

ACCEPTED by
DIRECTOR of
AIR NAVIGATION DEPARTMENT

Wiesław BĄCZEWSKI

(PL language version)

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ANNUAL SAFETY OVERSIGHT REPORT

period: 1 January – 31 December 2013

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

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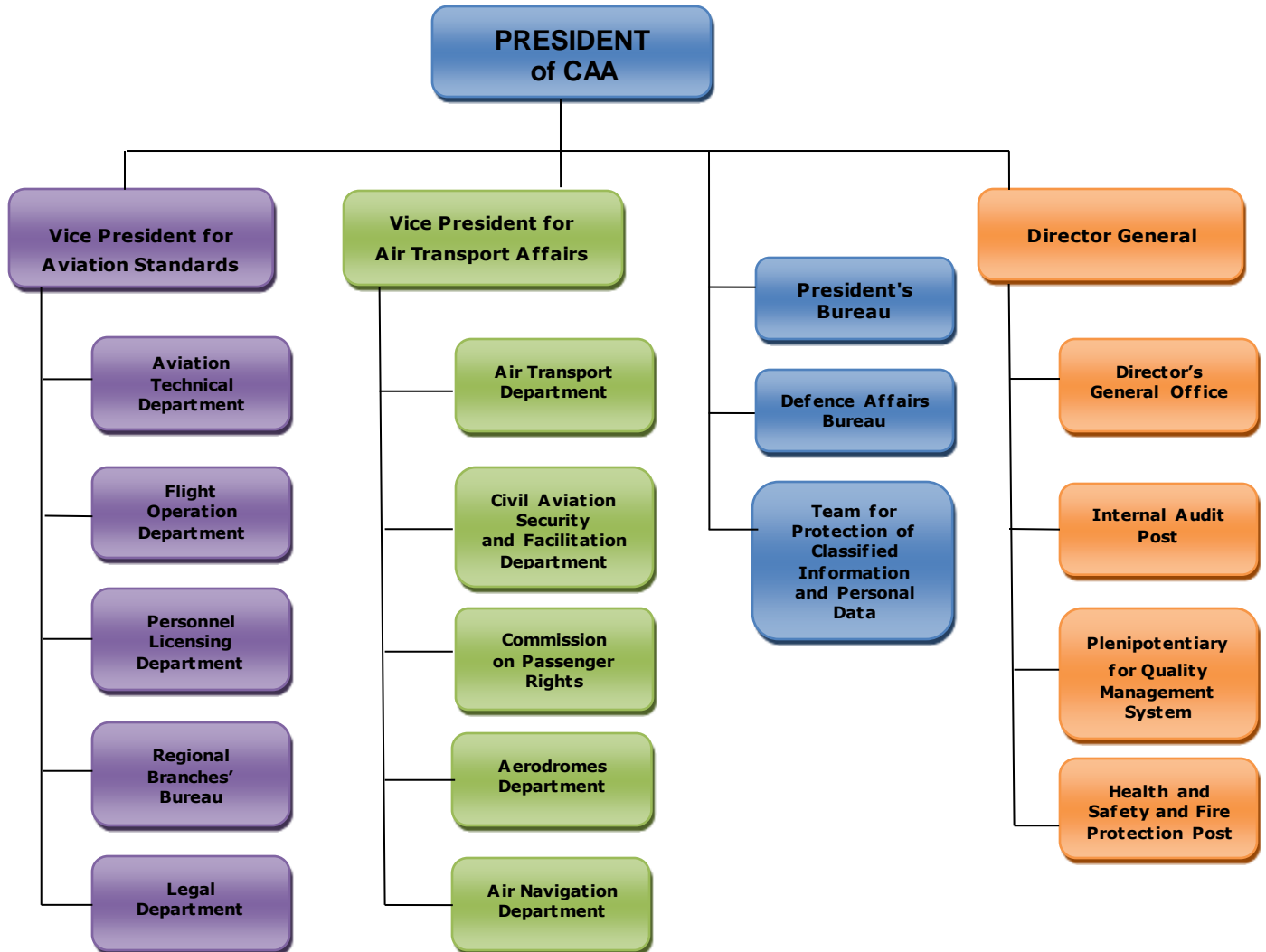
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Warsaw

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1. ORGANISATIONAL STRUCTURE AND PROCEDURES OF NATIONAL AUTHORITY ORGAN (NATIONAL SUPERVISORY AUTHORITY)

The structure of national supervisory authority:



Legal base:

- The Act of 3 July 2002 – Aviation Law;
- The Regulation of the President of the Civil Aviation Office of 20 August 2010 on establishing terms of reference of Civil Aviation Authority (with further amendments);
- The Regulation of the Minister of Infrastructure of 6 May 2003 on certification of activities in civil aviation.

