

ANNUAL SAFETY OVERSIGHT REPORT

Period: 1 July 2011 – 31 December 2012

Prepared in accordance with Article 14 of Commission implementing
Regulation (EU) nr 1034/2011 of 17 October 2011
on safety oversight in air traffic management and air navigation services

Translation APPROVED
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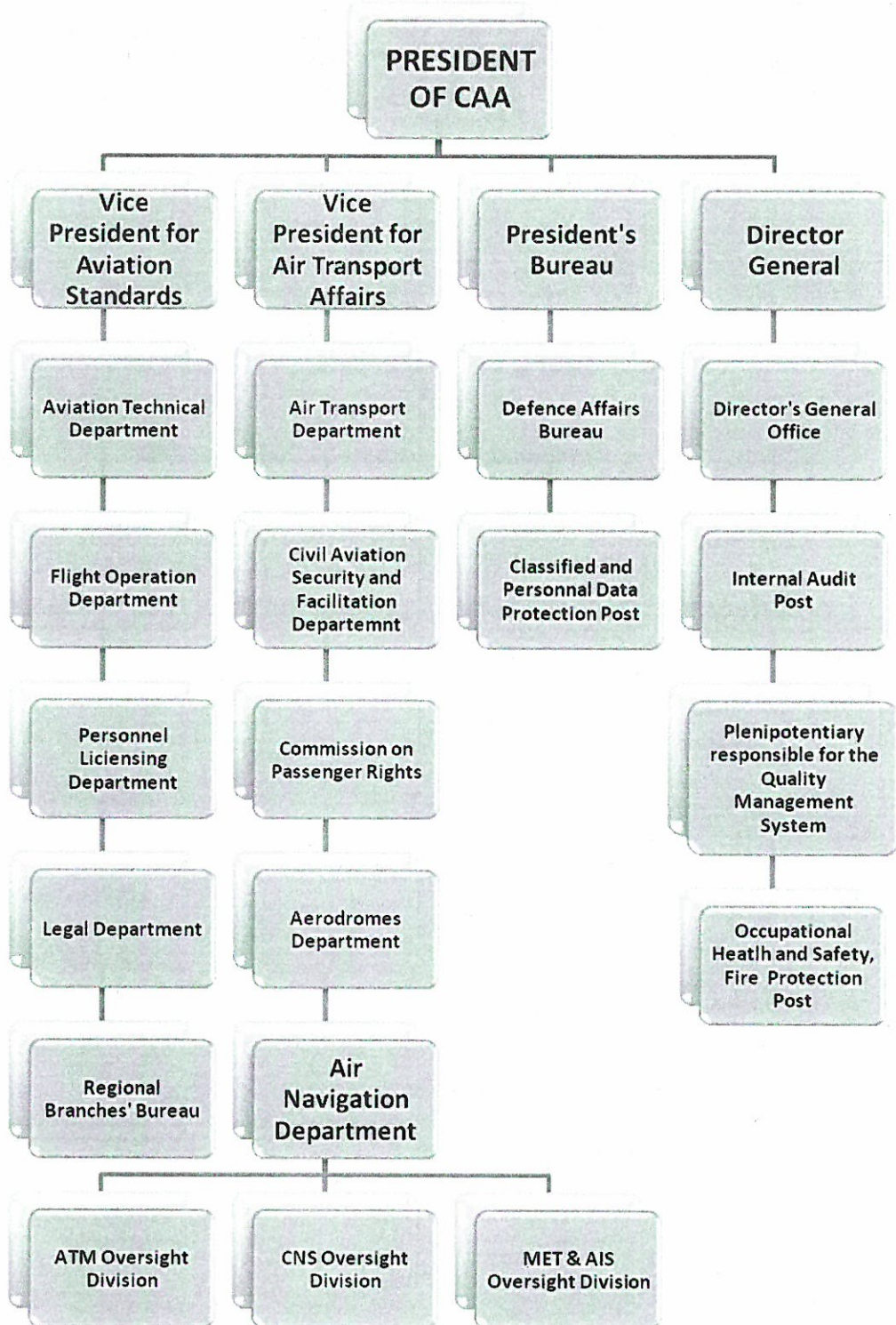


