

Director of Civil Aviation Annual Report 2015

March 7th 2016

Executive Summary

2015 saw further development in Jersey's relationship with Europe, the launch of the Jersey Aircraft Registry and an expansion in the licensed commercial use of "drones". The DCA also introduced a simplified permit system and finalized work on a new regulatory journal.

Principal Responsibilities of the DCA

The reports for 2012 and 2013 contained a detailed description of the role of the DCA and explained the responsibility to ensure compliance with international standards set out under the Chicago Convention of 1944 and its associated annexes, so for brevity this is not repeated here. Likewise, there has been no change during 2015 to the State Safety Programme or State Safety Plan so these are not included and readers are directed to the 2013 report¹. As discussed below, both of these documents will be updated and incorporated into the Aviation Journal during 2016.

Across Europe almost every aspect of aviation regulation is being integrated at an EU level under the European Aviation Safety Agency (EASA) and whilst the Channel Islands are not obliged to implement EASA rules there are a number of areas where industry stakeholders have indicated that it would be prudent to do so. Ensuring that we make the EASA standards work for us and that where appropriate we choose our own path has become an important – and growing – element of the DCA's function. 2015 saw a number of developments in this relationship which are discussed below.

The DCA also has accountability for aviation security across the Channel Islands.

Routine Oversight Activities

There were a number of routine oversight audits undertaken during 2015 by the UK Civil Aviation Authority (across the Channel Islands) on behalf of the DCA. January saw Jersey's aerodrome audit, during which a number of minor findings arose that were dealt with proactively and promptly by the airport's management.

An oversight audit of Jersey Airport's air traffic services was undertaken in July, with the unit once again showing a very strong performance. The CAA inspectors were highly complimentary, particularly about the way that the safety management system (SMS) has been implemented. The DCA continues to meet bi-monthly on a formal basis with the Ports of Jersey management team to discuss their performance and to ensure regulatory compliance.

¹ Available at <http://www.gov.je/Travel/MaritimeAviation/CivilAviation/Pages/OfficeDirector.aspx>

Of note this year was an issue drawn to our attention by the French DGAC (the national aviation regulator) through the UK. Jersey provides some air traffic services in French airspace and to do so requires certification by the French authorities. During a routine oversight audit by EASA, it was identified that this competence had shifted from DGAC to EASA. However, with support from the UK and from the Ministry of External Relations, we were able to use our excellent working relationships and formulate a programme for transition to EASA oversight. The DCA has agreed with EASA that they will take over routine oversight of Ports of Jersey (for air traffic services) in August 2017 under a new memorandum of understanding – this provides a number of advantages; it allows the provider to consolidate their existing dual-certification and will allow them to potentially bid for contracts anywhere within the EASA area, as well as ensuring that they continue to meet the latest international regulatory standards.

Elsewhere, in Guernsey and Alderney there was an aerodrome audit in March that resulted in no major issues with both airports continuing to perform well and demonstrate a high level of compliance with international standards. Guernsey's air traffic services were also satisfactorily audited in November.

With the agreement of the airline and the UK CAA, the DCA also observed certain elements of Aurigny's flight operations audit in April. This greatly assisted the DCA in understanding Aurigny's regulatory oversight and it is envisaged that this will be extended to other Channel Islands operators in due course.

Co-operation with Guernsey

The shared DCA role continues to prove successful and resilient. During 2015 work continued on the Channel Islands Civil Aviation Security Programme (as described below) which is continually updated to meet the latest standards and is implemented in parallel in both islands.

The DCA has also continued to work closely with Guernsey on the proposed implementation of the Single European Rules of the Air (SERA)². Following consultation, a risk assessment and hazard identification workshop was held during June involving local stakeholders from the pilot, airport and air traffic control community. Analysis by an external consultant³ demonstrated to the satisfaction of the DCA that there are no major risks involved and a decision was taken to bring in SERA without derogation in both Jersey and Guernsey. A timeframe has yet to be agreed.

Legislation

The major changes to Bailiwick legislation during 2015 were those necessary to facilitate the introduction of the Jersey Aircraft Registry (JAR). The main instrument⁴ was brought into effect by an Appointed Day Act in October. There were also a number of minor and technical changes to legislation to ensure that the JAR is fully compliant with the relevant international standards. See

² The full text of SERA is published in Commission Implementing Regulation (EU) 923/2012 at <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:281:0001:0066:EN:PDF>

³ Available from the DCA on request

⁴ The *Aircraft Registration (Jersey) Law 2014*; see <http://www.jerseylaw.je/Law/Display.aspx?url=%2flaw%2flawsinforce%2fhtm%2fLawFiles%2f2014%2fL-23-2014.pdf>

also the commentary below.

The Aviation Journal

Towards the end of the year the DCA completed work on an initial draft Aviation Journal. This is intended to consolidate into a single regulatory guide the DCA's policies, procedures, decisions and notices and will be published as a single document for both Jersey and Guernsey. The consultation process with industry stakeholders is expected to be completed by February 2016 with the journal planned to be available on both websites by early March. It will be updated frequently and feedback is encouraged. Both the State Safety Programme and State Safety Plan will be incorporated in a revised form in due course.