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 governmental administration body competent in all civil aviation issues. President of CAA has, inter alia, competence to be a national supervisory authority in the line of implementation of air navigation services providers' tasks.

National supervisory authority procedures: the Act of Aviation Law – Art. 160–162, Certification Regulation: para 33 and successive, Safety Oversight Manual, Certification Manual.

The certification process aims at verifying provider's ongoing capability of defined aviation activities performance. Air personnel training aimed at achieving the 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, undergo certification process. The certification process is executed by the President of Civil Aviation Authority at the request of interested entity.

President of CAA conducts periodic and – in case of such a need – ad hoc inspections to verify if the certificate holder still fulfills in law requirements indispensable for issuing and maintaining the certificate's validity. In case of finding deviation, President of CAA may call the interested entity to delete it in a given deadline, under the rigor of revoking the certificate. Post-deadline fulfilling (or not fulfilling at all) of the requirements specified in the certificate by the entity may result in revocation of the certificate by the CAA President.

Periodic inspections are conducted in accordance with ongoing oversight program, approved by the President of CAA, individually for each certificate holder. Such a program defines substance of each audit and inspection, frequency of repetition in particular fields of activities of certificate holder in civil aviation, annual and quarterly plan of inspection tasks implementation.

2. THE AIRSPACE AND INSTITUTIONS LIABLE TO NATIONAL SUPERVISORY AUTHORITY INSPECTIONS

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;

The Polish airspace, available for air navigation, is classified in accordance with the European Union law on single European sky, 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 and military aerodrome air traffic services units. Air navigation services providers create civil aerodrome air traffic services units, operating in controlled airspace. Aerodrome operators create civil aerodrome air traffic services units, operating in uncontrolled airspace, allocated to given aerodromes.

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) – established usually by airways fugitive near one or a few aerodromes;
 - b) Airways (AWY),
 - c) Conditional Route (CDR), which might be established in one of the following categories:
 - category one (CDR 1) – conditional route of category one, possible for permanent planning and available in periods published in Aeronautical Information Publication (AIP Polska);
 - category two (CDR 2) – conditional route of category two, possible to be planned in periods published in Airspace Use Plan (AUP);
 - category three (CDR 3) – conditional route of category three, impossible to be planned, which might be used only in accordance with air traffic control unit instruction;
 - d) airspace from FL095 to PL660, except for TSA, TRA and CBA, for which airspace class, appropriate for uncontrolled airspace, is defined or which is not classified at all;
- 2) Control Zone (CTR) and Military Control Zone (MCTR) – established to allow approach and departure maneuver and initial climb;
- 3) Temporary Segregated Area (TSA), Temporary Reserved Area (TRA) and cross-border area which is a temporary segregated or reserved area, enacted due to 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). PANSa develops: AWY, CDR, CTR, MCTR, TMA or MTMA in co-ordination with the Military Air Traffic Services Office of the Polish Armed Forces. PANSa submits projects of: AWY, CDR, CTR, MCTR, TMA or MTMA for the acceptance of the President of CAA 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 MTMA 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 CAA, is published in CAA Official Journal, as well as in AIP Polska.

The uncontrolled airspace consists of:

- 1) airspace available for air navigation, other than controlled airspace;
- 2) Aerodrome Traffic Zone (ATZ) – which is an 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 an 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 Segregated Area (TSA), Temporary Reserved Area (TRA) and cross-border area, which is a temporary segregated or reserved region, established due to special operational requirements, for which airspace class appropriate for uncontrolled airspace has been defined or the airspace is unclassified.

PANSa develops ATZ and MATZ in co-ordination with the Military Air Traffic Services Office of the Polish Armed Forces. PANSa submits projects of ATZ and MATZ to the President of CAA within 91 days before their planned entry into force. It is acceptable to create ATZ or MATZ within geographical boundaries of a corresponding CTR or MCTR, in which provision of air traffic control service has been suspended or terminated. The uncontrolled airspace structure or its change, accepted by the President of CAA, is published in CAA Official Journal and in AIP Polska.