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Warsaw
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1. Organizational structure and procedures of National Authority Organ (National Supervisory Authority):

The structure of national supervisory authority:



Legal base:

- Aviation Law Act;
- President's of CAO Regulation of 20 August 2010 on establishing organizational bylaw of Civil Aviation Office;
- Minister of Infrastructure Regulation of 6 May 2003 on certification of activity in civil aviation

Organization of national supervisory authority: Aviation Law, Art 21, par 2, point 3), 4) and 15)

- President of Civil Aviation Office is the central governmental administration body for all civil aviation issues. President of CAO has, inter alia, competence to be a national supervisory authority in the line of implementation of air navigation service provider's tasks.

National supervisory authority procedures: Aviation Law: Art. 160 – 162

Certification Regulation: Par 33 and successive

The certification is aimed at checking provider's ongoing capability of defined aviation activity performance. Air personnel training aimed at achieving the license of flight crew member and inscribing additional rights to the license as well as provision of air navigation services pursuant to Art. 7 of EU Regulation nr 550/2004 from 10 of March 2004 on the provision of air navigation services in Single European Sky, undergoes certification process.

The certification process is executed by the President of CAO on the application of interested entity.

President of CAA conducts periodic and – in case of such a need – ad hoc inspections to check if certificate holder still fulfills in law requirements needed for issuing and maintaining the certificate validity. In case of finding omission/deviation President of CAO may call interested entity for deleting it in a given deadline, under the rigor of revoking the certificate. Post deadline or if the certificate holder does not fulfill the requirements defined in the certificate, President of CAO may revoke the certificate.

Periodic inspections are conducted in accordance with ongoing oversight programs, approved by President of CAO, individually for each certificate holder. Such program defines substance of each audit and inspection, the frequency of repetition in particular fields of certificate holder's activity in civil aviation, annual and quarterly plan of inspection tasks implementation. General guidelines regarding rules and procedures connected with ongoing oversight of certificate holder and program construction are defined in certification manuals.

2. Airspace and institutions liable to national supervisory authority inspections:

Legal basis:

- *Aviation Law Act; Art. 121;*
- *Minister of Infrastructure Regulation of 25 November 2008 on Polish airspace structure and detailed conditions and way of airspace use;*

Polish airspace available for air navigation is classified in accordance with European Union law on Single European Sky, international agreements and rules. Air navigation services providers operate in Polish airspace and in separate parts of these airspace civil and military aerodrome air traffic services

units. Air navigation services providers create civil aerodrome air traffic services operating in controlled airspace. Aerodrome operators create civil aerodrome air traffic services units operating in uncontrolled airspace allocated to given aerodromes.

Controlled airspace, constituting part of airspace in which air traffic control is provided to all aircrafts, in accordance with ICAO classification, consists of:

- 1) Control area (CTA) containing:
 - a) Terminal control Area (TMA) – enacted usually by airways fugitive near one or few aerodromes,
 - b) Airways (AWY),
 - c) Conditional Route (CDR), which might be enacted in one of the following categories:
 - category one (CDR 1) – conditional route category one possible for permanent planning and available in periods published in Aeronautical Information Publication (AIP);
 - category two (CDR 2) – conditional route category two possible to be planned in periods published in Aeronautical Information Publication (AIP);
 - category three (CDR 3) – conditional route category three, impossible to be planned, but might be used only in accordance with air traffic control unit instruction.
 - d) airspace from flight level 095 to flight level 460, except TSA, TRA and CBA for which airspace class, appropriate for uncontrolled airspace is defined or that is not classified.
- 2) Control Zone (CTR) and Military Control Zone (MCTR) – enacted to allow approach and departure maneuver and initial climb
- 3) Temporary Segregated Area (TSA), Temporary Reserved Area (TRA) and cross – border area which is temporary segregated or reserved area, enacted because of special operational requirements, for which airspace class appropriate for controlled airspace was defined.

