



Industry Leadership in Modernizing Safety Standards

BY DONALD SPRUSTON

International safety standards for general aviation have become woefully outdated. The general aviation industry's realization of this global problem generated action to find a solution.

The global benchmark for aviation safety regulation is the standards and recommended practices (SARPs) of the International Civil Aviation Organization (ICAO), the United Nations specialized agency responsible for the policies and standards for international civil aviation. The SARPs applicable to international operation of general aviation airplanes are found in Part II of *Annex 6 to the Convention on International Civil Aviation — Operation of Aircraft*.

This part was initially developed in the 1960s, when the shape of the industry was much different than today's modern high-technology sector. The '60s saw few international general aviation operations, and these were largely cross-border flights with small twin-engine aircraft, as well as a few intercontinental operations in converted airline aircraft. Today, there are more than 360,000 general aviation aircraft worldwide, including more than 25,000 turbine business aviation aircraft, many capable of intercontinental flight.

The problem is that international safety rules have not kept pace with industry advancements. What happens when the top of the world's rule-making hierarchy is inadequate? Experience shows that when there is a vacuum, someone will fill it. This is happening within the global regulatory environment, as regulators in a number of countries are seeing the deficiencies in the international standards and are acting alone to develop new rules for business aviation operations.

Business aviation has witnessed incredible growth over the past 20 to 30 years. Although the immense growth has not been in the public eye, it has certainly gained the attention of regulators. The consequence is consideration of new regulations for business aviation without benefit of a common definition of the industry and without recognition of its excellent safety record, which is equivalent to that of the large legacy air carriers.

The general aviation industry is very concerned about inherent safety deficiencies that exist whenever rules and operational procedures are different between countries. The solution proposed by the industry is to modernize the international standards and

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to encourage ICAO member states to apply the new benchmark in developing rules, thus fostering harmonized regulations for general aviation worldwide. The International Business Aviation Council (IBAC) and its member associations formed an industry task force to address the issue, with willing assistance from the International Aircraft Owners and Pilots Association (IAOPA). A comprehensive proposal was developed to modernize Part II of Annex 6.

The industry task force applied the following principles to guide development of the proposal:

- Recognition of the excellent safety record of business aviation and the codes of practice used by the industry;
- Application of performance-based rules;
- Application of scalability of provisions per the philosophies applied in the initial Part II of Annex 6; and,
- Standardization of the structural presentation with other annexes.

Following the development of a draft proposal, IBAC and IAOPA consulted their organizations to test the concept. When these industry sectors were satisfied, the proposal was submitted to ICAO, which accepted it with considerable enthusiasm. A thorough review was conducted by the ICAO Secretariat and the Air Navigation Commission (ANC). Some adjustments were proposed by the ANC, and ICAO currently is seeking comments by its member states.

Fundamental to the design of the proposed new annex is separation of provisions for the different sectors of general aviation. The first section includes definitions and basic applicability information. The second section applies to basic general aviation operations. The third section will contain provisions applicable to turbojet aircraft and those over 5,700 kg (12,500 lb). A fourth section may be added at a later date subsequent to an ICAO policy decision on fractional ownership operations.

Requirements for basic general aviation would substantially be the same as the existing provisions, although modernized in line with current terminology.

The third section would introduce a significant change in the annex, as it would add new provisions for the rapidly growing business aviation sector. The objective is to stem the current move by states to make different regulations that will add to the continuing problem of global variances. The proposed new requirements recognize today's more sophisticated aircraft, their size and their performance and long-range capabilities. The most significant addition is a requirement for a safety management system (SMS) established in accordance with industry standards. The SMS requirement and reference to industry standards recognize the need for a program suited to the dimensions of business operators. Proven industry standards for SMS demonstrate the value and the scalability for both one-aircraft and multi-aircraft flight departments. Other new requirements in the updated annex include an operations manual and organizational standards.

Standards for fractional ownership operations, not included in the initial rendering from ICAO, would be added later. It is intended that these requirements be similar to those of U.S. Federal Aviation Regulations Part 91, Subpart K, and those proposed by the European Civil Aviation Conference (ECAC). These requirements would supplement those of business aviation and basic general aviation.

ICAO has requested member states to comment on the proposal by this summer. The new annex would likely take effect late in 2008, although some provisions such as the SMS might have effective dates further down the road.

In conclusion, the main motivator behind the industry-proposed amendment is to promote rule harmonization worldwide; the standards also would introduce many valuable additional safety benefits. ●

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