In the reporting period, i.e. 1 January – 31 December 2013, the following ANS providers were subject to the CAA President supervision (in accordance with the Regulation No 549/2004):

- Polish Air Navigation Services Agency (ANS);

- Institute of Meteorology and Water Management – National Research Institute (MET);
- IBCOL Polska PLC (MET);
- Mazowiecki Port Lotniczy (Masovia Airport) Warszawa-Modlin (AFIS).

3. RECOGNISED ORGANISATIONS AUTHORISED TO CONDUCT STATE SAFETY AUDITS

The President of the Civil Aviation Authority has neither recognised nor appointed any organisations to conduct state safety audits in the reported period.

4. NATIONAL SUPERVISORY AUTHORITY CURRENT HUMAN RESOURCES

Name of the NSA:	CIVIL AVIATION AUTHORITY
Scope of the NSA tasks:	Number of full-time equivalents
personnel licencing and certification of training centres	2.5
certification and ATM safety supervision	14
administration	1
performance	2
other	10
Total:	29.5
The number of qualified safety oversight auditors/inspectors:	16.5

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

A. *State safety audits program including information on conducted audits and their scope (Annex 1: Safety oversight program)*

ATS, ATFM, ASM: State safety audit is carried out in the framework of the on-going oversight of air traffic services and is based on the On-going safety oversight of air navigation services program conducted by Air Navigation Department for the period 1.01–31.12.2013, approved by the President of CAA.

Within the framework of this oversight the inspectors of ATM Oversight Inspectorate conducted in 2013 29 inspections, including:

- 1) Area Control Centre (ACC): –;
- 2) Approach Control Services (APP): 3;

- 3) Aerodrome Control Services (TWR): 10;
- 4) Flight Information Service (FIS): 4;
- 5) ATFM: 1;
- 6) ASM-1: 1;
- 7) AMC Polska (ASM-2 and AMS-3): 1;
- 8) ARO: 8.

The inspections program covered the following areas:

- safety and quality management;
- safety of services;
- quality of services;
- human resources;
- technical and operational potential and competences;
- methods and rules of procedure.

CNS: Safety oversight in the field of communication, navigation, surveillance and flight data processing and displaying systems is conducted within the framework of controls before the entry of a device into the Register of Aeronautical Ground Facilities, as well as the on-going compliance audits, in accordance with the On-going safety oversight of air navigation services program conducted by Air Navigation Department for the period 1.01–31.12.2013, first and foremost through the verification of compliance with the Regulation (EU) 1035/2011 requirements and in a way described in Regulation (EU) 1034/2011. In a reported period four audits and 38 inspections in the framework of on-going safety oversight in CNS units and facilities were conducted, as well as 42 inspections related to the registration of the device in the AGF Register.

For each area the following inspections has been conducted:

- a. COM: 15 (on-going safety oversight), 32 (registration in AGF Register);
- b. NAV: 13 (on-going safety oversight), eight (registration in AGF Register);
- c. SUR and DP: 10 (on-going safety oversight), two (registration in AGF Register).

The scope of the audits and controls contained mainly:

- organisational structure and management, including: structure of the institution, scope of responsibilities and accountability of employees, internal reporting and annual plans, including: information on the new structure, risks reduction and performance indicators;

- safety and quality management, including: formal contacts with external stakeholders, safety of new systems and changes;
- human resources, including: staff qualifications, training policy and recruitment;
- quality of services, including: transparent provision of services, publications of conditions of services availability, annual consultations with services users, contingency plans for services provision;
- technical potential and competences, including: continuity, precision and complexity of CNS services, as well as maintenance and efficiency of aeronautical ground facilities;
- safety of services, including: safety management system, individual liability, safety of outsourced services, safety inspections, safety information, investigation of irregularities related to safety, safety requirements for risk assessment and mitigation with regard to changes, personnel safety requirements;
- methods and procedures, including provision of methods and procedures in accordance with the standards of the ICAO Annex 10.

MET: Safety oversight of agrometeorological protection of civil aviation is conducted within the framework of on-going safety oversight of air navigation services providers, in accordance with the On-going safety oversight of air navigation services program conducted by Air Navigation Department for the period 1.01–31.12.2013, the Plan of agrometeorological protection of civil aviation realisation for 2013 year and the Schedule of the meteorological services oversight in accordance with the areas of the Commission Regulation (EU) 1035/2011 and the Regulation on agrometeorological protection of civil aviation for 2013.