Categories for particular conditional routes are assigned by service provider (Polish Air Navigation Services Agency). PANSa develops AWY, CDR, CTR, MCTR, TMA or MTMA in co-ordination with Military Air Traffic Services Office. PANSa submits projects of AWY, CDR, CTR, MCTR, TMA or MTMA for the acceptance of the President of CAO within 91 days before their planned go into effect. Planning and settling of AWY and CTR is conducted within the frames of coordinated pan European airways structure. In case of suspension or termination of ATC services provision in TMA or MTMA/CTR or MCTR, this area or this region is terminated, and its airspace adopts airspace class appropriate for provided services. Controlled airspace structure or its change, accepted by the President of CAO, is published in CAO Official Journal and in AIP Poland.

Uncontrolled airspace consists of:

- 1) Airspace available for air navigation, different than controlled airspace;
- 2) Aerodrome Traffic Zone (ATZ) which is an airspace above civil uncontrolled aerodrome and adjacent terrain necessary for arrival and departure procedures and training tasks – for which airspace class appropriate for uncontrolled airspace is defined;
- 3) Military Aerodrome Traffic Zone (MATZ) which is an airspace above military uncontrolled aerodrome and adjacent terrain necessary for arrival and departure procedures and training tasks - for which airspace class appropriate for uncontrolled airspace is defined or the airspace is unclassified.
- 4) Temporary Segregated Area (TSA), Temporary Reserved Area (TRA) and cross border area which temporary segregated or reserved region, enacted because of special operational requirements, for which airspace class appropriate for uncontrolled airspace was defined or the airspace is unclassified.

During the reporting period 01.07.2011 – 31.12.2012, the following air navigation service providers were under the supervision of Civil Aviation Authority:

- Polish Air Navigation Services Agency (ANS)
- Institute of Meteorology and Water Management – National Research Institute (MET)
- IBCOL Poland Limited Liability Company (MET)
- Warsaw Modlin Airport (AFIS)

3. Recognized organizations authorized to conduct state safety audits:

President of Civil Aviation Authority didn't recognize and didn't appoint any organizations to conduct state safety audits in reported period.

4. National Supervisory Authority Up – to – date human resources

Name of NSA:	CIVIL AVIATION OFFICE
Scope of NSA tasks:	NSA Head Office (number of full-time jobs):
Personel licensing & Certification of Training Centres	2,7
Certification and ongoing compliance	1,5
Technical personel supervision	1,1
ATM safety supervision	7,1
Interoperability	1,35
Administration	1,7
Performance	1,8
Others	3,58
ALL:	20,83
The number of qualified safety oversight auditors/inspectors: 15	

The analysis of human resources in terms of qualified safety inspectors proved that it is insufficient. Lack of one MET Inspector results in difficulties to implement Safety Oversight Programme in this field. Lack of CNS Inspector responsible for data processing and aeronautical fixed communication, results in significant increase of workload of other MET Inspectors and makes it very difficult to implement Safety Oversight Programme in the field of data processing and aeronautical fixed communication.

5. Safety issues stated in safety oversight processes, implemented by national supervisory authority, including:

- A. *State safety audits program, together with the information on conducted and planned audits and their scope.*

Safety Oversight Programme accepted by President of CAA in December 2011, was corrected and reaccepted on 17 April 2012 by President of CAA. The necessity to conduct correction was connected with imposition of new duties on Air Navigation Department's Inspectors. This might have had a negative impact on full implementation of Safety Oversight Programme in its first version. Changes introduced in correction concerned tasks of CNS Oversight Division and MET&AIS Oversight Division.

ATS, ATFM, ASM: State safety audit is conducted in the frames of on – going oversight of air traffic services and is based on Safety oversight Programme, approved by President of CAA and conducted by Air Navigation Department.

