



ICAO

SAFETY

# Annex 19

**Captain JOHN ILLSON**

Chief, Integrated Safety Management - Air Navigation Bureau

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## Annex 19 - Background

- High-level Safety Conference 2010 - Recommendation 2/5
  - ICAO should develop, in close collaboration with States, international and national organizations, a new Annex dedicated to safety management responsibilities and processes which would address the safety management responsibilities of States framed under the State Safety Programme (SSP).
  - The new Safety Management Annex should facilitate the provision of State and air carrier safety information to the travelling public, in addition to specifying the high level safety responsibilities of States.



# Annex 19 - Background

- ANC recommended and Council accepted that the new safety management Annex be developed in two phases
  - First phase focused on the reorganization of the existing Standards and Recommended Practices (SARPs) and supporting guidance material
  - Second phase focused on further development of the Safety Management Annex and related provisions in other Annexes

# Annex 19 - Evolution



- Adopted by the Council
  - 25 February 2013
- Became effective
  - 15 July 2013
- Became applicable
  - 14 November 2013

# Annex 19 - Evolution

- Consolidation of existing and overarching SARPS from Annexes 1, 6, 8, 11, 13 & 14
- Elevation of the four components of the SSP framework to a Standard
- State safety oversight provisions broadened to all service providers
- Safety data collection, analysis and exchange provisions transferred from Annex 13
- SMS framework now applies to the design and manufacture of aircraft

consolidation

new provisions



## Annex 19 - Benefits

- Highlights the importance of safety management at the State level;
- Enhances safety by consolidating safety management provisions applicable to multiple aviation domains;
- Facilitates the evolution of safety management provisions;
- An opportunity to further promote the implementation of SMS and SSP provisions; and
- A process established to analyze feedback received regarding Annex 19 and safety management implementation

# Annex 19 - Contents

- CHAPTER 1 – Definitions
- CHAPTER 2 – Applicability
- CHAPTER 3 – State safety management responsibilities
- CHAPTER 4 – Safety management system (SMS)
- CHAPTER 5 – Safety data collection, analysis and exchange



## Annex 19 - Contents

- APPENDIX 1 –State safety oversight system
- APPENDIX 2 – SMS Framework
- ATTACHMENT A – SSP Framework
- ATTACHMENT B – Legal guidance for the protection of information from safety data collection and processing systems



# Annex 19 - Details

- CHAPTER 1 - Definitions

- Duplicated: *Accident, Aeroplane, Aircraft, Helicopter, Incident, Industry code of practice, Serious injury, State of Design, State of Manufacturer and State of the Operator*
- Slightly modified: *Incident, safety management system, State safety programme, operational personnel*
- New definitions: *Safety, Safety performance, Safety performance indicator, Safety performance target and Safety risk*

- CHAPTER 2 - Applicability

- Safety management responsibilities of Contracting States and aviation activities related to, or in direct support of, the safe operation of aircraft

# Annex 19 - Details

- CHAPTER 3 - State safety management responsibilities
  - Consolidates existing Standards requiring States to establish an SSP, with the addition of the SSP Framework Components
  - Acceptable level of safety performance
  - Requirement for the implementation of SMS by service providers and general aviation operators as part of a State's SSP
  - SMS framework applicable to aircraft design and manufacturing organizations
  - New requirement for States to implement safety oversight systems

# Annex 19 - Details

- CHAPTER 4 - Safety management system (SMS)
  - SMS implementation by service providers in accordance with the SMS Framework
  - SMS implementation by international general aviation operators appropriate to the size and complexity of the operation
  - SMS to be acceptable to the relevant State, identifying the State responsible for acceptance
  - Sector-specific SMS provisions retained in applicable Annexes

# Annex 19 - Details

- CHAPTER 5 - Safety data collection, analysis & exchange
  - transfer of provisions on safety data collection, analysis, protection and exchange from Annex 13, Chapter 8
  - coordination between accident investigation and safety stakeholders
  - accessibility to reporting systems by pertinent authorities to support safety responsibilities
  - new requirement for the protection of safety management data

# Annex 19 - Details

- APPENDIX 1 - State safety oversight system
  - provisions developed from Appendix 5 to Annex 6 (Safety oversight of air operators) and Doc 9734 (Safety Oversight Manual)
- APPENDIX 2 - SMS Framework
  - provisions were reformatted to improve readability
- ATTACHMENT A - SSP Framework
  - components elevated to Standards (Chapter 3) with elements unchanged
- ATTACHMENT B – Legal Guidance for the Protection of Information from Safety Data Collection and Processing Systems
  - Currently duplicate of Attachment E to Annex 13



# LEGAL PROTECTION OF SAFETY INFORMATION

# Legal Protection of Safety Information

## *Historical Background*

- **HLSC 2010:**
  - Recommended that ICAO establish a multidisciplinary group to progress activities regarding the protection of safety data and safety information.
- **ICAO Council:**
  - Following the recommendations of the HLSC, the Air Navigation Commission proposed that a multidisciplinary taskforce be formed to conduct this work and that the Secretariat prepare the terms of reference. The Council agreed with these proposals.
- **Establishment of SIP TF:**
  - In December 2010, the ANC approved the establishment of the SIP TF. It was further agreed that the SIP TF would report to the Secretariat, who would provide final recommendations to the Commission.

