

APPROVED by  


The PRESIDENT of  
THE CIVIL AVIATION AUTHORITY

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(originally approved in the Polish version)

on 26-03- 2015

## ANNUAL SAFETY OVERSIGHT REPORT

for the period of 1 January – 31 December 2014

prepared in accordance with Article 15 of the Commission Implementing Regulation (EU) No. 1034/2011 of 17 October 2011 on safety oversight in air traffic management and air navigation services and amending Regulation (EU) No. 691/2010

Translation authorised by  
the Director of  
THE AIR NAVIGATION DEPARTMENT  
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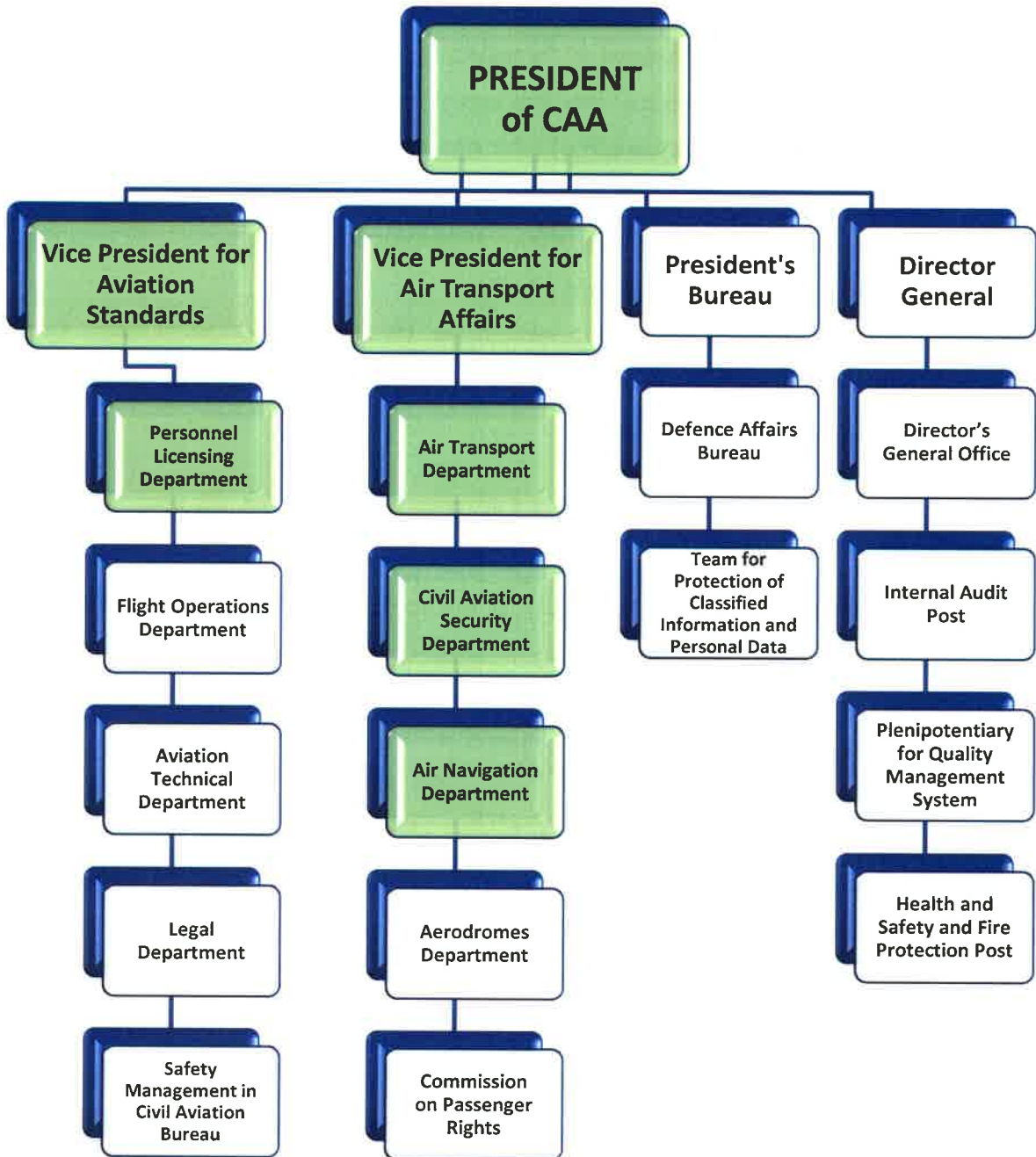
Warsaw

2015



1. ORGANISATIONAL STRUCTURE AND PROCEDURES OF NATIONAL SUPERVISORY AUTHORITY

The structure of national supervisory authority:



