

Civil Aviation Regulation in the UK Overseas Territories





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Agenda

- Two Parts:
 - Background information
 - Regulatory oversight system development

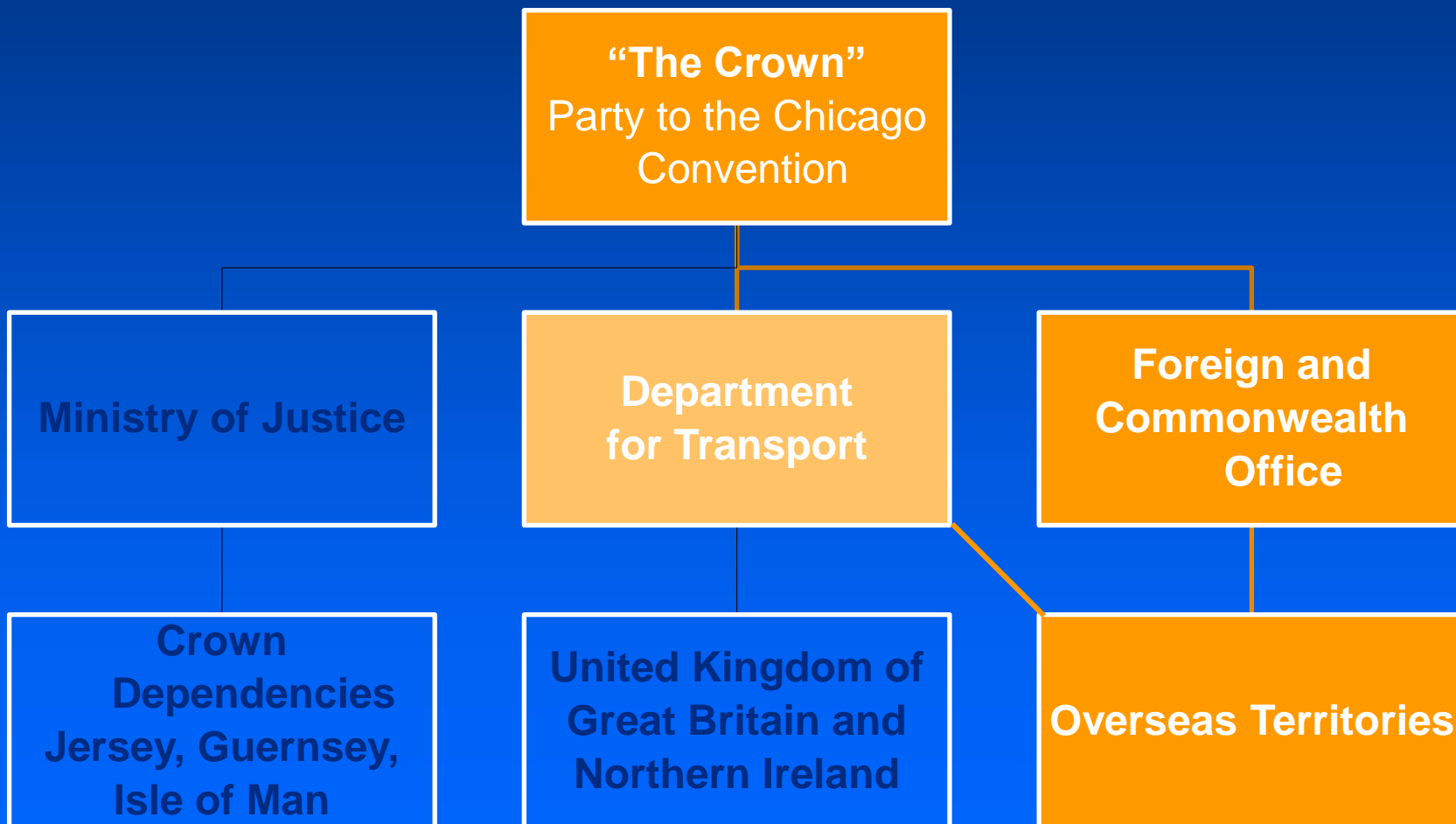
UK/OT Relationship

- UK and each OT agree a Constitution
- Reserved powers to UK
- UK responsibility for international affairs (including international conventions), security and defence

The Chicago Convention

- UK is a signatory to Convention
- Signature by UK on its own behalf and on behalf of Crown Dependencies and Overseas Territories
- Territories are integral part of the UK for the purposes of Convention
- Territories & Crown Dependencies are not part of the EU or subject to EU Law

