ICAO Universal Safety Oversight Audit Programme

ICAO SUMMARY REPORT

OF THE

CIVIL AVIATION AUTHORITY

OF

ROMANIA

(Bucharest, 20 to 24 September 1999)

INTERNATIONAL CIVIL AVIATION ORGANIZATION
1. BACKGROUND

1.1 The Civil Aviation Authority (CAA) of Romania was initially assessed under the voluntary ICAO Safety Oversight Assessment Programme from 19 to 24 August 1996 by an ICAO assessment team. This audit was carried out from 20 to 24 September 1999 pursuant to Assembly Resolution A32-11 and, in accordance with the updated Memorandum of Understanding (MOU) agreed on 9 August 1999 between Romania and ICAO, included in Attachment A to the audit interim report forwarded to Romania on 15 November 1999. The objectives of this audit were two-fold. Primarily, its objective was to fulfill the mandate given to ICAO pursuant to the above-mentioned Assembly Resolution. Secondly, the audit was conducted with the objective of ascertaining the progress made in the implementation of the recommendations forwarded during the voluntary assessment conducted in 1996 and, as required, to re-ascertain the safety oversight capability of the CAA of Romania. The audit also aimed to ensure that Romania is in conformity with ICAO Standards and Recommended Practices (SARPs) as contained in Annexes 1, 6 and 8 to the Chicago Convention, associated guidance material and good aeronautical practices.

1.2 On 5 January 2000, Romania submitted an action plan addressing all the findings and recommendations contained in the audit interim report and comments and clarifications, as applicable, on some of the contents of the audit interim report. An addendum to the action plan was submitted on the 15 January 2000 identifying some further action taken by Romania to address the findings and recommendations. The action plans submitted were reviewed by the Safety Oversight Audit Unit (SOAU) and were found to be satisfactory. The comments and clarifications provided were also taken into consideration in the preparation of this audit final report.

2. AVIATION ACTIVITIES IN ROMANIA

At the time of the audit, there were twenty-five commercial air transport operators, seventeen approved maintenance organizations, seventeen repair stations and seventeen aircraft maintenance workshops registered in Romania. In addition, 705 flight crew (pilot) licences, 628 flight crew licences other than pilot licences and 2,398 licences other than flight crew licences were active. Five hundred and ninety aircraft were registered and issued with a Certificate of Airworthiness and thirty-one type certificates of airworthiness were issued. Two aircraft manufacturers and two aircraft parts or equipment manufacturer organizations were also registered in Romania. The CAA had forty-five operations inspectors and thirty-four airworthiness inspectors to enable it to fulfill its safety oversight responsibilities.

3. SUMMARY OF FINDINGS

3.1 General statement

3.1.1 The review of progress made over the last three years disclosed that Romania’s primary aviation legislation and civil aviation regulations are basically sound and in conformance with the requirements of appropriate ICAO Annexes and related guidance material. The Romanian CAA is appropriately structured and adequately staffed and equipped to meet safety oversight responsibilities of the State.
3.1.2 The personnel licensing section is adequately staffed with qualified and experienced personnel and has the necessary regulations and procedures to undertake its licensing responsibilities. Significant progress has been made in the field of operational certification and supervision since the last assessment in 1996; however, the CAA still needs to adopt its own certification and supervision procedures which conform to guidance material contained in ICAO Doc 8335.

3.1.3 The CAA has established an adequate airworthiness structure and has a safety oversight capability with adequate technical and administrative staff well equipped with all necessary procedures and tools to enable it to satisfactorily fulfil its airworthiness-related safety oversight obligations. The safety oversight capability of Romania is based on a sound regulatory framework and is supported by an adequate organization.