**Legal base:**

- The Act of 3 July 2002 – Aviation Law (J.L. of 2013, item 1393 and of 2014, item 768);
- The By-law No 7 of the President of the Civil Aviation Authority of 12 August 2014 amending the regulation on establishing terms of reference of Civil Aviation Authority (with further amendments);
- The Regulation of the Minister of Transport, Construction and Maritime Economy of 23 March 2013 on certification of activities in civil aviation on the basis of Art. 163 of the Act of 3 July 2002 – Aviation Law (J.L. of 2013, item 421);
- Regulation of the Minister of Infrastructure of 2 September 2003 on the monitoring of the compliance with rules and decisions in the field of civil aviation (J.L. of 2003 No. 168, item 1640 and of 2005 No. 197, item 1638);
- Commission Implementing Regulation (EU) No 1034/2011 of 17 October 2011 on safety oversight in air traffic management and air navigation services and amending Regulation (EU) No 691/2010.

**Organisation of national supervisory authority:** *the Act of Aviation Law , Art. 21, para 2, points 3), 4), 15).*

- President of Civil Aviation Authority is the central government administration body, competent in all civil aviation issues. President of CAA has, inter alia, competence to be national supervisory authority in the scope of the tasks carried out by air navigation services providers.

***The procedures of the national supervisory authority: the Act of Aviation Law*** (Art. 160–162), Regulation on certification of activities in civil aviation (para 33 and successive), Safety Oversight Manual, Certification Manual.

The certification is a verification of provider's ongoing capability of defined aviation activities performance in a safe manner. Subject to certification shall be, inter alia, air personnel training (aimed at achieving license of flight crew member and inscribing additional rights to the licence), as well as provision of air navigation services, pursuant to Art. 7 of Regulation (EC) No 550/2004 of 10 March 2004 on the provision of air navigation services in the single European sky. Certification of air navigation services providers in the Polish airspace shall be conducted in line with EU regulations. Certification in the scope of air navigation services provision is executed by the President of Civil Aviation Authority at the request of interested entity after making sure that the entity meets the requirements and conditions necessary to obtain a certificate.

The President of the CAA conducts periodic and – if necessary – ad hoc inspections to verify

whether the certificate holder still meets requirements imposed by law, indispensable for issuing and maintaining the certificate validity. In case of shortcomings, the President of the CAA may call the interested entity to redress them in a given deadline – under the rigor of revoking the certificate. Not fulfilling of the requirements specified in the certificate by the entity within the determined deadline may result in revocation of the certificate by the CAA President.

Periodic inspections are conducted in accordance with the “Safety Oversight of Air Navigation Services and Air Traffic Management Functions Plan (ATM/ANS)”, approved by the President of the CAA. The Plan defines substantial scope of inspections and frequency of their repetition in particular areas of activities of air navigation services providers, with particular emphasis on those in which during previous inspections non-conformities had been identified.

## **2. THE AIRSPACE AND INSTITUTIONS SUBJECT TO THE NATIONAL SUPERVISORY AUTHORITY OVERSIGHT**

### **Legal basis:**

- **The Act of Aviation Law, Art. 121;**
- **The Regulation of The Minister of Infrastructure of 25 November 2008 on Polish airspace structure and detailed conditions and way of airspace use (J.L. of 2014, item 351);**
- **Regulation of the Minister of Infrastructure of 11 June 2010 on flights prohibitions or restrictions for the period longer than 3 months (J.L. of 2010 No. 106, item 678 and of 2011 No. 251, item 1507);**
- **Regulation of the Minister of Infrastructure of 11 October 2003 on flights restrictions for the period no longer than 3 months (J.L. of 2003 No. 183, item 1794).**

The Polish airspace, available for air navigation, is classified in accordance with the provisions of the Single European Sky legislation, as well as with international agreements and rules. In the Polish airspace operate air navigation services providers and in the separate parts of these airspace – civil or military terminal air traffic services units or competent military units. Air traffic services providers form civil aerodrome air traffic services units, operating in controlled airspace.

The controlled airspace, constituting part of the airspace in which air traffic control is provided to all aircraft, in accordance with ICAO classification, consists of:

- 1) Control Area (CTA), containing:
  - a) Terminal Control Area (TMA) – a Control Area normally established at the confluence of ATS Routes in the vicinity of one or more major aerodromes,
  - b) Airways (AWY),

- c) Conditional Routes (CDR) – defined as non-permanent ATS routes or portion thereof which might be established in one of the following categories:
    - Category One – permanently plannable CDR, available in periods published in Aeronautical Information Publication (AIP Polska),
    - Category Two – Non-Permanently Plannable CDR, available in periods published in Airspace Use Plan (AUP),
  - d) airspace extending from FL095 to FL660, except for TSA, TRA and CBA, for which airspace class, appropriate for uncontrolled airspace, has been defined or which has not been classified at all;
- 2) Control Zone (CTR) and Military Control Zone (MCTR) – a Controlled Airspace extending upwards from the surface of the earth to a specified upper limit, established to allow approach and departure maneuver and initial climb;
- 3) Temporary Reserved Area (TRA) and cross-border area (CBA) – an Airspace temporarily reserved and allocated for the exclusive use of specific user during a determined period of time, for which airspace class appropriate for controlled airspace has been defined.

