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North American, Central American and Caribbean Office

WORKING PAPER

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**Ninth Meeting of the North American, Central American and Caribbean Directors of Civil Aviation  
(NACC/DCA/09)**

Port-of-Spain, Trinidad and Tobago, 25 to 27 June 2019

**Agenda Item 6: NAM/CAR Regional Safety/Air Navigation Implementation**

**6.2 Safety Implementation Matters**

**THE INTERNATIONAL STANDARD FOR BUSINESS AIRCRAFT OPERATIONS**

(Presented by Bermuda and International Business Aviation Council)

**EXECUTIVE SUMMARY**

Voluntary industry standards or codes of best practice demonstrate a commitment to safety and professionalism and can be useful tools for national regulatory authorities. The International Standard for Business Aircraft Operations (IS-BAO) of the International Business Aviation Council (IBAC) plays both of these roles within the global business aviation world. In the NACC region, the Bermuda Civil Aviation Authority (BCAA) represents a particularly good example of the use of IS-BAO as an alternate means of compliance (AMC). This paper provides an overview of the cooperation between IBAC and the BCAA in this regard and, recognizing limited resources, encourages States to consider use of IS-BAO as a risk-assessment tool to support implementation of safety oversight obligations regarding business aircraft operations, including as an AMC.

<b>Action:</b>	The meeting is invited to: (a) Note the above information and (b) Encourage States to consider use of IS-BAO, a voluntary industry standard, as a risk-assessment tool to support safety oversight responsibilities regarding business aircraft operations, including as an alternate means of compliance, given increasingly limited safety regulatory resources.
<i>Strategic Objectives:</i>	<ul style="list-style-type: none"><li>• Safety</li></ul>
<i>References:</i>	<ul style="list-style-type: none"><li>• ICAO Annex 6 Part II</li><li>• ICAO Annex 19</li><li>• Air Navigation (Overseas Territories) Order 2013 Part 14</li><li>• Overseas Territories Aviation Requirements Part 125 Appendix A</li></ul>

## **1. Introduction**

1.1 A non-profit, international organization representing business aviation at the International Civil Aviation Organization (ICAO), IBAC launched IS-BAO in 2002 in order to promote safety in the global business aviation<sup>1</sup> community through the use of an ICAO SARPs-based, voluntary standard that also incorporated best industry practices. The safety management system (SMS) concept is the central feature of the Standard.

1.2 A scalable, performance-based standard, IS-BAO targeted the international general aviation community and now has more than 700 registered operators on six continents. Even commercial business aircraft operators have found it a useful means by which to organize their operations, build a safety culture among all employees, and operate their fleets. About one third of the IS-BAO-registered operators are on-demand charter companies.

1.3 The BCAA has a registry of nearly 100 business aircraft around the world, operating under the Overseas Territories Aviation Requirements (OTARs). To meet its safety oversight responsibilities under the Chicago Convention and due to a limited pool of resources, the BCAA has evaluated conformity with IS-BAO, an ICAO SARPs-based industry standard, as an alternate means of compliance with the OTARs.

1.4 Although IS-BAO is a global, voluntary industry standard wholly owned and managed by IBAC, the BCAA and IBAC cooperate such that the Standard is a risk-assessment tool to help the BCAA carry out its oversight responsibilities.

## **2. The International Standard for Business Aircraft Operations (IS-BAO)**

2.1 IS-BAO is based on the relevant ICAO SARPs for international business aircraft operations, including in particular Annex 6, Part II (Operation of Aircraft – International General Aviation) and Annex 19 (Safety Management Systems). The Standard covers the range of requirements that international operators must meet, such as, among others, organization and personnel, training and competency, flight operations, operations in international airspace, aircraft equipment and maintenance, company operations manual, emergency response plan, transportation of dangerous goods, and security. The SMS concept is at the core of IS-BAO. The Standard is performance-based and scalable for use by a range of situations from single-aircraft operators to operators with large fleets.

2.2 A critical component of the Standard is a requirement that an operator have a system in place to ensure continued compliance with the requirements of its State of Registry.

