THE UNITED REPUBLIC OF TANZANIA

CHAPTER 80

THE CIVIL AVIATION ACT

THE CIVIL AVIATION (SAFETY MANAGEMENT) REGULATIONS

[SUBSIDIARY LEGISLATION]

REVISED EDITION 2026

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Dodoma,
31st July, 2026

HAMZA SAID JOHARI,
Attorney General

CHAPTER 80

THE CIVIL AVIATION ACT

THE CIVIL AVIATION (SAFETY MANAGEMENT) REGULATIONS

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CHAPTER 80

THE CIVIL AVIATION ACT

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REGULATIONS

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(Made under section 5)

THE CIVIL AVIATION (SAFETY MANAGEMENT) REGULATIONS

[14th December 2018]
[DPG]

GN. Nos.
757 of 2018
951 of 2020
57 of 2026

PART I
PRELIMINARY PROVISIONS

Citation

1. These Regulations may be cited as the Civil Aviation (Safety Management) Regulations.

Interpretation
GN. No.
57 of 2026
reg. 2

2. In these Regulations, unless the context otherwise requires-

"Accident" means an occurrence associated with the operation of an aircraft which, in the case of a manned aircraft, takes place between the time any person boards the aircraft with the intention of flight until such time as all such persons have disembarked, or in the case of an unmanned aircraft, takes place between the time the aircraft is ready to move with the purpose of flight until such time as it comes to rest at the end of the flight and the primary propulsion system is shut down, in which-

(a) a person is fatally or seriously injured as a result of:

(i) being in the aircraft;

(ii) direct contact with any part of the aircraft, including parts which have become detached from the aircraft; or

(iii) direct exposure to jet blast,

except when the injuries are from natural causes, self-inflicted or inflicted by other persons, or when the injuries are to stowaways hiding outside the areas normally available to the passengers and crew; or

(b) the aircraft sustains damage or structural failure which-

(i) adversely affects the structural strength, performance or flight characteristics of the aircraft; and

(ii) would normally require major repair or replacement of the affected component,

except for engine failure or damage, when the damage is limited to a single engine, (including its cowlings or accessories), to propellers, wing tips, antennas, probes, vanes, tires, brakes, wheels, fairings, panels, landing gear doors, windscreens, the aircraft skin (such as small dents or puncture holes), or for minor damages to main rotor blades, tail rotor blades, landing gear, and those resulting from hail or bird strike (including holes in the radome); or

(c) the aircraft is missing or is completely inaccessible;

"Acceptable Level of Safety Performance (ALoSP)" means the minimum level of safety performance of civil aviation in the United Republic of Tanzania, as defined in its State Safety Programme, or of a service provider, as defined in its safety management system, expressed in terms of safety performance targets and safety performance indicators;

"aeroplane" means a power-driven heavier-than-air aircraft, deriving its lift in flight chiefly from aerodynamic reactions on surfaces which remain fixed under given conditions of flight;

"aircraft" means any machine that can derive support in the atmosphere from the reactions of the air other than the reactions of the air against the earth's surface;

Cap.80 "Authority" has the meaning ascribed to it under the Act;

"hazard" means a condition or an object with the potential to cause or contribute to an aircraft accident or incident;

"helicopter" means a heavier-than-air aircraft supported in flight chiefly by the reactions of the air on one or more power-driven rotors on substantially vertical axes;

"incident" means an occurrence, other than an accident, associated with the operation of an aircraft which affects or could affect the safety of operation;

"industry codes of practice" means guidance material developed by an industry body, for a particular sector of the aviation industry to comply with the requirements of the International Civil Aviation Organisation's Standards and Recommended Practices, other aviation safety requirements and the best practices deemed appropriate;

"large aeroplane" means an aeroplane with a maximum take-off weight of more than 5700 kg;

"mitigation" means measures to address the potential hazard or to reduce the risk probability or severity;

"operational personnel" means personnel such as flight crews; air traffic controllers; aeronautical station operators; maintenance technicians; personnel of aircraft design and manufacturing organisations; cabin crews; flight dispatchers, apron personnel and ground handling personnel, involved in aviation activities who are in a position to report safety information;

"predictive" means capturing the system performance as it happens in real time normal operations so as to identify potential future problems;

