

ICAO Universal Safety Oversight Audit Programme

**SUMMARY AUDIT REPORT OF THE
DIRECTORATE OF CIVIL AVIATION
OF BURKINA FASO**

(Ouagadougou, 11 to 15 October 1999)



INTERNATIONAL CIVIL AVIATION ORGANIZATION



ICAO UNIVERSAL SAFETY OVERSIGHT AUDIT PROGRAMME

Summary Audit Report of the Safety Oversight Audit Mission to Burkina Faso

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1. BACKGROUND

1.1 The Directorate of Civil Aviation (DCA) of Burkina Faso was audited from 11 to 15 October 1999 by an ICAO safety oversight audit team in accordance with the Memorandum of Understanding (MOU) agreed on 23 June 1999 between Burkina Faso and ICAO. The audit was carried out pursuant to Assembly Resolution A32-11, to determine the safety oversight capability of the Burkina Faso DCA and ensure that it is in conformity with the ICAO Standards and Recommended Practices (SARPs) as contained in Annexes 1, 6 and 8 to the Chicago Convention, the relevant provisions of other Annexes, guidance material and generally applicable aviation safety practices which are mentioned in all those documents.

1.2 On 5 January 2000, Burkina Faso sent ICAO the action plan responding to the findings and recommendations put forward during the safety oversight audit mission. On the whole, the action plan submitted by Burkina Faso was entirely satisfactory and was accepted by ICAO. To respond to the ICAO recommendations, Burkina Faso proposed to revise or develop procedures and orders. It would therefore be advisable that, in so far as possible, Burkina Faso regularly provide ICAO with updated information concerning the progress of the work in accordance with the schedule proposed in its action plan.

2. CIVIL AVIATION ACTIVITIES IN BURKINA FASO

The following information related to the civil aviation activities in Burkina Faso was derived from the summary section of the pre-audit questionnaire and was confirmed by the team during the audit itself:

a)	number of technical staff employed by the organization at Headquarters	25
b)	total number of active pilot licences (including 8 ATPLs and 17 CPLs)	52
c)	total number of other crew member active licences	8
d)	number of public air transport operators	1
e)	number of air operator certificates (AOCs)	1
f)	number of aircraft registered	13
g)	number of certificates of airworthiness (C of A)	13
h)	number of aircraft airworthiness inspectors	1
i)	number of aircraft maintenance workshops	6

3. SUMMARY OF FINDINGS

3.1 General

3.1.1 Burkina Faso had promulgated a Civil Aviation Code implementing most of the provisions of the Chicago Convention. The Code enabled the Minister responsible for civil aviation to draft the orders needed to regulate the civil aviation sector and the majority of the regulations dealing with the audit fields had been promulgated in the form of decrees or orders but still needed to be updated to ensure that they complied with the ICAO Standards and Recommended Practices. In view of the shortcomings of certain regulations, the DCA staff often referred to the Annex provisions to carry out their tasks and were encouraged to do so by the management structure.

3.1.2 In several of its articles, the Civil Aviation Code mentioned the tasks of a Directorate of Civil Aviation but not provide for its establishment. In fact, the DCA was a central Directorate within the Ministry of Transport and its functions were defined by an order. The Director of Civil Aviation did not have delegated power to regulate or enforce existing regulations and had to have recourse to the Minister to consolidate any external activities, including safety oversight activities. In addition, the audit team noted that the DCA was to establish a personnel recruitment and training policy and formalize the staff's actions, tasks and working procedures.

3.1.3 The State had established regulations governing personnel licensing and the Licences and Flight Personnel Section of the DCA was doing satisfactory work in that area. Licensing in Burkina Faso was done on the basis of the licences issued by other Contracting States. However, the audit team noted that no arrangements had been made to designate medical practitioners for personnel medical examinations and that the texts governing personnel licensing needed to be updated to incorporate the recent amendments to Annex 1.

3.1.4 The State had not adopted regulations relating to aircraft operations and had no one with the skills required to develop and apply such regulations. The DCA had not implemented an operator certification and oversight system. In addition, air operator check pilots responsible for carrying out proficiency checks were not been designated by the DCA.

3.1.5 The DCA had established a Civil Aviation Code which covers certain airworthiness-related aspects. A complete and detailed code of airworthiness regulations should be developed for aircraft with Burkina Faso registration and airworthiness certificates. Moreover, the role and responsibilities of Bureau VERITAS to exercise its mandate should be redefined. Specific policies and procedures should be developed by the DCA to implement an oversight system.

