



THE CAYMAN ISLANDS

STATE SAFETY PROGRAMME

Issue 4.0

26 November 2023

Review Date: 01 November 2024

Intentionally Blank

Record of Amendments

Issue	Date	Notes
V 0.1	31 December 2015	First draft
V 0.2	04 January 2016	Second draft
V 0.3	10 January 2016	Third draft – for consultation
V 1.0	22 February 2017	First Issue
V 2.0	28 February 2019	Review and update of gap analysis
V 3.0	31 August 2021	Review to include reformatting of the document, Air Accident 2019 regulations, identification of ALoSP and review update of the gap-analysis and work plan going forward.
V 4.0	26 November 2023	Update to include: Developing a specific CI SSP, Brexit, The new Sovereign, Inclusion of Ground Handling and DG, Removal of the Gap-analysis to be retained for internal monitoring), Removal of the Gap-analysis work plan (to be included in the NASP).

Amendments in the latest version are identified by a black side line in the margin adjacent to the revised text.

Abbreviations and Definitions

Abbreviations

The following abbreviations and associated meanings apply throughout this document:

AAIB	Air Accidents Investigation Branch
ALoSP	Acceptable Level of Safety Performance
ANO	Air Navigation Order
AN(OT)O	Air Navigation (Overseas Territories) Order
ASSI	Air Safety Support International Limited
CAA	Civil Aviation Authority (UK)
CD	UK Crown Dependency
CHIRP	Confidential Human Factors Incident Reporting Programme
DGCA	Director-General of Civil Aviation
DfT	Department for Transport (UK)
Doc	Document
EASA	European Union Aviation Safety Agency
ECCAIRS	European Coordination Centre for Accident and Incident Reporting System
FCDO	Foreign, Commonwealth and development Office (UK)
GH	Ground Handling
ICAO	International Civil Aviation Organisation
HF	Human Factors
HM	Her Majesty
IATA	International Air Transport Association
iaw	In Accordance With
IBIS	ICAO Bird Strike Information System
IT	Information Technology
iSTARS	Integrated Safety Trend Analysis and Reporting System
LoA	Letter of Agreement
MOR	Mandatory Occurrence Report
MoU	Memoranda of Understanding
NASP	National Aviation Safety Plan
OTs	Overseas Territories
OTAA	Overseas Territories Aviation Authorities
OTAC	Overseas Territories Aviation Circular
OTAR	Overseas Territories Aviation Requirement
OTSPC	Overseas Territories Safety Performance Council

PBO	Performance Based Oversight
PBN	Performance Based Navigation
PBR	Performance Based Regulation
POE	Pool of Experts
QMS	Quality Management System
SA	Safety Assurance
SAFA	Safety Assessment of Foreign Aircraft
SAR	Search and Rescue
SARPs	ICAO Standards and Recommended Practices
SIRC	SSP Implementation and Review Committee
SMS	Safety Management System
SPI	Safety Performance Indicator
SPT	Safety Performance Target
SRM	Safety Risk Management
SSP	State's Safety Programme
UK	United Kingdom
UKBSC	UK Birdstrike Committee
USOAP	ICAO Universal Safety Oversight Audit Programme

Definitions:

The following definitions apply to the identified terms used in this document:

Acceptable Level of Safety Performance (ALoSP)

The level of safety performance agreed by State authorities to be achieved for the civil aviation system in a State, as defined in its State Safety Programme, expressed in terms of safety performance targets and safety performance indicators. (ICAO Doc 9859)

Cayman Islands Aviation Industry

A term used to identify the totality of the Cayman Islands Aviation Industry including its airports and air navigation systems, its commercial air transport and general aviation operators, off-shore based operators of Cayman Islands registered aircraft and associated supporting organisations which hold an approval issued by the Authority.

Concept of Safety

Safety is the state in which the possibility of harm to persons or property damage is reduced to, and maintained at or below, an acceptable level through a continuing process of hazard identification and risk management. (ICAO Doc 9859)

National Aviation Safety Plan

The national aviation safety plan (NASP) is the master planning document containing the strategic direction of a State for the management of aviation safety for a set period. This plan lists national safety issues, sets national aviation safety goals and targets, and presents a series of safety enhancement initiatives (SEIs) to address identified safety deficiencies and achieve the national safety goals and targets. (ICAO Doc 10131)

Safety Management System

A systematic approach to managing safety, including the necessary organisational structures, accountabilities, policies and procedures. (ICAO Doc 9859)

Safety Objective

A brief, high-level statement of safety achievement or desired outcome to be accomplished by the State Safety Programme or service providers' safety management system.

Note: Safety Objectives are developed from the organisation's top safety risks and should be taken into consideration during subsequent development of safety performance indicators and targets. (ICAO Doc 9859)

Safety Performance Indicators

A Safety Performance Indicator (SPI) is defined by ICAO as a measure (or metric) used to express the level of safety performance achieved in a system. (ICAO Doc 9859)

SPIs are used to assess operational safety performance through monitoring. They are generally expressed in terms of the frequency of occurrences of some event causing harm, e.g., the number of fatal aircraft accidents per year or serious incidents per 10,000 flight hours. A set of indicators should also include leading indicators. These indicators do not require a safety event to take place and are metrics that provide information on the current situation that may affect future performance.

The ICAO Safety Management Manual further states that there is no single SPI indicator that is appropriate in all circumstances. The indicator must be chosen so that it matches the application in which it will be used to achieve meaningful evaluation. SPIs chosen to express global, regional and national targets will, in general, not be appropriate to individual organisations.

Safety Performance Target.

The State or service provider's planned or intended target for a safety performance indicator over a given period that aligns with the safety objectives. (ICAO Doc 9859)

Service Provider

The term is used to refer to an aviation industry organization implementing SMS whether on a mandatory or voluntary basis, unlike Annex 19 which uses the term to refer to a very specific list of organizations found in Chapter 3, which excludes international general aviation operators. (ICAO Doc 9859)

State Safety Programme

State Safety Programme is an integrated set of regulations and activities aimed at improving safety. It is a management system for the administration of safety by the State which provides:

- i) a platform for the State to apply the two basic safety management principles throughout its civil aviation organizations – Safety Risk Management (SRM) – Safety Assurance (SA);
- ii) a framework that allows the State safety oversight authority and service providers to interact more effectively in the resolution of safety concerns.

CONTENT	PAGE
Record of Amendment	3
Abbreviations and Definitions	4
Definitions	6
Table of Contents	8
Foreward	11
Overview	12
Chapter 1 United Kingdom Overseas Territories Aviation Legislative Structure	13
1.1 Introduction	13
1.2 United Kingdom Overseas Territories	13
1.3 The United Kingdom Overseas Territories Constitutional Relationships for the Implementation of the Convention	14
1.4 Primary Elements of the Aviation Legislative and Regulatory Structure in the Overseas Territories	15
1.4.1 The Privy Council	15
1.4.2 Orders in Council	15
1.4.3 The Air Navigation (Overseas Territories) Order	15
1.4.4 The UK Department for Transport (DfT)	16
1.4.5 Air Safety Support International (ASSI)	16
Chapter 2 United Kingdom Overseas Territories Aviation Regulatory Structure	17
2.1 State Safety Legislative Framework	17
2.2 Primary Legislation - Civil Aviation Act 1949 (Overseas Territories) Order 1969	18
2.3 Subsidiary Legislation - Air Navigation (Overseas Territories) Order AN(OT)O	19
2.4 Operating Regulations/Requirements - Overseas Territories Aviation Requirements (OTARs)	19
2.5 Industry Guidance Material - Overseas Territories Aviation Circulars (OTACs)	20
Chapter 3 Regulatory Authority and Responsibilities	21
3.1 Road Map to the Provision of Safety Oversight in the UK OTs	21
3.2 The UK Department for Transport Responsibilities	22
3.3 The UK OT Governor's Responsibilities	22
3.4 The UK Civil Aviation Authority Responsibilities	22