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

The uncontrolled airspace consists of:

- 1) airspace available for air navigation, other than controlled airspace;
- 2) Aerodrome Traffic Zone (ATZ) – which is airspace over a civil uncontrolled aerodrome and adjacent terrain, necessary for arrival and departure procedures and training tasks, for which airspace class appropriate for uncontrolled airspace has been defined;
- 3) Military Aerodrome Traffic Zone (MATZ) – which is airspace over military uncontrolled aerodrome and adjacent terrain, necessary for arrival and departure procedures and training tasks, for which either airspace class appropriate for uncontrolled airspace has been defined or the airspace is unclassified;

- 4) Temporary Reserved Area (TRA) and cross-border area (CBA) – which is a temporary segregated or reserved area, established due to specific operational requirements, for which either airspace class appropriate for uncontrolled airspace has been defined.

All the elements of the airspace structure are developed by PANSA in co-ordination with the Military Air Traffic Services Office of the Polish Armed Forces and within 91 days before their planned entry into force the projects are submitted to the President of the CAA for the approval. The airspace structure or its change, approved by the President of CAA, is published in CAA Official Journal and in AIP Poland.

In the reporting period of 1 January – 31 December 2014 the following air navigation services providers were subject to the CAA President supervision:

- Polish Air Navigation Services Agency (ATS, CNS, AIS);
- Institute of Meteorology and Water Management – National Research Institute (MET);
- IBCOL Polska PLC (MET);
- Mazowiecki Port Lotniczy (Masovia Airport) Warszawa-Modlin (AFIS);
- Radom Airport JSC (AFIS);
- Logistics Service Centre (AFIS).

### 3. RECOGNISED ENTITIES AUTHORISED TO CONDUCT REGULATORY SAFETY AUDITS

In the reported period the President of the Civil Aviation Authority has neither recognised nor appointed any notified body to conduct regulatory safety audits.

### 4. NATIONAL SUPERVISORY AUTHORITY CURRENT HUMAN RESOURCES

<b>Name of the NSA:</b>	<b>CIVIL AVIATION AUTHORITY</b>
<b>Scope of the NSA tasks:</b>	<b>Number of full-time equivalents</b>
personnel licencing and training centres certification	2.5
certification and ATM/ANS safety oversight	12
<b>Total:</b>	<b>14.5</b>
<b>The number of qualified safety oversight auditors/inspectors:</b>	<b>14.5</b>

After conducting human resources analysis in the scope of qualified safety inspectors, it was found that they are insufficient. Lack of two ATM inspectors (in the ATS area) and one CNS inspector (the area of navigation and data processing and fixed communications) make it difficult to fully and effectively carry out the safety oversight plan in the above areas.

**5. SAFETY ISSUES STATED IN SAFETY OVERSIGHT PROCESSES, IMPLEMENTED BY NATIONAL SUPERVISORY AUTHORITY, INCLUDING:**

***A. Regulatory safety audits conducted in the framework of safety oversight report (Annex 1: Safety oversight plan)***

Regulatory safety audits are carried out in areas consistent with the requirements of the Regulation (EU) No 1035/2011 and include:

- organisational structure and management;
- safety and quality management;
- safety of services;
- quality of services;
- human resources;
- potential and technical and operational competence;
- operating methods and procedures.

Regulatory safety audits are carried out/conducted based on the “Safety Oversight of Air Navigation Services and Air Traffic Management Functions Plan (ATM/ANS)” for the period 1 January 2014 – 31 December 2015, approved by the CAA President.

Between 1 January and 31 December 2014, within the framework of the safety oversight, the inspectors of the ATM/ANS Certification and Oversight Inspectorate conducted:

- in the scope of ATM – 22 inspections:
  - ATS: 20,
  - ATFM: one,
  - ASM: one;
- in the scope of CNS – 26, including:
  - COM: 12,
  - NAV: six,
  - SUP and DP: eight,
- in scope of MET: 14;
- in the scope of AIS: six.

***B. Compliance of ATM/ANS providers, operating in the domain of the responsibility of national supervisory authority, with appropriate safety requirements (Annex 2: Register of the inspections conducted by the Air Navigation Department in the framework of safety oversight)***

During the inspections conducted in 2014, within the framework of air navigation services provider



oversight, by the ATM/ANS Certification and Oversight Inspectorate above findings were raised:

- in the area of ATM: six findings and 18 observations;
- in the area of CNS: 15 findings and 16 observations:
  - COM: seven findings and three observations,
  - NAV: two findings and one observation,
  - SUR: six findings and five observations;
- in the area of MET: nine findings and 12 observations;
- in the area of AIS: nine findings and three observations.

