

ICAO Universal Safety Oversight Audit Programme

ICAO SUMMARY REPORT

**OF THE
CIVIL AVIATION AUTHORITY
OF
SLOVAKIA**

(Bratislava, 27 to 30 September 1999)



INTERNATIONAL CIVIL AVIATION ORGANIZATION



ICAO UNIVERSAL SAFETY OVERSIGHT AUDIT PROGRAMME

Audit Summary Report of the Safety Oversight Audit Mission to Slovakia

(Bratislava, 27 to 30 September 1999)

1. BACKGROUND

1.1 The Civil Aviation Authority (CAA) of Slovakia was initially assessed under the voluntary ICAO Safety Oversight Assessment Programme from 12 to 16 August 1996 by an ICAO assessment team. This audit was carried out from 27 to 30 September 1999 pursuant to Assembly Resolution A32-11 and in accordance with the updated Memorandum of Understanding (MOU) agreed on 31 May 1999 between Slovakia and ICAO which is included in Attachment A to the audit interim report forwarded to Slovakia on 23 November 1999. The objectives of this audit were twofold. Primarily, its objective was to fulfill the mandate given to ICAO pursuant to the above-mentioned Assembly Resolution. Secondly, the audit was conducted with the objective of ascertaining the progress made in the implementation of the recommendations forwarded during the voluntary assessment conducted in 1996 and to re-ascertain the safety oversight capability of the CAA of Slovakia. The audit also aimed to ensure that Slovakia is in conformity with ICAO Standards and Recommended Practices (SARPs), as contained in Annexes 1, 6 and 8 to the Chicago Convention, associated guidance material and good aeronautical practices.

1.2 On 22 December 1999, Slovakia submitted an action plan addressing all the findings and recommendations contained in the audit interim report and comments and clarifications, as applicable, on some of the contents of the audit interim report. The action plan submitted was reviewed by the Safety Oversight Audit Unit (SOAU) and was found to be satisfactory. The comments and clarifications provided were also taken into consideration in the preparation of this audit final report.

2. AVIATION ACTIVITIES IN SLOVAKIA

At the time of the audit, there were twenty-two commercial air transport operators, twenty-eight approved maintenance organizations, 945 flight crew (pilot) licences, 767 flight crew licences other than pilot licences and 138 licences other than flight crew licences were active. Five hundred and sixty aircraft were registered and issued with a Certificate of Airworthiness and twenty-five type certificates of airworthiness were issued. One aircraft manufacturing organization and three aircraft parts or equipment manufacturing organizations were also registered in Slovakia. The CAA had five operations inspectors and eleven airworthiness inspectors to enable it to fulfill its safety oversight responsibilities

3. SUMMARY OF FINDINGS

3.1 General statement

3.1.1 Slovakia has, in 1998, promulgated a new Civil Aviation Act which provided for the appointment of a Director of Civil Aviation and allowed the adoption of the Annex provisions and other regulations, as required, as national civil aviation regulations. The new Act satisfactorily addresses the needs of Slovakia and meets the requirements of appropriate ICAO Annexes and related guidance material. The civil aviation regulations promulgated in Slovakia are rather basic. In general, the provisions of the relevant Annexes have been translated with minor adjustments and adopted into the legal system of Slovakia.

3.1.2 The CAA is appropriately structured and meets adequately the basic safety oversight needs of Slovakia. In terms of staffing and other requirements, the CAA has made significant progress since the voluntary assessment conducted in 1996. However, the Personnel Licensing Section, established within the Operations Department, is staffed with minimum administrative staff and depends on the inspectors from the Flight Operations and Airworthiness Divisions to meet the technical requirements of its licensing activities. A significant progress has been made in the area of operational certification and supervision; however, the CAA still needs to develop and implement its own specific procedures. The Airworthiness Division is satisfactorily staffed to undertake its responsibilities but does not have detailed regulations and guidance material. Established procedures and policies are nearly non-existent. Based on the inspection reports, interviews and other relevant information presented to the audit team, the airworthiness-related safety oversight functions require significant improvement to enable Slovakia to fully meet its safety oversight responsibilities.