CONTENT	PAGE
3.5 Air Safety Support International Responsibilities	22
3.5.1 Review of Regulations	23
3.6 The Civil Aviation Authority of the Cayman Islands Responsibilities	23
Chapter 4 Cayman Islands State Safety Programme	24
4.1 State Safety Programme Documentation and Records	23
4.2 Development of the Cayman Islands State Safety Programme	23
4.3 State Safety Programme Responsibilities and Resources	23
4.4 State Safety Programme Coordination Committee	23
4.5 State Safety Policy	24
4.6 State Acceptable Level of Safety	24
4.6.1 Cayman Islands State Acceptable Level of Safety	24
4.7 Achieving the Acceptable Level of Safety Performance	24
4.7.1 Cayman Islands State Safety Objectives	25
4.7.2 Achieving State Safety Objectives	25
4.7.3 Requirement for a Safety Management System	25
4.8 State Safety Programme Improvement/Review	27
4.9 State Accident and Incident Investigation	27
4.10 State Enforcement Policy	27
4.10.1 Prosecution	28
Chapter 5 Cayman Islands Safety Risk Management	29
5.1 Safety Requirements for the Service Provider SMS	29
5.2 Overseas Territories Aviation Requirements for an SMS	29
5.3 Agreement of the Service Provider's Safety Performance	30
5.4 Periodic Assessment of the Service providers SMS	30
Chapter 6 Cayman Islands State Safety Assurance	31
6.1 Certification Approval and Licensing System	31
6.1.1 Competent National Aviation Authority	31
6.2 Overseas Territories Aviation Requirements	31
6.3 Safety Oversight of Service Providers	32
6.3.1 Performance Based Oversight	32
6.3.2 Audit and Inspection	33
6.3.3 Additional Inspectoral Resources	34
6.3.4 Third-Party Audit Support for OTAR Part 125 Operations	34
6.3.5 Ramp Checks	34
6.3.6 Ground Handling	34
6.3.7 Dangerous Goods	34
6.3.8 Regulatory Non-Compliance	35
6.3.9 Enforcement	35

CONTENT	PAGE
6.4 Internal SSP Review/Quality Assurance	35
6.4.1 Quality Management	35
6.4.2 Safety Performance Indicators	36
6.5 External SSP Review/Audit	36
6.6 Safety Data Collection Analysis and Exchange	36
6.6.1 Cayman Islands Mandatory Occurrence Reporting	36
6.6.2 ECCAIRS	37
6.6.3 Bird Strike Reporting	37
6.7 Voluntary/Confidential Reporting System	37
6.7.1 Confidential Human-Factors Incident Reporting Programme	37
6.8 Safety Data-Driven Targeting of Oversight Areas of Greater Concern or Need	38
Chapter 7 Cayman Islands State Safety Promotion	39
7.1 Internal Training Communication and Dissemination of Safety Information	39
7.1.1 Internal SSP SMS and Safety Training	39
7.1.2 Internal Communication and Dissemination of Safety Information	39
7.2 External Training Communication and Dissemination of Safety Information	39
7.2.1 External SMS and SSP Training/Education Facilitation	39
7.2.2 External Communication & Dissemination of Safety Information	40
Chapter 8 Summary	41
Appendices	42
Appendix A Cayman Islands Safety Policy	43
Appendix B Overseas Territories Enforcement Policy	44
Appendix C Cayman Islands Civil Aviation Authority - Designations	47

Foreword

Annex 19 to the Chicago Convention (effective November 2013) 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 (UK) and the UK has established legislation as the basis for the regulation of civil aviation in the OTs.

Within the UK OTs, the Governor is the appointed representative of the Crown and has specific responsibilities for fulfilling the obligations of the UK as defined in the Convention on International Civil Aviation (the Convention). The UK has published the Air Navigation (Overseas Territory) Order 2013 (as amended) which enables the UK OTs to comply with the Convention, and its associated Annexes through the Office of the Governor.

The Governor discharges his responsibilities through the Director-General of Civil Aviation, who has been designated by the Governor for the implementation of all Annexes with the exception of Annex 9 – *Facilitation*, Annex 13 – *Aircraft Accident and Incident Investigation* and Annex 17 – *Security*.

Civil aviation activities across the UK OTs vary in both type and scale of operation. Although the OTs are not ICAO Contracting States in their own right, it is more practicable for each Territory to devise an SSP to address the safety needs of their individual civil aviation industries as part of the overall UK SSP. Therefore, the use of the word “State” in this document reflects the Cayman Islands responsibility for developing its own Safety Programme as part of the overall UKSSP

This document describes the Cayman Islands State Safety Programme (SSP) which enables the implementation of Annex 19 SARPs within its aviation industry as part of the UK’s State Safety Programme.

The Civil Aviation Authority of the Cayman Islands is intent on evolving and building its SSP to fully meet the requirement of Annex 19 and it will provide the necessary resources to support this activity.

The co-operation and involvement of the industry which it regulates is crucial to the development of an effective SSP and I would welcome any comments on this document which should be sent, for my attention, to civil.aviation@caacayman.com

Richard Smith
Director-General
Civil Aviation
26 November 2023

State Safety Programme Overview

The following paragraphs encapsulate the essence of a State Safety Programme (SSP).

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 continue to evolve alongside service providers’ Safety Management Systems (SMS).
2. The requirement for an SSP recognises that States, as well as service providers, have safety responsibilities and it provides a framework within which service providers are required to establish an SMS.
3. Currently, ICAO standards for an SSP are contained in Annex 19 (2nd Edition - 2016) effective 14th November 2013. Supporting information is contained in Doc 9859 (4th Edition - 2018) which identifies the component parts of an SSP as:
 - a) SSP Component 1 State Safety Policy, Objectives and Resources;
 - b) SSP Component 2 State Safety Risk Management;
 - c) SSP Component 3 State Safety Assurance;
 - d) SSP Component 4 State Safety Promotion.
4. Annex 19 requires that the Acceptable Level of Safety Performance (ALoSP) to be achieved is established by the State(s) concerned. The concept of establishing an ALoSP seeks 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 elements:
 - a) A Start Point;
 - b) Safety Performance Indicators (SPI);
 - c) An In-year Safety Performance Target (SPT);
 - d) Safety Requirements to achieve the target.
5. The Cayman Islands SSP has been developed using the material within ICAO Document 9859, specifically the SSP framework and guidance material, including the SSP gap analysis. Where appropriate, the headings proposed by ICAO in its framework SSP document have been adopted. However, to provide greater clarity, the Cayman Islands SSP has developed its own structure which includes all the required elements and takes the reader through a logical progression.
6. In this document, Chapter 1 and 2 provide an overview of the State’s legal and regulatory structures. Chapter 3 identifies the regulatory authorities and the associated responsibilities whilst Chapters 4-7 detail the Cayman Islands State Safety Programme.

CHAPTER 1 UNITED KINGDOM OVERSEAS TERRITORIES AVIATION LEGISLATIVE STRUCTURE

1.1 Introduction

The Overseas Territories (OTs) of the UK are not ICAO Contracting States in their own right. The use of the term “State” in this document reflects that the Cayman Islands is responsible for developing its own State Safety Programme as part of the overall UKSSP.

In the British Overseas Territories of Bermuda, Cayman Islands, Falkland Islands and the Turks and Caicos Islands the Director-Generals of Civil Aviation (DGCA) have been designated by the respective Governors with responsibilities for aviation safety oversight.

The responsibility for the oversight of aviation activity in the other OTs, Anguilla, British Virgin Islands, Monserrat and St Helena, is designated by the local Governors to Air Safety Support International (ASSI).

This chapter sets out the legislative structure which applies in all the UK OTs whether they are designated by the Governor to the DGCA or whether the designations are assigned to ASSI.