3.2 Primary aviation legislation in Romania

3.2.1 Abstract of findings

In 1993, the Government of Romania, through Government Decree No. 405/1993, proclaimed the responsibilities of the CAA of Romania. The CAA established under the Ministry of Transport, which is the State authority for civil aviation, is responsible for the safety of civil aviation. The Civil Aviation Law of Romania was issued in 1997 and Transportation Law No. 197/1998 was promulgated in 1998 to strengthen the Government Decree of 1993 which empowered the CAA to promulgate civil aviation regulations. The CAA, under the authority given to it by the Transportation Law, promulgated new civil aviation regulations in the summer of 1999, covering the requirements for the certification of commercial air transport operators (RACR-COA) and the approval of general aviation and aerial work air operators (RACR-AOA). The Government Decree of 1993, the Civil Aviation Law of 1997 and the Transportation Law of 1998 form a solid legal framework allowing the Romanian CAA to regulate, control and supervise civil aviation activities in Romania.

3.3 Civil aviation regulations in Romania

3.3.1 Abstract of findings

3.3.1.1 The Government Decree of 1993 empowered the CAA to develop and implement civil aviation regulations and to regulate safety of aircraft operations in Romania. Accordingly, the CAA promulgated in 1999 new civil aviation regulations addressing requirements and responsibilities for the certification of commercial air transport operators (RACR-COA) and the approval of general aviation and aerial work air operators (RACR-AOA). These regulations were issued on 23 July 1999, published on 2 September 1999 and were applicable as of 17 September 1999. Romania is in the process of becoming a full member of the Joint Aviation Authorities (JAA) and will then be required to implement all relevant JAA regulations (JARs). In anticipation of becoming a full JAA member, Romania has adopted JAR-FCL 1, 2 and 3, JAR-OPS 1 and 3, JAR-21, JAR-25, JAR-145 and JAR-VLA as part of its legal system by orders of the Minister of Transport.

3.3.1.2 During the course of the audit and in line with the procedures established on the basis of the MOU signed between Romania and ICAO, the primary aviation legislation and civil aviation regulations in Romania were found to be comprehensive and satisfactory.
3.4 Civil aviation organization in Romania

3.4.1 Abstract of findings

3.4.1.1 The overall organization of the CAA includes an Administration Board whose members are Directors of Departments, Offices or Directorates of the CAA. The CAA is established on the basis of Government Decree No. 405/1993, and subsequent Civil Aviation and Transport Laws, which empowered it to discharge State responsibilities as a regulator and safety authority for all civil aviation activities and civil aviation organizations in Romania. The CAA has established an adequate structure to satisfy the safety oversight needs of Romania under the leadership of a Director General who chairs and reports to the Administration Board.

3.4.1.2 During the course of the audit and in line with the procedures established on the basis of the MOU signed between Romania and ICAO, the civil aviation system established in Romania was found to be adequate and satisfactory to enable Romania to undertake its safety oversight responsibilities.

3.5 Personnel licensing and training in Romania

3.5.1 Abstract of findings

3.5.1.1 The administrative process with regard to all licensing functions resides with the Licences and Authorization Department of the Flight Operations Directorate. The Department has five administrative staff responsible for the process leading to the issuance of licences. Technical and testing requirements are assigned to the Flight Operations, Airworthiness and Air Navigation Services Directorates depending on the type of licence applied for. The Directorates are adequately staffed with qualified and experienced personnel to undertake the necessary responsibilities leading to the issuance of licences and ratings. The CAA has developed an organizational structure for the Licences and Authorization Department including policy, procedures, personnel requirements and maintenance of records of licensed personnel. Medical certification is carried out by the Aeronautical Medical Institute which is a combined civilian and military institution. By maintaining its dual functions with the military and civilian sectors, the Aeronautical Medical Institute is able to produce a much higher level of funding and staffing. The Institute is adequately staffed and provide for medical licensing facilities with all medical disciplines represented and managed in the most effective and professional manner. Medical examiners are appropriately qualified and experienced in aviation medicine.

3.5.1.2 During the course of the audit, three findings relating to personnel licensing and training in Romania were identified and three recommendations were made for their rectification.