In the reference period of 2013 12 controls in the Institute of Meteorology and Water Management and two in the IBCOL Polska units were conducted.

AIS: Safety oversight of Aeronautical Information Services is conducted in the framework of safety oversight of the Polish Air Navigation Services Agency, according to the On-going safety oversight of air navigation services program conducted by Air Navigation Department for the period 1.01–31.12.2013, approved by the President of CAA, Aeronautical Information Services inspections plan for 2013 and the Schedule of the on-going safety oversight of Aeronautical Information Services in accordance with the areas of the Commission Regulation (EU) 1035/2011 for 2013.

In the reference period nine inspections of AIS were conducted, including two of the aeronautical charts.

B. Conformity of air traffic management units operating in domain of responsibility of national supervisory authority, with appropriate safety requirements (Annex 2: Control record)

ATS, ATFM, ASM: Controls conducted by ATM Oversight Inspectorate in 2013, in the framework of air navigation service provider oversight confirmed that the air traffic services of Polish Air Navigation Services Agency meet the requirements in scope of safety regulations, in particular – the requirements of Regulation (EU) 1034/2011 and 1035/2011 and are capable of providing services in accordance with the granted certificate. The conducted controls haven't indicated any non-conformities that would have directly infringed safety requirements for air navigation service provider. In some instances small non-conformities with state regulations have been identified, but they haven't affected safety demands. With regard to the identified rules violations, the Polish Air Navigation Services Agency has taken appropriate actions which have resulted in closing of non-conformities. The 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, enclosed in the ECCAIRS base.

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

MET: Controls conducted in 2013 by the MET & AIS Oversight Inspectorate in the framework of ANSP safety oversight (Institute of Meteorology and Water Management, IBCOL Polska) confirmed that the above institutions manage safety of all provided services according to the Regulation (EU) 1035/2011 requirements and are capable of providing services in compliance with the granted certificates.

AIS: During controls conducted in 2013 by the MET & AIS Oversight Inspectorate, in the framework of safety oversight of air navigation service provider (in the scope of AIS) following non-conformities, violating safety rules, were identified:

- the non-conformity in the field of point 3.1 "Safety management" Annex 1 to Regulation (EU) 1035/2011 is still active (lack of signed Service Level Agreements with stakeholders providing data for publication are not signed); the process of signing SLAs is supervised by the CAA and is conducted in accordance with the schedule accepted by NSA (the deadline has been extended);
- so far AIS has drawn up the agreement with 13 aerodromes with IFR procedures and with Institute of Meteorology and Water Management; these agreements have been verified by NSA; in order to close the non-conformity, the AIS has to draw up an agreement with military side, providing aeronautical data important for GAT;

- in the field of aeronautical charts: minimum altitude ATC radar charts are missing a warning that this type of charts serves only for verification of the altitude allocated by the ATC.

C. Monitoring of acceptable safety levels in Functional Airspace Blocks, for which National Supervisory Authority is responsible (Annex 3: Occurrence record)

At this stage, monitoring of specific occurrences in ATM which have a direct impact on maintaining safety level, is leaded.

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

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

- safety and quality management: 29;
- safety of services: 29;
- quality of services: 12;
- human resources: 10;
- potential and technical and operational competence: 7;
- methods and procedures: 8.

During the on-going oversight eight non-conformities have been identified. After accepting the proposal and reviewing the effectiveness of corrective actions undertaken by PANSA, all non-conformities have been closed. The non-conformities reports have been closed.

CNS: During audits and controls conducted in PANSA in reference period no non-conformities which could have an impact on safety management were found. However, some “small” non-compliances or observations were found, i.e.:

- outdated or unapproved procedures for field technical staff;
- outdated lists of equipment and personnel authorised and entitled to their service;
- assigning to device maintenance unauthorised personnel;
- failure to report an operated device for entry into Register of Aeronautical Ground Facilities;
- failure to report a device removed from operation for removal from Register of AGF;
- lack of current EC declarations of conformity of constituents;

- lack of current EC declaration of system verification;
- lack of current entries in the equipment operation logs;
- lack of current or correct entries in the measurement tabs;
- lack of publication of the access to services provided conditions;
- lack of adoption of a system of periodic consultations with service users.

In relation to the identified non-conformities, the controlled entities have presented the NSA with corrective actions proposals, which have been accepted and implemented. In relation to the observations, the controlled entities have bound themselves to close them at the earliest possible time.