3.2 Primary aviation regulations in Burkina Faso

3.2.1 Abstract of findings

3.2.1.1 The Civil Aviation Code, referred to as the "Code" in this report, constituted the basic regulations containing the laws relating to civil aviation. The Code contained the main provisions governing the different civil aviation-related fields and activities and referred to implementation orders to be established by the Minister responsible for civil aviation. Several articles of the Code mentioned the tasks of a DCA but did not provide for its establishment. In fact, the DCA was a central Directorate within the Ministry of Transport and, under the Code, the Director of Civil Aviation did not have the authority to certify and oversee operators and maintenance workshops and had to have recourse to the Minister responsible for civil aviation

for any activity external to the DCA. Since it was promulgated in 1969, the Civil Aviation Code had not been amended and therefore did not contain all the provisions of the Chicago Convention and its Annexes, especially those which had been amended since 1970. In order to remedy that shortcoming, Burkina Faso had published a set of texts, particularly decrees signed by the President of the Republic, which had made it possible to adequately respond to some amendments to the Chicago provisions, for example, security.

3.2.1.2 As to the measures taken by Burkina Faso with regard to offenders, an article of the Code defined the persons authorized to identify and report infractions. They included DCA engineers. Nevertheless, no additional measure or individual designation of DCA inspectors and supervisors went along with those provisions to make them applicable. In the absence of duly trained personnel to identify possible infractions and an operator and approved maintenance workshop oversight programme, the DCA had not had occasion to make use of the provisions of that article of the Code.

3.2.1.3 Apart from the Code, texts relating to the fields covered by the audit published since 1969 covered the operating conditions for aircraft weighing less than 5 700 kg, licensing and flying club approval. Although the Civil Aviation Code referred to the preparation of an order relating to the operating conditions of public air transport services, Burkina Faso had not promulgated regulations concerning the operation of aircraft operated by Burkina Faso air carriers. Likewise, the Code provided for the publication of an order covering duty period limits for professional public transport aviation personnel and the audit team noted that an order specifying those limitations had not been promulgated.

3.2.1.4 During the course of the audit, four findings relating to the primary aviation legislation and civil aviation regulations in Burkina Faso were identified and four recommendations were made for their rectification.

3.2.2 **Action plan proposed and implemented by Burkina Faso**

3.2.2.1 *In its action plan, Burkina Faso proposed to amend the Civil Aviation Code so that it reflected the State's obligations under the Chicago Convention and ensured that the provisions of the different articles of the Convention and its Annexes were implemented by 31 December 2001.*

3.2.2.2 *Burkina Faso indicated that in June 1999 the DCA had initiated a draft order relating to aircraft operations. The DCA has proposed to revise the draft order by incorporating the recommendations made during the audit. Then, the DCA will hold meetings with aircraft operators to finalize the draft text by March 2000 with a view to submitting the draft for approval as from June 2000.*

3.2.2.3 *With regard to the limitations applying to flight time and flight and cabin crew duty periods, the DCA has proposed to develop draft texts to be submitted for approval by March 2000.*

3.2.2.4 *As to airworthiness regulations, Burkina Faso indicated that in June 1999 the DCA initiated a draft text concerning airworthiness. The DCA has proposed to develop the draft text to cover the provisions of Annex 6, Chapters 8 and 11, and those of Doc 9389, by 31 December 2000.*

3.3 **Organization of civil aviation in Burkina Faso**

3.3.1 **Abstract of findings**

3.3.1.1 The DCA was composed of four departments: an Administration, Finance and Personnel Department, an Air Navigation and Security Department, an Infrastructure and Civil Engineering Department and an Air Transport Department. Those departments were subdivided into 10 sections and the audit fields related to the functions of two sections: the Licensing and Flight Personnel Section in the Air Transport

Department and the Aircraft Operations Section in the Air Navigation Department. Those two sections came under two separate departments.

3.3.1.2 In theory, the Aircraft Operations Section was responsible both for airworthiness-related questions, ranging from the registration of aircraft to their deregistration, and for aircraft operations-related questions, namely, studying the applicants' technical records, supporting the operator during certification and monitoring and overseeing authorized operators. That section was only staffed by one person, who was unable under such conditions to perform his tasks adequately in two specific technical fields, which required a volume of work exceeding the capabilities of a single person.

3.3.1.3 During the course of the audit, five findings relating to the civil aviation organization in Burkina Faso were identified and five recommendations were made for their rectification.