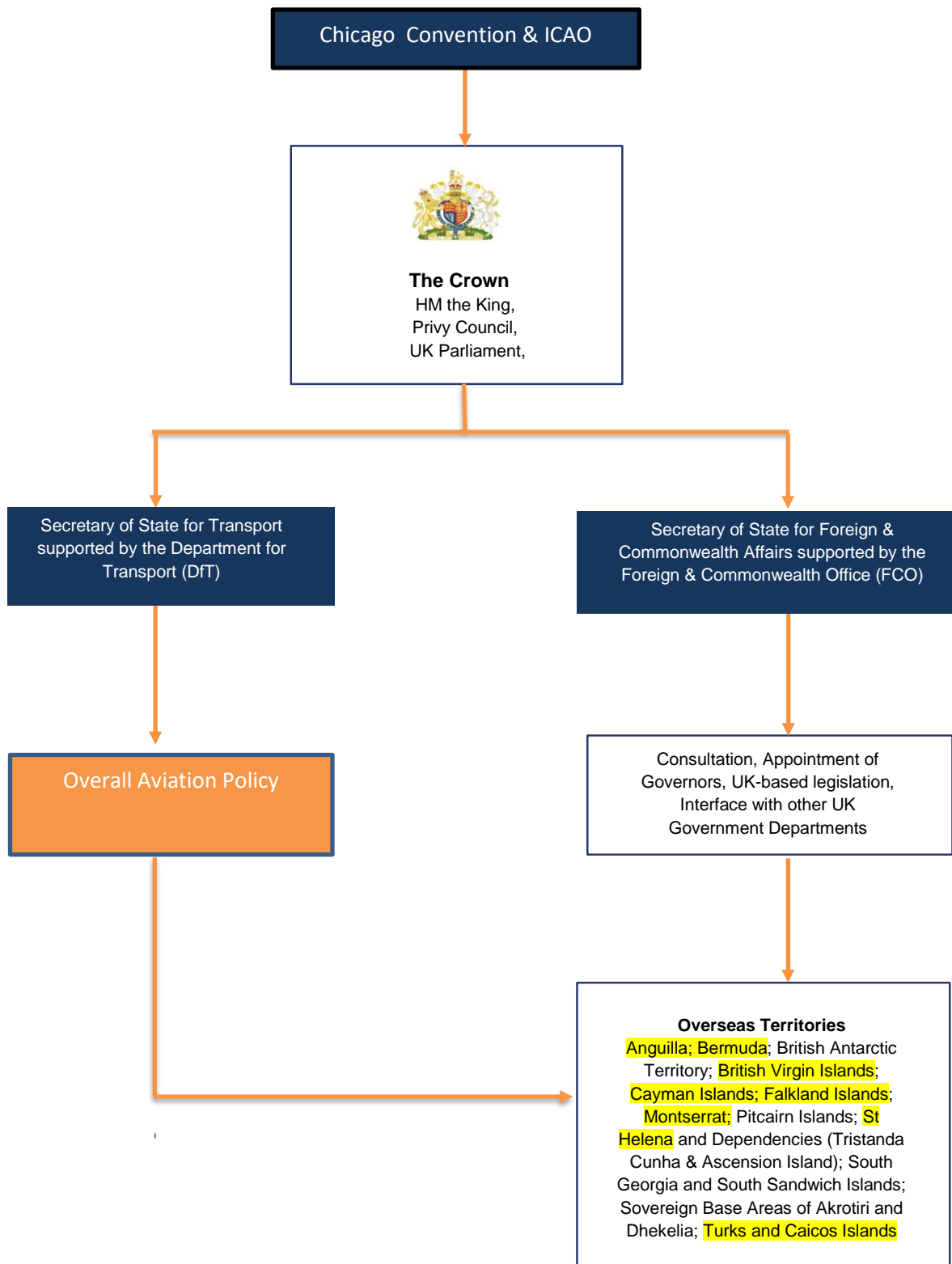
1.2. The United Kingdom Overseas Territories

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 (OTs) and the Crown Dependencies (CDs).

Currently, there are fourteen UK territories, which are constitutionally separate from the UK and benefit from individual constitutions made by a UK Order in Council. The UK remains responsible for its obligations under the Chicago Convention in respect of all civil aviation activities in both the UK(Main) and its territories, including the OTs.

As already identified, some of the OTs have been designated by the Governor with the responsibility for safety oversight, monitored by the UK, whilst in others the function is carried out by ASSI on behalf of the Governor. In either circumstance, the structure and the application of the legislative and regulatory process remains the same and is identified in Figure 1.3 on the following page.

1.3 The United Kingdom Overseas Territories Constitutional Relationship for the Implementation of the Chicago Convention



Only the Territories highlighted have civil aviation activity

1.4 Primary Elements of the Aviation Legislative and Regulatory Structure in the Overseas Territories

The UK discharges its responsibility under the Chicago Convention in respect of civil aviation in the OTs by developing and implementing a specific legislative and regulatory structure enacted and enabled through the following:

- a) The Privy Council;
- b) Orders in Council;
- c) Air Navigation (Overseas Territories) Order
- d) The UK Department for Transport;
- e) Air Safety Support International.

The functions of the above are as follows:

1.4.1 The Privy Council,

The Privy Council meets approximately monthly and 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 Sovereign on Orders in Council, granting Royal Charters and, through its Judicial Committee, acting as the final court of appeal on cases arising from courts in the Overseas Territories. The British Cabinet remains formally a committee of the Privy Council.

1.4.2 Orders in Council

Orders in Council are approved by the Sovereign 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 and are also used to extend civil aviation legislation to the Territories. 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. (see Note 1 at the bottom of page 16 below)

1.4.3 Air Navigation (Overseas Territories) Order

The Air Navigation (Overseas Territories) Order (AN(OT)O) gives the Governor of each OT powers and responsibilities in respect of aviation safety oversight. However, it requires the Governor to designate the majority of his powers to a person; in practice this is either a local Director of Civil Aviation (DCA) 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.

1.4.4 The UK Department for Transport

The UK Department for Transport (DfT) is the primary governmental body responsible for civil aviation in the UK and for ensuring the UK's compliance with the Chicago Convention. As such, the DfT establishes, in cooperation with the Foreign, Commonwealth and Development Office (FCDO) overall aviation policy for the UK and its OTs. The DfT is responsible for the UK CAA and also for its wholly owned subsidiary company Air Safety Support International Ltd (ASSI).

1.4.5 Air Safety Support International (ASSI)

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, Facilitation, 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.

ASSI is responsible for providing assistance, training and advice to the OTs' aviation authorities. In addition, ASSI conducts routine assessments of the OTs where a local person has been designated by the Governor to fulfil his/her obligations under the Order. These assessments provide assurance to the Governor that his designations are being discharged effectively.

Where an OT has no local civil aviation regulator or where the regulator does not have the resources or the expertise to undertake the task itself, ASSI can be designated by the Governor to perform the civil aviation regulatory tasks.

ASSI therefore performs the role of policy maker advisor/mentor and, depending upon the status of delegation in each Territory, assessor of the safety oversight programme.

Note 1

All UK legislation is published by His Majesty's Stationery Office (HMSO) and can be accessed through an on-line portal www.TSOshop.co.uk

CHAPTER 2 UNITED KINGDOM OVERSEAS TERRITORIES AVIATION REGULATORY STRUCTURE

2.1 State Safety Legislative Framework

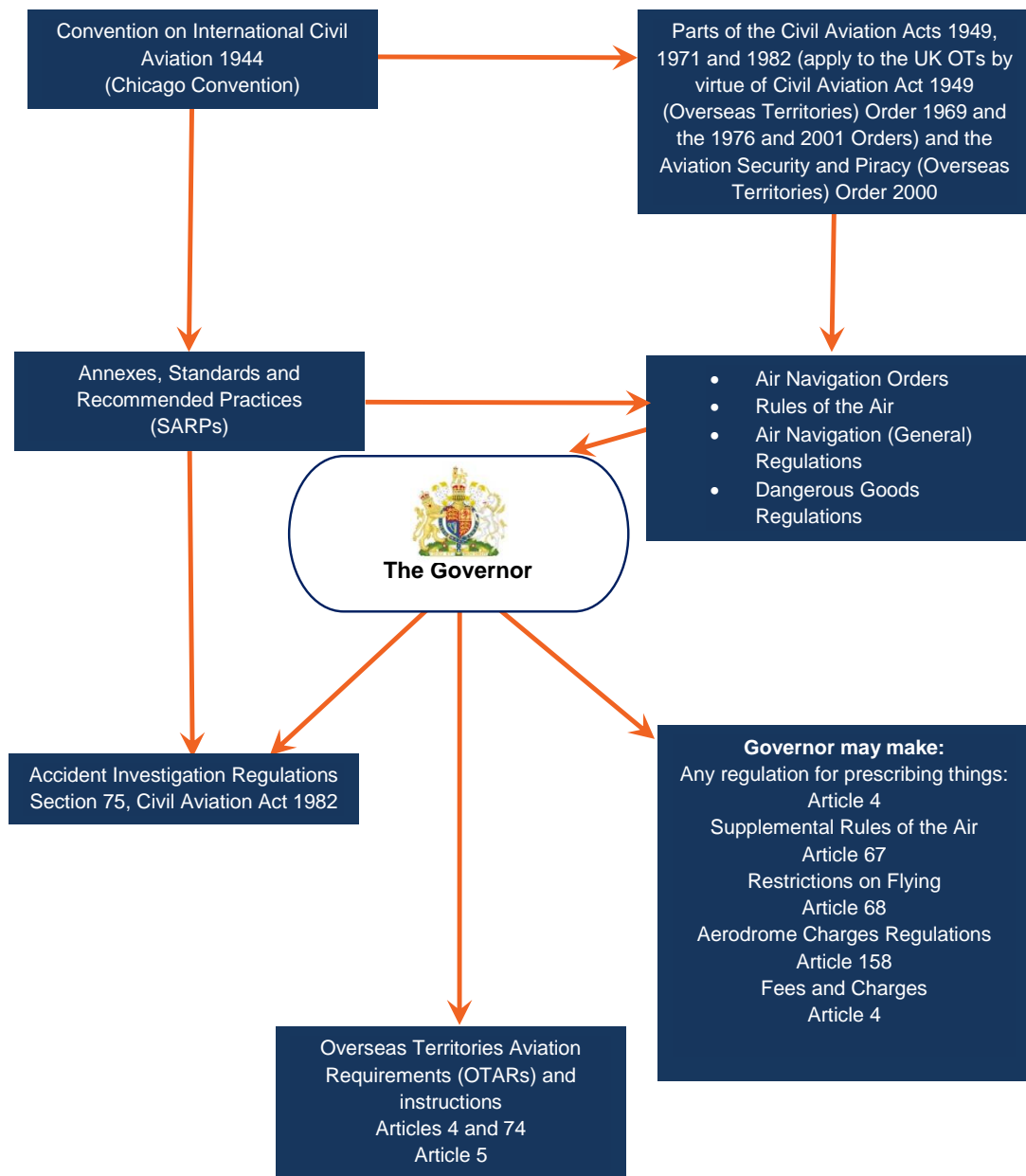


Figure 2.1 - UK Overseas Territories regulatory framework, note article refers to the provisions of the AN(OT)O 2013.

