



# State Safety Programme for The Turks and Caicos Islands

**September 2025**

Produced by the Turks and Caicos Islands Civil Aviation Authority

## AMENDMENT RECORD

Changes to this document will be achieved by a re-issue of the entire document rather than by the amendment of individual pages.

Issue No	Date	Description
Issue 1	December 2014	Original document
Issue 2	September 2015	Updated document
Issue 3	December 2015	Updated document
Issue 4	January 2017	Updated document
Issue 5	November 2018	Updated document
Issue 6	September 2019	Updated document
Issue 7	September 2020	Updated document
Issue 8	September 2021	Updated document
Issue 9	September 2023	Administrative updates/ reformatting of document
Issue 10	September 2024	Updated TCICAA Safety Policy
Issue 11	September 2025	Updates: removal of GAP-Analysis (internally monitor) 4.6.1 TCI NASP definition 4.6.2 Relationship between the NASP and SSP 5.6 MOR Meetings

# FOREWARD

Annex 19 to the Chicago Convention sets the standards for a State Safety Programme (SSP), placing the responsibility on all contracting States to implement such a programme. For the purposes of the Convention, the Overseas Territories (OTs) are an integral part of the United Kingdom. The United Kingdom has established legislation dealing with civil aviation in the UK Overseas Territory (OTs). The Governor as the appointed representative of the United Kingdom in the Turks and Caicos Islands, has specific responsibilities for fulfilling the obligations of the United Kingdom as defined in the Convention on International Civil Aviation.

In this regard, the Air Navigation (Overseas Territory) Order 2013 as amended, has been promulgated and sets out the provisions to enable the United Kingdom to comply with the Convention on International Civil Aviation and in particular the Annexes to that Convention in the UK OTs.

The Governor discharges his responsibilities either through the Managing Director of the Turks and Caicos Islands Civil Aviation Authority (TCICAA), or through Air Safety Support International (ASSI) of the UK. The TCICAA has been designated for implementation of all Annexes with the exception of Annex 9 – Facilitation, Annex 13 – Aircraft Accident and Incident Investigation and Annex 17 – Aviation Security.

The nature of the civil aviation across the UK OTs varies in the type and scale of operations. Due to the differences geographically, there are many regional influences and relationships that differ from the UK and Europe. Notably, the UK OTs are not part of the European Union and so do not adopt European Aviation Safety Agency (EASA) regulations. Therefore, although part of the overall UK SSP, it is more practicable for each Territory to devise an SSP to address the safety needs of their own civil aviation industry.

This document therefore describes the Turks and Caicos Islands State Safety Programme (SSP) for the implementation of Annex 19 SARPs within the UK's State Safety Programme.

The Turks and Caicos Islands Civil Aviation Authority, embraces the philosophy of continuous improvement and this applies also the building of its SSP to fully meet the requirement of Annex 19. As the input and cooperation of the regulated industry is necessary to the full development of an effective SSP, I therefore welcome any comments on this document, which should be addressed for my attention



Peter Forbes

## Managing Director

1 - Though the Turks and Caicos Islands, as an Overseas Territory of the United Kingdom, is not an ICAO Contracting State by itself, the term "State Safety Programme" has been used throughout this document, so as to align it with the associated ICAO terminology.

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# OVERVIEW

1. ICAO describes a State Safety Programme (SSP) as “*an integrated set of regulations and activities aimed at improving safety*”. The SSP exists to ensure the State achieves an Acceptable Level of Safety Performance (ALoSP). The level of the ALoSP and the means by which it is expressed remains at the discretion of the State. Safety Performance Indicators/Targets are currently evolving alongside service provider’s safety management systems.  
*Note : In the context of safety management, the term “service provider” or “product and service provider” refers to any organization providing aviation products and/or services. The term thus encompasses approved training organizations that are exposed to safety risks during the provision of their services, aircraft operators, approved maintenance organizations, organizations responsible for type design and/or manufacture of aircraft, air traffic service providers and certified aerodromes.*
2. The requirement for an SSP recognises that States as well as service providers have safety responsibilities and provides a framework within which service providers are required to establish safety management systems (SMS).
3. Currently, ICAO standards for an SSP are contained in Annex 19 which became applicable on 14 November 2013.
4. ICAO standards also require that the ALoSP to be achieved is established by the State(s) concerned. The concept of establishing an ALoSP attempts to complement the current regulatory compliance approach to safety management with a performance based approach. Some guidance on what constitutes an ALoSP is provided by ICAO. In summary the ALoSP consists of 4 components, a start point, a safety performance indicator (SPI), an in year safety performance target (SPT) and the safety requirements to achieve the target.
5. The Turks and Caicos Islands SSP has been developed using the material within ICAO Document 9859 i.e. the SSP framework and guidance material, including the SSP gap analysis. Where possible, the headings proposed by ICAO in its framework SSP document have been adopted in this document. It should be noted that this document is intended to be used in conjunction with other appropriate guidance material which can be used to complement or enhance the concepts or guidance in this document.
6. SSP implementation in Turks and Caicos Islands has been conducted in accordance with the size and complexity of our civil aviation system and has required intensive coordination among the authorities responsible for aviation functions.
7. Following of the ICAO framework SSP document structure chapter 1 and the early sections of chapter 2 describe the State high level overview looking at the underpinning legal structures. Whereas, the latter sections of chapter 2, the following chapters 3, 4, 5 and 6 focus more on the aviation regulatory work of the Turks and Caicos Islands Civil Aviation Authority.

# GLOSSARY

ADREP	ICAO Accident/Incident Data Report
AIC	Aeronautical Information Circular
AIP	Aeronautical Information Publication
ALARP	As Low As Reasonably Practicable
ALoSP	Acceptable Level of Safety
AN(OT)O	Air Navigation (Overseas Territories) Order
ASSI	Air Safety Support International
ATM	Air Traffic Management
CFIT	Controlled Flight into Terrain
FCO	Foreign and Commonwealth Office
GASP	Global Aviation Safety Plan
ICAO	International Civil Aviation Organisation
MOR	Mandatory Occurrence Report
MoU	Memoranda of Understanding
NACC	North American, Central American and Caribbean
NASP	National Aviation Safety Plan
OTAA	Overseas Territories Aviation Authorities
OTACs	Overseas Territories Aviation Circulars
OTARs	Overseas Territories Aviation Requirements
OTs	Overseas Territories
RASP	Regional Aviation Safety Plan
SAFA	Safety Assessment of Foreign Aircraft
SAR	Search and Rescue
SARPs	ICAO Standards and Recommended Practices
SDCPS	Safety Data Collection and Processing Systems
SMS	Safety Management System
SOMSCOM	Safety Oversight Management Committee
SPI	Safety Performance Indicator
SPT	Safety Performance Target
SSP	State's Safety Programme
TCICAA	Turks and Caicos Islands Civil Aviation Authority
UKAAIB	UK DfT Air Accidents Investigation Branch
UKANO	United Kingdom Air Navigation Order
UKCAA	UK Civil Aviation Authority
UKDfT	United Kingdom Department for Transport
USOAP	ICAO Universal Safety Oversight Audit Programme

# CHAPTER 1 – Turks and Caicos Islands Aviation Safety Oversight Arrangements

## 1.1 Introduction

1.1.1 This chapter and document sets out the legislative structure which applies to the UK Overseas Territories (OT).

## 1.2 The UK Overseas Territories

1.2.1 When the UK ratified the Convention on International Civil Aviation (signed at Chicago on 7th December 1944), it did so on behalf of the various colonies, protectorates and dependencies that existed at the time. Today, the UK’s adherence to the Chicago Convention covers the United Kingdom of Great Britain and Northern Ireland (UK ‘Main’), the UK’s Overseas Territories (OT) and the Crown Dependencies (CD).