# Legal Protection of Safety Information

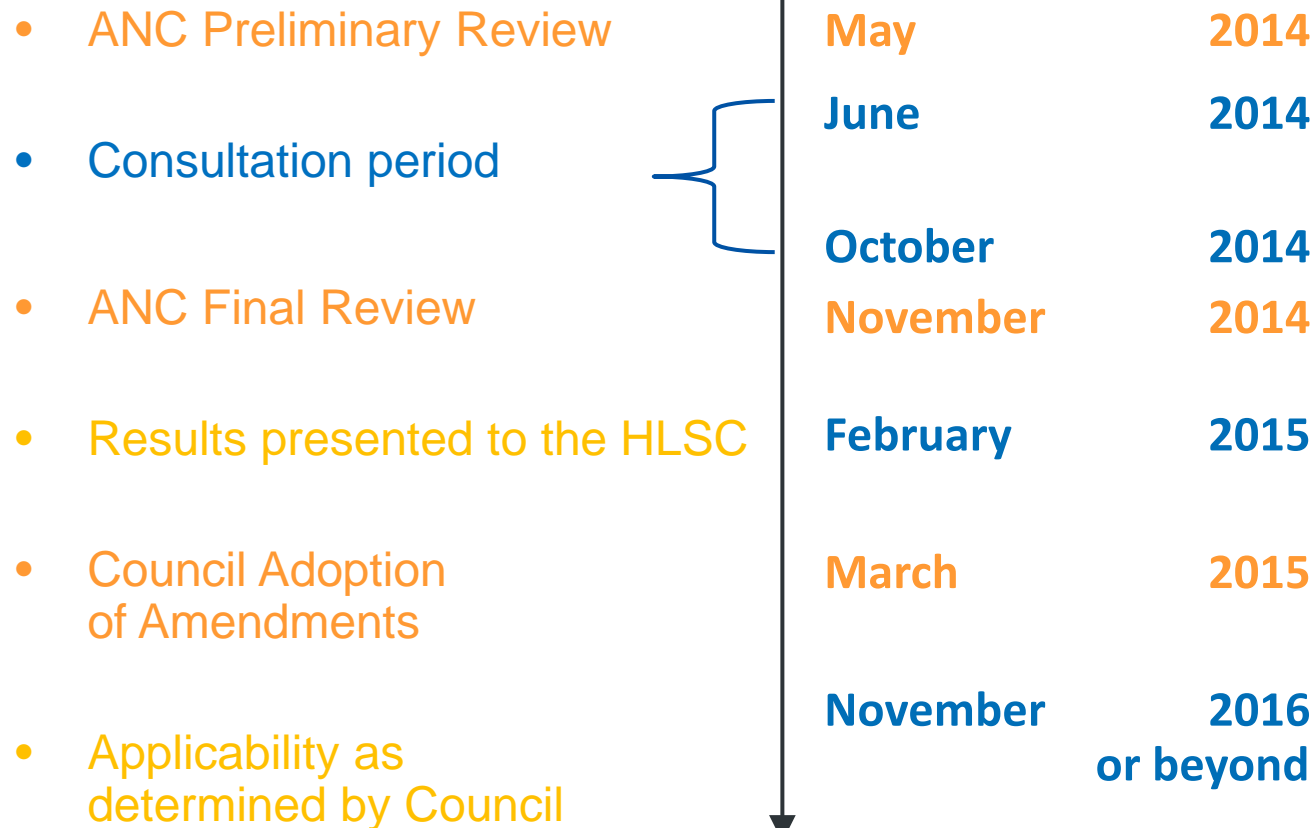
## *Historical Background*

- The SIP TF mandate was to provide recommendations for enhanced provisions related to the legal protection of information used to improve safety
- In January 2013, the SIP TF delivered recommendations for amendments to Annexes 6, 13 and 19, dealing with information generated through:
  - Safety management activities
  - Accident and Incident Investigation
- Resolutions A38-3 and A38-4 instructed Council to enhance provisions related to the legal protection of safety information based on the SIP TF's work



# Legal Protection of Safety Information

## *Future Timeline*



# Legal Protection of Safety Information

## *Current Status*

- **Annex amendment proposals based on the SIP TF recommendations**
  - New and amended SARPs relating to the legal protection of safety information will provide much-needed support of proactive safety management activities undertaken by States and service providers.
  - The proposed amendments clarify critical aspects of the appropriate use of safety information to maintain and improve safety, and provide a means for States to balance the need for the protection of safety information and the need for the proper administration of justice, consistent with the Global Aviation Safety Plan (GASP).