2.2 Primary Legislation - Civil Aviation Act 1949 (Overseas Territories) Order 1969

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 requires the Authority to apply the provisions of the Convention and annexes by Order in Council and implement other statutory instruments relating to civil aviation in the Overseas Territories.

This Act has been supplemented by the extension of section 62 of the Civil Aviation Act 1971 to the OTs:

- a) 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.
- b) Section 61 increased the penalties for breach of an article of the AN(OT)O.
- c) Section 75 enables the Governors to make air accident and investigation regulations.
- d) 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).

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.

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).

2.3 Subsidiary Legislation – Air Navigation (Overseas Territories) Order 2013

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.

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. Four amendments have been made to date to the AN(OT)O 2013 (the 2014 (2), 2015 and the 2021 amendment Orders).

The AN(OT)O gives the Governor 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 the Governor, is entitled to seek a review by the Governor of such decision in accordance with Article 13 of the AN(OT)O.

2.4 Operating Regulation/Requirements – Overseas Territories Aviation Requirements (OTARs)

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

ASSI is required, under the directions from the Secretary of State, to produce the means of compliance to enable the Governor to be satisfied that applicants for, or holders of, licences, certificates and approvals meet their legal obligations. The Governor is 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.

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

- a) the requirements for obtaining and holding a licence, certificate, authority or approval;
- b) the way in which the rights and privileges of licences, certificates, authorities or approvals are exercised;
- c) the way obligations, which come with the privileges, are to be discharged; and

- d) general instructions regarding the operation and equipment of aircraft.

2.5 Industry Guidance Material – Overseas Territories Aviation Circulars (OTACs)

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).

OTACs provide the following information:

- a) practical, detailed guidance on meeting the requirements;
- b) information of a temporary nature;
- c) administrative material;
- d) information published in advance of a formal amendment to OTARs;
- e) the means of ensuring that aspects of the State civil aviation system comply with ICAO SARPs where this is a State responsibility, for example, Search and Rescue activities.

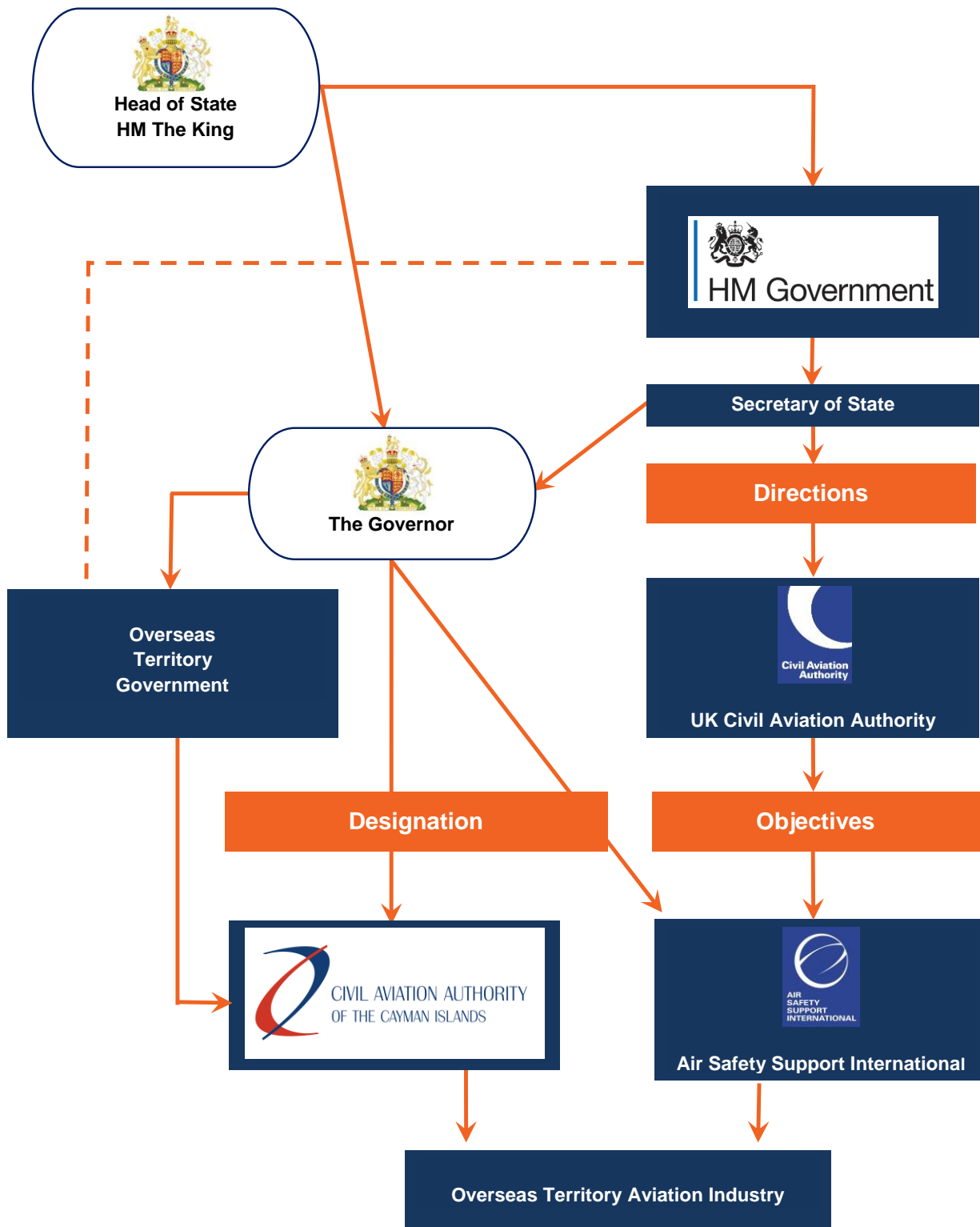


Cayman Airways aircraft parked on the ramp at Owen Roberts International Airport (MWCR)

CHAPTER 3 REGULATORY AUTHORITY AND RESPONSIBILITIES

This Chapter identifies the regulatory authority and responsibilities associated with the provision of the safety oversight of civil aviation in the Overseas Territories. The flowchart in 3.1 below identifies the Road Map to safety oversight in the OTs and the remaining sections in the chapter identify the responsibilities of the individual organisations identified.

3.1 Road Map to the Provision of Safety Oversight in the UK OTs



3.2 The UK Department for Transport Responsibilities

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 to set out its responsibilities. The Secretary of State's Directions require the UK CAA to set objectives for ASSI which the Secretary of State approves.

3.3 The UK OT Governor's Responsibilities

The Governor is the Sovereign's representative and acts on behalf of the UK Government in relation to the general governance of the Cayman Islands under the terms of its Constitution. As appropriate, the Governor, who is accountable to the Foreign, Commonwealth and Development Office (FCDO), also acts on behalf of the UK Government in relation to wider international affairs which are also reserved to the UK under the Constitution.

As the Sovereign's representative, the Governor is responsible for ensuring the adequacy of the civil aviation safety regulation within the Territory. The Governor appoints the Regulator, the Director-General of Civil Aviation, to carry out the majority of the his/her functions under the AN(OT)O.

3.4 The UK Civil Aviation Authority Responsibilities

The UK CAA does not have a direct responsibility for aviation regulatory oversight of the UK OTs. However, to provide for effective oversight of the civil aviation industry in the OTs, the UK CAA provides the enacting Directions to establish ASSI, a wholly owned subsidiary of the Authority. It also appoints its Board and sets its objectives, which are approved by the Secretary of State. ASSI activities are subject to an annual audit by the UKCAA.

3.5 Air Safety Support International Responsibilities

ASSI is responsible for drafting and the periodic review of the AN(OT)O, OTARs and OTACs in order to implement the SARPs. It is also responsible for the provision of advice to the Governor and recommendations to him/her on the designation of the regulator in the Territory.