3.2 **Primary aviation legislation in Slovakia**

3.2.1 **Abstract of findings**

The primary aviation legislation of Slovakia is the Civil Aviation Act (Act 143) which was published as part of the National Laws on 2 April 1998. The Act was promulgated by the Parliament and became effective on 1 July 1998. This Act is new and there has been no amendment; however, an amendment directed at enhancing the civil aviation system was expected to be issued by the end of 1999. The Act provides for the establishment of a civil aviation authority and the appointment of a CAA Director and enables the adoption of civil aviation regulations based upon the provisions of the ICAO Annexes. The Act further requires that all commercial air transport operators be in possession of an AOC issued by the CAA on the basis of regulations and requirements established by the CAA.

3.3 **Civil aviation regulations in Slovakia**

3.3.1 **Abstract of findings**

3.3.1.1 The civil aviation regulations of Slovakia consist of relevant ICAO Annex provisions adapted to suit its requirements and translated into the Slovak language. For example, Annex 6 (*Operation of Aircraft*) has been translated with a slight change and published as "L-6". Other additional regulations, instructions and orders have also been issued although they are limited in number and scope. The Act authorizes the CAA to draft legal binding regulations; however, the final issuance and approval of the regulations are under the responsibility of the Ministry of Transport. The CAA is a candidate member of the European Joint Aviation Authorities (JAA) and has entered into an agreement with the European Union to adopt the Joint Aviation Regulations (JARs) in the future. In anticipation of becoming a member, Slovakia has started translating JAA Regulations into the Slovak language to enable their adaptation/adoption into the national regulations.

3.3.1.2 During the course of the audit and in line with the procedures established on the basis of the MOU signed between Slovakia and ICAO, the primary aviation legislation and civil aviation regulations in Slovakia were found to be comprehensive and satisfactory.

3.4 **Civil aviation organization in Slovakia**

3.4.1 **Abstract of findings**

3.4.1.1 All civil aviation activities in Slovakia are under the overall authority of the Ministry of Transport, Posts and Telecommunications. The CAA is the Ministry's organ responsible for regulating, controlling and supervising civil aviation activities in Slovakia. A General Directorate of Civil Aviation, headed by a Director

General (DGCA), has also been established within the Ministry and the Act requires the Director of the CAA to report to the Minister through the Director General of the Directorate. The Directorate (Directorate General of Civil Aviation at the Ministry - DGCA) is responsible for evaluating economic viability of air transport operators and issuing the licences. The process of issuing the licences following a successful technical evaluation of potential applicants and issuance of AOCs is conducted by the CAA. A significant achievement has been made since the assessment of 1996; however, an insufficient number of technical staff for personnel licensing and flight operations remains to be a problem. This was attributed to the lack of funds to enable the recruitment and retainment of appropriately qualified and experienced personnel.

3.4.1.2 During the course of the audit, six findings relating to the civil aviation organization in Slovakia were identified and six recommendations were made for their rectification.

3.4.2 **Corrective action plan proposed/taken by Slovakia**

3.4.2.1 *With respect to the recruitment of additional staff and increase in fiscal resources to enable the CAA to become a self-sufficient competitive employer, the CAA indicated that it has specified its requirements to the DGCA who in turn will submit the CAA requirements for ministerial deliberations. The CAA's requests were forwarded to the DGCA by 31 December 1999 and were expected to be submitted for ministerial deliberation by 31 January 2000. Based on the Government decision of Slovakia, the Ministry of Transport will incorporate the CAA requirements to increase personnel and fiscal resources. The CAA expects to recruit additional staff for personnel licensing and flight operations as of January 2001. The CAA also indicated that by 30 June 2000, in line with guidance material provided by ICAO, it will develop an internal policy for the recruitment of staff to be implemented as of July 2000.*

3.4.2.2 *With respect to the development and establishment of formal training for technical staff, the CAA indicated that it will develop a formal training programme within its structure on the basis of guidance material contained in the relevant ICAO documents by December 2000 and will implement the same starting January 2001.*

3.5 **Personnel licensing and training system in Slovakia**

3.5.1 **Abstract of findings**

3.5.1.1 The Slovak national regulation for licensing "L-1" was incorporated into the regulatory system of Slovakia in 1999, under the Aviation Act. L-1 contains licensing regulations relating to flight crew licensing for aeroplanes and helicopters and also contains medical requirements. A Personnel Licensing Section staffed by two administrative staff has been established within the Flight Safety Department. Technical and testing requirements are assigned to the Flight Operations and Airworthiness Divisions.