# Legal Protection of Safety Information

## *Current Status*

- **Scheduled for preliminary review by the ANC in May 2014**
  - **Annex 19, Chapter 5 – Safety Data Collection, Analysis and Exchange**
    - Proposed amendments to enhance the legal safeguards that protect information from inappropriate use.
  - **Annex 19, Attachment B**
    - Proposal to elevate Attachment B to the status of an Appendix, to move the principles of safety information from guidance material to Standards, thus providing greater impetus for their implementation

# Legal Protection of Safety Information

## *Current Status*

- **Annex 6 Parts I, II and III - Disclosure of Recordings and Reference to Annex 19 Appendix 3**
  - Proposed provisions to protect privacy interests of crew members and limit public disclosure of cockpit voice recorders or cockpit airborne image recordings
  - Consequential amendments to ensure the elevated status of Attachment B to Appendix 3
- **Annex 13 – Elevation of Note in Recommendation 5.4.3 and additional Notes**
  - Proposed amendment to formalize the relationship between the accident investigation authority and the judicial authorities by upgrading the relevant provision in Annex 13,
  - Limits the adverse effect of dissemination of sensitive information on the future availability of safety information.
- **Annex 13 – Elevate Recommended Practice 8.3 to a Standard**
  - Ensures that a State's accident investigation authority is given the relevant safety recommendations that may be developed.

# Legal Protection of Safety Information

## *Current Status*

- **Future work related to the SIP TF recommendations includes:**
  - Finalization of recommendations to amend Paragraph 5.12 (*Non-disclosure of records*) of **Annex 13**
  - Proposals by the **Flight Recorder Panel** related to protection of **CVR and AIR content**
  - The creation of **guidance material and outreach programmes** related to implementation tools and tactics for balancing the protection of safety data with the administration of justice

# ANNEX 19

## FUTURE WORK ITEMS

# Annex 19 – Future Work Items

- CHAPTER 3- State safety management responsibilities
  - Provisions to facilitate effective delegation of SSP functions to regional safety oversight organizations (RSOOs) and regional accident investigation organizations (RAIOs)
  - Introduce the concept of safety culture at all levels
  - Definition or further explanation of ALOSP

## Annex 19 – Future Work Items

- CHAPTER 4 – Safety management system (SMS)
  - Extension of the applicability of SMS to organizations responsible for the type design and manufacture of aircraft engines and propellers.
  - Consideration of SMS interfaces with non-certified 3rd party, typically contracted services in direct support of the safe operation of aircraft



# Annex 19 – Future Work Items

- CHAPTER 5 – Safety data collection, analysis & exchange
  - Additional SARPs related to safety data collection, analysis and exchange



## Annex 19 – Future Work Items

- Proposal to integrate Appendix 1 and Attachment A
  - The SMP agreed on the principles to be followed to achieve consensus for the integrated framework and for a phased-approach to implementation based on the GASP.
  - The key principles for the integration of the SSO/SSP frameworks proposed were:
    1. Safety oversight would remain fundamental (*i.e.*, eight CEs retained);
    2. SSP components would be retained;
    3. The new framework would be aligned with GASP intent and timelines, and
    4. The duplicative elements would be removed.

# Annex 19 – Future Work Items

Proposal to integrate Appendix 1 and Attachment A (cont.)

The draft proposal includes four components and 14 elements, as follows:

## 1. State safety policy, objectives and resources

- Primary aviation legislation (CE-1, SSP 1.1, SSP 1.4)
- Specific operating regulations (CE-2, SSP 2.1)
- State system and functions (CE-3, SSP 1.1, SSP 1.2)
- Qualified technical personnel (CE-3, CE-4)
- Technical guidance, tools and provision of safety-critical information (CE-5)
- State aviation emergency response plan

## 2. State safety risk management

- Licensing, certification, authorization and/or approval obligations (CE-6, SSP 2.2, SSP 3.3)
- Accident investigation (SSP 1.3)
- Safety risk assessment and mitigation (SSP 3.2)

# Annex 19 – Future Work Items

Proposal to integrate Appendix 1 and Attachment A (cont.)

## 3. State safety assurance

- Surveillance obligations (CE-7, SSP 2.2, SSP 3.3)
- Resolution of safety issues (CE-8)
- Continuous improvement of the SSMS (SSP 3.1)

## 4. State safety promotion

- Internal communication and dissemination of safety information (SSP 4.1)
- External communication and dissemination of safety information (SSP 4.2)

# Annex 19 – Future Work Items

- APPENDIX 2 - SMS Framework
  - Including the identification of safety objectives in the SMS framework with a link to the safety performance indicators
  - Clarification of the safety manager role to indicate that it may be one or more persons and performed on a part-time or full time basis
  - Transfer of SMS implementation plan to Chapter 4 as it is not a permanent element
  - Clarification of the terms responsibility and accountability to address translation issues

# Annex 19 – Future Work Items

- Guidance Material
  - Criteria for common SMS acceptance for organizations with certificates from multiple States
  - Guidance to address scalability issues
  - Guidance to address the concept of safety culture at all levels

# Annex 19 - Implementation



- Third Edition, Doc 9859, was published on 8 May 2013
  - Restructured according to the SSP and SMS Frameworks (Annex 19)
  - Contains detailed guidance and tools for SSP and SMS implementation
- Updated ICAO safety management training material
- ICAO Safety Management Website:  
<http://www.icao.int/Safety/SafetyManagement>
- Regional Aviation Safety Groups



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