



State Safety Programme (SSP) Workshop

**Georgetown, Guyana
10 to 14 July 2017**

PHASE 2 – CASE STUDY N° 03

**Draft amendment of the State primary aviation
legislation or development of subsidiary legislation or
other formal State documents**

A. OBJECTIVES:

- That the participants become familiar with the SSP legal aspects.
- Develop a draft amendment to the primary aviation legislation or develop subsidiary legislation or other formal documents to include the legal aspects related to SSP implementation, where mention is made of safety management as a specific role of the civil aviation authority. The amendment to the primary aviation legislation or the development of subsidiary legislation or other formal documents shall take into account the legislative aspects and requirements set forth in Annex 19; Doc 9859, Third edition; gap analyses and the following requirements of protocol question (PQs) 1.016:
 - delegation to the State safety programme (SSP) accountable executive of the necessary authority and accountability/functional responsibilities for the management and coordination of SSP implementation and operation.

B. GENERAL INSTRUCTIONS:

1. Read the instructions provided for the case study and designate a secretary and team leader in each group.
2. Exchange ideas and concepts, and reach consensus on the assigned case based on the information provided.
3. Once the above has been completed, the team leader or a designated participant shall present the results of their work.

C. CASE STUDY N° 3: DEVELOPMENT OF A DRAFT AMENDMENT TO PRIMARY AVIATION LEGISLATION OR OF SUBSIDIARY LEGISLATION OR OTHER FORMAL DOCUMENTS FOR INCLUSION OF LEGAL ASPECTS CONCERNING SSP IMPLEMENTATION

A draft amendment to primary aviation legislation or subsidiary legislation or other formal documents shall be developed that include the legal aspects required for SSP implementation based on the following documents:

- Primary aviation legislation
- Annex 19
- Doc 9859 - SMM, Appendix 7, Chapter 4
- Other documents as may be deemed appropriate.

D. PRACTICAL EXERCISE:

The practical exercise must be completed assuming that the participants are part of the authority, for example, high CAA executives or members of the SSP executive committee.

Primary aviation legislation is the first critical element (CE-1) of a State safety oversight system.

Whether or not the State primary aviation legislation should specifically mention SSP implementation as a role of the civil aviation authority (CAA) depends on the legal system of each State. Some States may consider that SSP implementation is already an implicit responsibility of its CAA and therefore do not need this specific empowerment. In such cases,

evidence of SSP implementation must be readily available in formal State documents, and the State must show a clear commitment to addressing its safety management functional responsibilities as described in Annex 19.

Using the State primary aviation legislation; Annex 19; Doc 9859, Third edition; gap analyses and protocol question 1.016, develop a draft amendment to the State primary aviation legislation or subsidiary legislation or other formal documents.

The draft amendment to the primary aviation legislation or the subsidiary legislation or other formal State documents shall include the SPP legislative framework, mentioning to the safety management as a specific role of the civil aviation authority and the delegation to the SSP accountable executive of the necessary authority and accountability/functional responsibilities for the management and coordination of SSP implementation and operation (PQ 1.016).

Some States could comply with the SSP legislative aspects by amending their primary aviation legislation to include safety management as a specific role of the civil aviation authority, and transferring the other legal aspects to a subsidiary legislation or other formal State documents, or by developing the complete legislative framework in a subsidiary legislation or other formal State documents, providing they can demonstrate that safety management is already included in an articles(s) of their existing primary aviation legislation and that there is a clear commitment to address the safety management functional responsibilities of the State as described in Annex 19 (Chapter 3).

E. REFERENCE MATERIAL

- Primary aviation legislation
- Annex 19
- Doc 9859 - SMM, Appendix 7, Chapter 4
- Other documents as may be deemed appropriate.

F. ESTIMATED TIME:

It is expected that groups will take 60 minutes to complete the case study and 60 minutes to present their results (10 minutes per group).

G. EXPECTED RESULTS:

The work must be prepared and presented in digital format:

1. In general terms, it is expected that each group will submit in a pen drive or external USB memory a PPT presentation not to exceed 5 slides on the items requested in the exercise, within the time allotted.
2. Following the presentation by the group, the participants of the workshop will have an open discussion to provide feedback.