UK system overview



Post-Atkins Study action

- Secretary of State's Directions – January 2003
- Creation of ASSI – April 2003
- Subsidiary of but distinct from CAA
- ASSI no responsibility for Crown Dependencies - have own legislation and oversight

The Overseas Territories

- Anguilla
- British Virgin Islands
- Cayman Islands
- Gibraltar*
- St Helena & Dependencies
- Bermuda
- British Indian Ocean Territories
- Falkland Islands
- Montserrat
- Turks and Caicos Islands

*ASSI - no responsibility for Gibraltar

Regulation in the Territories

- Governor exercises regulatory functions through the AN(OT)O and its amendments
- Governor has power to Designate OTAA or ASSI
- Governor has legal obligation to publish requirements – OTAR
- Term “Governor” includes office-holder, person or organisation Designated by the Governor

OTARs

- ASSI directed to produce “Requirements”
- AN(OT)O 2007 contains legal obligations
- OTARs are means by which obligations are met
- OTARs are “regulations” in sense of the term employed by ICAO; come into effect when published in the Government Gazette of a Territory
- AN(OT)O and OTARs together form the regulatory system

International compliance

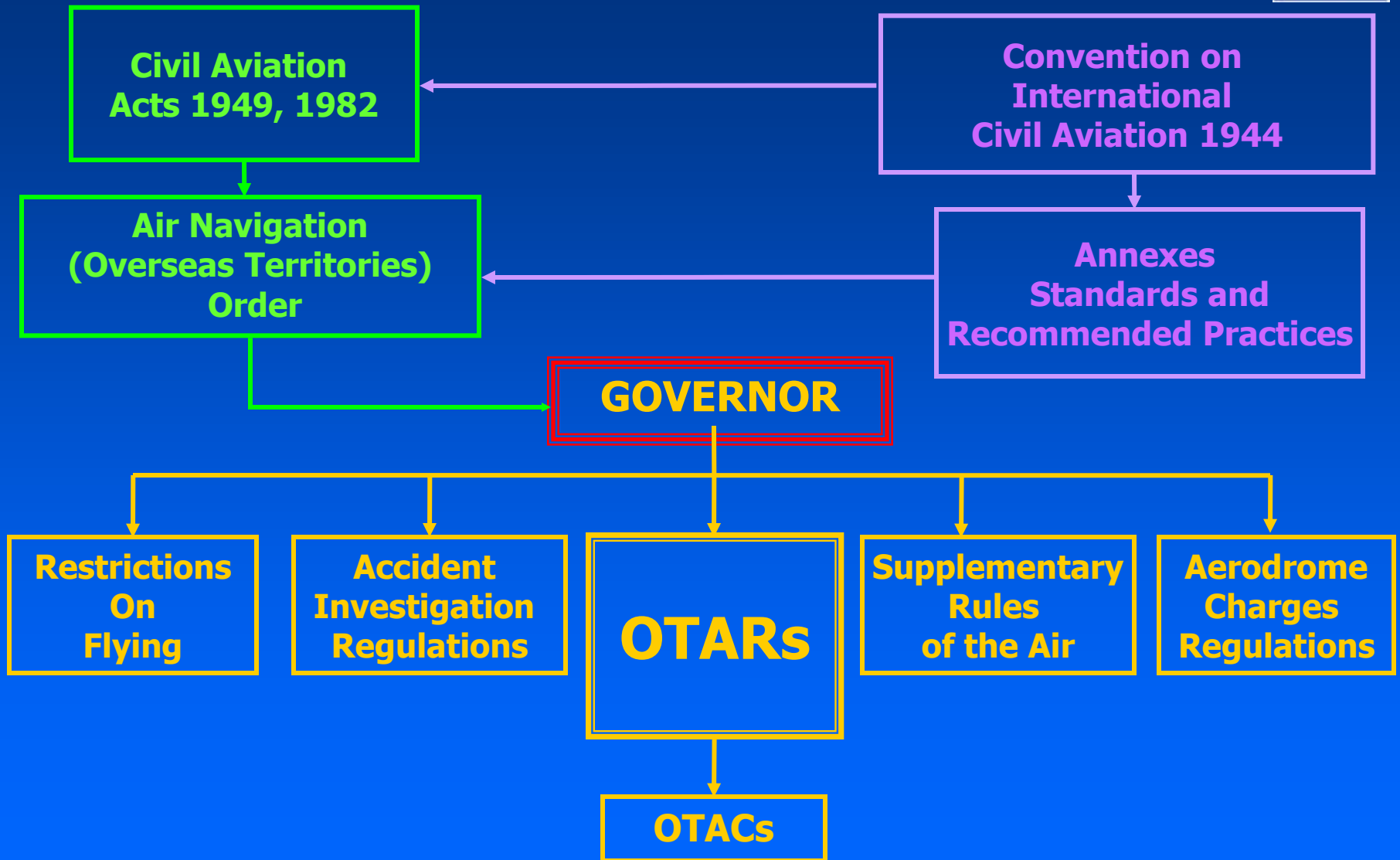
- AN(OT)O 2007 and the OTARs are largely compliant with provisions of Annexes to Convention
- Already implement Annex 6, Part II (GA)
- Legislation contains enforcement powers which will be applied as necessary
- Regulatory system is recognised as effective and robust by ICAO and by the USA (FAA) under its IASA programme