3.3.2 **Action plan proposed and implemented by Burkina Faso**

3.3.2.1 *With regard to the technical staff of the sections dealing with air safety, the DCA indicated that in January 2000 a proposal would be submitted to the Ministry of Transport and Tourism concerning the possibility of an exemption at the governmental level for the recruitment of technical personnel. That proposal will also take account of the material resources requirements for probable acquisition in February 2000. As to job descriptions, the DCA indicated that draft job descriptions had already been submitted to the Ministry of Transport in September 1999.*

3.3.2.2 *In its action plan, Burkina Faso indicated that the DCA would pursue talks with lenders until December 1999 to seek approval of financing for staff training. Subject to the results of the talks with the lenders and the guidelines to be given by the Government, the DCA will implement a technical personnel recruitment and training policy.*

3.3.2.3 *With regard to the delegation of authority to inspectors directly involved in safety oversight, the DCA indicated that pertinent regulations relating to the organization and functioning of the inspector corps would be prepared and submitted for approval by January 2001.*

3.4 **Personnel licensing and training**

3.4.1 **Abstract of findings**

3.4.1.1 The regulatory provisions related to personnel licensing and licence renewals were contained in the Code and supplemented by orders. The Code required that personnel hold a valid licence corresponding to the duties performed in order to carry out aircraft flight crew member duties or technical duties, such as those of a maintenance engineer or flight operations officer. The Code established that the Director of Civil Aviation was the competent authority for the issuance of licences and ratings.

3.4.1.2 The provisions relating to the medical aspects of personnel licences were contained in an order. The validity periods for medical examinations and the medical fitness conditions were also defined by the same order. Those provisions also required that candidates undergo medical examinations by a DCA-approved doctor. The DCA had not made any arrangements to designate such doctors.

3.4.1.3 The personnel licensing provisions had not been updated since they were published and were no longer in accordance with the Annex 1 provisions. Thus, the senior commercial pilot licence was still on the list of licences defined by the order and the Code; the theoretical knowledge required for licensing was not defined and the medical conditions were incomplete.

3.4.1.4 Personnel licensing in Burkina Faso was done solely on the basis of equivalency with licences issued by other Contracting States. Owing to the relative stability of the labour market, activity strictly related to the licensing of commercial pilots and airline transport pilots was very limited. The bulk of the activity was related to the periodic renewal of valid licences and licence validations as required.

3.4.1.5 The DCA had not established procedures to be used by its Licensing and Flight Personnel Section in the case of the issuance, validation and renewal of licences. The Chief of the Licensing and Flight Personnel Section was competent in his field and the practices used were deemed acceptable but should nevertheless be formalized as procedures validated by the Director of Civil Aviation.

3.4.1.6 The order concerning licensing stipulated that flight personnel had to undergo medical examinations whose frequency was also defined by the order, depending on the specialty. Those frequencies were not in accordance with the Annex 1, Chapter 2, provisions and Burkina Faso had not notified that difference to ICAO.

3.4.1.7 The holders of private pilot licences and cabin crew members underwent their medical examinations at a centre at Abidjan (Côte d'Ivoire) and commercial pilots had theirs at flight personnel medical examination centres (CEMPN) in France. The DCA had not established a system for designating doctors authorized to issue medical fitness certificates for Burkina Faso licence holders. The DCA had not made arrangements for collecting medical information on pilots holding a Burkina Faso licence from those centres.

3.4.1.8 During the course of the audit, five findings relating to personnel licensing and training in Burkina Faso were identified and five recommendations were made for their rectification.

3.4.2 **Action plan proposed and implemented by Burkina Faso**

3.4.2.1 *The DCA proposed amendments to the order dealing with the issuance and renewal of personnel licences and rating, which should be in place by February 2000. The DCA will establish a complete personnel licensing procedure by June 2000. The DCA will review and publish the Civil Aviation Code with a view to eliminating the senior commercial pilot licence.*

3.4.2.2 *In its action plan, Burkina Faso indicated that the DCA would develop regulations for designating and approving aviation doctors and submit it for approval by October 2000. As to immediate measures, the DCA proposed to publish a list of doctors and medical examination centres authorized to issue and validate aviation personnel medical examinations.*

3.5 **Air operations in Burkina Faso**

3.5.1 **Abstract of findings**

3.5.1.1 The Aircraft Operations Section was responsible for issuing air operator certificates. That section was staffed by a single person, the Section Chief, who was also responsible for issuing certificates of airworthiness and relations with Bureau VERITAS. Inasmuch as that person had essentially been trained in airworthiness and that field occupied the greater part of his time, the audit team considered that the DCA did not have an adequately trained aircraft operations inspector.

3.5.1.2 The audit team noted that up to the time of the audit, Burkina Faso had not yet issued regulations concerning the operation of aircraft operated by Burkina Faso air carriers

3.5.1.3 The DCA had so far issued only one air operator certificate (AOC), by way of regularizing an airline which had been operating aircraft since 1966. However, that certificate did not include the elements required by Annex 6, paragraph 4.1.2.5.

