



ASSEMBLY — 40TH SESSION

EXECUTIVE COMMITTEE

Agenda Item 13: Audit Programmes – Continuous Monitoring Approach

COMPETENCIES REQUIRED FOR DELEGATED ENTITIES

(Presented by Peru and sponsored by the following ICAO SAM States and LACAC States)²

EXECUTIVE SUMMARY

This working paper presents to the Assembly the proposal for the standardization of the criteria used by Universal Safety Oversight Audit Programme (USOAP) airworthiness auditors tasked with reviewing the qualifications and experience of airworthiness inspectors to whom authority is delegated on the basis of an agreement signed by a State with other States in its region.

Action: The Assembly is invited to act to ensure that USOAP auditors maintain standardized and objective criteria in processing similar protocol questions (PQs), by taking into account all substantiating documents provided by the State, as well as the potential impact on the Regional Safety Oversight Organization (RSOO).

<i>Strategic Objectives:</i>	This working paper relates to the Safety Strategic Objective.
<i>Financial implications:</i>	Not applicable.
<i>References:</i>	<ul style="list-style-type: none">• CMA protocol question 5.037.• <i>Airworthiness Manual</i> (Doc 9760)

¹ Spanish version provided by Peru.

² Belize, Bolivia, Chile, Colombia, Costa Rica, Cuba, Ecuador, El Salvador, Guatemala, Guyana, Honduras, Nicaragua, Panama, Paraguay, Uruguay and Venezuela

1. INTRODUCTION

1.1 As the international aviation industry is highly globalized, maintenance organizations have become transnational entities and are thus subjected to oversight and supervision by the regulatory bodies of many jurisdictions owing to the numerous qualifications that they have received. This has led to a proliferation of supervisory activities and, consequently, auditing is a crucial aspect of safety oversight but its multiplication does not necessarily increase the level of safety. States have therefore considered other more effective means of exercising oversight.

1.2 Accordingly, regional cooperation mechanisms have been developed under the Regional Safety Oversight Organizations (RSOOs) by means of the Multinational Technical Cooperation Agreement on Approved Maintenance Organizations (AMOs) LAR 145 that has been signed by 11 of the 12 States Members of the System.

1.3 Supporting documents have been drawn up on the Multinational Technical Cooperation Agreement on Approved Maintenance Organizations (AMOs) LAR 145, such as the Manual on the Certification of Multinational Inspectors, setting out staff competencies required for multinational inspectors, who must have at least five (5) years' working experience in the civil aviation administration (CAA) and must have participated in inspections in the last three (3) years.

1.4 Furthermore, the Airworthiness Inspector Manual (MIA) lays down the experiential requirements that the State must meet in order to recruit its engineering and maintenance technical staff.

1.5 During the 2018 CMA audit, a finding was issued in relation to PQ 5.037 concerning the delegation of functions to other States in the region under the Multinational Technical Cooperation Agreement on Approved Maintenance Organizations (AMOs) LAR 145, an Agreement administered by SRVSOP (RSOO); it was argued that the other States' multinational inspectors, who were exercising oversight over multinational maintenance organizations under the Agreement, did not have prior work experience in the industry and therefore lacked competence to discharge the oversight function.

2. ANALYSIS

2.1 The States of the South American Region have drawn up staff qualification and experience requirements and, to that end, follow a policy that ensures that staff members hold an aeronautical licence or degree and that all technical staff undergo training, which includes initial, specialized or advanced, on-the-job (OJT) and occasional training. Moreover, they have instituted requirements such as post-related training for technical staff and training curricula. As a result, only staff who have successfully completed the appropriate training may discharge airworthiness inspector functions.

2.2 SRVSOP has considered competency requirements, and accordingly requires multinational inspector to have five (5) years' working experience in the CAA and to have participated in inspections in the last three (3) years.

2.3 Airworthiness inspectors have traditionally been technical substantive experts recruited from the aviation industry, in which they may have been supervisors. ICAO has considered, however, that Civil Aviation Directorates General must recruit and retain a good balance of CAA inspectors in order to ensure that safety levels are not compromised.

2.4 It is important to understand that technical staff recruited from the CAA always hold an aircraft and motor mechanic licence. However, as aircraft or related engineers are awarded an academic degree at the end of their studies, they are qualified as such and do not necessarily require a licence to perform aviation tasks.