Small Unmanned Aircraft ("Drones")

In both Jersey⁵ and Guernsey⁶ the DCA has established a proactive regulatory regime for dealing with Small Unmanned Aircraft (SUAs). Such vehicles are known by a number of industry and colloquial names including "remotely piloted vehicle", "remotely piloted aerial system" and – most commonly – "drones". Broadly in line with the UK, simple rules are in place for the recreational use of SUAs with a permit system for commercial use that is broadly analogous to that for other aerial work. It is worth noting that all general provisions of the respective aviation laws in both Bailiwicks apply to SUAs in the same manner as other aircraft.

As expected, the number of SUAs in Jersey has steadily risen. The DCA issued a further three full commercial permits, two renewals and five temporary permits during the year. Working with an experienced operator we have also finalized the scope and method of auditing commercial SUA operators, with the first audits to be conducted on behalf of the DCA in January 2016.

The DCA has also worked with Ports of Jersey, the States of Jersey Police and the Honorary Police to ensure that we maintain a high level of public awareness, both of the hazards of flying SUAs and the requirements of the law. Words of advice have been provided to several members of the public in this respect.

Jersey Aircraft Registry

The aircraft registry is led by the Economic Development Department (EDD) with the DCA providing regulatory oversight. Following an unsuccessful recruitment campaign, an interim appointment was made of a Registrar – with the agreement of the DCA – in order to ensure a smooth transition from the launch phase into operations. A final package of legislation changes was passed in the summer and autumn (see above) and the registry went live in November with its first aircraft⁷. This has allowed the DCA to test the processes in place and to ensure that the communications between the EDD and the technical services provider are effective. At present no technical requirements have

⁵ In Jersey see Article 52 of the *Air Navigation (Jersey) Law 2014* at

⁶ In Guernsey see s37 of the *Air Navigation (Guernsey) Law 2012* at

<http://www.guernseylegalresources.gg/article/109460/Air-Navigation-Bailiwick-of-Guernsey-Law-2012-Consolidated-text>

⁷ A Cessna Citation 525 with registration ZJ-THC

been proposed to the DCA for publication and applications are being assessed on a case-by-case basis. This will be reviewed during 2016.

The DCA attended the EBACE⁸ trade show in Geneva in May 2015 in his role as regulator to support both the Jersey and Guernsey delegations and will do the same for 2016. The show is the main conference for the European business aviation community and attracts manufacturers, operators and support service providers from across the industry worldwide.

Miscellaneous Activities

Both Jersey and Guernsey are again included in the state of registry insurance policy led by the Cayman Islands. This provides liability cover for the Bailiwicks should a locally registered aircraft be lost on the high seas where there is no “state of occurrence”. Such co-operation allows us to benefit from the considerable scale of the Caymans’ operation and the keep the costs at a manageable level.

Throughout the year the routine work of the DCA continued. On a day-to-day basis requests are made by operators wishing to conduct aerial work, photography and survey flights, all of which require a permit from the DCA. The simplified permit style was introduced in January and has been well received by stakeholders; it is intended to publish a list of current permit holders in the Aviation Journal. The DCA is also involved in the planning for events such as Liberation Day and the annual Jersey International Air Display.

In June the DCA met with counterparts from Gibraltar and the Isle of Man in Gatwick. The meeting was hosted by the UK Civil Aviation Authority and Department for Transport and provided a forum to discuss issues of mutual interest and to promote closer working and knowledge sharing. This was a success and it was agreed to make this an annual event. The DCA also attended a one-day seminar to commemorate 100 years of air accident investigation. This was hosted by the Royal Aeronautical Society and was followed by a reception at the Palace of Westminster.

Aviation Security

A new Memorandum of Understanding (MoU) has been signed with the UK Department for Transport (DfT) brought about by changes to aviation security functions in the UK under the Civil Aviation Act 2012. The MoU facilitates the oversight of security measures and checks that the level and quality complies with the civil aviation security programme which ensures flights continue to operate into the EU and UK without the need for additional screening.

In accordance with the MoU, inspections were undertaken during 2015 by the UK Civil Aviation Authority and accompanied by the Deputy DCA and we are confident that the airport meets the aviation security standards required by the EU and UK. In addition to these inspections the airport is also subject to regular inspections by the Deputy DCA as part of the Channel Islands Aviation Security Quality Control Programme.

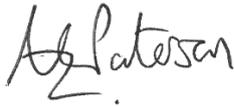
The *Aviation Security (Jersey) (Amendment) Direction 2015* was issued in 2015. The security direction is updated on an annual basis to keep up to date with the latest developments and threats. The parallel document was also amended in Guernsey to maintain equivalent measures. The

⁸ For a flavour see the 2016 EBACE website at: <https://ebace.aero/>

standardised approach to aviation security by both Jersey and Guernsey continues to be of benefit and the DCA meets with both airports on a regular basis to ensure continuing co-operation.

DCA

If you have any questions about anything contained in this report or any other aspect of aviation in the Channel Islands, please contact:

A handwritten signature in black ink that reads "Gus Paterson". The signature is written in a cursive style with a large initial 'G' and a clear surname.

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