In the frames of that oversight Inspectors of ATM Oversight Division, conducted 26 controls, including:

- 1) Approach Control Services (APP): 5
- 2) Aerodrome Control Services (TWR): 14
- 3) Flight Information Service (FIS): 3
- 4) ATFM: 1
- 5) ASM – 1: 1
- 6) ASM – 2: 1
- 7) ASM – 3: 1

These controls were conducted in following fields:

- Safety & Quality Management
- Safety of Services
- Quality of Services
- Human Resources
- Technical and Operational Potential and competences
- Methodology and rules of procedure

CNS: Safety oversight in the field of communication, navigation, surveillance and data processing is conducted in the frames of controls before the registration of a device to Aeronautical Ground Facilities Register and during ongoing compliance audits in accordance with Air Navigation Services Safety Oversight Programme for 2011 – 2012, mainly with Regulation (EC) 1035/2011 requirements and in a way described in Regulation (EC) 1034/2011. In a period between 1 July 2011 and 31 December 2012, CNS Oversight Division held 4 audits and 36 inspections in CNS Units and facilities connected with safety oversight and 53 inspections connected with registration to Aeronautical Ground Facilities Register. This gives the total number of Inspection:

- a. COM: 57
- b. NAV: 23
- c. SUR & DP: 9

The scope of audits and controls includes mainly:

- a. Organization structure and management, including: the structure of organization, responsibilities and duties, internal reporting and annual reports with information on new infrastructure, hazards mitigation and performance indicators;
- b. Safety and quality management, including: formal contacts with external entities, safety of new systems and changes to existing systems;
- c. Human resources, including: appropriately skilled personnel, training policy, recruitment policy;
- d. Quality of services, including: transparency of service provision, publication of conditions of access to services, annual consultations with air navigation services users, contingency plans;
- e. Technical potential and competences, including: continuity, sustainability of service, maintenance of appropriate condition of ground facilities and objects;
- f. Safety of services, including: SMS management, individual responsibility, safety of external services, safety reviews, safety information, safety requirements for risk assessment and mitigation with regard to changes, safety requirements for personnel;
- g. Working methods and operating procedures, including those specified in Annex 10 ICAO.

MET: Safety oversight of civil aviation MET services is conducted in the frames of safety oversight of ANSP in accordance to Air Navigation Services Safety Oversight Programme. Safety oversight is conducted by checking the accomplishment of Regulation 2096/2005 requirements and since 17 April 2011 Commission Regulation 1035/2011.

In second half of 2011, 7 controls were held in Institute of Meteorology and Water Management. In 2012 there were 9 controls in Institute of Meteorology and Water Management and 3 in IBCOL Poland. The oversight was conducted in accordance with Air Navigation Department Safety Oversight Programme.

AIS: Safety oversight of Aeronautical Information Services is conducted in frames of safety oversight of Polish Air Navigation Services Agency, according to approved by the President of CAA Air Navigation Services Safety Oversight Programme. The requirements of Regulation 2096/2005, and since 17 April 2011 Regulation 1035/2011, 1034/2011 are in the scope of this control. In the reference period Inspectors of AIS & MET Inspectorate conducted 9 controls of AIS (including 1 ad hoc).

B. Conformity of air traffic management units operating in domain of responsibility of national supervisory authority, with appropriate safety requirements.

ATS, ATFM, ASM: Controls conducted by ATM Oversight Inspectorate in 2011/2012, in the frames of air navigation service provider oversight confirmed, that air traffic services of Polish Air Navigation Services Agency meet the requirements in scope of safety regulations, especially the requirements of Regulation (EC) 1034/2011 and 1035/2011 and are capable of providing services in accordance with gained certificate. Conducted controls didn't indicate any nonconformities that would directly infringe safety requirements for air navigation service provider. In some cases small nonconformities with state regulations were discovered, but they didn't affect safety demands. Polish Air Navigation Services Agency took appropriate actions to close nonconformities. ATM Oversight Inspectorate conducts oversight of corrective actions efficiency and safety of provided services using, inter alia, information on aeronautical incidents with ATM personnel involved, posted in ECCAIRS base.