"proactive" means actively identifying safety risks through the analysis of the organization's activities;

"reactive" means responding to events that have already happened such as incidents and accidents;

"safety" means a state in which risks associated with aviation activities, related to, or in direct support of the operation of aircraft, are reduced and controlled to an acceptable level;

"safety data" means defined set of facts or set of safety values collected from various aviation-related sources, which is used to maintain or improve safety;

"safety information" means safety data processed, organised or analysed in a given context so as to make it useful for safety management purposes;

"Safety Management System (SMS)" means a systematic approach to managing safety, including the necessary organisational structures, accountabilities, responsibilities, policies and procedures;

"safety oversight" means a function performed by a State to ensure that individuals and organisations performing an aviation activity comply with safety-related national laws and regulations;

"safety performance" means a State or a service provider's safety achievement as defined by its safety performance targets and safety performance indicators;

"safety performance indicator" means a data-based parameter used for monitoring and assessing safety performance;

"safety performance target" means the State or service provider's planned or intended target for a safety performance indicator over a given period that aligns with the safety objectives;

"safety risk" means the predicted probability and severity of the consequences or outcomes of a hazard;

"serious injury" means an injury which is sustained by a person in an accident and which-

(a) requires hospitalisation for more than forty-eight hours, commencing within seven days from the date the injury was received;
(b) results in a fracture of any bone except simple fractures of fingers, toes or nose;
(c) involves lacerations which cause severe haemorrhage, nerve, muscle or tendon damage;
(d) involves injury to any internal organ;
(e) involves second or third-degree burns, or any burns affecting more than five per cent of the body surface; or
(f) involves verified exposure to infectious substances or injurious radiation.

"State of Design" means the State having jurisdiction over the organisation responsible for the type design;

"State of Manufacture" means the State having jurisdiction over the organisation responsible for the final assembly of the aircraft;

"State of the Operator" means the State in which the operator's principal place of business is located or, if there is no such place of business, the operator's permanent residence;

"State Safety Programme (SSP)" means an integrated set of regulations and activities aimed at improving safety; and

"surveillance" means the State activities through which the State proactively verifies through inspections and audits that aviation licence, certificate, authorisation or approval holders continue to meet the established requirements and function at the level of competency and safety required by the State.

Application

3.-(1) These Regulations shall apply to safety management functions related to, or in direct support of, the safe operation of aircraft.

(2) Except where otherwise specified, these Regulations shall not apply to occupational safety,

environmental protection, customer service or product quality.

PART II
SAFETY MANAGEMENT RESPONSIBILITIES

State Safety Programme (SSP)

4.-(1) The Authority shall establish and maintain a State Safety Programme (SSP) that is commensurate with the size and complexity of the civil aviation system in the United Republic.

(2) The SSP under subregulation (1) shall be established on the State Safety Oversight (SSO) system which shall be implemented in accordance with the critical elements set out in the First Schedule.

Enforcement policy

5. The Authority shall establish an enforcement policy that specifies the conditions and circumstances under which service providers with an SMS are allowed to deal with, and resolve, events involving certain safety issues, internally, within the context of their SMS and to the satisfaction of the Authority.

State System and Functions

6.-(1) The Authority shall establish a safety policy and safety objectives that reflect commitment regarding safety and facilitate the promotion of a positive safety culture in the aviation community.

(2) The safety policy and safety objectives shall be published by the Minister in the *Gazette* and periodically reviewed to ensure that they remain relevant and appropriate for the United Republic of Tanzania.

Qualified technical personnel

7. The Authority shall establish requirements for the qualification of technical personnel performing safety-related functions for or on behalf of the State, in accordance with paragraph 4 of the First Schedule to these Regulations.

Technical guidance, tools and provision of safety-critical information
GN. No. 57 of 2026 reg. 3

8. The Authority shall establish technical guidance and tools and provide safety-critical information in accordance with paragraph 5 of the First Schedule.

State safety risk management-licensing, certification, authorization and approval obligations

9. The Authority shall implement the licensing, certification, authorisation and approval obligations in accordance with paragraph 6 of the First Schedule.

