

POLICY STATEMENT 49 | Coordination of Aviation Security Oversight

Effective date of Implementation: 24 January 2018

Rationale:

The AN(OT)O imposes requirements on aerodrome certificate holders, AOC holders and ATS and Aeronautical Telecommunications providers in respect of aviation security and OTAR Part 178 sets out the requirements in detail. There is no separate approval under OTAR Part 178; but its requirements are an integral part of the overall obligations on the aerodrome or aircraft operator or service provider and therefore contribute to the matters to be satisfied for the issue or renewal of the relevant approval or certificate.

ASSI is designated by Governors for the regulation of aviation security in all Territories, while most OTAAs are designated for all safety-related oversight. This means that ASSI and the OTAA both contribute to the oversight of an entity. The Designation Instruments require ASSI to advise the OTAA if it is not satisfied on any security matter in relation to the entity regulated and for the OTAA to consult and take account of any advice given by ASSI before granting, varying, suspending or revoking an approval or a certificate where the Governor is required to be satisfied in relation to security matters. It is important therefore that ASSI and the OTAA act in concert to coordinate their oversight responsibilities.

Policy Statement:

1. Where an OTAA and ASSI have a responsibility and a role in regulating aspects of an entity they will maintain an open and cooperative approach and support each other as far as possible with the objective of ensuring a safe and secure aviation system.
2. Where the OTAA is responsible for safety regulation of a certificated or approved entity, it retains responsibility for the grant, renewal, suspension, variation or revocation of the certificate or approval but before doing so it will consult and take into account the views of ASSI where matters of security are pertinent to, and affect, such decisions.
3. If a significant aviation security deficiency is identified either through routine oversight or which may prevent issue or renewal of an approval or certificate, ASSI will advise the DCA and an approach to enforcement aimed at achieving rectification will be agreed.
4. ASSI will notify the DCA of the date and scope of an aviation security audit, giving as much notice as possible, and brief the DCA or his nominee at the end of it. The DCA may arrange for an appropriate inspector to accompany the ASSI security inspector. It is particularly beneficial for an OTAA inspector to attend the in-brief and out-brief.
5. If desired by the DCA, ASSI will use audits to assist in the transfer of knowledge to OTAA staff with a view to the designation for aviation security being transferred to the OTAA, subject to the agreement of the Department for Transport.