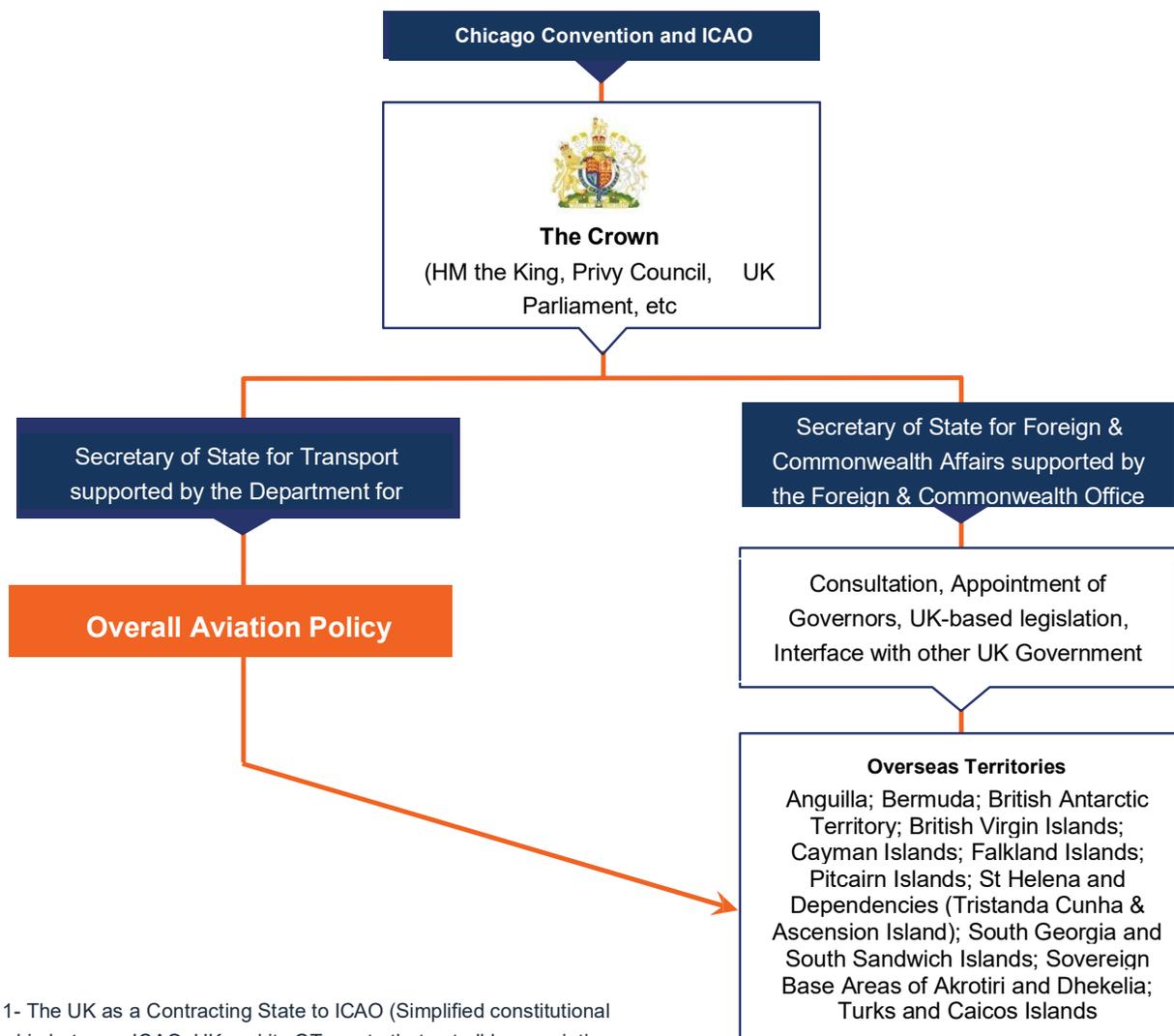


Figure 1- The UK as a Contracting State to ICAO (Simplified constitutional relationship between ICAO, UK and its OTs, note that not all have aviation activity)

- 1.2.2 The Privy Council, that meets approximately monthly, consists of all the members of the British Cabinet, former Cabinet ministers, and other distinguished persons appointed by the Sovereign including past and present leaders of the British opposition parties. Its functions include advising the King on Orders in Council, granting Royal Charters and, through its Judicial Committee, acting as the final court of appeal from courts in the OT. The British Cabinet remains formally a committee of the Privy Council.
- 1.2.3 Orders in Council are approved by the King at meetings of a small number of Privy Counsellors. Orders in Council establishing legal requirements are Statutory Instruments and are normally subject to UK Parliamentary scrutiny. The Order in Council is an important method of giving force of law to the more significant executive orders. Orders in Council are also used to extend civil aviation legislation to the OTs. The Office of Public Sector Information provides access to legislation of the UK; this is available online.
- 1.2.4 The UK DfT is the primary governmental body responsible for civil aviation in the UK and for upholding the UK's compliance with the Chicago Convention. As such, the DfT establishes overall aviation policy in cooperation with the FCO for the UK OTs. The UK CAA has no direct regulatory responsibility for safety oversight of aviation in the UK OTs.
- 1.2.5 There are fourteen UK territories, which are constitutionally separate from the UK. All have separate constitutions made by a UK Order in Council. The UK remains responsible, however, for discharging its obligations under the Chicago Convention in respect of civil aviation in the OTs.
- 1.2.6 Parts of the 1949 and elements of the 1971 and 1982 Civil Aviation Acts have been extended to the OTs by Orders in Council. The 1949 Act provides for a State to make an Air Navigation Order (ANO) to implement the Annexes to the Chicago Convention and to regulate air navigation generally. The Air Navigation (Overseas Territories) Order (AN(OT)O) gives the Governor of each of the OT powers and responsibilities in respect of aviation safety oversight.
- 1.2.7 The AN(OT)O 2013 requires the Governor to designate the majority of his powers to a person; in practice this is either a local Managing Director, Civil Aviation Authority (MDCAA) who is usually an employee of the OT's Government, or to Air Safety Support International (ASSI), a wholly owned subsidiary of the UK CAA. The Governor is required to consult ASSI before making (or revoking) any such designation. ASSI conducts routine assessment visits to the OT where a person has been designated by the Governor other than ASSI itself.
- 1.2.8 In the Civil Aviation Authority (Overseas Territories) Directions 2003, the Secretary of State directed the CAA to establish ASSI as a subsidiary company to oversee aviation safety regulation in the OTs and to ensure compliance with the requirements of the Convention. The current Directions are the Civil Aviation Authority (Overseas Territories) Directions 2014 (as amended by the Civil Aviation Authority (Overseas Territories) (Variation) Directions 2015, a consolidated copy of which is available on the ASSI website. These Directions extended ASSI's responsibilities to include aviation security oversight and regulation but exclude Annex 9 from ASSI's

responsibilities. ASSI has been charged with developing and maintaining the AN(OT)O and producing Overseas Territories Aviation Requirements (OTARs) to support it.

- 1.2.9 The AN(OT)O also requires the Governor to publish the detailed requirements which applicants for certificates and licences will have to meet. Such requirements are primarily the OTARs developed by ASSI in conjunction with the OT MDCAAs.

# CHAPTER 2 – Turks and Caicos Islands Aviation Safety Policy and Objectives

## State Safety Legislative Framework

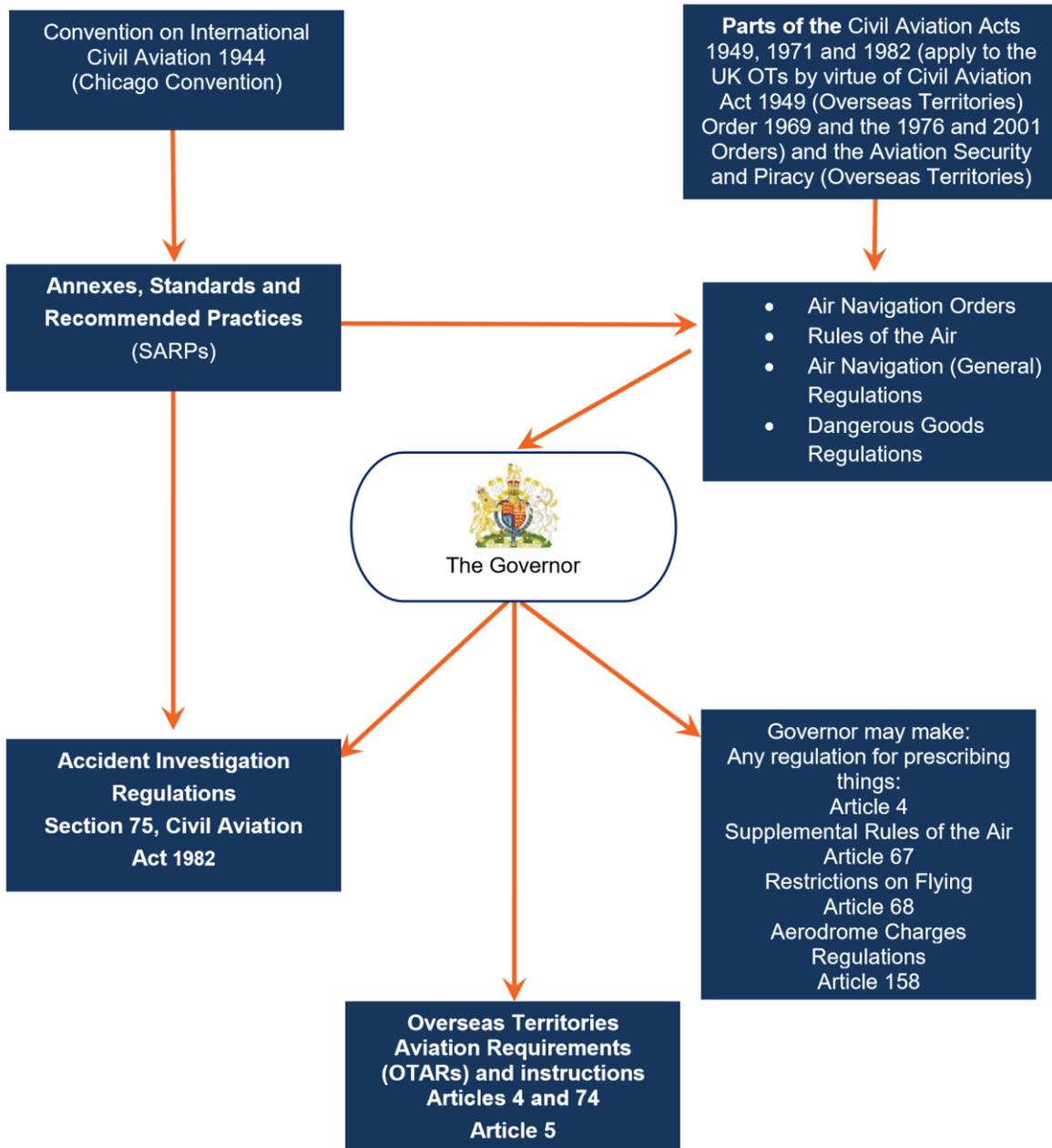


Figure 2 - UK Overseas Territories regulatory framework, note article refers to the provisions of the AN(OT)O 2013.