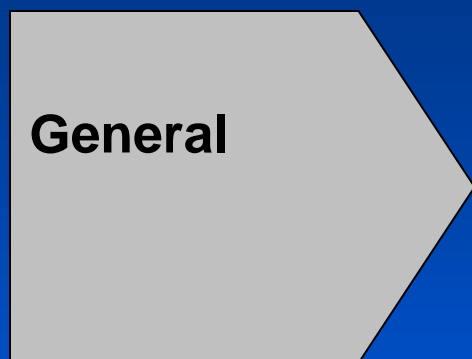
OTARs are:

The means by which industry can satisfy the Governor that they meet the requirements to hold a licence, approval, certificate etc

OTACs:

- amplify requirements
- more detail on practicalities
- temporary or advance information
- linked to OTAR Part(s)





Part 1 Definitions, Abbreviations & Units of Measurement

Part 13 Occurrence Reporting



All OTAR Parts

**Aircraft
Certification &
Maintenance**

Part 47 Aircraft Registration & Marking

Part 21 Certification of Products

Part 36 Aircraft Environmental Stds

Part 39 Continuing Airworthiness

Part 43 General Maintenance Reqs

**Part 145 Aircraft Maintenance
Organisations**

Aircraft Operations

Non Commercial

Commercial

Part 91 General Operating Requirements

Part 119 Air Operator
Certification

Part 125 Private and
Corporate Aviation

Part 121 Large
Aeroplanes

Part 135 Helicopters
Small Aeroplanes

Part 137
Aerial Work

Part 92 Carriage of Dangerous
Goods



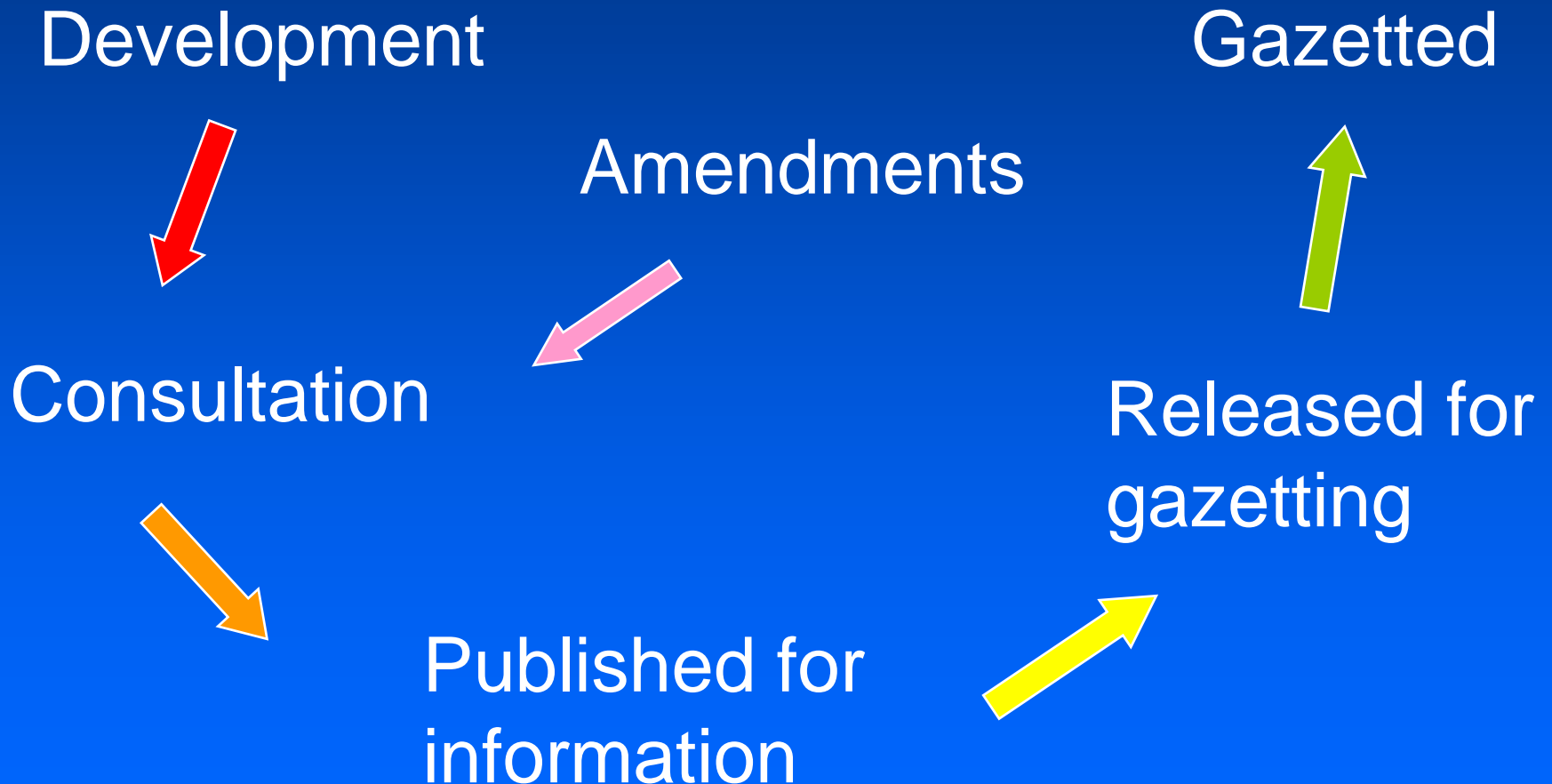
Where are they ?

OTARs & OTACs on ASSI web site:

www.airsafety.aero

Free download

Life of an OTAR



Consultation

- 8 – 12 weeks on ASSI website
- email interested parties
- all comments considered
- OTAR amended & reviewed
- comments log published

Published for information

- on ASSI website
- Part is essentially mature but awaiting :
 - enough supporting material and/or AN(OT)O amendment training

Released for gazetting :

- enough supporting material
- any AN(OT)O change enacted
- available for OTAAs to gazette

Gazetting

- Notification as means of compliance in the Territory