2.3 Taking up the Standard is a voluntary decision by an operator. Should an operator decide to demonstrate conformity to the Standard, it must undergo a third-party audit carried out by an IBAC-accredited, operator-selected auditor. Audits take place every two to three years, depending on the maturity of an operator's SMS. An auditor may not lead sequential audits.

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<sup>1</sup> Business aviation is comprised of international general aviation operators that use aircraft for business purposes (e.g., owner-operated and corporate operators) and certain operators considered international commercial air transport (e.g., on-demand charter companies).

2.4 IBAC carefully reviews each audit report before deciding whether to confer registration on an operator. An operator must satisfactorily address any remedial actions in the audit report before IBAC will issue the registration.

### **3. BCAA-IBAC Cooperation**

3.1 To meet its safety oversight responsibilities under the Chicago Convention and due to a limited pool of resources, the BCAA has evaluated conformity to the IS-BAO as an alternate means of compliance with the OTARs. The BCAA has therefore offered to operators on its registry the opportunity to demonstrate compliance with the OTARs via either a direct inspection or via conformity to the IS-BAO.

3.2 An important component of the cooperation between the BCAA and IBAC is ensuring that accredited IS-BAO auditors working with operators having Bermuda-registered aircraft are themselves informed of the OTARs in order effectively to assess whether an operator has in place a system to ensure continued compliance with the OTARs. This is achieved through a Special Regulatory Qualification (SRQ) issued to an accredited auditor on the basis of his/her successful passing of a test on the OTARs. The test material was prepared by the BCAA, and IBAC administers it as part of a process to approve an auditor to perform an audit on an operator with Bermuda-registered aircraft.

3.3 Once an auditor has passed this assessment, he or she may perform an audit of an operator with Bermuda-registered aircraft if that operator chooses to demonstrate compliance with the OTARs via conformity to the IS-BAO.

3.4 Auditors provide to IBAC advance notification of planned audits. IBAC verifies whether the auditor has the SRQ. If not, the auditor must take the SRQ assessment and pass with at least 80 percent correct.

3.5 The BCAA has the right to observe the audit. The BCAA has the right, based on its observation, to request revocation of the auditor's SRQ.

3.6 IBAC reviews the audit report, clarifies any outstanding questions, and notes any remedial actions. Once those remedial actions are satisfactorily completed, IBAC will issue the IS-BAO registration.

3.7 At the same time, the operator is obligated to provide to the BCAA a copy of the final audit report. The BCAA carefully reviews the report and may seek clarification from the operator regarding any questions it may have about the report. The BCAA then issues a Governor's approval document for a period of up to three years quoting the operator's name and registration mark(s) of aircraft under their charge.

### **4. Conclusion**

4.1 The IS-BAO meets and is based on relevant ICAO Standards and Recommended Practices for international business aircraft operations. It is voluntary, scalable, and performance-based and has the SMS concept at its core. Since its launch in 2002, IS-BAO uptake around the world has grown to more than 700 operators on six continents, about a third of which are commercial operators.

4.2 While it is a voluntary industry standard, the BCAA has found IS-BAO a useful risk-assessment tool to support its safety regulatory oversight responsibilities. Bermuda, being situated in the western side of the Atlantic Ocean, has determined that the use of a standard like that set by IBAC under the IS-BAO scheme is a very efficient and effective means to ensure full compliance with the relevant ICAO SARPs.

4.3 Beyond this effective cooperative initiative between the BCAA and IBAC, other authorities are looking at IS-BAO's utility to support their safety oversight obligations. Mexico has encouraged IS-BAO in guidance as a possible alternate means of compliance for the business aircraft community, and IBAC is currently collaborating with the European Aviation Safety Agency (EASA) to establish to what degree operators in Europe could receive credit toward a Part-NCC approval based on conformity to the IS-BAO.

## **5. Action**

5.1 The meeting is invited to:

- a) note the above information; and
- b) encourage States to consider use of IS-BAO, a voluntary industry standard, as a risk-assessment tool to support safety oversight responsibilities regarding business aircraft operations, including as an alternate means of compliance, given increasingly limited safety regulatory resources.