ASSI is also responsible for undertaking regular, formal assessments of OT Aviation Authorities on the standards of civil aviation safety regulation and the adequacy of the resources employed. The assessment report, advises the Secretary of State and the Governor on whether the Territory is meeting the UK's obligations under the Chicago Convention and if any additional or remedial measures are required. ASSI is the designated regulator responsible for Annex 17 (Aviation Security) within all the UK OTs.

3.5.1 Review of Regulations

Regulations are regularly reviewed by ASSI. Such reviews may be triggered through:

- a) Monitoring ICAO State Letters and notification to the OTs;
- b) Change in UK legislation;
- c) Safety issue feedback from the OTAAs via the Overseas Territories Safety Performance Council (OTSPC);
- d) DCA conference call feedback;
- e) ASSI/OTAA Inspector webinar;
- f) ASSI/OTAA training events;
- g) Direct feedback from ASSI staff;
- h) Direct feedback from OTAA staff;
- i) Direct feedback from service providers.

3.6 Civil Aviation Authority of the Cayman Islands (CAACI) responsibilities/designations

The CAACI is the designated regulator responsible for the majority of the functions identified in the AN(OT)O other than those reserved to the DfT (Annex 9), HE The Governor (Annex 13) and to ASSI (Annex 17). The table in Appendix C illustrates organisational structure and the ICAO Annex responsibilities of each body.

To enhance its oversight and to meet the ICAO requirement, the CAACI will adopt the roles and responsibilities as the "State" in order to develop and implement the Cayman Islands State Safety Programme (SSP). This SSP, covering the Cayman Islands aviation industry, will form part of the UK's State Safety Programme.

Where necessary, in support of its oversight activities, the CAACI produces, its own policies, procedures and guidance material to meet the particular operational requirements of its aviation industry. In doing so, it ensures that these documents are compliant with international and national aviation regulations.

CHAPTER 4 CAYMAN ISLANDS STATE SAFETY PROGRAMME

4.1 State Safety Programme Documentation and Records

This SSP document and the associated State Safety Policy Statement are subject to regular review. The current SSP document is published on the Civil Aviation Cayman Islands web site and on the ICAO iSTARS web site.

4.2 Development of the Cayman Islands State Safety Programme

The Overseas Territories Safety Performance Council (OTSPC) which comprises UK OT Directors of Civil Aviation, ASSI and UK OT representatives, conducted a gap analysis based on the requirements of ICAO Document 9859 Safety Management Manual in November 2013. This activity was coordinated by ASSI with each OT being responsible for conducting its own, individual gap analysis.

The information derived from this exercise led each OT to develop a SSP implementation plan to address the identified shortfalls. Noting the size and resource of each OTAA, the initial focus of the work was to create and evolve the missing elements identified by the gap analysis. As these elements are completed the focus will move from implementation to continuous improvement.

4.3 State Safety Programme Responsibilities and Resources

The prime responsibility for the UK SSP rests with the DfT. However, each OT is responsible for providing its own, specific document for inclusion into the overall UK SSP with ASSI being responsible for developing the SSP for the directly regulated territories. It therefore follows that the Cayman Islands is responsible for producing its own SSP and the Director-General of Civil Aviation (DGCA) is the Accountable Manager for this activity. The DGCA is responsible for providing the necessary resources to enable the SSP to be developed and sustained to meet the requirements of ICAO and the UK. In the Cayman Islands, the Director of Air Navigation Services (DANSR) is responsible for the development and management of the SSP.

4.4 State Safety Programme Coordination Committee

The State Safety Programme Co-ordination Committee (SSPCC) is responsible for the ongoing implementation and review of the SSP, including the SSP Work Plan which now resides in the Cayman Islands National Aviation Safety Plain (NASP), and for ensuring that both the CAACI and iTARS web sites are updated accordingly. The SSPCC activity is managed by the DANSR in conjunction with nominated inspectors representing the technical areas of the Authorities oversight responsibilities.

4.5 State Safety Policy

The Cayman Islands Safety Policy is regularly reviewed. It is available on the CAACI Web Site under the drop-down tab, “State Safety Programme” and can also be found at Appendix A to this document.

4.6 State Acceptable Level of Safety

ICAO requires States to establish a safety programme in order to achieve an Acceptable Level of Safety Performance (ALoSP). An ALoSP is defined as the level of safety that a State strives to achieve throughout its aviation system.

4.6.1 Cayman Islands Acceptable Level of Safety Performance

The Cayman Islands aviation system includes a significant register of aircraft operating globally under OTAR Parts 121, 125, and 135, collectively identified, for the purposes of this document only, as commercial air transport.

The intent of the Cayman Islands ALoSP is to set and achieve safety standards which will engender the trust and confidence of those who provide or who have use of any part of its civil aviation system.

The Cayman Islands, in keeping with its status as a British Overseas Territory, has adopted a similar ALoSP to that of the UK and has developed an SSP that is designed to support and achieve it.

In common with the United Kingdom, the Cayman Islands has adopted an ALoSP that seeks to achieve:

No accidents involving commercial air transport that result in serious injuries or fatalities.

No serious injuries or fatalities to third parties as a result of aviation activities.

4.7 Achieving the Acceptable Level of Safety Performance

The Cayman Islands seeks to achieve this ALoSP through State Safety Objectives that:

- a) protect people from aviation safety risks.
- b) have a positive influence on aviation safety through collaborative working with our national and international partners.

4.7.1 Cayman Islands State Safety Objectives

To achieve the key targets identified within its ALoSP, the Cayman Islands has adopted the following primary State Safety Objectives:

- a) No fatal accidents in commercial air transport Aeroplanes where the Cayman Islands has State oversight responsibility;
- b) No fatal accidents in commercial air transport Rotorcraft where the Cayman Islands has State oversight responsibility;
- c) No fatal accidents involving people on the ground in the Cayman Islands as a result of an aviation accident;
- d) Implement an effective State Safety Programme that delivers its Acceptable Level of Safety Performance.

4.7.2 Achieving the State Safety Objectives

The CAACI, as the regulatory authority of the Cayman Islands, is responsible for assuring the safety performance of its aviation system. It achieves this assurance by providing its aviation system with a regulatory code, advice, guidance, safety information and oversight, the latter being achieved through audit, inspection and review processes. Central to the oversight activity is compliance with the regulations and the effectiveness of the individual service provider's Safety Management System (SMS).

4.7.3 Requirement for a Safety Management System

In line with ICAO Annex 19, the CAACI requires all Aircraft Operators, Aircraft maintenance Organisations (AMOs), Continued Aircraft Maintenance Organisations (CAMOs) Aerodrome Operators and Air Navigation Service Providers (ANSPs), to establish an SMS commensurate with the size and complexity of the organisation.

An effective SMS will give service providers a systematic approach to the management of safety through the application of resource to risk. It is designed to improve safety performance through:

- a) Continuous improvement;
- b) Understanding its individual Acceptable Level of Risk through processes of:
 - j) hazard identification;
 - ii) assessment of safety risks;
 - iii) mitigation of risk;
 - iv) collection, analysis and sharing of safety data and safety information.

The SMS should proactively mitigate safety risks before they result in an aviation accident or incident. Properly applied, it allows service providers to effectively manage their activities, safety performance and resources through the adoption of safety focussed day-to-day activities.

4.8 State Safety Programme Improvement/Review

The OTSPC will review the progress of each OTAA's implementation plans at each meeting. As the implementation plans progress, a revised SSP gap analysis will be conducted at regular intervals.

4.9 State Accident and Incident Investigation

In each OT the Governor has made accident investigation regulations under Section 75 of the Civil Aviation Act 1982, as extended to the OT by an Order in Council, which empowers the Governor to appoint investigators to investigate accidents and serious incidents.

In the Cayman Islands, the current regulations, Civil Aviation (Investigation of Air Accidents and Incidents Regulations 2019), empower the Governor to appoint the Chief Inspector of the UK Air Accident Investigation Branch (UKAAIB) AAIB to undertake the investigation of any accident or incident, within the Territory or involving a Cayman registered aircraft abroad.

Under the Regulations, 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.

At the discretion of the Chief Inspector, a local and qualified individual may be appointed to assist the AAIB in the conduct of its investigation.

4.10 State Enforcement Policy

Following the initial OTSPC gap analysis exercise, it was agreed by the OTAA DCAs and ASSI that a common enforcement policy would be used by all OTAAs to ensure consistency. Consequently, ASSI Policy No 47, based on ICAO 9859 Safety Management Manual guidance, has been adopted as the standard. A copy of the policy is contained in Appendix B to this document.

The enforcement procedure that accompanies the policy provides for an escalating scale of enforcement activities ranging from normal oversight to powers that enable the prevention of flight, suspension, variation or revocation of a certificate, licence, approval, permission,

exemption or authorisation granted under the Order. It also provides for the right of appeal (review by the Governor) and ultimately, for prosecution if justified.