## **2.1 Primary legislation - Civil Aviation Act 1949 (Overseas Territories) Order 1969**

- 2.1.1 The Civil Aviation Act 1949, as extended to the Overseas Territories by the Civil Aviation Act 1949 (Overseas Territories) Order 1969 is the primary legislation that provides the authority to apply the provisions of the Convention and annexes by Order in Council and implement other statutory instruments in the area of civil aviation in the Overseas Territories.
- 2.1.2 This Act has been supplemented by the extension of section 62 of the Civil Aviation Act 1971 to the OTs:
- (by the Civil Aviation Act 1971 (Overseas Territories) Order 1976 - section 62 increased the penalties for breaches of an Air Navigation (Overseas Territories) Order) and by the extension of sections 61, 75 and 76(4) of the Civil Aviation Act 1982 to the Overseas Territories (by the Civil Aviation Act 1982 (Overseas Territories) Order and No.2 Order 2001.
  - Section 61 increased the penalties for breach of an AN(OT)O.
  - Section 75 enables the Governors to make air accident and investigation regulations.
  - Section 76(4) amends section 40(2) of the 1949 Civil Aviation Act, so that where an aircraft is chartered or demised for more than 14 days, the lessee rather than the owner (lessor) is liable for any damage or injury caused to any property or person on the ground by the chartered or demised aircraft).
- 2.1.3 Certain parts of the Aviation Security Act 1982 (Parts 1 (offences against the security of aircraft etcetera) and 2 (protection of aircraft, aerodromes and air navigation installations against acts of violence) and Schedule 1 of the Act (provisions relating to compensation), along with sections 1 and 50 of the Aviation and Maritime Security Act 1990 (endangering safety at aerodromes and offences by bodies corporate), were extended to the Overseas Territories by the Aviation Security and Piracy (Overseas Territories) Order 2000.
- 2.1.4 Part 2, section 8 of the Civil Aviation Act 1949 (Overseas Territories) Order 1969, as amended by the Civil Aviation Act 1982 (Overseas Territories) Order 2001, makes provision for the creation and maintenance of the Air Navigation (Overseas Territories) Order to implement the Annexes of the Chicago Convention. Certain provisions of the 1971 and 1982 Civil Aviation Acts have also been extended to the Overseas Territories (see below).

## **2.2 Subsidiary legislation – Air Navigation (Overseas Territories) Order 2013**

- 2.2.1 The AN(OT)O is secondary (i.e. subordinate) legislation to provide a sound legal framework for enabling the adoption of the Overseas Territories Aviation Requirements (OTARs) as a common cohesive package of requirements. The AN(OT)O enables, or gives power to, the requirements contained in the OTARs.
- 2.2.2 The latest revision is a complete re-write, simplifying and modernising the AN(OT)O to form a coherent unit with the OTARs - the OTARs being the principal regulatory instruments and the AN(OT)O providing mainly the necessary legal basis. The rebalanced and consolidated version, AN(OT)O 2013, became effective in January 2014 and reflects changes required as a result of the

safety oversight audit carried out by ICAO in 2009. Three amendments have been made to date to the AN(OT)O 2013 – see the 2014 and 2015 amendment orders.

2.2.3 The AN(OT)O gives the Governors a wide variety of discretionary powers which are exercised by the designated regulator to grant certificates, licences and approvals. An individual or organisation affected by certain decisions made by the regulator on behalf of a Governor is entitled to seek a review by the Governor of such decision in accordance with Article 13 of the AN(OT)O.

## **2.3 Operating regulation/ requirements – Overseas Territories Aviation Requirements (OTARs)**

2.3.1 The OTARs comprise a package of requirements that forms a means of compliance with the ICAO SARPs and that is consistent with the legislation in force.

2.3.2 ASSI is required, under the directions from the Secretary of State, to produce the means of compliance to enable the Governors to be satisfied that applicants for, or holders of, licences, certificates and approvals meet their legal obligations. Governors are required under Article 5 of the AN(OT)O to publish these requirements. The OTARs do not constitute ‘regulations’ in legal terms. They do, however, conform to the wider ICAO definition of regulations used in ICAO Doc 9734 Safety Oversight Manual in relation to Critical Element 2 and were recognised as such by ICAO during the 2009 USOAP audit of the UK.

2.3.3 The OTARs set out, for the benefit of those regulated:

- the requirements for obtaining and holding a licence, certificate, authority or approval;
- the way in which the rights and privileges of licences, certificates, authorities or approvals are exercised;
- the way obligations which come with the privileges are to be discharged; and
- general instructions regarding the operation and equipment of aircraft.

## **2.4 Industry guidance material – Overseas Territories Aviation Circulars (OTACs)**

2.4.1 There is also a need to promulgate additional information which is not appropriate for inclusion in the OTARs themselves. Such information and guidance is included in Overseas Territories Aviation Circulars (OTACs).

2.4.2 These include the following information:

- practical, detailed guidance on meeting the requirements;
- information of a temporary nature;
- administrative material;
- information published in advance of a formal amendment to OTARs;
- the means of ensuring that aspects of the State civil aviation system comply with ICAO SARPs where this is a State responsibility, e.g. SAR.

2.5 UK OT civil aviation framework and accountabilities

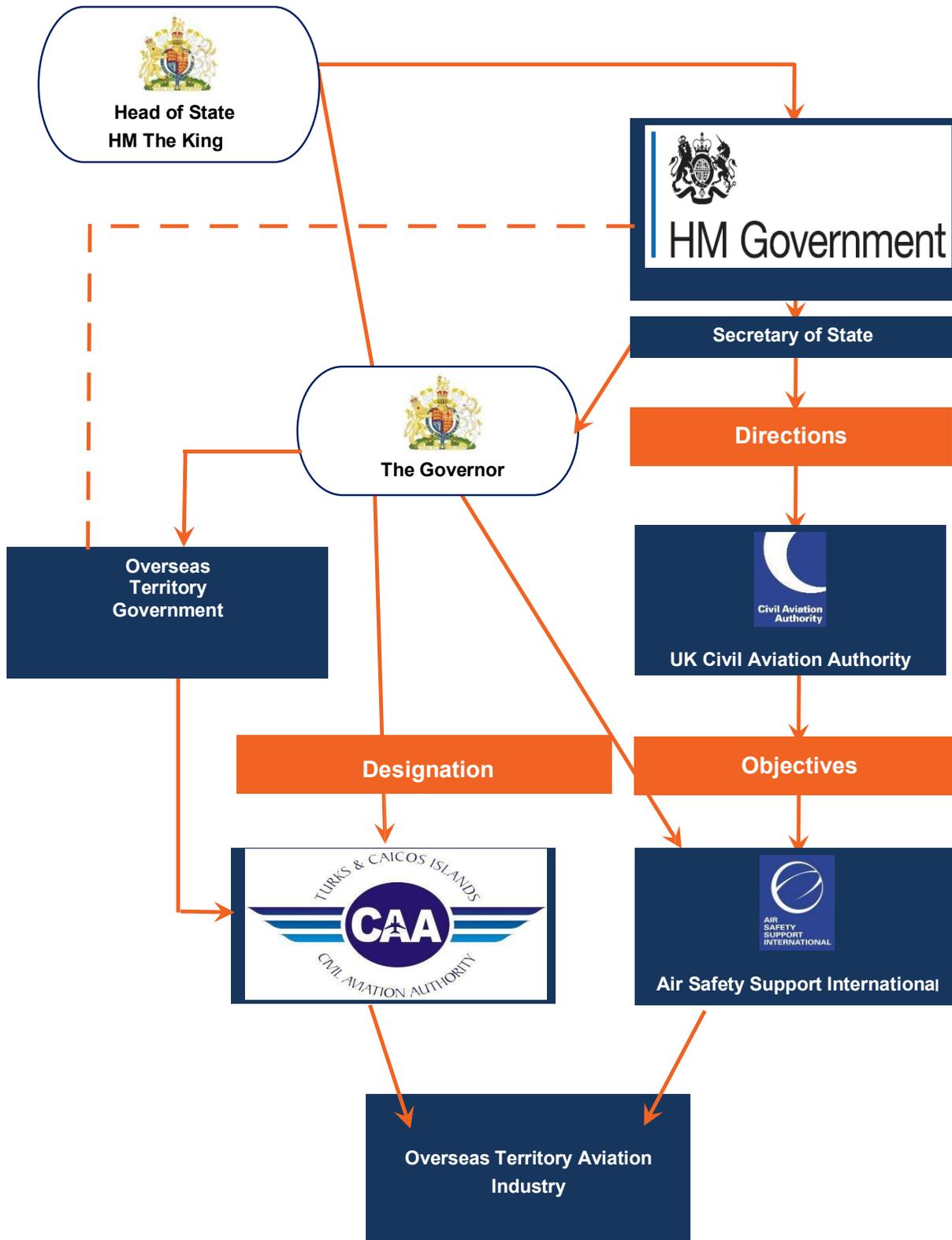


Figure 3 -UK Overseas Territories flow of authority

**The UK Department for Transport responsibilities**

- 2.5.1 The Department for Transport (DfT) is responsible for setting overall policy for the standards of safety and security in transport in the UK, including civil aviation. It is also responsible for the management of international affairs in the civil aviation context, which are reserved to the UK under the OTs' Constitutions. The Secretary of State has issued directions for the UK CAA to establish ASSI and which set out ASSI's responsibilities. The Secretary of State's Directions require the UK CAA to set objectives for ASSI which the Secretary of State approves.

**The UK OT's Governor's responsibilities**

- 2.5.2 The Governor is the King's representative and acts on behalf of the UK Government in relation to the general governance of a Territory, within the scope of the respective Constitution, and in relation to international affairs which are reserved to the UK under the Constitution. Governors are accountable to the Foreign and Commonwealth Office (FCO).
- 2.5.3 As the King's representative the Governor is responsible for ensuring the adequacy of the civil aviation safety regulation within a UK OT. Within each OT the Governor appoints a Regulator to carry out most of the Governor's functions under the AN(OT)O.

**The UK Civil Aviation Authority responsibilities**

- 2.5.4 The UK CAA appoints the Board of ASSI, a wholly owned UK CAA subsidiary, along with enacting the Directions to establish ASSI and setting objectives for ASSI subject to the Secretary of State's approval. The CAA is also required to audit annually the activities of ASSI. The UK CAA does not have any responsibility for aviation regulatory oversight of the UK OTs.