3.5.2 Corrective action plan proposed/taken by Romania

3.5.2.1 With respect to the issuance of licence validation requirements in the Romanian AIP, Romania indicated that these requirements are contained in PIAC-LPN approved on 17 September 1999 which have now been published in the AIP of Romania on January 2000 per the Director General’s Decision No. 396/07 of 7 December 1999.

3.5.2.2 The action plan also indicated that the CAA has, through the Director General’s Decision No. 398 of 7 December 1999, established a requirement and programme for the designated medical examiners to acquire practical knowledge of and experience in the conditions in which the holders of licences and ratings carry out their duties.
3.5.2.3 On the issue for the need to improve the process of certification and inspection of aviation training institutes, the CAA indicated that it works in cooperation with the Transport Safety Institute of the Netherlands to create a coherent system of regulations and guidance material so as to fully comply with ICAO and JAA requirements. It also indicated that the programmes developed for the CAA are based on requirements and syllabus contained in ICAO Annex 1 and JAR-FCL 1. On 15 January 2000 an update on the status of implementation of the findings and recommendations was received which indicated that the courses were now delivered by a PHARE - Aviation Sector Modernization training programme (for Central and Eastern Europe)

3.6 Aircraft operations certification and supervision in Romania

3.6.1 Abstract of findings

3.6.1.1 The Flight Operations Directorate has forty-five inspectors including two cabin safety and six commercial air transport operator inspectors. The CAA’s inspectors are qualified on all of the aircraft types flown by the certificated air operators. Romania has put considerable efforts in implementing the recommendations made following the voluntary safety oversight assessment conducted by ICAO in 1996. Thirty-seven of the thirty-eight recommendations forwarded in 1996 were satisfactorily implemented. As a result, the Romanian aircraft operations regulation has undergone major changes during the last year.

3.6.1.2 There was a total of twenty-five commercial air transport operators registered in Romania out of which eleven were operating international flights. The number of registered commercial air transport operators included three air taxi operators and eleven domestic air operators. The procedures for aircraft operations certification are based on the regulations RACR-COA — Air Operators Certification (commercial air transport operators) and RACR-AOA — Air Operators Approval (general aviation and aerial work air operators) issued in July 1999. The certification regulations conform to the guidance provided in ICAO Doc 8335 and provide the necessary procedures for air operators certification.

3.6.1.3 Procedures established for the control and supervision of air operators are in accordance with the Regulations RACR-COA — Air Operators Certification (commercial air transport operators) and RACR-AOA — Air Operators Approval (general aviation and aerial work air operators). The inspections are conducted in accordance with an annual plan which is approved by the Director General. During the inspections, inspectors are obligated to use the inspectors checklists which are kept in the Department to be trackable.

3.6.1.4 During the course of the audit, eight findings relating to aircraft operations certification and supervision in Romania were identified and eight recommendations were made for their rectification.

3.6.2 Corrective action plan proposed/taken by Romania

3.6.2.1 With respect to the recommendation on the empowerment of inspectors, the CAA indicated that a draft regulation was submitted for approval to the Ministry of Transport and would be implemented as soon as it is approved. No expected date of implementation was provided. On the issue of amending air operator certification and approval regulations, the CAA confirmed that the new regulations, conforming to Annex 6 requirements and Doc 8335 guidance material, were approved by the Minister of Transport in July 1999, were published in the Official Gazette in September 1999 and are now in force, replacing the regulations issued in 1996. The CAA has also amended the inspector handbook to include policy and procedures for the certification and supervision of operators and enforcement of regulations.

3.6.2.2 On the issue of the development and maintenance of a formal initial and recurrent training programme for the inspectorate staff, the CAA indicated that, through Director General’s Decision No. 353 of 8
November 1999, it has developed the necessary provisions for the training of CAA inspectors and also for the designated inspectors and examiners.

3.6.2.3 With respect to the need to require Romanian commercial air operators to develop and use checklists in aircraft operations, the CAA indicated that according to the provisions of regulation DO-OPS 1P of October 1999, operators are required to develop and use checklists for normal, abnormal and emergency procedures as well as for bomb threat and/or illegal intervention on the aircraft. Checklists developed should be on board in a useful form and accessible. The CAA will ensure implementation during surveillance and supervision of operators.