The procedure provides a consistent approach that takes into account the performance of the service provider's Safety Management System, voluntary reporting and the specific circumstances of each event in formulating an appropriate course of action. It is based on the overall aim of achieving compliance and safe operation.

4.10.1 Prosecution

Should it be required, a case that escalates to prosecution is handed over to the local OT criminal prosecution service. A failure to comply with the AN(OT)O and its related regulation may be a criminal offence. If requested, ASSI may be able to provide both legal advice and access to specialist investigation officers to assist with the mounting of an investigation. It is of note that in any such case it is important to ensure that any safety issue is addressed without waiting for the prosecution to finish, as prosecution alone will not achieve this.



Owen Roberts International Airport Terminal (MWCR) upgrade opened by HRH the Prince of Wales on 27th March 2019.

CHAPTER 5 CAYMAN ISLANDS SAFETY RISK MANAGEMENT

In managing Risk, the UK Overseas Territories, including the Cayman Islands, require service providers to develop and implement a Safety Management System (SMS) which enables the identification and therefore the management of Risk. In this context, the term “service provider” applies equally to the provider of a product.

5.1 Safety Requirements for the Service Provider Safety Management System

Annex 19 identifies that a safety management system should be commensurate with the size of the organisation and the complexity of its aviation products or services. Some of the processes within a safety management system, as noted by ICAO 9859 Safety Management Manual, may be integrated into existing systems employed by the service provider including quality management or security management systems. The approach to achieving a fully effective SMS will be to develop elements over time and, where appropriate, to integrate them into other established systems.

Regulatory oversight will review these elements with the initial focus being on hazard logs, safety meetings and reporting procedures.

5.2 Overseas Territories Aviation Requirements for a Safety Management System

OTARs are Gazetted in the Cayman Islands and are therefore part of the jurisdiction’s legal code. The following OTARs require an SMS to be established appropriate to the size and Complexity of the specified operation:

OTAR 61	Pilot licences and ratings (Training organisation);
OTAR 65	Air traffic services personnel licences ratings and training organisation approval;
OTAR 66	Aircraft maintenance personnel licensing (Training organisation);
OTAR 119	Air operator’s certificate;
OTAR 125	Complex GA (including corporate operations);
OTAR 139	Certification of aerodromes;
OTAR 140	Rescue and fire-fighting requirements;
OTAR 145	Aircraft maintenance organisation approval;
OTAR 171	Aeronautical telecommunication service;
OTAR 172	Air traffic service organisation approval;
OTAR 173	Flight Checking Organisation Approval;
OTAR 176	Instrument flight procedure approval.

Associated with each OTAR are Overseas Territories Aviation Circulars (OTACs) which provide guidance on developing an SMS including information on Safety Assessments (Aeronautical Studies, Safety Cases, Risk Assessments). Although OTACs are guidance material and not mandatory, they do provide very useful information which, if followed would be beneficial to the process.

As the author of the OTARs, ASSI has set an objective to review and update regulations in line with developments in International legislation and regulation. In addition, the Company regularly reviews and updates its related guidance material, issuing new and updated information when required. It also provides and facilitates training for both regulatory and service provider staff to improve safety management.

5.3 Agreement of Product or Service Provider's Safety Performance

The CAACI is evolving a system to collate and evaluate data derived from the organisations that are subject to its regulatory oversight. Although still in development it is anticipated that this will include pre and post audit oversight meetings across multi disciplines.

It is anticipated that the Director of Air Navigation Services (DANSR), responsible for the development and management of the SSP, Departmental Heads and specialist managers will participate in these meetings to discuss and share information and data relevant to the service provider and its operating environment.

The CAACI has yet to establish acceptable levels of safety for service providers. However, during oversight visits, CAACI inspectors conduct regular reviews of service provider's risk registers/hazard logs and the actions that they contain. These are monitored both for progress towards resolution and for additional items that might suggest that the individual system is actively identifying new Risk.

5.4 Periodic Assessment of the Product or Service Provider's SMS

As part of its audit process, the CAACI has commenced auditing the SMS, QMS and Human Factors (HF) elements of its service providers to establish a baseline for the assessment of the progress being made towards implementing SMS and by extension, the progress being made towards a fully implemented and effective State Safety Programme.

As new elements are introduced, the Authority will establish assessment criteria for inclusion in future oversight activities.

CHAPTER 6 CAYMAN ISLANDS STATE SAFETY ASSURANCE

State Safety assurance is achieved by the requirements, identified in the AN(OT)O for aviation activities to be Approved, Certificated, Licenced or Permitted in accordance with the regulations previously identified in Chapter 2 of this document. Once the CAACI has issued an Approval, Certificate, Licence or Permit the holder becomes subject to the CAACI oversight process designed to assess compliance with the associated terms and conditions.

6.1 Certification Approval and Licensing System

There are a number of processes employed to issue certificates, approvals, permissions and licences. These are either issued by the CAACI or validated by the Authority 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 re-licensing criteria.

6.1.1 Competent National Aviation Authorities

The documentation of the following NAAs are routinely accepted (subject to scrutiny) by the CAACI as the basis for the issuing of certain certificates, approvals, permissions and licences:

- a) European Union Aviation Safety Agency;
- b) Federal Aviation Administration;
- c) Transport Canada;
- d) United Kingdom Civil Aviation Authority.

6.2 Overseas Territories Aviation Requirements

Together with the ICAO Annexes, the Overseas Territories Aviation Requirements (OTARs) are the basis for the regulation and safety oversight of civil aviation in the Cayman Islands. The following OTARs, covering certification, approval and licensing are employed by the CAACI, and in the case of OTARs 178 and 179 by ASSI, to assess industry compliance:

OTAR 21	Certification of Aircraft
OTAR 36	Aircraft Environmental Standards
OTAR 39	Continued Airworthiness Requirements
OTAR 47	Aircraft Registration and Marking
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).
OTAR 179	Aviation Security Training (linked to aerodrome certificate or AOC).

As previously identified, Overseas Territories Aviation Circulars (OTACs) are issued to provide advice, guidance and information on standards, practices and procedures to support the OTARs. OTACs are not in themselves law, however, they do amplify the requirements of the OTARs and offer practical guidance on meeting a requirement. They may also contain administrative material, information of a temporary nature or information published in advance of a formal amendment to OTARs.

6.3 Safety Oversight of Service Providers

Oversight is achieved through the audit and inspection process adopting the concept of Performance/Risk Based Oversight (PBO).

6.3.1 Performance/Risk Based Oversight

Performance/risk-based oversight looks at the risks inherent in an operation and its safety performance. This information allows the area of audit and the frequency of audit to be decided with subsequent results determining the requirement for the next audit. In most cases, the CAACI audits its industry partners every 24 months. Following an audit, the Regulatory Team review the results to decide on the future audit programmes. Negative factors, likely to reduce the mean time between audits, factors include:

- a) Level 1 Findings;
- b) Large number of Level 2 Findings;
- c) Repeat Findings;
- d) Findings that are not closed within the originally agreed timescale;

- e) Low level of confidence in the ability of the Safety/ Quality Management System to manage risks in a timely manner;
- f) Evidence of ineffective management systems;
- g) Reduction in safety performance since the last audit;
- h) Lack of prioritisation of safety matters;
- i) Poor reaction and follow up to incidents;
- j) Poor response to communications;
- k) Any enforcement action conducted.

Positive factors, engendering confidence in an organisation's safety performance which may lead to and increase in the meantime between audits include:

- a) Low number of Findings/ Observations;
- b) Effective responses to Corrective Action Plans, closing Findings well within the agreed timescale;
- c) Auditors have confidence in the Safety/Quality Management System in managing risks;
- d) Evidence of effective management systems;
- e) Safety performance is stable or improving;
- f) Good reaction and follow up to incidents;
- g) Just culture is evident through reporting and the handling of reports;
- h) Good responses to communications.

Safety performance information is collected and collated to enable information-based decision making so that performance assessments can be carried out and resolutions achieved using empirical evidence.

6.3.2 Audit and Inspection

Regulatory oversight is conducted through an audit and Inspection process based on the use of checklist and programmes of oversight to ensure that industry can demonstrate meeting the appropriate standards. Records of all such activities are maintained for reference in

programming Performance Based Regulatory Oversight. Inspectors are specialists in the functional area which they regulate and regulatory competencies are defined for each role within the CAACI. In addition, advice and guidance is offered to service providers to assist them in achieving and maintaining compliance where necessary.

6.3.3 Additional Inspectoral Resources

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.