**Air Safety Support International responsibilities**

- 2.5.5 ASSI is responsible for the drafting of the AN(OT)O, OTARs and OTACs in order to implement the SARPs. ASSI is also responsible for undertaking regular assessments of OT Aviation Authorities on the standards of civil aviation safety regulation and the adequacy of the resources employed, to advise to the Secretary of State and the Governor on whether the Territory is complying with the UK's obligations under the Chicago Convention and on whether any remedial measures may be necessary. These include advice and recommendations to the Governor on the designation of a regulator in the Territory.
- 2.5.6 ASSI is the designated regulator responsible for Annex 17 within all the UK OTs. ASSI is designated for certain functions in the Falkland Islands and Turks and Caicos Islands.

## CHAPTER 3 – Turks and Caicos Islands Safety Responsibilities and Accountabilities

### 3.1 TCICAA Safety Policy

The Turks and Caicos Islands Civil Aviation Authority (TCICAA) diligently promotes and regulates aviation safety in the Turks and Caicos Islands (TCI). We are committed to the development and implementation of robust strategies, regulatory framework, and processes to ensure that the aviation activities regulated via the authority's oversight meet the highest practicable level of safety performance. The TCICAA safety policy is regularly reviewed and available via the TCICAA website, the Centrik system and contained in Appendix B of this document.

#### 3.1.1 State Safety Programme Responsibilities and Resources

**The Managing Director**—The Managing Director (MD) – the highest-ranking officer in the organization- is the Accountable Manager of the Turks and Caicos Islands Civil Aviation Authority (TCICAA), whom has the authority to ensure that the SSP is implemented. The MD ensures that objectives are met through the provision of resources and adequate oversight of subordinates to improve the performance of the organization. The MD may delegate some of his duties to a qualified official when appropriate and is responsible for:

- Implementation of the SSP
- Approving changes to controlled documents
- Administering the audit program
- Overseeing the implementation of corrective and preventive actions
- Chairing Management Review Committee meetings
- Leading the development and implementation of improvement plans

#### 3.1.2 TCICAA Mandate

To establish and administer sound aviation regulations, procedures and standards to achieve and maintain the safe and efficient conduct of the Turks and Caicos Islands Civil Aviation Authority.

To provide guidance to the Turks and Caicos Islands Government in the development of policy related to aviation safety, security and economic regulation.

#### 3.1.3 Strategic Safety Goal

It is TCICAA's goal that the safety-risks within the Turks and Caicos Islands' civil aviation industry be managed to a level as low as reasonably practicable.

#### 3.1.4 Policies

Policies define how the TCICAA undertakes its business management and regulatory activities. Specific procedures document how each policy is achieved so that consistency is maintained.

#### 3.1.5 Regulatory and Safety Oversight Programmes

TCICAA core activities include:

- The delivery of a sound regulatory programme that meets the Turks and Caicos Islands' obligations to international safety standards and recommended practices; and,
- The implementation of an effective, forward-looking safety oversight programme that addresses the diverse needs of the Turks and Caicos Islands' aviation industry.

When brought to fruition hopefully in the near future, the establishment and management of a sustainable aircraft register will be included in this list.

- The Authority is committed to non-punitive reporting.

### **3.1.6 Performance Measurement**

TCICAA proactively measures the effectiveness of its regulatory programme and of the aviation industry's safety-risk management, so it can systematically implement priorities to sustain or improve the Authority's and industry's performance.

### **3.1.7 People**

The TCICAA fulfils its mandate by employing a sufficient number of qualified staff who work in an environment that is conducive to their personal and professional development. The Authority is structured to consistently and efficiently achieve its objectives. Performance standards, responsibilities, and accountabilities are clearly defined and adhered to. Managers and staff are skilled, competent, equipped and supported in the fulfilment of their responsibilities. Succession planning aims to sustain performance. Changing priorities are anticipated so that staffing requirements can be addressed efficiently.

### **3.1.8 Technical guidance, tools and provision of safety-critical information**

The top priority of the TCICAA is to maintain and improve aviation safety performance. This will be achieved through a series of strategies and initiatives to provide technical guidance, resources and information for strengthening the capacity of personnel.

The safety principles of the TCICAA underline the importance of the commitment of government and industry organisations to the provision of resources for safety management and oversight, and of personnel training to acquire the skills and experience required for them to fulfil their duties proficiently.

The TCICAA will develop and keep the safety-related guidance material and work aids for inspectors, investigators, and technical personnel up to date. Likewise, they will develop and keep the guidance material for the industry updated.

### **3.1.9 Finance**

TCICAA's financial requirements are tied to the Authority's priorities for delivering the regulatory and safety oversight programmes. Business priorities are determined by the risk profile, and guide the Safety Plan and the implementation of the regulatory programme. Business planning looks out five

years, and changing priorities are examined for their implications on long term financial requirements.

TCICAA adheres to the financial policies and processes of the Government of the Turks and Caicos Islands, in accordance with procedures established by the Ministry of Finance.

### **3.1.10 Safety Planning**

Safety planning enables long-term improvements in safety management and safety performance. Planning and reporting is proactive, transparent, risk-based and data driven, and is a key mechanism by which TCICAA manages, measures and is held accountable for its performance.

TCICAA has published a two-year Safety Plan that contains formal performance goals and objectives. The Safety Plan highlights the areas it has determined need improving, so that initiatives by the TCICAA, ASSI and the aviation industry can be coordinated. The Safety Plan enables the necessary resources to be budgeted, and for responsibilities to be assigned, and activities coordinated. In this way, the Authority's safety management is integrated with business planning. Achievements and improvements in TCICAA's performance will be measured and reported every year as part of the published Safety Plan.

### **3.1.11 Risk Management**

The Authority proactively identifies systemic safety management and performance issues pertaining to the aviation industry, and to the manner in which the Authority fulfils its mandate. This enables resources to be appropriately allocated so that risks in the Turks and Caicos Islands Civil Aviation system can be mitigated to a level as low as reasonably practicable.

Performance data are analysed to identify and prioritize information related to hazards, system safety deficiencies and other forms of performance deficiencies. This information is used to update the TCICAA risk profile – a documented, high-level overview of the management challenges that TCICAA faces in the fulfilment of its mandate. The profile is used to populate the hazard log; to assist managers to set priorities in their day-to-day activities; and to help determine longer-term goals and objectives to improve the performance of the Authority and the aviation industry.

### **3.1.12 Change Management**

TCICAA proactively manages aviation safety hazards resulting from changes to its processes or services. In this way, the Authority optimises its performance during periods of change and sustains Fit-for-Purpose. TCICAA systematically manages the risks associated with change, by planning thoroughly, mitigating the associated hazards and risks, and anticipating potential system safety deficiencies.

## **3.2 Accident and Incident Investigation**

- 3.2.1 In the OTs, the conduct of air accidents and serious incidents investigation is provided for through a Memoranda of Understanding between the UKAAIB and the OTs, by which responsibility and authority for the investigation lies with the UKAAIB. In the Turks and Caicos Islands, the Governor has made accident investigation regulations under Section 75 of the Civil Aviation Act 1982, as

extended to the OTs by Order in Council, which empowers him to appoint investigators to investigate accidents and serious incidents.

3.2.2 A letter of Appointment has been signed by the Governor of the Turks and Caicos Islands, pursuant to the MoU, appointing the Chief Inspector of the AAIB as the Chief Inspector of Air Accidents for the Turks and Caicos Islands. The Letter of Appointment empowers the Chief Inspector to appoint individual Inspectors from within the AAIB for the purposes of undertaking any investigation required under the Regulations and in accordance with such Regulations.

3.2.3 Under the Letter of Appointment arrangements, once the Governor has notified the AAIB of an accident or serious incident, an Inspector in Charge (IiC) will be appointed by the Chief Inspector of the AAIB. The IiC will be a member of the AAIB, irrespective of whether the AAIB attends the scene of the accident or whether the investigation is conducted remotely, from the UK.

### **3.3 Enforcement Policy**

#### **3.3.1 Introduction**

3.3.1.1 Under the Air Navigation (Overseas Territories) Order 2013 the TCICAA is responsible for applying and enforcing the legislation and for granting (or refusing to grant) licences, certificates, approvals, permits and other documents authorising a person to exercise the privileges associated with such a licence, certificate etc. TCICAA enforcement policy is aimed at promoting compliance with aviation safety regulations and requirements through enforcement functions in an equitable manner.

3.3.1.2 The implementation of safety management systems (SMS) requires the TCICAA to have an equitable and discretionary enforcement approach in order to support the SSP-SMS framework. Our enforcement policies and procedures allow service providers to deal with, and resolve, certain events involving safety deviations, internally, within the context of the service provider's SMS, and to the satisfaction of the Authority. Intentional contraventions of the AN(OT)O and the OTARS will be investigated and may be subject to conventional enforcement action where appropriate.

#### **3.3.2 Policy**

3.3.2.1 The OTARS require service providers to establish, maintain and adhere to an SMS that is commensurate with the size, nature and complexity of the operations authorized to be conducted under its approval/certificate. To maintain this enforcement policy that supports the implementation of SMS, TCICAA Inspectors will maintain an open communication channel with service providers.

3.3.2.2 No information derived from safety data collection and processing systems (established under an SMS) relating to reports classified as confidential, voluntary or equivalent category shall be used as the basis for enforcement action.

3.3.2.3 When a service provider operating under an SMS unintentionally contravenes AN(OT)O and the OTARS, specific review procedures will be used. These procedures will allow the TCICAA Inspector responsible for the oversight of the service provider, the opportunity to engage in dialogue with the SMS-approved organization. The objective of this dialogue is to agree on proposed corrective

measures and an action plan that adequately addresses the deficiencies that led to the contravention and to afford the service provider a reasonable time to implement them.

