

POLICY STATEMENT 50 | USE OF AN APPROVAL BY ANOTHER TERRITORY

Effective date of Implementation: 17 April 2018

Rationale:

Governors possess the exclusive right and responsibility to grant approvals in accordance with the Air Navigation (Overseas Territories) Order in relation to their Territory. If an organisation provides a service or engages in an activity requiring approval that is not exclusive to a single Territory, it is necessary for the organisation to be approved by each Territory to which the service or activity applies. While, under the Order, each Governor has an obligation to be satisfied that the applicant meets the requirements for the grant of an approval, the fact that an organisation already possesses the same approval issued by another OTAA may be helpful to another Territory in deciding whether to grant the approval.

Such an arrangement brings benefits for the approved organisation concerned and advantages to OTAAs but requires also a measure of coordination between the Territories issuing the approvals.

Policy Statement:

1. This policy applies only to approval of organisations granted under the requirements of OTAR Parts 39, 125, 145, 171, 173 and 176.
2. An organisation is required to hold an approval issued by each Territory in relation to which it undertakes approvable activity. However an OTAA may choose to utilise the approval of an organisation granted by another Territory as a means of satisfying itself for the grant of a similar approval to the same organisation in relation to its own Territory. Any conditions or schedules placed on the approval by the issuing OTAA must be reviewed for relevance by the OTAA making use of the approval.
3. Where an OTAA intends to use an approval granted by another OTAA, it shall check with that OTAA the status of that approval and whether any enforcement action is in progress or pending against the organisation concerned. If any such action is in progress or pending, it shall not use the facility described in paragraph 2.
4. Where an approval includes a requirement to comply also with OTAR Part 178, Policy Statement 49 applies and the OTAA issuing the approval should contact ASSI before doing so.
5. It must be clear to all concerned which OTAA has primary responsibility for the conduct of audits and oversight of the organisation. The OTAAs concerned may agree to share the audit and oversight work between them, in which case the apportionment of responsibilities between the OTAAs and the arrangements for the exchange of information between them shall be documented.
6. An OTAA which has used another OTAA's approval as the basis for granting its own, or which believes that another OTAA has done so on the basis of its approval, shall notify the other OTAA of any enforcement action it is considering or undertaking in relation to the approved organisation and of the expiry of the approval.