3.5.1.2 Slovakia issues all the licences required by Annex 1 and validates licences issued by other Contracting States. However, requirements and procedures for the validation of licences and the issuance of national licences on the basis of licences issued by other Contracting States have not been developed. In addition, specifications of licences issued by Slovakia do not fully conform to those required by Chapter 5 of Annex 1. Medical certification is carried out by the Kocise Military Aviation Hospital which is a combined civilian and military institution. Medical examiners are appropriately trained and qualified in aviation medicine; however, they are not provided with an opportunity to acquire practical knowledge of and experience in the conditions in which the holders of licences and ratings carry out their duties.

3.5.1.3 During the course of the audit, eight findings relating to personnel licensing and training in Slovakia were identified and eight recommendations were made for their rectification.

3.5.2 Corrective action plan proposed/taken by Slovakia

3.5.2.1 On the issue of restructuring the Personnel Licensing Section and its term of reference, the CAA indicated that action will be taken by 31 March 2000. However, the recruitment of additional staff will closely depend on the availability of sufficient fiscal resources. With respect to the development and publishing of procedures and requirements for the validation of licences and the issuance of licences on the basis of licences issued by other Contracting States, the CAA indicated that it will develop and establish the requirements by 31 August 2000 and publish them before 30 September 2000.

3.5.2.2 The CAA indicated that, by 31 August 2000, it will amend its regulations and implement paragraph 1.2.4.4.2 of Annex 1 requiring its designated medical examiners to acquire practical knowledge of and experience in the conditions in which the holders of licences and ratings carry out their duties. The CAA will also propose an amendment to the regulations of Slovakia to fully conform with the Standards of Chapter 5 of Annex 1. The amendment is expected to be tabled by 31 December 2000 and implementation is expected on 1 January 2003.

3.6 Aircraft operations certification and supervision in Slovakia

3.6.1 Abstract of findings

3.6.1.1 The Flight Operations Division, part of the Flight Operations Department, is responsible for the control and supervision of aircraft operations. The Department had eight inspectors in September 1999; however, by the time the audit was conducted, four of them had left the CAA at the end of the month due to the lack of adequate funding. They are currently working with the operators. Being unable to attract and retain qualified and experienced staff in the Flight Operations Department, the CAA will continue to have serious difficulties in implementing its safety oversight objectives and goals. The CAA is responsible for evaluating the technical capability of potential operators and issuance of the AOCs. The Directorate General of Civil Aviation at the Ministry is responsible for evaluating the economic viability of air transport operators and issuing the licences. Of the twenty-one operators registered in Slovakia, four are engaged in providing international services, using B727, B737-200, TU-154 and TU-134 aircraft. There are numerous general aviation aircraft in Slovakia.

3.6.1.2 The CAA has not established formal follow-up procedures in the case of deficiencies identified during the surveillance and inspection of operators. Although the CAA has assigned an inspector to be responsible for the transport of dangerous goods by air, no formal training has been provided in this respect.

3.6.1.3 During the course of the audit, seven findings relating to aircraft operations certification and supervision in Slovakia were identified and seven recommendations were made for their rectification.

3.6.2 Corrective action plan proposed/taken by Slovakia

3.6.2.1 With respect to amending Directive No. 16/99 to include a formal procedure for the assignment of operations inspectors for the purpose of certification and also for the assignment of a Principal Operations Inspector, the CAA indicated that it will propose an amendment to the Directive and will issue and implement the amendment by 30 June 2000. The CAA will also propose the amendment of the Slovak national regulation "L-6/I" to include amendments made to Annex 6, Part I (Amendment 23). It was expected that the amendment would be incorporated by 29 February 2000.