This approach aims to nurture and sustain effective safety reporting, whereby service providers' employees can report safety deficiencies and hazards without fear of punitive action. A service provider can therefore, without apportioning blame and without fear of enforcement action, analyse the event and the organizational or individual factors that may have led to it, in order to incorporate remedial measures that will best help prevent recurrence.

3.3.2.4 TCICAA through the Inspector responsible for the oversight of a service provider, will evaluate the corrective measures proposed by the service provider and/or the systems currently in place to address the event underlying the contravention. If the corrective measures proposed (including any appropriate internal disciplinary actions) are considered satisfactory and likely to prevent recurrence and foster future compliance, the review of the violation should then be concluded with no further punitive enforcement action by the regulator. In cases where either the corrective measures or the systems in place are considered inappropriate, TCICAA will continue to interact with the service provider to find a satisfactory resolution that would prevent enforcement action. However, in cases where the service provider refuses to address the event and provide effective corrective measures, TCICAA will consider taking enforcement action or other administrative action deemed appropriate.

3.3.2.5 Breaches of aviation regulations may occur for many different reasons, from a genuine misunderstanding of the regulations, to disregard for aviation safety. TCICAA has a range of enforcement procedures in order to effectively address safety obligations under the AN(OT)O in light of different circumstances. These procedures may result in a variety of actions.

3.3.2.6 Enforcement decisions must not be influenced by:

- a) personal conflict;
- b) personal gain;
- c) considerations such as gender, race, religion, political views or affiliation; or
- d) personal, political or financial power of those involved.

3.3.2.7 Enforcement decisions will be proportional to the identified breaches and the safety risks they underlie, based on three principles:

- a) TCICAA will take action against those who consistently and deliberately operate outside Civil Aviation Regulations;
- b) TCICAA will seek to educate and promote training or supervision of those who show commitment to resolving safety deficiencies; and
- c) TCICAA will give due and equitable consideration to distinguish premeditated violations from unintentional errors or deviations.

3.3.2.8 This policy is not applicable if:

- a) there is evidence of a deliberate effort to conceal non-compliance.
- b) the service provider fails to maintain an acceptable SMS or its agreed safety performance
- c) the service provider is deemed by the Authority as a recurrent violator.

3.3.2.9 In the above circumstances, the Authority will deal with such non-compliance or violations according to established enforcement procedures.

## CHAPTER 4 – Safety Risk Management

### 4.1 Introduction

One of the TCICAA's strategic objectives is to enhance safety performance throughout the civil aviation system. TCICAA will therefore proactively identify systemic safety management and performance issues pertaining to the aviation industry, and the manner in which the Authority fulfils its mandate. This will enable resources to be appropriately allocated so that risks in the Turks and Caicos Islands civil aviation system can be mitigated to a level as low as reasonably practicable.

State safety risk management is a key component of the safety management system that includes hazard identification, risk assessment, risk mitigation, and safety risk acceptance. It is important to recognise that this function is a continuing activity, because hazards, risk assessment, and the effectiveness of safety risk mitigation change over time.

Risk management in the aviation industry of the Turks and Caicos Islands is a responsibility shared by the industry and the aeronautical organisations of the State (TCICAA, UKAAIB). It is important for the aviation industry and the State aviation organisations to work in a collaborative manner to obtain the best safety outcomes.

As required by their respective legislative responsibilities, TCICAA and UKAAIB, collect and maintain various records related to accidents, incidents and other safety data.

### 4.2 Application of Risk Management

It is intended that risk management would influence all decisions and activities by TCICAA. Some processes are conducted periodically (e.g. by annual updates to the risk profile and risk register); others on an as required basis (e.g. a hazard analysis); and others as part of the department's day-to-day activities (e.g. hazard reports, self-assessments, etc.).

#### State Safety Risk Management Framework

- The State Safety Risk Management Framework includes the following: -
- Determination of State-level risks;
- Licensing, Certification, Authorization and Approval Obligations
- Safety Performance Monitoring
- Hazard identification and risk assessment (HIRA)
- Development of safety plans and actions;
- Safety data collection and processing systems (SDCPS)

**There are four key risk management processes:**

1. Hazard reporting – a programme to manage information about perceived hazards and system safety deficiencies provided voluntarily by TCICAA staff and the aviation industry;
2. Hazard analysis - proactive, formal process to identify potential system safety deficiencies, hazards and risks associated with a change being considered by TCICAA;
3. Risk assessments – formal and informal processes to determine the appropriateness and effectiveness of planned or existing mitigation; and
4. Risk profile - a documented, high-level overview of the risk management challenges that TCICAA faces in the fulfilment of its mandate. One of the outputs of the risk profile is the Hazard Register.

**4.3 Risk Management - Roles and Responsibilities****4.3.1 The Managing Director**

- Is responsible and accountable for the risk management of TCICAA;
- Appoints a project manager to change initiatives that involve more than one Branch;
- Approves changes to the risk profile and hazard register.

**4.3.2 Managers**

- Conduct hazard analyses;
- Ensure mitigating strategies are coordinated and implemented;
- Recommend changes to the risk profile or hazard register; and
- Ensure staff is qualified to evaluate hazard analyses, risk assessments and risk mitigation strategies conducted by the aviation industry.

**4.3.3 Safety Development Officer**

- Provides assistance to the Managing Director and support to Managers on the planning and conduct of hazard analyses;
- Recommends to the Managing Director the conduct of formal risk assessments;
- Conducts formal and informal risk assessments;
- Recommends changes to the risk profile or hazard register
- Updates the risk profile or hazard register

**4.3.4 Staff:**

- Report hazards or indications of system safety deficiencies within TCICAA;
- Evaluate industry hazard analyses and risk assessments;
- Conduct risk assessments of existing or planned mitigation by industry; and upon request
- Participate in hazard analyses or risk assessments as subject matter experts.

**4.4 TCICAA Safety Plan**

- 4.4.1 Aviation safety hazard identification and risk management involve a tiered process in which systems and risk information can be added to high-category levels, ending in an assessment of the overall risk level throughout the aviation industry. TCICAA has developed and published a two-year Safety Plan based on this process, as a public document. By outlining the priorities for the Authority's and

for the Turks and Caicos Islands' aviation industry, and by highlighting the Authority's accomplishments, the Safety Plan will achieve two important results.

First, it will provide information that will allow the various organizations that make up the Turks and Caicos Islands' aviation industry to align their activities with each other and with their regulator. In this way, the effectiveness and efficiency of the civil aviation system will be improved.

Second, it will hold the Authority accountable to the Governor, to the Government of the Turks and Caicos Islands, to Air Safety Support International (ASSI) and to the industry for achieving its objectives. Each will contribute to the continued strengthening of the Turks and Caicos Islands' aviation system, and to ongoing improvements in the systematic and proactive management of safety.

- 4.4.2 This report consists of a summary of the Authority's accomplishments in the previous year, a presentation of the selected safety objectives for the current year and the identification of objectives that are being considered for future years. This plan will identify the risks existing in the system and the treatment applied by the State to risk management.

#### **4.5 Coordination within the aviation safety system of the Turks and Caicos Islands**

- 4.5.1 Overall safety performance in the Turks and Caicos Islands requires an integrated and collaborative approach, which is essential for SSP implementation and operation.
- 4.5.2 The Turks and Caicos Islands has established the following groups to coordinate among the organisations that are part of the SSP. These coordination groups will improve cooperation and coordination among the regulatory and administrative bodies of the State in terms of safety, efficiency, and capacity:

##### **State Safety Programme Coordination Committee**

The SSP Coordination Committee, which is made up by the TCICAA management team will coordinate the implementation and subsequent management of the SSP among the TCICAA. This coordination mechanism will ensure that the development, periodic review, policy-making and decision-making related to SSP activities, such as the safety policy, safety indicators, enforcement policy, safety data protection and distribution policy, SMS regulatory requirements, and SSP review and internal findings, are carried out in an integrated and coordinated manner.

## 4.6 National Aviation Safety Plan (NASP)

4.6.1 The TCICAA is presently formulating the National Aviation Safety Plan, which outlines the objectives, challenges, strategic priorities and the corrective safety actions to be taken by the TCICAA in collaboration with the national aviation industry, along with the key stakeholders that hold safety critical responsibilities in the Turks and Caicos Islands.

The NASP will be aligned with the North American, Central American and Caribbean Regional Aviation Safety Plan (NACC RASP 2011) and the 2023-2025 edition of the ICAO Global Aviation Safety Plan (GASP, Doc 1004).

### 4.6.2 Relationship between the NASP and the SSP

Through the State Safety Programme (SSP), the Turks and Caicos Islands identify and mitigate national operational safety risks. The SSP provides safety information to the NASP. The SSP allows the Turks and Caicos Islands to manage its aviation activities coherently and proactively, measure the safety performance of its civil aviation system, monitor the implementation of the NASP's SEIs, and address any identified hazards and deficiencies.

The NASP is one of the key documents produced as part of the TCI's SSP documentation. It is how the TCI defines and drives the implementation of SEIs generated by the SSP process and drawn from the ICAO GASP and NACC RASP. It also allows TCI to determine initiatives to strengthen the SSP or otherwise needed to achieve its safety objectives.

## 4.7 Overseas Territories Safety and Performance Council (OTSPC)

4.7.1 The OT Safety and Performance Council (OTSPC) is the mechanism by which advice from ASSI and the OTAAs will be provided on aviation safety performance within the OTs to UK Government. Furthermore, the OTSPC will assume increased responsibility and accountability for guiding all OTs in the direction of sustained self-regulation.

The objectives of the OTSPC are:

- To identify clear desired safety outcomes, action plans to deliver those outcomes and measures to determine success.
- To make recommendations to the ASSI Board on priorities in the implementation of regulatory procedures and practices and thus enable ASSI Board to make informed judgements on risk and liabilities arising from aviation activity across all the OTs.
- To guide the best and most efficient use of the available safety resources in the OTs, focusing on the safety issues that are most important and locally relevant.
- Establish common specific goals with regards aviation regulations.
- Recommend amendments to the OTARs based upon international standards and recommended practices.
- Act as liaison and/or conduit for operators/industry and other stakeholders in the OTs.
- To develop the principles of SMS in the OTs to promote a positive safety culture in all areas of aviation activity.