CNS: Controls conducted in reference period affirmed that safety management of provided services meets the requirements of Regulation (EC) 1035/2011 and that this institution is capable to provide services in accordance with granted certificate.

MET: Controls conducted in 2011 and 2012 by AIS & MET Inspectorate in the frames of ANSP safety oversight (Institute of Meteorology & Water Management, IBCOL Poland), confirmed that those providers manage safety of all provided services in accordance with Regulation 1034/2011 requirements and are able to provide services in compliance with granted certificates.

AIS: Controls conducted in II half of 2011 and in 2012 by MET & AIS Inspectors confirmed that the ANSP is able to provide services in compliance with granted certificate.

C. Monitoring of acceptable safety levels in Functional Airspace Blocks, for which National Supervisory Authority is responsible (Annex 4: Occurrence record).

The monitoring of specific occurrences in ATM, which have a direct impact on maintaining safety level, is conducted.

D. Safety issues, identified in safety oversight processes, adopted by National Supervisory Authority.

ATM: In the safety oversight process ATM Oversight Division conducted controls in following fields put in certification process in the scope of:

- Safety and quality management – 20 controls
- Safety of services – 16 controls
- Quality of services – 12 controls
- Human resources – 18 controls
- Technical potential and competences – 8 controls
- Working methods and operating procedures – 20 controls

12 noncompliance were identified during oversight process in the fields of safety and quality management (10); safety of services (1); working methods and operating procedures (1). After approval of corrective actions proposed by PANSA and confirmation of their effectiveness, 10 of the noncompliance were closed.

CNS: Audits and inspections conducted in PANSA in reference period didn't reveal any noncompliance, that may have significant impact on safety management. 74 nonconformities were identified in the fields of human resources (9); technical potential and competences (35); safety of services (4); working methods and operating procedures (26). Characteristic nonconformities concerned:

- Outdated or not approved operating procedures for local technical teams;
- Outdated lists of equipment and person responsible for its exploitation;
- Appointment of people without proper authorization to operate equipment;
- No application for registration of used facility to Aviation ground facilities Register;
- No application to withdraw not used facility from Aviation ground facilities Register;
- Lack of EU declarations of conformity of constituents;
- Lack of declaration of verification of system;
- Lack of up to date notations in maintenance log;
- Lack of up to date or proper notations in measurements sheet;
- Lack of publication of provided services access conditions;
- Lack of periodic consultations with services users system.

With reference to stated nonconformities, controlled entities submitted propositions of corrective actions, which were accepted and implemented. All nonconformities were closed. Regarding to stated observations, controlled entities committed to remove them as soon as possible.

MET: During audits conducted in Institute of Water & Meteorology Management and IBCOL Poland 6 nonconformities were identified – 2 in the field of human resources and 4 in the field of safety and quality management. Those nonconformities were being closed systematically, and the corrective actions seem to be effective. Procedures of introducing changes to functional systems, which are being developed by Institutions, may become problems with direct impact on safety management. This problem appeared during IMGW decision making process concerning meteorological data entering to automated ATIS systems without performing safety analysis and passing this information to CAA. This issue is crucial due to change of AWOS systems planned for 2013.

AIS: The following nonconformity influencing safety regulations was found during controls conducted in 2011 and 2012 by Inspectors of MAT&AIS Supervisory Inspectorate, in the frames of safety oversight of air navigation service provider (AIS):

- In the scope of p.3.1 "Safety Management" Annex 1 to the EC Regulation 2096/2005 of 20 December 2005 laying down common requirements for the provision of air navigation services, it was stated that the nonconformity connected with lack of

signed Service Level Agreements with stakeholders providing data for publications, remains active.

The process of signing SLA with stakeholders providing aeronautical data is supervised by CAA and is conducted in accordance with a schedule accepted by NSA (the date has been extended).