Safety Management System obligations
GN. No. 57 of 2026 reg. 4

10.-(1) The following service providers shall implement an SMS:

(a) approved training organisations certified in accordance with regulations relating to approval of training organisations, that are exposed to safety risks related to aircraft operations during the provision of their services;

(b) operators of aeroplanes or helicopters authorised to conduct international commercial air transport in accordance with regulations relating to operation of aircraft commercial air transport and operation of aircraft helicopter operations;

(c) approved maintenance organisations providing services to operators of aeroplanes or helicopters engaged in international commercial air transport, in accordance with regulations relating to approved maintenance organisation;

(d) organisations responsible for the type design or manufacture of aircraft, engines or propellers in accordance with the regulations relating to airworthiness;

(e) air traffic services providers certificated in accordance with regulations relating to air traffic services; and

(f) operators of certified aerodromes in accordance with regulations relating to certification, licensing and registration of aerodromes.

(2) When maintenance activities are not conducted by an approved maintenance organisation, but under an equivalent system, they shall be included in the scope of the operator's SMS in accordance with the Civil Aviation (Operation of Aircraft) Regulations.

GN. No. 74 of 2017

(3) The service providers and operators shall establish safety performance indicators and targets that are acceptable to the Authority.

GN. No. 74 of 2017

(4) The international general aviation operators of large or turbojet aeroplanes registered in the United Republic of Tanzania shall implement Safety Management System based on criteria established by the Authority.

(5) The criteria established by the Authority in accordance with subregulation (4) shall address the Safety Management System framework and elements contained in the Second Schedule.

(6) The service provider shall be responsible for the safety of services or products contracted or subcontracted to, or purchased from, other organisations.

Accident and incident investigation GN. No. 57 of 2026 reg. 5

10A. The process for investigation of accidents and incidents shall be in accordance with the regulations relating to aircraft accident and incident investigation.

Hazard identification and safety risk assessment

11. The Authority shall-
(a) establish and maintain a process to identify hazards from collected safety data; and
(b) develop and maintain a process that ensures the assessment of safety risks associated with identified hazards.

Management of safety risks

12. The Authority shall-
(a) establish mechanisms for the resolution of safety issues in accordance with paragraph 8 of the First Schedule to these regulations; and
(b) develop and maintain a process to manage safety risks.

Surveillance obligations

13.-(1) The Authority shall meet the surveillance obligations in accordance with the paragraph 7 of the First Schedule.

(2) The surveillance of the service provider shall take into consideration the safety performance as well as the size and complexity of its aviation products or services.

(3) The Authority shall-
(a) establish procedures to prioritise inspections, audits and surveys towards those areas of greater safety concern or need; and
(b) review the safety performance of an individual service provider annually.

State safety performance
GN. No. 57 of 2026 reg. 6

14.The Authority shall-
(a) establish an Acceptable Level of Safety Performance to be achieved through the SSP;
(b) develop and maintain a process to evaluate the effectiveness of actions taken to manage safety risks and resolve safety issues; and
(c) evaluate the effectiveness of its SSP to maintain or continuously improve their overall level of safety performance.

15. The Authority shall promote-

Internal communication and dissemination of safety information

(a) safety awareness; and
(b) the sharing and exchange of safety information,

to support the development of a positive safety culture to foster an effective SSP within the State aviation organisations.

External communication and dissemination of safety information

16. The Authority shall promote safety awareness and the sharing and exchange of safety information with the aviation community to foster the maintenance and improvement of safety and to support the development of a positive safety culture.

PART III
SAFETY MANAGEMENT SYSTEM (SMS)

Safety Management System by service providers GN. No. 57 of 2026 reg. 7

17.-(1) The Safety Management System of a service provider shall

(a) be acceptable to-

(i) in the case of an approved training organization that is exposed to safety risks related to aircraft operations during the provision of its services, the Authority;

(ii) in the case of a certified operator of aeroplanes or helicopters authorised to conduct international commercial air transport, the state of the operator;

(iii) in the case of an approved maintenance organisation providing services to operators of aeroplanes or helicopters engaged in international commercial air transport, the state responsible for the organisation's approval;

(iv) in the case of an organisation responsible for the type design of aircraft, engines or propellers, the state of design;

(v) in the case of an organisation responsible for the manufacture of aircraft, engines or propellers, the state of manufacture;

(vi) in the case of an ATS provider, the Authority; and

(vii) in the case of an operator of a certified aerodrome, the Authority;

(b) be established in accordance with the framework elements contained in the Second Schedule to these regulations; and

(c) be commensurate with the size and complexity of the service provider's aviation products or services.