- To develop fully functioning Safety Oversight Management Systems (SOMS) in the OTs ensuring that OTAAAs are both fit for purpose and efficient.
- To develop direction or guidance to OTs that will further their success in obtaining or sustaining autonomous self-regulation.

#### **4.8 Agreement on service provider's acceptable levels of safety**

- 4.8.1 TCICAA is establishing a policy for assessing the safety risk and determining an acceptable level of safety performance for the service providers. Including reviews to each service provider's audit findings, ramp checks, occurrence reports and any enforcement action history. International and local incident safety data are regularly reviewed and shared at the SOMSCOM meetings.

The TCICAA has not, at this time, established an acceptable level of safety that is applicable to service providers in the operation of their SMS. The ongoing SMS evaluation by TCICAA allows assessment of service providers' management of risk to ensure it is effective.

#### **4.9 Periodic Assessment of the Product or Service Provider's SMS**

- 4.9.1 The TCICAA has required all Operators, Continuing Airworthiness and Maintenance Organisations, Air Navigation Service Providers (ANSPs), and Aerodrome Operators, to establish a SMS. TCICAA has focused substantial resources on ensuring service providers implement an effective SMS. This is in the form of guidance material and periodic SMS assessments.
- 4.9.2 TCICAA is regularly reviewing the relevance of all guidance material and the assessment tool to ensure alignment with ICAO Annex 19 and related guidance material. However, it is important to note that this SMS oversight is in addition to elements of compliance and safety performance monitoring.

## CHAPTER 5 – TCICAA Safety Assurance

### 5.1 Safety Oversight

Safety oversight based on an SMS approach relies on a mutual responsibility and accountability philosophy rather than on a prescriptive approach aimed exclusively at regulatory compliance. This increases the responsibility of service providers that have daily control over maintaining a safe operational environment, focusing on safety throughout the structures, policies and procedures of the organisation.

However, the TCICAA continue to play a fundamental role in quality assurance of the safety system of The Turks and Caicos Islands. This includes certification, safety oversight, as well as the collection, analysis and exchange of data.

#### 5.1.1 Certification Approval and Licensing System

The Turks and Caicos Islands has established an authorisation scheme for safety-critical activities that involves the granting by TCICAA of licenses, certifications, authorisations and/or approvals to industry personnel, air service operators, service providers, and aerodromes.

There are a number of processes employed to issue certificates, approvals, permissions and licences. These are either issued by the TCICAA or validated by the TCICAA, based on the issue of such documents by another competent National Aviation Authority. These processes may include inspections and examinations. A number include time based re-certification and relicensing criteria.

5.1.2 The following regulations cover certification approval and licensing:

- OTAR 21 Certification of Aircraft
- OTAR 36 Aircraft Environmental Standards
- OTAR 61 Pilot Licences and Ratings
- OTAR 63 Flight Engineer Licences and Ratings
- OTAR 65 Air Traffic Service Personnel Licences, Ratings and Training Organisations
- OTAR 66 Aircraft Maintenance Personnel Licensing
- OTAR 67 Medical Standards and Recognition of Medical Examiners
- OTAR 92 Carriage of Dangerous Goods
- OTAR 119 Air Operator Certificate
- OTAR 121 Commercial Air Transport Operations – Large Aeroplanes
- OTAR 135 Commercial Air Transport Operations – Helicopters and Small Aeroplanes
- OTAR 139 Certification of Aerodromes
- OTAR 140 Rescue and Fire Fighting Services (linked to aerodrome certificate)
- OTAR 145 Aircraft Maintenance Organisation Approval
- OTAR 171 Aeronautical Telecommunication Services
- OTAR 172 Air Traffic Service Organisation Requirements
- OTAR 173 Flight Checking Organisation Approval

- OTAR 174 Meteorological Services
- OTAR 175 Aeronautical Information Services
- OTAR 176 Instrument Flight Procedures Approval
- OTAR 178 Aviation Security (linked to aerodrome certificate or AOC)

5.1.3 The respective OTACs provide guidance, application information and examples for service providers.

## 5.2 Safety Oversight of Product and Service Providers

5.2.1 Oversight is the mechanism whereby TCICAA monitors the safety status and the level of maturity of authorisation holders. The main objective of oversight is to determine whether an authorisation holder is complying with its obligations under the Civil Aviation Act 1949 (Overseas Territories) Order 1969 and the regulations.

5.2.2 The TCICAA oversight components include:

- trained and skilled technical personnel, with specific training in SMS;
- procedures and documented guidance material for acceptance and oversight of the associated safety processes;
- licensing, certification, authorisation and approval; and
- oversight activities, including scheduled and unscheduled audits and inspections, data collection and exchange, analysis, work flow management, and information management.

5.2.3 Within some areas, expertise is pooled across the UK OTs via the Pool of Experts (PoE) mechanism. The PoE can be used to provide additional resources and oversight where required. Each expert is sponsored by an OT Regulator with specified functions, records of competency, scope of expertise and any records of work.

5.2.4 Ramp checks of foreign aircraft are conducted by airworthiness and flight operations. Although not part of the process, the ramp checks are based upon the Safety Assessment of Foreign Aircraft (SAFA) process established by the European Civil Aviation Conference (ECAC). In some Territories, the Governor has delegated limited functions to local officials to enable ramp checking of documentation carried on board by foreign operators.

5.2.4 Any regulatory shortcomings are generally dealt with by the low end of the enforcement procedure that includes audit processes, but not necessarily exclusively through audit. To facilitate advice, best practice and guidance, an audit may include observations where something may have the potential to develop into a non-compliance or issue. An audit level 2 finding is any non-conformity which requires satisfactory correction within 90 days. An audit level 1 non-conformity identifies a hazard to flight safety and requires urgent attention with satisfactory corrective action within 7 days.

5.2.5 The enforcement process provides a structured escalation that includes the following:

- prevention of flight
- formal meetings
- warning letters
- 'on notice' status

- suspension or revocation of any approvals or certificates

In extreme circumstances, prosecution may be appropriate.

### **5.3 Internal SSP Review/ Quality Assurance**

- 5.3.1 Whilst the focus is still on developing the SSP based on Annex 19 and the ICAO Doc 9859 Safety Management Manual, the gap analysis conducted to create the implementation plan has been the basis for our initial focus and is periodically reviewed. This analysis, based on work conducted at the OTSPC, is shared with other members of the OTSPC. The aims and objectives derived from the plan are under regular review.
- 5.3.2 The TCICAA has established a Quality Management System Manual which defines how the Authority will achieve the quality objectives and describes the quality standards and procedures. An internal quality audit of each functional area is conducted annually in accordance with the procedures outlined in the manual.
- 5.3.3 Performance indicators of the TCICAA and its service providers are currently under development. This development step is captured in the SSP implementation plan.

### **5.4 Occurrence Reporting System**

- 5.4.1 AN(OT)O article 175 establishes the requirement for Mandatory Occurrence Reporting (MOR) and OTAR Part 13 and its OTAC provides further detail. The sole objective of occurrence reporting is the prevention of accidents and incidents and not to attribute liability or blame.
- 5.4.2 Submitted Mandatory Occurrence Reports (MORs) are entered into the TCICAA Centrik system. This software acts as the safety data collection, sharing and processing system (SDCPS).
- 5.4.3 The European Coordination Centre for Accident and Incident Reporting System (ECCAIRS) software will soon allow service providers the opportunity to access data to conduct their own safety analysis. The relatively small number of MORs contributed from the UK OTs still provide potentially valuable data to the overall UK dataset and will allow the UK OT service providers access to a larger dataset. This provides many benefits for smaller scale service providers both within the UK OTs and UK. For example, both have small lifeline island service provider operations with similar aircraft types and challenges. These operations will be able to share safety data across their operations from all around the world.
- 5.4.4 TCICAA regulatory Inspectors have established their own oversight procedures, reflecting the oversight requirements of the relevant OTARs, and these are described in detail in the various CAA internal Technical Procedures Manuals.

The CAA has a system for addressing identified safety-related shortcomings through audit/inspection findings. These are recorded in order of priority with the most severe Level 1 finding

being made where the CAA determines that the nature of the deficiency or noncompliance is to the extent that there is a significant risk to aviation safety.

Such a finding will result in some form of immediate regulatory action, usually a requirement for rectification within a very limited timeframe. In addition, may also require such action as the suspension of an approval or the prevention of an aircraft from flying or, other form of restriction.

A finding with a less severe level e.g., Level 2 allows for a more extended timeframe.

## **5.5 Safety Data Collection, Analysis and Exchange (Safety Intelligence)**

- 5.5.1 The aviation safety occurrence reporting process in the Turks and Caicos Islands is the Mandatory Occurrence Reporting Scheme (MORS). In addition to MORS, there are individual reporting arrangements for aircraft accidents and serious incidents. The TCICAA complies with the AN(OT)O Article 174 which establishes the requirement for mandatory occurrence reporting and OTAR Part 13 with its associated OTAC which provides further details. MOR data is currently entered into the TCICAA Centrik system, which may be accessed through the TCICAA website.
- 5.5.2 All occurrence reports are processed and tracked by the Safety Development Officer until such time as they may be closed. If an occurrence report of a serious or unusual nature occurs, it will be investigated and outcomes discussed at the MOR Meetings and the Technical Assurance Meetings.
- 5.5.3 ASSI/TCICAA functional specialist have established oversight procedures which are described in detail in the various TCICAA technical oversight manuals. TCICAA staff follow up to ensure that any findings are rectified and to determine root cause to ensure that any system deficiencies are also resolved. TCICAA has established a number of initiatives to enable it to determine trends and manage safety performance.
- 5.5.4 The TCICAA encourages voluntary reporting of incidents through the occurrence reporting process. There is no process differentiation between mandatory and voluntary reports. While potential safety deficiencies or hazards are not required to be reported in a mandatory safety report, the TCICAA encourages the reporting of potential safety deficiencies or hazards that could affect aviation safety through the MORs as well.