3.6.2.4 On the issue of including threshold time and a requirement for a specific training programme in its ETOPS regulations, the CAA indicated that it has submitted to the Ministry of Transport draft regulations for approval. The training programme is addressed in the specific procedure — PLAC — currently being drafted. On 15 January 2000 an update on the status of implementation of the findings and recommendations was received which indicated that the ETOPS operation regulations regarding the development of a training programme have now been approved by the Ministry of Transport. With respect to the licensing of flight operations officers/flight dispatchers, the CAA indicated that a licensing regulation has been implemented and as a consequence, the first thirty-two flight dispatchers were qualified after passing examinations conducted on 18 and 19 November 1999.

3.7 Continuing airworthiness inspection and surveillance in Romania

3.7.1 Abstract of findings

3.7.1.1 Procedures established for continuing airworthiness inspection and surveillance in Romania are conducted in accordance with National Legislations No. 1.4 — Airworthiness of Aircraft and No. 1.5 — Status of JAR Implementation in Romania. The inspections are conducted in accordance with an annual plan which is approved by the Director General. During the inspections, inspectors are obligated to use the inspectors checklists which are kept in the Department to be trackable. The CAA was preparing the implementation of the relevant JAA Regulations. Furthermore, there is a very detailed and extensive structure of CAA regulations, procedures, instructions and checklists. The CAA Airworthiness Directorate is deeply involved in the control and supervision of the approved operators and maintenance organizations. The inspectors have a detailed technical knowledge which matches the one of their counterparts in the approved maintenance organizations. This part of the functioning of the Airworthiness Directorate can only be characterized as excellent.

3.7.1.2 The Director of the Airworthiness Directorate (AD) is responsible to the Director General of the CAA. The AD has sufficient office space and adequate equipment and tools to enable it to undertake its responsibilities effectively. The aircraft registry was satisfactorily maintained by a qualified inspector. A total staff of thirty-seven persons were employed by the AD. The Airworthiness Directorate was found to have an excellent structure and oversight capability. A visit to one of the approved maintenance organizations (AMOs) was conducted by a member of the ICAO audit team and several shortcomings were identified; however, these shortcomings were already known to the Airworthiness Directorate which was in the process of undertaking action to ensure the timely rectification of the identified shortcomings.

3.7.1.3 During the course of the audit and in line with the procedures established on the basis of the MOU signed between Romania and ICAO, the airworthiness system established in Romania was found to be adequate and satisfactory to enable Romania to undertake its safety oversight responsibilities.
4. COMMENTS

As was presented in the background information of this report, Romania, on 5 January 2000 submitted a corrective action plan addressing all the findings and recommendations contained in the audit interim report forwarded to Romania on 15 November 1999. On 15 January 2000 an update to the initial action plan was submitted to identify the current status of their proposed action. From the action plans submitted it was clear that several of the actions were already taken or were under process. In most cases, a number of actions would be completed by the time this final summary report is prepared. It is therefore requested that Romania inform ICAO of actions completed as per the action plan. The audit team was not able to establish the status of implementation and a list of differences existing between the Romanian civil aviation regulations and relevant ICAO Annex provisions for personnel licensing, aircraft operations and airworthiness of aircraft. The CAA of Romania is thus requested to review its regulations and determine the status of implementation as well as identify differences which may exist between its personnel licensing, aircraft operations and airworthiness regulations and Annexes 1, 6 and 8 provisions. In this respect, the CAA could use the safety oversight pre-audit questionnaire provided by ICAO to assist in the reviewing process. Once identified, Romania is expected to implement all Annex provisions; however, in the event that this proves to be difficult, Romania is required to provide ICAO with information on the status of implementation and a list of differences which may exist between its regulations and relevant ICAO Annex provisions. On 10 April 2000 Romania indicated that they notified all the necessary differences to Annex 8 (including all amendments) on August 1999.