3.5.1.4 With regard to new applicants, a draft order setting the conditions for issuing, amending and renewing an AOC had been presented to the audit team. The team had also been given a document which described the information which was to be provided for the initial issuance of an AOC and which was supposedly transmitted to an applicant for an AOC. Those drafts were satisfactory on the whole even if they did not explicitly indicate that an operations manual needed to be filed with the DCA prior to the issuance of an AOC. Consequently, the audit team had recommended to the DCA that an operator certification system be put in place. To do so, in addition to hiring a person qualified in aircraft operations and adopting regulations in that field, it would be necessary to adopt the draft order submitted concerning the issuance of air operator certificates, by amending it to indicate all the manuals to be submitted by the applicant. Once those orders had been adopted, the only AOC already issued should be renewed on the basis of those texts. In addition, it would be useful to indicate in a procedures manual the manner in which candidates would be examined as well as the minimum requirements for the issuance and renewal of an AOC.

3.5.1.5 The Code stipulated that the operations of public airlines could be monitored in flight and on the ground by any DCA officer holding a tasking order. No tasking order could be produced and no designation of Burkina Faso DCA officers charged with carrying out such checks in any of the safety oversight fields was presented to the audit team. The Burkina Faso DCA had not established a safety oversight organization and did not have personnel specifically assigned to operator oversight.

3.5.1.6 No inspection programme specifying the nature or frequency of the inspections to be carried out had been established or submitted at the time of the audit. Only some checks aimed at the renewal of a certificate for airborne radio equipment but which, on that occasion, examined other matters relating to aircraft operations could be produced. Furthermore, during the visit to the operator's facilities, the audit team had noted that proficiency checks were carried out by check pilots within the company without those inspectors having been expressly designated by the DCA.

3.5.1.7 Such oversight had been considered insufficient and not formalized and the audit team had recommended that the DCA establish an inspection programme indicating the frequency and nature of the inspections to be carried out as well as guides or checklists to be used by DCA inspectors. Finally, the inspectors designated within the airlines to perform checks should be appointed by the DCA following criteria to be defined and the methods for overseeing those inspectors should be specified.

3.5.1.8 During the course of the audit, five findings relating to aircraft operations certification and supervision in Burkina Faso were identified and five recommendations were made for their rectification.

3.5.2 **Action plan proposed and implemented by Burkina Faso**

3.5.2.1 *In its action plan, Burkina Faso indicated that the DCA would try to come up with a formula for an arrangement with the local operators to find an inspector qualified to carry out operations checks on his own by March 2000. In addition, the DCA would recruit and train a check inspector as part of the implementation of the plan for reinforcing its staff.*

3.5.2.2 *With regard to the designation of the operator's inspectors, the DCA proposed that a text be developed concerning the criteria for designating and overseeing inspectors by December 2000.*

3.5.2.3 *On the subject of establishing a system for certifying AOC applicants, the DCA indicated that the draft order concerning the issuance of an AOC was currently being prepared at the DCA level. Pending*

the signature of the order, the DCA had already developed for AOC applicants a guidance document containing information on the issuance of that certificate. The AOC draft will be submitted to the Ministry concerned for approval by July 2000.

3.5.2.4 Concerning the establishment of a system for overseeing AOC holders, the DCA proposed to develop an operator oversight system by December 2000.

3.6 Airworthiness activities in Burkina Faso

3.6.1 Abstract of findings

3.6.1.1 The Aircraft Operations Section, which consisted of a single person, was responsible for airworthiness-related areas. That person could perform his duties, at the current activity level in Burkina Faso, provided that he concentrated his activity in that field. That person also had the necessary experience and skills in the airworthiness field. The activity in the airworthiness area consisted mainly in the issuance and renewal of certificates of airworthiness, workshop acceptance and oversight, approval of aircraft maintenance programmes, aircraft imports and issuance of export certificates of airworthiness. The airworthiness technical library did not contain all the necessary publications or the equipment required to do the work effectively.

3.6.1.2 Operator and “approved” workshop oversight was done in accordance with an audit plan prepared by Bureau VERITAS and accepted by the DCA. The DCA had delegated all matters related to certificates of airworthiness to Bureau VERITAS. Workshop audits had recently been carried out by Bureau VERITAS with the DCA participation. In addition, the DCA had authorized Bureau VERITAS to carry out its functions following its own procedures. Nevertheless, the working methods and procedures used by Bureau VERITAS had not been adopted, evaluated or approved by the DCA to ensure that they met the Annex 8 requirements. The DCA had already taken measures to obtain a copy of the procedures followed by Bureau VERITAS in order to evaluate the way they were used.