## **5.6 MOR Meetings**

- 5.6.1 The TCICAA has established monthly MOR meetings focused on Occurrence Reports, discussing the importance of MORs, and the review of MOR technical data assigned to the respective technical departments. Inclusive of documentation, root cause analysis and further evidence which will be used in lessons learnt and/or aviation safety improvements to the TCI aviation industry.

## **5.7 Safety Data Driven Risk-Based Targeting of Oversight**

- 5.7.1 SSP recognises the need to make the transition to a systems-based approach to safety oversight, together with risk-based surveillance (RBS). This change puts more responsibility on service

providers and changes the way in which the TCICAA performs safety oversight and monitoring functions.

- 5.6.2. This approach has already been established to some degree for aircraft operations and will eventually be established for all of TCICAA's oversight programme. All inspection outputs will be assessed and safety risk determined for all operators. The safety oversight programme will then be developed based on the safety risk. Prior to implementing these changes a hazard analysis and risk assessment will be completed.

## **5.7 TCICAA Safety Indicators**

- 5.7.1 The establishment of performance indicators that would provide a reference point for SSP measurement is ongoing. As SMS reporting improves and continues, over time, it should accumulate enough data for reliable performance indicators to be produced.

- 5.7.2 The measurement and monitoring of safety performance are the means used for describing and assessing the safety performance of the aviation system of the Turks and Caicos Islands. The analysis of safety data and information can help identify emerging risk areas. This information is used for communicating decisions concerning the implementation of the appropriate safety measures and the subsequent assessment of their effectiveness.

- 5.7.3 The Turks and Caicos Islands will classify its safety performance indicators (SPIs) into lagging indicators and leading indicators.

### **5.7.4 Lagging indicators**

These indicators measure past occurrences, and the State and the service providers try to avoid negative results. These indicators are used for monitoring aviation safety performance of the State. Within the framework of lagging indicators, the Turks and Caicos Islands will identify low probability/high severity indicators and high probability/low severity indicators, the latter known as "precursor event" indicators.

Identified low probability/high severity indicators (accidents, serious incidents) are measurements of adverse safety results, according to operating sector and the level of activity (exposure) in that sector.

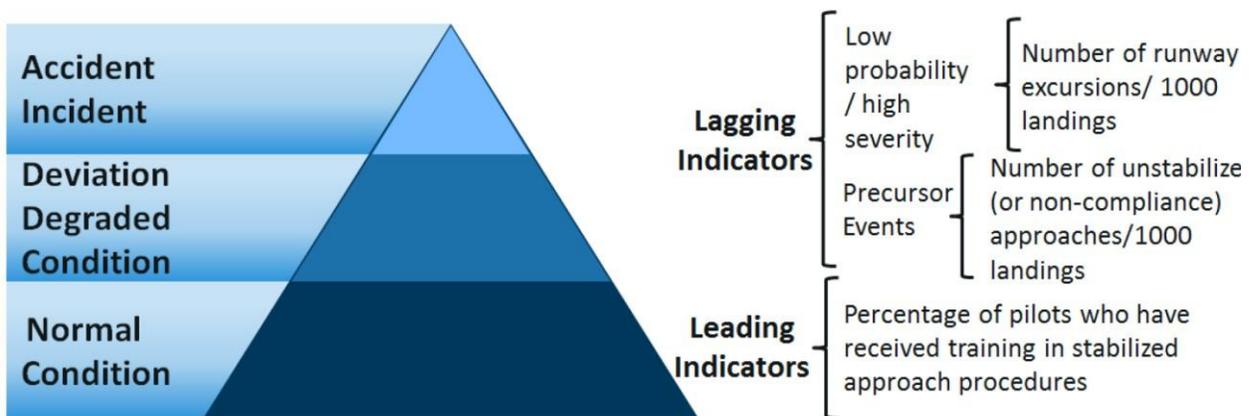
High probability/low severity indicators or "precursor" indicators are results that do not necessarily manifest themselves in an accident or serious incident. The Turks and Caicos Islands will use high probability/low severity SPIs mainly for monitoring specific safety issues and measuring the effectiveness of existing safety risk mitigation measures.

### **5.7.7 Leading indicators**

These indicators are measurements that focus on the processes and inputs implemented to enhance or maintain safety. These are also known as "activity or process SPIs", since they oversee and measure the conditions that could cause or contribute to a specific result.

Examples of leading SPIs that promote the development of organisational skills for proactive safety management include: percentage of personnel that have successfully completed safety training on a timely basis, or percentage of timely execution of the agreed mitigation actions.

- 5.7.8 For a more precise and useful indication of safety performance, the Turks and Caicos Islands will identify a set of lagging and leading indicators. This provides a more complete and realistic image of safety performance of the State.
- 5.7.9 In order to define its indicators, the Turks and Caicos Islands will establish a clear link amongst the low probability/high severity lagging SPIs, the precursor events (high probability/low severity) and the leading SPIs. Likewise, the Turks and Caicos Islands will define the low probability/high severity lagging SPIs prior to determining the precursor SPIs or the leading SPIs. The definition of a precursor SPI (high probability/low severity indicator) in relation to a more serious occurrence or condition (low probability/high severity indicator) ensures a clear correlation between the two.
- 5.7.10 The framework for determining its safety performance indicators is described in the figure below.



#### 5.7.11 Acceptable level of safety performance (ALoSP)

In order to determine and update the ALoSP of the Turks and Caicos Islands, the effectiveness of the following four components will be taken into account:

- SSP implementation by the State;
- SMS implementation by service providers;
- safety risk management in the aviation system of the State and the associated safety performance indicators; and
- implementation by the State of the standards and recommended practices (SARPs) of the Annexes to the Convention on International Civil Aviation.

The Turks and Caicos Islands will review each of these elements through its aviation safety system.

## 5.8 Quality Assurance Audits

- 5.8.1 TCICAA has established a Quality Management System Manual which defines how TCICAA intends to ensure quality objectives through internal quality audits. The internal audit process is an important part of TCICAA's commitment to the quality and integrity of its operating practices and procedures and shall be afforded the highest priority by all staff members.

There are two types of internal audits performed within TCICAA, namely, departmental quality audits and internal technical audits. Departmental quality audits are carried out for local management to assess compliance with published procedures and processes. The internal technical audits are carried out to assess the regulatory oversight within each functional discipline within TCICAA and are conducted in accordance with the terms of reference produced for each individual internal technical audit.

These audits are conducted in accordance with the annual audit plan which is produced by the Quality Manager through liaison and coordination with staff members and promulgated in April each year.

Company Operating Procedure (COP) 07 "Internal Auditing" specifies that "Internal audits shall be carried out at the discretion of the QMS Manager on a routine basis but not less than once per year to establish continued compliance with the Quality Management System."

A full report is produced for each audit conducted, including any CPARs raised, and submitted to the MD within one month of the audit. These reports are likewise distributed to Senior Management in accordance with COP 12. Audit findings are recorded and tracked according to COPs 07 and 08.

## 5.9 External SSP Review/Audit

- 5.9.1 ASSI conducts assessments of each OTAA as part of programme which covers approximately a two-year period. The scope and areas assessed depends to a large extent on the scale of the responsibilities of the individual OTAA and the scale and complexity of the industry that it regulates. The objective of the audit is to determine whether that Territory is complying with the United Kingdom's obligations under the Chicago Convention; on the standard of aviation safety regulation; on the adequacy of the resources employed; and on any remedial measures that may be necessary.

## CHAPTER 6 – TCICAA Aviation Safety Promotion

### 6.1 Internal training, communication and dissemination of safety information

#### 6.1.1 Internal training

- 6.1.1.1. TCICAA has developed a training policy to ensure that it supports its staff in achieving and maintaining competency levels as prescribed by local, regional and international aviation authorities. The purpose of this policy is to provide guidelines in the management and administration of training opportunities for TCICAA staff. The starting point for any such training shall be the TCICAA Regulatory Competency Profiles. These profiles provide the basis on which performance is assessed and training needs identified and implemented.

An employee's development and training needs are considered during the annual performance management review.

ASSI also provides a portion of the OT technical training.

- 6.1.1.2. TCICAA has implemented a training programme and plan for all its personnel, with special emphasis on the technical training of safety personnel, including SMS oversight. The training programme of TCICAA for its safety personnel comprises initial, on-the-job, recurrent, and specialised training. This includes a comprehensive induction programme for newly hired inspection personnel, covering generic training in human resource management, audits, systems and tools, regulatory environment, SSP and SMS.

#### 6.1.3 Internal communication and dissemination of safety information

- 6.1.3.1. Concerning the internal communication of safety related information, a key element of this process is the SOMSCOM that is being established. All significant safety reports and issues are to be reviewed by SOMSCOM such as SMS assessments, compliance audits, hazard reports, safety investigations, risk assessments, VORs and MORs requiring follow-up.

### 6.2. External training, communication and dissemination of safety information

- 6.2.1.1. ASSI provides training throughout the year for OT staff. The TCICAA regularly passes on invitations to industry to attend and participate.
- 6.2.1.2. The TCICAA communicates with stakeholders in a number of ways. The TCICAA Safety Plan describes in more detail the Turks and Caicos Islands safety objectives and outlines the MDCAA's programme of work to achieve continuous safety improvement over the years to come.
- 6.2.1.3. The CAA participates in consultative committees that involve representatives of various sectors of the aviation industry. Examples of these committees include, the Aerodrome Meeting, the Air Operators' Committee, the Airside Safety Committee and the Airport Emergency Services Committee.