2.5 The foregoing ensures that that technical maintenance staff recruited to work in the CAA have gained prior experience in the industry. However, if a CAA decides to recruit a recently graduated aircraft engineer, it is duty bound to provide him or her with the requisite training and practices in order to gain the experience required to perform inspection, certification and oversight duties later ones

2.6 ICAO Doc 9760, *Airworthiness Manual*, Part II, Chapter 4, Section 4.5.4, deals with airworthiness inspection division (AID) inspectors who qualify through academic studies, stating that:

4.5.4 Qualification of AID inspectors by academic study

4.5.4.1 Ideally, an AID inspector should be as qualified as the personnel to be inspected or supervised. This is usually accomplished by the inspectors having previous engineering or aircraft maintenance experience. There may be occasions where there is a shortage of such qualified AID inspectors as described in 4.5.3. As an alternative and on a case-by-case basis, AID inspectors may be deemed qualified by the successful completion of a course of relevant academic aeronautical study at a recognized approved training organization or university.

4.5.4.2 To perform their duties adequately it is important that these new inspectors undergo a comprehensive technical on-the-job training programme that provides the inspector with the necessary expertise, experience and skills necessary to perform the tasks required of an AID inspector. The new inspector should be teamed with an experienced inspector who will ensure the on-the-job training is performed and documented. AID inspectors holding academic credentials with no previous aircraft maintenance experience should only be appointed in extraordinary circumstances.

2.7 In view of the above, it is understood that Doc 9760 provides for two specific case scenarios, namely (a) the ideal situation and (b) extraordinary circumstances.

2.8 In the ideal scenario, AID inspectors may be considered to be qualified if they pass the relevant aeronautical courses of study in an approved and recognized training centre or university; those who meet the above requirements will therefore be considered to be staff qualified under the ideal situation scenario. Section 4.5.4.2 furthermore provides a means of strengthening the work of staff qualified under Section 4.5.4.1, by highlighting the importance of participating in a comprehensive technical on-the-job training programme, through which the inspector gains experience in order to perform the duties of the post.

2.9 The second scenario concern an exceptional and extraordinary situation, in which inspectors who hold academic credentials only and have no work experience may be appointed as qualified staff.

3. FINDING DURING THE 2018 CMA AUDIT

3.1 During the continuous monitoring approach (CMA) audit of the Peruvian State in August 2018, a finding was issued that did not recognize the competence of aviation engineers or related staff of other States who, on the basis of the Multinational Technical Cooperation Agreement on Approved Maintenance Organizations (AMOs) LAR 145, exercised oversight over organizations that had been granted certificates by other States signatories to the Agreement.

3.2 In February of 2019, the Peruvian State submitted substantiating documents in accordance with Doc 9735, *Universal Safety Oversight Audit Programme Continuous Monitoring Manual* and referring to guidance in Doc 9760 enabling a State's university-recruited staff, subsequently trained under a comprehensive on-the-job training programme, to discharge inspection, certification and oversight functions. After assessment by the USOAP Safety and Air Navigation Oversight Audit (OAS) Section, the claim was held to be unfounded, the finding was maintained, and the PQ 5.037 status remained unsatisfactory.

3.3 As can be seen, by appointing university-recruited staff, subsequently trained under a comprehensive training programme, the Peruvian State is covered by the ideal situation scenario for which Doc 9760 provides and, therefore, it is concluded that it has qualified staff.

4. IMPLICATIONS OF GENERATING FINDINGS WITHOUT COMPLYING WITH THE AUDITING CRITERIA

4.1 All auditors must maintain objectivity and the criteria set in USOAP procedures, by assessing all substantiating documents presented by a State and must understand the implications of wrongly generating unsatisfactory PQs that will undermine ICAO's decisions on the work accomplished by the RSOOs and under Agreements signed by the States of a Region.

4.2 An unsatisfactory PQ within the meaning of the paragraph above impinges on Agreements signed by States by undermining the credibility of the RSOO and by weakening its recognition as an efficient mechanism that provides effective safety oversight to States.

5. CONCLUSION

5.1 The Assembly is requested to urge USOAP auditors to maintain standardized and objective criteria in processing similar PQs, by taking into account all substantiating documents provided by the State, as well as the potential impact on the RSOO, which is a mechanism promoted by ICAO for purposes relating directly to resolving safety deficiencies in its Member States.