3.6.1.3 The approval of major modifications consisted solely in requiring that modifications be carried out in accordance with the manufacturer’s recommendations. Such approval was signed by the Director of Civil Aviation alone.

3.6.1.4 Apart from the Civil Aviation Code, which covered some airworthiness-related aspects, such as the issuance and renewal of certificates of airworthiness and aircraft modifications, Burkina Faso had not published detailed airworthiness-related regulations and therefore none of the provisions of Annex 6, Chapters 8 and 11, had been implemented. As to the Annex 8 provisions, the DCA had established draft regulations enabling it to meet its needs and had begun to describe the Annex 8-based procedures with which workshops and aircraft owners had to comply.

3.6.1.5 During the course of the audit, seven findings relating to airworthiness of aircraft in Burkina Faso were identified and seven recommendations were made for their rectification.

3.6.2 Action plan proposed and implemented by Burkina Faso

3.6.2.1 With regard to the establishment of a system for overseeing and evaluating the work done on its behalf by Bureau VERITAS, the DCA proposed to implement a system for oversight and periodic evaluations of the work done by Bureau VERITAS, by June 2001, and to ensure that the tasks entrusted to Bureau VERITAS under the Convention were strictly respected, by January 2000. In addition, the DCA proposed to revise the Convention with the participation of Bureau VERITAS, by December 2000, in order to formalize all the tasks currently being carried out by Bureau VERITAS which were not taken into account in the original Convention.

3.6.2.2 *As to the provision of equipment and technical publications, the DCA proposed to require that aircraft operators send it all the pertinent documents by June 2000. The DCA will also take out a subscription with agencies specializing in the distribution of airworthiness directives and manufacturer service bulletins beginning in March 2000.*

3.6.2.3 *With regard to the establishment of regulations and procedures for the approval of maintenance organizations, although those regulations and procedures currently exist at the draft stage, the drafts will be completed in February 2001.*

3.6.2.4 *In its action plan, Burkina Faso indicated that the DCA should establish regulations and instructions for aircraft operators and owners requiring a weight sheet (mass and centre of gravity) by January 2001.*

3.6.2.5 *Concerning the establishment of regulations and a mandatory reporting system under which information on faults, defects and malfunctions is transmitted to the DCA, the latter had proposed that regulations on the subject be developed in February 2000.*

4. **COMMENTS**

It was indicated previously in the background information in paragraph 1.3.2 of this final report that on 5 January 2000 Burkina Faso had sent ICAO an action plan which meets the findings and recommendations made during the safety oversight audit mission. On the whole, that action plan is fully satisfactory and has been accepted by ICAO. In order to permit follow-up on the part of ICAO, it is therefore recommended that in so far as possible Burkina Faso regularly provide the Organization with information concerning the progress made with the proposed action plan.

APPENDIX A

STATUS OF IMPLEMENTATION AND LIST OF DIFFERENCES TO ICAO STANDARDS

(ANNEX 6 — OPERATION OF AIRCRAFT)

(PART I — International Commercial Air Transport — Aeroplanes)

ICAO Standard reference	State's regulations reference	Differences between the national regulations of Burkina Faso and ICAO Standards
Chapters 1 to 7		Not implemented except for paragraphs 4.2.1.1 and 4.2.1.2, which require that operating certificates be issued to all air operators.
Chapter 8		
8.2 to 8.5		Not implemented.
8.6		All modifications and repairs must be made in accordance with the manufacturer's instructions or the approval of the Director of Civil Aviation.
8.7 to 8.9		Not implemented.
Chapter 9		Not implemented.
Chapter 10		Not implemented.
Chapter 11		
11.2		The State has not implemented the regulations requiring that operators submit a maintenance manual but each aeroplane registered in Burkina Faso must have a maintenance programme approved by the DCA.
11.4 to 11.7		Not implemented.
Chapters 12 and 13		Not implemented.
Appendices 1 and 2		Not implemented.

STATUS OF IMPLEMENTATION AND LIST OF DIFFERENCES TO ICAO STANDARDS

(ANNEX 8 — AIRWORTHINESS OF AIRCRAFT)

ICAO Standard reference	State's regulations reference	Differences between the national regulations of Burkina Faso and ICAO Standards
PART II		
2.2		The State has not established complete and detailed airworthiness regulations.
4.1 and 4.2		The State has not established regulations concerning continuing airworthiness requirements.
PART III		Not implemented.

— END —