3.6.2.2 *The CAA also indicated that it will submit proposals for the amendment of Directive No. 16/99 with respect to the development of formal procedures to be followed for the rectification of deficiencies which may be identified during operator surveillance and inspection activities in line with the guidance material provided in ICAO Doc 8335. The DGCA will publish and implement all amendments to the Directive No. 16/99 before 30 June 2000.*

3.6.2.3 *With respect to the provision of training on the transportation of dangerous goods by air, the CAA confirmed that the newly employed staff responsible for dangerous goods had been provided with initial training at EASTI Brussels from 17 to 28 October 1999. Further specialty, upgrading and enforcement training courses were provided from 26 to 27 January 2000 to enhance the qualifications of the staff member. On the issue of promulgating regulations in relation to penalties for violations in the transportation of dangerous goods, the CAA indicated that it has proposed the amendment of the Slovak national regulation "L-18" and expects the DGCA to implement and issue the amendment by 31 December 2000.*

3.7 **Continuing airworthiness inspection and surveillance in Slovakia**

3.7.1 **Abstract of findings**

3.7.1.1 The Airworthiness Code consists basically of the relevant ICAO Annexes and some additional national regulations such as L-8A, VS-5, D-102 and D-103. Internal procedures for guidance of the Airworthiness Division inspectors are nearly non-existent. The Airworthiness Division has ten inspectors. Two of them are continuing airworthiness (maintenance) inspectors and are involved in the oversight of twenty-eight AMOs. The scope of aviation activities in Slovakia is very limited. The CAA has not established a formal plan for the oversight visits/inspections of the Approved Maintenance Organizations and operators in accordance with Docs 9389 and 8335 in addition AMO's and operators are not required to submit the required manuals. As part of the plan to join the JAA system, the Airworthiness Division, like the other Divisions and Departments of the CAA, was preparing itself for the implementation of the relevant JARs.

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

3.7.2 **Corrective action plan proposed/taken by Slovakia**

3.7.2.1 *With respect to the requirement for the CAA to amend its airworthiness regulations to include recent amendments made to Annex 8, the CAA indicated that, by 30 September 2000, it will propose the new text for the amendment of the regulations to include recent amendments made to Annex 8. Implementation is expected by 31 December 2000, by which time Slovakia also intends to notify ICAO of any differences that may exist between its regulations and ICAO Annex provisions. The CAA will also propose the amendment of the Slovak national regulation "L-6/I" to include amendments made to Annex 6, Part I, Chapter 8 (Amendment 23). This amendment is also expected to be incorporated in the national regulations by 29 February 2000.*

3.7.2.2 *On the issue of the development of the inspector's handbook containing procedures and guidance material to all airworthiness inspectors, the CAA intends to develop such a handbook by 31 December 2000 and implement it in January 2001. With respect to the establishment of formal surveillance and inspection programmes, the CAA indicated that such programmes have been developed in December 1999 on the basis of guidance material contained in ICAO Docs 8335 and 9389 and implementation has already started as of January 2000.*

3.7.2.3 *A requirement for operators to develop their MELs on the basis of MMELs has been implemented as of January 2000 and the CAA will ensure conformity as it reviews and approves MELs submitted by operators in line with the Slovak national regulation "L-6/I".*

4. COMMENTS

4.1 The action plan provided by Slovakia satisfactorily addressed all the recommendations which were forwarded in the audit interim report on 23 November 1999. Slovakia has indicated that it has already implemented some of the recommendations and that several draft regulations have been submitted to the DGCA for ministerial deliberation and eventual implementation. Among those which have been submitted for the consideration of the Government, it is imperative to emphasize that without the provision of the required fiscal resources, the CAA and by inference Slovakia will not be able to fully satisfy its safety oversight responsibilities. Therefore, a positive and timely implementation of the recommendations is necessary. A further update on the status of implementation of the Action Plan was received 4 April 2000 confirming that Slovakia is on schedule with their implementation of their Action Plan.

4.2 It is to be noted that the audit team was not able to establish the status of implementation and a list of differences existing between the civil aviation regulations of Slovakia and relevant ICAO Annex provisions for personnel licensing, aircraft operations and airworthiness of aircraft. The CAA is thus requested to review its regulations, as amended, and determine the status of implementation as well as identify differences which may exist between its personnel licensing, aircraft operations and airworthiness regulations and Annexes 1, 6 and 8 provisions. In this respect, the CAA could use the safety oversight pre-audit questionnaire provided by ICAO to assist it in the reviewing process. Once identified, Slovakia is expected to implement all Annex provisions; however, in the event that this proves to be difficult, it is required to provide ICAO with information on the status of implementation and a list of differences which may exist between its regulations and relevant ICAO Annex provisions.

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