that the safety manager may not be a nominated person in the organisational set up of a complex operator.

However, when assessing the organisational set-up of a complex operator, please consider also GM1 ORO.GEN.200(a)(1) point (b): “Regardless of the organisational set-up it is important that the safety manager remains the unique focal point as regards the development, administration and maintenance of the operator’s safety management system”.

In summary, the role of the safety manager is not addressed at the level of implementing rules. The acceptable means of compliance describe the functions of the safety manager in complex operators. The guidance material emphasises on the importance of having a unique focal point for the operator’s safety management system.

It is for the operator to determine if the combination of the safety manager function with that of a nominated person allows to fulfil the management functions of the nominated persons post associated with the scale and scope of the operation. It is then for the competent authority to assess if such organisational set-up corresponds to the size of the operator and the nature and complexity of its activities, taking into account the hazards and associated risks inherent in these activities.

For the assessment of the appropriateness of the organisational set-up, the competent authority should also be satisfied that the operator complies with ORO.GEN.210(c) “The operator shall have sufficient qualified personnel for the planned tasks and activities to be performed in accordance with the applicable requirements.”

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