- OTAAs decide any implementation/changeover period
- OTAR may run in parallel with existing requirements for a time

Amendment

Draft for consultation on ASSI website

Email notification – *register on website*

Comments reviewed and published

Reissue of OTAR on website

Amending OTARs

Triggers:

- ICAO Annexes
- Global changes
- Incidents/accidents
- Your industry sector
- YOU

Have your say

Register on the ASSI website

Comment during consultation

Email enquiries@airsafety.aero
anytime

ICAO Standards etc

Annex 6, Part II, Section 3 – Large & Turbojet Aeroplanes

- Aeroplanes certificated take-off mass > 5,700kg
- Aeroplanes with one or more turbojet engines

Annex 6, Part III, Section III

OT GA Legal requirements

AN(OT)O Article 83 – application to:

- aeroplanes above 5,700kg or more than 9 seats;
- turbojets;
- helicopters above 3,175 or more than 5 seats;
- Fleets of 3 or more aircraft flown by professional pilots;
- Others as specified in public interest

Requirement for approval

- AN(OT)O Article 84 – Approval required for aircraft to which Article 83 applies
- AN(OT)O Article 85 – Governor issues Approval
- Operations Manual required and SMS to be established
- Flight time limitation scheme required under Article 32

OTAR Part 125

- 125.17 – Approval required
- 125.19 – Approval process
- 125.21 – Approval requirements
- 125.21(b) – IS-BAO Certificate of Registration sufficient basis for grant of Approval provided operator continues to comply and is audited annually
- 125.21(c) – Alternative route

NB – Revised version due out shortly