MET: During audits conducted in the reference period in the Institute of Meteorology and Water Management and IBCOL Polska identified non-conformities were closed, and corrective actions seem to be effective. Problem which may have implications on the management of safety may be the process of implementation of changes to functional systems (which are currently under development), reported and implemented by these institutions. Such a problem has occurred when the Institute of Meteorology and Water Management decided about introduction (directly by the LSM meteorologists) of the meteorological data into automatic ATIS systems – without performing safety analysis and informing the CAA about this. Institute of Water & Meteorology Management does not have the Service Level Agreement signed with all service providers for MET services. This problem is very important in connection with the planned for 2014 exchange of AWOS systems at airports.

AIS: In the framework of so far conducted audits inspectors of MET and MET Oversight Inspectorate have identified some non-conformities which could have significant implications on the safety management. These non-conformities are:

- NOTAM MB backup location, needed to secure work in conjunction with emergency events, does not have the required technical equipment;
- NOTAM MB time resume is defined in Warsaw NOF contingency plans for five days – which does not ensure the continuity and safety of NOTAM MB work.

E. Review of safety arguments concerning new systems or changes to existing ATM systems, including information on new systems and changes to existing systems, accepted by National Supervisory Authority and those which have been accepted internally by ATM units, according to definite procedures (insignificant changes).

ATM: In the period 1.01–31.12.2013 seven decisions of the President of CAA approved changes in the

airspace structure:

Number of the decision	Date of issue
2	10.01.2013
9	13.02.2013
14	5.03.2013
18	18.03.2013
24	18.06.2013
32	10.09.2013
55	13.12.2013

CNS: Controls of safety arguments related to changes to existing CNS systems and facilities are conducted in CNS units and facilities in the framework of on-going safety oversight, as well as the entry of the device into the Register of Aeronautical Ground Facilities. Controls of safety arguments regarding new CNS infrastructure (radio station, radio navigation devices, radars, flight data processing and displaying systems) are conducted in the framework of ad hoc inspections – before entry the facility into the Register of AGF. Moreover, safety arguments are checked during audit connected with AFIS certification process. Between 1.01 and 31.12.2013 the President of CAA issued following decisions on entry (or change of the entry) into the Register of AGF:

Decision related to:	COM	NAV	SUR	DP	All
Entry into Register	67	8	2	0	77
Change of the entry into Register	28	0	2	2	31
Removal from the Register	13	4	0	1	18
Total	108	12	4	3	126

MET: safety arguments controls, related to changes to existing MET systems and facilities, are conducted in the framework of on-going safety oversight, as well as ad-hoc inspections before entry of the device into the Register of Aeronautical Ground Facilities in MET service units and at the aerodromes, on which these facilities are located. Moreover, safety arguments are checked in the framework of audit connected with the ATS and AFIS certification process at new aerodromes. In the

period 1.01–31.12.2013 the President of CAA issued one decision on entry and one on the change of entry of the facility into Register of AGF/MET. Until 18 September 2011 operational permissions for the use of automatic weather observation systems and measurement sensors were issued. Due to changes in the Act of Aviation Law, these operational permissions are not required anymore and this makes the oversight of automatic weather oversight systems more difficult and necessitates change of their safety operating oversight form. In June 2012 PANSa in co-operation with IMWMNRI decided to implement to operational use new ATIS system on eight aerodromes. This decision was made despite significant number of notices and remarks connected with the way the system works, in particular with manual introduction of meteorological parameters data by IMWM NRI aerodrome meteorological stations personnel. The problem of “human factor” still hasn’t been eliminated. Information concerning implementation of ATIS system to operational use has not been communicated to CAA, although the fact had been identified during the inspection.

AIS: no new systems or changes to existing systems were introduced in AIS during the reporting period. Situation is monitored by the NSA in connection with the fact that during this period IAS was testing new database software, dedicated to produce AIP Polska.

F. Safety directives issued by the National Supervisory Authority

ATS, ATFM, ASM: The Polish National Supervisory Authority hasn’t issued its own safety guidelines in the scope of ATS, ATFM, ASM.

CNS: The Polish National Supervisory Authority hasn’t issued its own safety guidelines in the scope of CNS.

MET: The Polish National Supervisory Authority hasn’t issued its own safety guidelines in the scope of MET.

AIS: The Polish National Supervisory Authority hasn’t issued its own safety guidelines in the scope of AIS.

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

During the reference period the President of Civil Aviation Authority neither recognised nor appointed any organizations to conduct state safety audits.