6.3.4 Third-Party Audit Support of OTAR Part 125 Operations

Under OTAR Part 125.A.15(4) General Aviation operators may elect to be audited by the CAACI or by an independent auditor acceptable to the Governor. In this regard, the IS-BOA programme and its auditors are approved by the CAACI to conduct audits of aircraft registered under this Part. However, the Authority maintains oversight of such audits.

6.3.5 Ramp Checks

In the Cayman Islands, Ramp Checks of foreign aircraft, based upon the Safety Assessment of Foreign Aircraft (SAFA) process, established by the European Civil Aviation Conference (ECAC), are conducted on a regular basis by qualified Flight Operations and Airworthiness Surveyors. However, the results are not submitted to the SAFA data base in accordance with ASSI Policy letter, Ramp Checking of Foreign Aircraft, Issue 3, dated 07 July 2014.

6.3.6 Ground Handling Oversight

Ground Handling activities in the Cayman Islands are conducted by approved third-party organisations operating under formal agreements signed with the Cayman Islands Airports Authority (CIAA). The CIAA is responsible for the day-to-day oversight of these operations with the CAACI measuring the effectiveness of the oversight thorough periodic audit and inspection.

6.3.7 Dangerous Goods

The Authority employs qualified and competent Dangerous Goods inspectors with the Flight Operations department having overall responsibility for oversight. The DG inspectors are responsible for issuing DG approvals and for conducting audit and inspection activities on approved DG carriers and handling agencies to ensure compliance.

6.3.8 Regulatory Non-Compliances

Any regulatory shortcomings, whether identified through audit process or otherwise, are generally dealt with by the low end of the enforcement procedure by the issuance of audit or inspection Findings. 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.

6.3.9 Enforcement

As identified previously, the CAACI has adopted the ASSI Enforcement Policy and Procedure which it will apply as necessary. The Enforcement process provides a structured escalation of measures designed to bring a non-compliant organisation or individual into a state of compliance. The Enforcement process allows for:

- a) prevention of flight;
- b) formal meetings;
- c) warning letters;
- d) 'on notice' status;
- e) suspension or revocation of any approvals, certificates or licences; and,
- f) prosecution.

However, prosecution will only be considered in extreme circumstances and is very much a measure of last resort.

A detailed explanation of the Enforcement Policy can be found at Appendix B to this document.

6.4 Internal SSP Review and Quality assurance

Whilst the focus is currently 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 is the basis for the CAACI's focus and is periodically reviewed to ascertain progress and relevance. 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.

6.4.1 Quality Management

The CAACI is introducing an IT system (CENTRIK) to complement and improve the Quality Management System (QMS). This will affect the development of the SSP and will be monitored as part of the regular project reviews.

6.4.2 Safety Performance Indicators

The CIAA, responsible for the operation of the Cayman Islands certified aerodromes, has introduced effective SPI, and monitors and reports on them. SPIs for both CAACI and its other service providers' activities are still in development. This development step is captured in the SSP implementation plan. However, routine audits and inspections carried out by or on behalf of the CAACI will focus on the progress being made towards the establishment of effective SPI.

6.5 External SSP Review and Audit

The CAACI is subject to regular assessment by ASSI to assure the UK DfT and the Governor that the Authority is adequately fulfilling its role. The Assessment examines many areas of the CAACI operation. During the course of these Assessments, ASSI will examine the SSP and its component parts. As identified previously, SPIs that may provide a benchmark for SSP measurement are still in development in most areas. Data, measuring service providers' levels of operation, is collected and reviewed against the UK CAA data.

6.6 Safety Data Collection Analysis and Exchange

AN(OT)O article 174 establishes the requirement for mandatory occurrence reporting (MOR) and OTAR 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.

6.6.1 Cayman Islands Mandatory Occurrence Reporting

The CAACI promotes and maintains an effective MOR system and the volume of Occurrence Reports would appear to be commensurate with the size of the industry. The CAACI processes all MOR and tracks each item to a point where it can be closed, either by the originator as part of its SMS or by the regulator. The relevant Inspector is alerted to each MOR and they are responsible for review and follow-up action where appropriate. The Authority also identifies high-risk occurrences and monitors trends to enable follow-up action with its industry partners.

The policy of "Just Culture" promoted by the CAACI provides assurance that it is the intention of the Authority to nurture and sustain effective safety reporting, allowing service providers and their employees to report safety deficiencies and hazards without the fear of punitive action in the cases of unintentional errors and mistakes.

Work is underway to integrate the current MOR data base into the CAACI's CENTRIK information management system and it is expected that this will be completed by the end of 2023. It is anticipated that the use of CENTRIK to "manage" reports will enable these sources of data to provide the basis for a set of useful SPIs. The migration to CENTRIK will also allow better management of MORs and for them to be disseminated to a wider, international

audience through access to the European Coordination Centre for Accident and Incident Reporting System (ECCAIRS).

6.6.2 ECCAIRS

Access to ECCAIRS will allow service providers to use available data to conduct their own safety analysis. The relatively small number of MORs submitted by the Cayman Islands will still provide potentially valuable information to the overall UK contribution and will allow 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.

6.6.3 Bird Strike Reporting

In accordance with AN(OT)O Article 175 any pilot-in-command of an aircraft in a UK OT who believes that their aircraft has been in collision with a bird must report it. This may be achieved by submitting a MOR within the Territory or through the UK CAA bird strike reporting system. This data is notified to ASSI and the relevant reports are forwarded to ICAO annually for inclusion in the ICAO Bird Strike Information System (IBIS).

6.7 Voluntary/Confidential Reporting System

The CAACI encourages voluntary reporting of incidents through the occurrence reporting process. The CAACI's system aligns with the UK CAA's for the processing, recording and disclosing of reports. It does not differentiate between mandatory and voluntary reports and meets the requirements of Annex 19, paragraph 5.1.2.

6.7.1 Confidential Human-Factors Incident Reporting Programme (CHIRP)

CHIRP is a UK organisation that seeks to contribute to the enhancement of aviation safety, by providing a totally independent, confidential (not anonymous) reporting system for all individuals employed in or associated with the aviation industry. The programme accepts reports from pilots, cabin crew, ATCOs, maintenance engineers and those involved in general aviation. This programme has been promoted within the CAACI sphere of influence. More information can be found on the CHIRP web site at www.chirp.co.uk. CHIRP does not accept anonymous reports because of the difficulty in corroborating the information provided. CHIRP supplements other reporting systems; however, the submission of a Chirp does not fulfil the statutory obligations under the AN(OT)O for mandatory reporting.

6.8 Safety Data-driven Targeting of Oversight Areas of Greater Concern or Need

The CAACI is committed to developing systems that use data to establish areas that may require additional or enhanced oversight. In developing risk profiles for all elements of its aviation industry the CAACI will collate annually all available information including:

- a) service provider operational information;
- b) general UK OT data;
- c) foreign national aviation authority reports;
- d) public media sourced information to add to a risk profile;
- e) flight safety bulletins.

The CAACI will also review the annual reports issued by ICAO, IATA and UK safety data publications including the AAIB Report together with appropriate industry publications to ensure that it remains abreast of developments that can or could impact both positively or adversely on safety within its area of responsibility.

In addition, information derived from audit reports, occurrence reports, audit visit intelligence feedback, service provider hazard log information and any general day to day oversight data is shared within the Authority to target oversight across all the regulatory disciplines of the CAACI.

It is intended that this area of work will continue to develop and evolve over time. A current objective is to update and create processes to collect, share, analyse and monitor information that influences aviation safety to work towards developing a performance/risk- based approach.



Cayman Airways Express DHC-6 Twin Otter at Edward Bodden Airfield (MWCL) Little Cayman.

CHAPTER 7 CAYMAN ISLANDS STATE SAFETY PROMOTION

7.1 Internal Training, Communication and Dissemination of Safety Information

7.1.1 Internal SSP, SMS and Safety Training

Each post within the CAACI has a well-defined job description and applicants for these posts are assessed to ensure that they possess the required levels of competency and knowledge. Where gaps in either competency or knowledge are identified they will be addressed by a bespoke training plan to ensure that the successful applicant will be able to carry out his/her duties effectively. Progress is regularly reassessed and addressed through staff development goals as part of the Performance Path staff appraisal scheme. The staff induction process covers an overview of all areas including the SSP. CAACI inspectors have all completed SMS training and are subject to periodic refresher training.

7.1.2 Internal Communication and Dissemination of Safety Information

Internal safety information can be communicated via many forums amongst the CAACI team. The quarterly SIRC meetings provide an opportunity to exchange such information as do the quarterly staff meetings which are scheduled to follow the SIRC meetings. Although there are a series of formally scheduled meetings each year the culture of the organisation is such that any member of CAACI staff is encouraged to raise any safety concerns either to his/her functional head or direct to the D-GCA if necessary.