Aeronautical Information service entered into an agreement with 13 aerodromes with IFR procedures and with Institute of Meteorology and Water Management. Those agreements were verified by NSA. AIS has to enter into agreement with the military, providing aeronautical information, important to GAT, in order to close the unconformities.

- E. Review of safety arguments concerning new systems or changes of existing ATM systems, including information concerning new systems and changes in existing systems accepted by National Supervisory Authority and those, that were accepted internally by air traffic management units according to procedures defined in point 7.4 (insignificant changes).*

ATM: Between 1 July 2011 and 31 December 2012 following airspace changes were introduced by President's of CAA decisions:

L.P.	Numer Decyzji	Data
1.	33	29.09.2011 r.
2.	2	16.01.2012 r.
3.	4	02.02.2012 r.
4.	5	02.02.2012 r.
5.	9	14.05.2012 r.
6.	11	30.05.2012 r.
7.	24	26.09.2012 r.
8.	32	21.11.2012 r.

CNS: Controls of safety arguments regarding changes in existing CNS systems and facilities are conducted in CNS units and CNS facilities in the frames of ongoing oversight and inspections connected with registration to Aeronautical ground facilities Register. Controls of safety arguments regarding new CNS infrastructure (radio station, DME device, PEGASUS System) are conducted in the frames of ad hoc controls before putting the facility to Aeronautical Ground Facilities Register. Moreover, safety arguments are checked during audit connected with AFIS service certification. Between 1 July 2011 and 31 December 2012 CAA issued following decisions concerning registration/changes of registration to Aviation ground facilities register:

Decision concerning	COM	NAV	SUR	DP	Total
Entry to AGFR	65	13	4	0	82
Change in AGFR entry	19	4	7	0	30
Total	84	17	11	0	112

MET: Controls of safety arguments connected with changes in existing systems and MET facilities are conducted in the frames of safety oversight and controls preceding registration to Aeronautical Ground Facilities Register, in MET units and in the airports where those objects are situated. Moreover, safety arguments are checked during air traffic services and AFIS certification audits. Between 1 July 2011 and 31 December 2012 President of CAA issued 3 decisions of registration and 2 decisions on change in registration to AGFR/MET. By 18 September 2011 operational permissions for the use of automatic weather observation systems and measurement sensors were issued. Due to

changes in Polish Aviation Law, those operational permissions are not required any more, which makes the oversight of automatic weather oversight systems more difficult and necessitates change of their safety operating oversight form. In June 2012 PANSa in cooperation with IMWM NRI made a decision regarding implementation to operational use of new ATIS system on 8 aerodromes. This decision was made despite significant number of notices and remarks connected with the way the system works, especially regarding manual introduction of meteorological parameters data by IMWM NRI aerodrome meteorological stations personnel. The problem of a "human factor" still hasn't been eliminated. Information concerning implementation of ATIS system to operational use, has not been passed to CAA, it was stated during control.

AIS: There were no new systems or changes to existing systems introduced in AIS during the reporting period. Situation in that manner was monitored by NSA as the new AIS system used for AIP publications was tested. Additionally, International NOTAM Office supporting system – NOTAM search, developed internally by PANSa, is in test phase. Due to introduction of Commission Regulation 73/2010 of 26 January 2010 laying down requirements on the quality of aeronautical data and aeronautical information for single European sky, introduction of those changes in AIS is planned by PANSa for 2013, parallel to implementation of software used for direct electronic connection with aeronautical data suppliers.

F. Safety directives issued by the national supervisory authority.

ATS, ATFM, ASM: National Supervisory Authority didn't issue safety directives in the scope of ATS, ATFM, ASM.

CNS: National Supervisory Authority didn't issue safety directives in the scope of CNS.

MET: National Supervisory Authority didn't issue safety directives in the scope of MET.

AIS: National Supervisory Authority didn't issue safety directives in the scope of AIS.

G. Recognized organizations, designated to execute state safety audits, the record of them with documented basis of issuing the decision to commission them to conduct safety audits.

President of Civil Aviation Office didn't recognize and didn't appoint any organizations to conduct state safety audits in reported period.