With respect to the identified findings, the supervised entities have submitted corrective actions plans which have been approved by the NSA. Implementation of the corrective actions is completed and the reports of non-compliances – closed, respectively:

- ATM: three findings;
- CNS: four findings in the area of COM;
- MET: two findings;
- AIS: six findings.

The effectiveness of the corrective actions implemented by the supervised entities is confirmed during the ongoing safety oversight, as well as follow-up inspections.

In other cases the implementation of the corrective actions programs is proceeded and their effectiveness – monitored. There have been no non-compliance raised which could have had significant implications for the safety management.

According to the state of 31 December 2014, there were 14 open findings.

***C. Monitoring of acceptable safety levels in Functional Airspace Blocks, for which national supervisory authority is responsible (Annex 3: Occurrence register)***

At this stage, specific occurrences in ATM which have a direct impact on maintaining safety level are monitored.

In 2014 28 occurrences that could have had an effect on air traffic safety were registered.

To a large extend these occurrences were connected with functioning of aeronautical ground facilities, such as: MSSR radar breakdown, glide path signal interference in poor visibility, lack of ILS indications, TWR 131.000 MHz radio frequency interference hindering communication with aircraft in TMA/CTR and at the airport, APP radar display interference, caused by transponder trials, loss of ILS 29 signal receipt, breakdown of radio-beacons BYD i KRA, TWR frequency blocking, lack of stability of ILS path, lack of obstacle lighting on two of three newly-built radio-communication masts in Dawidy etc. In two cases there has been also a power cuts at two airports – resulting in lack of power for TWR devices

and in ARO, including RWY and approach lighting.

Despite the fact that the largest number of occurrences was connected with the malfunctioning of aeronautical ground facilities, it has to be certainly stated that in some cases the reasons were external and out of control, e.g. bad weather condition (including peal of thunder) or aeronautical ground facilities frequency interference.

***D. Safety arguments review concerning new systems or changes to functional systems having impact on safety, including information on new systems and changes to existing systems, accepted by the national supervisory authority and to those which have been approved internally by ATM/ANS providers, in accordance with definite procedures (insignificant changes)***

ATM: between 1 January and 31 December 2014 20 changes to functional system in the scope of ATM, including 10 related to flight procedures and nine – to the elements of the airspace structure, were approved by the CAA President. In the reporting period four safety arguments review, associated with new functional systems or changes to existing functional systems, were carried out.

Polish Air Navigation Services Agency has notified the Civil Aviation Authority, in accordance with the procedures referred to in Art. 9 of the Regulation (EU) No 1034/2011, of 34 changes resulting from the Regulation of the Minister of Infrastructure of 9 October 2003, on flight restrictions for a period no longer than three months (J.L. No. 183, item 1794).

CNS: between 1 January and 31 December 2014 Polish Air Navigation Services Agency reported 27 changes to functional systems related to CNS. After analysing nature and extent of the reported changes, 13 safety arguments reviews have been carried out and 13 decisions of the CAA President on approval of changes entry into force have been issued, including:

TYPE OF SERVICE	COM	NAV	SUR+DP
reported changes	8	14	5
issued decisions (after inspections conducted)	4	8	1

MET: in the period of 1.01–31.12.2014 six changes to functional systems were notified. Three changes to functional systems related to MET were approved in the form of decisions of the CAA President. Three safety arguments reviews, connected with new functional systems or changes to existing systems, were carried out. In one case – at the request of the interested entity– decision on withholding changes implementation process.

AIS: between 1.01 and 31.12 2014 three changes to functional systems related to AIS were reported. The changes were approved in the form of the CAA President decisions. Two safety arguments reviews,

connected with new functional systems or changes to existing systems, were conducted. Above changes made it possible to increase the safety level of AIS provision in connection with the launch of the backup location of the International NOTAM Bureau, as well as the bringing into use specialised software (database and software to communicate with data providers). The installation of the software has helped meeting the requirements of the Commission Regulation (EU) No 73/2010 of 26 January 2010, laying down requirements on the quality of aeronautical data and aeronautical information for the single European sky.

***E. Safety directives issued by the National Supervisory Authority***

The Polish National Supervisory Authority hasn't issued any safety guidelines in the scope of ATM/ATS in the reporting period.

***F. Recognised/qualified entities, designated to conduct regulatory safety audits, their register along with documented basis of issuing the decision to subcontract them to conduct regulatory safety audits***

In the reporting period the President of the Civil Aviation Authority neither recognised nor appointed any entity to conduct regulatory safety audits.