- 6.2.4 The CAA also publishes guidance material to support regulatory action. Under Annex 15 to the Chicago Convention and as required by the AN(OT)O, the TCI through delegation and designation has provided for the publication of the TCI AIP. The AIP is part of an Integrated Aeronautical Information Package which consists of the AIP, AIP Supplements, AIC, NOTAMs, Pre-flight Information Bulletins and Checklists.
- 6.2.5 In addition, the TCICAA aims to publish on its website documents such as Letters to Operators and Airworthiness Information to convey safety information to stakeholders. Individual operators will also be contacted directly.
- 6.2.6 ASSI issues an Overseas Territories Safety Bulletin on-line. It aims to provide topics, along with sources of information, for safety meetings, safety development and safety training discussions. It further aims to provide practical guidance on elements of safety management, current safety issues that may affect the aviation community within the UK Overseas Territories (OTs) and information on ASSI and the Overseas Territories Aviation Authorities.

## Chapter 7 Summary

### 7.1 Summary

- 7.1.1 The TCICAA is committed to continuously improving the State Safety Programme. This document is a live document and will be periodically reviewed and updated under the direction and supervision of the SSP Coordination Committee, as this evolves. Many of the gaps identified within the ICAO SSP analysis conducted in 2013 have already been addressed (see appendix A), others are either underway, or are planned for the future.
- 7.1.2 As service providers may have to revise and adapt their SMS processes to make them more efficient there may be times where this may occur with this SSP. Where this is the case, ASSI will look to do this.
- 7.1.3 The TCI SSP is by nature a living document which remains under continuous improvement and thus will be subject to amendments and updates as warranted and appropriate. TCICAA therefore welcomes questions, comments, contributions and suggestions from industry or other regulatory bodies. These should be addressed to <http://www.tcicaa.org>

## APPENDIX A

### Reference documents

1. The Air Navigation (Overseas Territories) Order 2013
2. The Air Navigation (Overseas Territories) (Amendment) Order 2014
3. The Air Navigation (Overseas Territories) (Amendment) Order 2015
4. The Air Navigation (Overseas Territories) (Amendment) (No. 2) Order 2014
5. Overseas Territories Safety Bulletin, Issues 1-13
6. ASSI POLICY STATEMENT 47 | Enforcement
7. ICAO Annex 19
8. ICAO State Letter Ref. AN 12/51-07/74 dated 7 December 2007, Subject: Proposal for the amendment of Annex 1, Annex 6, Parts I and III, Annex 8, Annex 11, Annex 13 and Annex 14, Volume I, to harmonize and extend provisions relating to safety management.
9. ICAO Doc. 9859, AN/460 Safety Management Manual, Four Edition 2018.
10. ICAO Guidance on the Development of a State's Safety Programme Gap Analysis.
11. ICAO Doc 9734, AN/959 Safety Oversight Manual, Part A – The Establishment and Management of a State's Safety Oversight System, Second Edition – 2006.
12. State Safety Programme for the UK Overseas Territories, Air Safety Support International Limited, First Published – 2007.

## APPENDIX B

### TCI SAFETY POLICY STATEMENT

The Turks and Caicos Islands Civil Aviation Authority (TCICAA) diligently promotes and regulates aviation safety in the Turks and Caicos Islands (TCI). We are committed to the development and implementation of robust strategies, regulatory framework, and processes to ensure that the aviation activities regulated via the authority's oversight meet the highest practicable level of safety performance.

To this end the TCICAA will:

1. Comply with all applicable regulatory requirements.
2. Ensure a healthy and safe working environment for all TCICAA staff.
3. Equip the TCICAA staff with the skills, expertise and resources to proficiently fulfill their safety oversight and management responsibilities.
4. Deliver an effective regulatory programme that meets TCI obligations to international oversight and management responsibilities.
5. Implement a sound data-driven and performance-based safety oversight programme.
6. Foster safety reporting and promote a just safety culture throughout the TCI aviation industry.
7. Actively identify safety trends in the TCI aviation industry and utilize a proactive risk-based approach to mitigation actions.
8. Continuously control and measure the safety performance of the aviation system through the safety performance indicators of service providers and the development of key safety performance indicators specific to the TCICAA.
9. Promote the collection, analysis and exchange of safety information solely for the purpose of safety management.
10. Consult and collaborate with the aviation industry to address safety issues and enhance aviation safety.



Peter Forbes

Managing Director

## APPENDIX C

### POLICY STATEMENT 47 | Enforcement

UNCONTROLLED DOCUMENT WHEN PRINTED

**Effective date of Implementation:** 06/07/2015 **ASSI**

**File Reference:** UK/X/J/86/02 – Policy Statements

#### **Rationale:**

Basic legislative enforcement provisions have in some cases been concerned with imposing penalties for violations within the service provider or by the regulator. In an SSP-SMS environment, it is intended that enforcement policies and procedures, of both the individual service provider and regulator, take account of the actual conditions and circumstances surrounding a violation or act of non-conformance. The intent is to ensure that a distinction is made between an unintentional error or mistake and a deliberate or gross violation.

Service providers are expected to have an acceptable process in place to manage their own routine safety and quality non-conformances. Regulatory intervention can be expected under certain conditions and circumstances in which the designated regulator will actively investigate a particular violation or non-conformance.

This enforcement policy is aimed at promoting compliance with aviation safety regulations and requirements through enforcement functions in an equitable manner designed to support the implementation of SMS. The policy and related procedures allow service providers to deal with, and resolve, certain events internally to the satisfaction of the regulator, within the context of a service provider's SMS. This approach aims to nurture and sustain effective safety reporting, whereby service providers' employees can report safety deficiencies and hazards without fear of punitive action. A service provider can therefore, without apportioning blame and without fear of enforcement action, analyse the event and the organisational or individual factors that may have led to it, in order to incorporate remedial measures that will best help prevent recurrence. Intentional contraventions of legislation and related Overseas Territories Aviation Requirements (OTARs) will be investigated and may be subject to conventional enforcement

action where appropriate, with due consideration to distinguishing between unintentional errors or non-compliances and premeditated violations.

For the purposes of this policy, service providers are holders of certificates, approvals, permissions, authorisations or similar documents issued under the Order.

### **Policy Statements:**

1. Information derived from safety data collection and processing systems established under an SMS relating to reports classified as confidential, voluntary or equivalent shall not normally be used as the basis for enforcement action.
2. When a service provider, operating under an SMS, unintentionally contravenes the requirements, the regulator will engage in dialogue with the organisation. The objective is to agree on proposed corrective measures and an action plan that adequately addresses the deficiencies that led to the contravention and to afford the service provider a reasonable time dependent on the risks to safety to implement them.
3. If the regulator considers the corrective measures proposed satisfactory, likely to prevent recurrence and foster future compliance, there will be no further enforcement action by the regulator. Where either the corrective measures or the systems in place are considered inappropriate, the regulator will continue to interact with the service provider to find a satisfactory resolution that would negate the need for enforcement action. However, in Air Safety Support International Issue 1.00 6 July 2015 Policy Statement 47 Page 2 of 2 cases where the service provider refuses or is unable to engage with the regulator, to address the event and to provide effective corrective measures, the regulator will consider taking enforcement action as deemed appropriate.
4. Breaches of requirements may occur for many different reasons, ranging from a genuine misunderstanding of the regulations to disregard for aviation safety.
5. Enforcement decisions must be proportional to the identified breaches and the underlying safety risks, based on the following principles:
  - a) action will be taken against those who deliberately or consistently operate outside the requirements;

- b) the regulator will seek to educate and promote training or supervision of those who show commitment to resolving safety deficiencies; and
  - c) the regulator will give due and equitable consideration to distinguish unintentional errors or non-compliances from premeditated violations.
6. Enforcement actions may include:
- a) counselling;
  - b) remedial training;
  - c) variation, suspension or revocation of a certificate, approval or authorisation; or
  - d) prosecution as provided for in the applicable legislation.
7. Enforcement decisions must not be influenced by:
- a) personal conflict;
  - b) personal gain;
  - c) considerations such as gender, sexual orientation, race, religion, political views or affiliation; or
  - d) personal, political or financial power of those involved.
8. Enforcement decisions must:
- a) be fair and follow due process;
  - b) be transparent to those involved;
  - c) take into account the circumstances of the case and the attitude and actions of the service provider or individual when considering action;
  - d) be consistent actions or decisions for like or similar circumstances; and
  - e) be subject to appropriate internal review.

## APPENDIX D

### TCICAA State Safety Programme Aims and Objectives

The Turks and Caicos Islands Civil Aviation Authority aspires towards the highest level of safety that is practicable within the TCI civil aviation system. The TCICAA sees its role of regulatory oversight as critical to this achievement. To that end it has set several objectives, all of which have been progress to varying degrees.

The full list of objectives are as follows:

**Objective 1:** To enhance the managerial, technical and administrative capacity of the TCICAA

- Capacity building
- Restructuring

**Objective 2:** To improve the TCICAA management system

- Enhance Centrik
- Review/update Management systems/procedures as determined following Centrik implementation and review

**Objective 3:** Improve Occurrence reporting and administration

- MOR reporting facilitated/enhanced via available Centrik module
- Communication with industry
- Revised internal processes
- Promote just culture within Service Provider organisations

**Objective 4:** To achieve greater institutionalization of the TCI SSP within the TCICAA

- Continuous sensitization
- Complete SPI agreement
- Practical application

**Objective 5:** Progress risk-based oversight and operation within CAA and industry

- Continuous update of risk assessments
- Awareness of relationship of risk to activities
- Application of risk-based oversight
- Continuous review

# APPENDIX E

## Turks and Caicos Islands Civil Aviation Authority Designation / Responsibility

