



# Cooperation between State of Operation and State of Registry A Third Country NAA Perspective

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# Third Country NAA (Bermuda /Cayman)

- Approximately 100 Bermuda/Cayman registered aircraft based in Europe
- Annex 6 Part II (NCC) provisions fully implemented in Bermuda/Cayman with amendment to Implementing Regulations in 2010
- Subsequent amendments (#28 - #33) to Annex 6 Part II have already been implemented in the OTs



# Third Country NAA Responsibilities (Annex 6 - II)

- Under Annex 6 Part II State of Registry has responsibilities for all approvals, etc.
- Operating base in State other than State of Registry, the operator is to notify State where the operating base is located
- ICAO requires safety and security oversight to be coordinated between State of operating base and State of Registry



# Third Country NAA Responsibilities (Annex 6 - II)

- State of Registry approvals shall be provided related to PBN, MNPS, RVSM, operating minima, operating limitations, instruments and equipment, flight manual approval, noise certification, HUD approval, EFB provisions, etc.
- Operators must establish an Operations Manuals and shall have approved MEL
- SMS shall be established commensurate with the size and complexity of the operation



# Third Country NAA Responsibilities (Annex 6 - II)

- Surveillance responsibilities are met through a programme of inspections and audits which are risk based
- Resolution of safety concerns – with the introduction of SMS, resolution of certain safety deviations (errors) may often be addressed through an operators SMS
- The NAA should have an enforcement policy for resolution of safety violations



# State of Registry – State of Operating Base Coordination

- **March 2015** – Bermuda DCA letter to operators based in EASA Member States advising them of NCC requirements
- **April 2015** – Detail Comparison completed between EASA NCC IR and Bermuda/Cayman NCC IR (posted on Bermuda website)
- **May 2015** - informal discussion with EASA at EBACE



# State of Registry – State of Operating Base Coordination

- **September 2015** – Presented at NCC conference in Geneva
- **September 2015** – Meeting with UK Govt. Department for Transport (DfT) and UK CAA related to coordination
- **January 2016** – UK DfT letter to EASA related to UK territories/dependencies implementation of Annex 6 Part II
- **February 2016** – Letter from Bermuda DCA to all EASA MS where aircraft are based





# Conclusions

- States should have established a robust safety oversight system to ensure that safety outcomes of Annex 6 Part II (NCC) are achieved
- The duplication of regulations and oversight creates legal uncertainty, as two authorities cannot be independently responsible for the implementation of Annex 6 Part II requirements and the safety oversight of the same operator and aircraft
- ICAO requires the State of Registry and State of operating base to coordinate safety oversight



# Thank You !



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