The quarterly Staff Meetings provide opportunities to educate and update all staff in relation to the progress of and the outcomes from the SSP and SMS. The SSP implementation plan provides further opportunities to promote and discuss the CAACI Safety Policy, Enforcement, QMS/SMS and Safety promotion.

7.2 External Training, Communication and Dissemination of Safety Information

7.2.1 External SMS and SSP Training/Education Facilitation

ASSI facilitates regular targeted training events and webinars for both UK OTAA staff and UK OT service providers. Many components of this training are SMS and SSP related. UK OTAA's provide some input to both the content and provision of this training. Training sessions are also conducted with OTAA DCA staff at the OTSPC meeting. The CAACI supports the regular training events and webinars provided by ASSI to the OTs and also participates in relevant regional training initiatives.

7.2.2 External communication and dissemination of safety information

UK OT service providers have access to the UK CAA MOR summaries. A quarterly ASSI Safety Bulletin is published with information on SSP/SMS and safety related topics.

The CAACI web site also provides information on safety related matters including the SMS and the SSP.

The CAACI subscribes to the ASSI e-mail alert which offers both OTAAAs and their service providers advice on new and updated information. As part of its safety promotional programme, the Authority actively encourages industry to take advantage of this service.



Charles Kirckconnell International Airport (MWCB) on Cayman Brac.

CHAPTER 8 SUMMARY

Summary

The CAACI is committed to continuously improving its State Safety Programme. Consequently, this document is a living document and will be periodically updated as the Programme evolves. Many of the deficiencies identified within the ICAO SSP Gap Analysis, conducted in 2013, have already been addressed; others are either underway, or are planned for the future.

As a living document it will be subject to amendment and update as the CAACI itself and the service providers that it regulates develop and refine their respective processes in a continuous search for improvement.

The CAACI welcomes any questions, contributions or comments from industry or other regulatory bodies and these should be addressed to: civilaviation@caacayman.com, entering State Safety Programme, in the subject field.

For further information on the CAACI please visit our website at: www.caacayman.com



Cayman Airways Express fleet of Saab 340 and DHC-Twin Otter aircraft provide domestic services between the Islands.

List of Appendices

Appendix:

Appendix A Safety Policy - 01 August 2022 (Reviewed 26 November 2023)

Appendix B Enforcement Policy

Appendix C Cayman Islands Civil Aviation Authority's Designations and Responsibilities

**Appendix A to
Cayman Islands State Safety Programme dated
26 November 2023**

CAYMAN ISLANDS STATE SAFETY POLICY STATEMENT

The Civil Aviation Authority of the Cayman Islands (CAACI) is committed to developing and implementing effective strategies, regulatory frameworks and processes to ensure that aviation activities for which it has oversight responsibilities achieve the highest practicable level of safety performance. To this end the CAACI shall:

- 1) Define an Acceptable Level of Safety Performance (ALoSP) that the Authority will strive to achieve throughout its aviation system.
- 2) Comply with all applicable national and international regulatory requirements.
- 3) Deliver an effective oversight programme that meets the Cayman Islands obligations to international safety standards.
- 4) Implement data driven performance-based regulation, that is visibly risk based.
- 5) Proactively identify adverse risk trends within our aviation system and take action to mitigate them.
- 6) Provide the necessary resources to support the development and effective implementation of the Cayman Islands State Safety Programme (SSP).
- 7) Ensure the CAACI Safety Management procedures, and implemented regulation remains effective through continuous monitoring of key Safety Performance Indicators, safety initiatives, industry sector feedback, and from OTAA aviation Safety aggregates.
- 8) Collaborate and consult with aviation industry sectors to foster and promote Just Culture, to regularly address safety matters in partnerships with an aim to continuously enhance aviation safety.
- 9) Promote sound safety practices and a positive safety culture within the industry sectors based on established safety management principles.
- 10) Encourage safety information collection, analysis and exchange within the aviation system with the sole purpose of improving aviation safety.
- 11) Provide its staff with a safe working environment and equip them with proper skills, expertise and sufficient financial and human resources to discharge their safety oversight and management responsibilities competently.

**Appendix B to
Cayman Islands State Safety Programme dated
26 November 2023**

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.

The policy statements are listed on the following (2) pages.

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 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. 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.

5. Enforcement actions may include:

- a) counselling;
- b) remedial training;
- c) variation, suspension or revocation of a certificate, approval or authorisation;
- d) prosecution as provided for in the applicable legislation.

6. 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.

7. Enforcement decisions must:

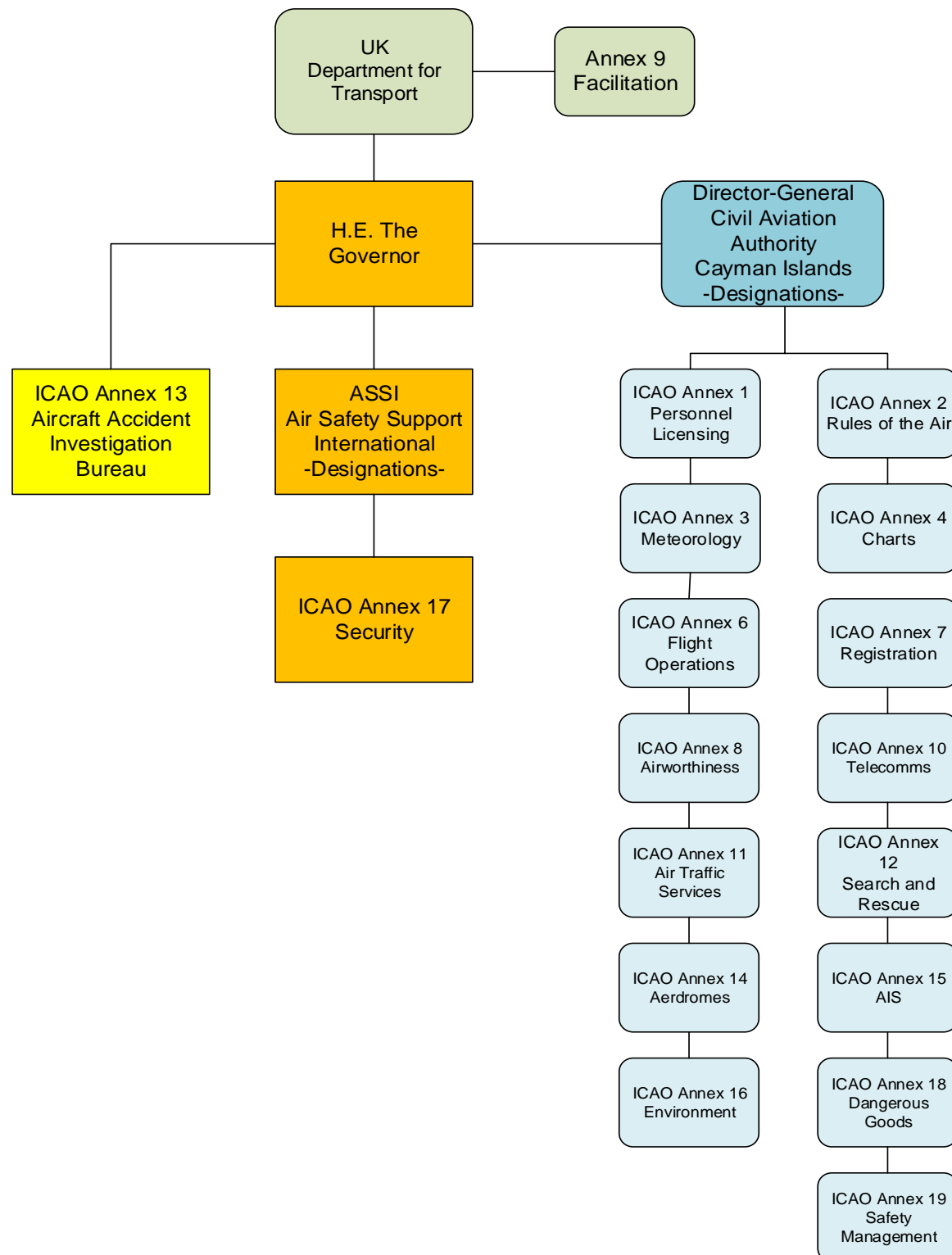
- a) be fair and follow due process;
- b) be transparent to those involved;
- c) take into account the circumstances of the case and the attitude and actions of the service provider or individual when considering action;
- d) be consistent actions or decisions for like or similar circumstances; and
- e) be subject to appropriate internal review.

End of ASSI Policy Statement 47 (Enforcement).

Appendix C to

**Cayman Islands State Safety Programme dated
26 November 2023**

Cayman Islands Civil Aviation Authority's Designations and Responsibilities



Intentionally Blank

Intentionally Blank