(2) The service provider shall develop a plan to facilitate the Safety Management System implementation.

International General Aviation – Aeroplanes GN. No. 57 of 2026 reg. 8

18.-(1) An international general aviation operator of large aeroplane or turbojet aeroplane shall establish and implement a Safety Management System acceptable to the Authority.

(2) The SMS of an international general aviation aeroplanes operator, conducting operations of large or turbojet aeroplanes, in accordance with the regulations relating to operation of aircraft- general aviation shall-

(a) be established commensurate with the size and complexity of the operation and meet the criteria established by the State of Registry; and

(b) address the SMS framework and elements contained in the Second Schedule.

PART IV
SAFETY DATA AND SAFETY INFORMATION COLLECTION, ANALYSIS, PROTECTION, SHARING AND EXCHANGE

Safety data collection and processing systems

19.-(1) The Authority shall establish-

(a) establish Safety Data Collection and Processing Systems to capture, store, aggregate and enable the analysis of safety data and safety information;

(b) a mandatory safety reporting system that includes the reporting of incidents; and

(c) a voluntary safety reporting system to collect safety data and safety information not captured by mandatory safety reporting systems.

(2) The Authority and the Aircraft Accident and Incidents Investigations Branch shall have access to the Safety Data Collection and Processing Systems as referenced in subregulation (1) to support their safety responsibilities, in accordance with the principles in the Third Schedule.

(3) The safety database shall use standardised taxonomy to facilitate safety information sharing and exchange.

Safety data and safety information analysis

20. The Authority shall establish and maintain a process to analyse the Safety Data and Safety Information from the Safety Data Collection and Processing Systems and associated safety databases.

Safety data and safety information protection

21.-(1) The Authority shall accord protection to safety data captured by, and safety information derived from, voluntary safety reporting systems and related sources, such as individuals and organisations, in accordance with the principles stipulated in the Third Schedule.

(2) The Authority shall extend the protection referred to in subregulation (1) to safety data captured by, and safety information derived from, mandatory safety reporting system and related sources.

(3) Subject to subregulations (1) and (2), the Authority shall not make available or use safety data or safety information collected, stored or analysed in accordance with regulations 21 or 22 for purposes other than maintaining or improving safety, unless the competent authority determines, in accordance with the Third Schedule, that a principle of exception applies.

(4) Notwithstanding subregulation (3), the Authority shall not be prevented from using safety data or safety information to take any preventive, corrective or remedial action that is necessary to maintain or improve aviation safety.

(5) The Authority shall take necessary measures, including the promotion of a positive safety culture, to encourage safety reporting through the systems referred to in regulations 21.

Safety information sharing and exchange

22.-(1) Where the Authority, in the analysis of the information contained in its Safety Data Collection and Processing Systems, identifies safety matters considered to be of interest to other States, the Authority shall forward such safety information to them as soon as possible.

(2) The States shall agree with other States on the level of protection and conditions on which safety information shall be shared and exchanged prior to sharing the information in subregulation (1).

(3) The level of protection and conditions shall be in line with the principles specified in the Third Schedule.

(4) The Authority shall promote the establishment of safety information sharing or exchange networks among users of the aviation system, and shall facilitate the sharing and exchange of safety information, unless national law provides otherwise.

PART V
GENERAL PROVISIONS

Quality policy with safety management system

23. A service provider shall ensure that the organisation's quality policy is consistent with, and supports the fulfilment of the activities of the Safety Management System.

Administrative sanctions

24. A person who fails to comply with the provision of these Regulations, is liable to administrative measure as may be prescribed under Enforcement Policy and Procedures Manual.

Consequential amendments

25.-(1) The Regulations specified in the Fourth Schedule are amended by deletion of the respective regulation as set out in the third column to the Schedule.

(2) Notwithstanding subregulation (1) any acts done under the amended Regulations shall be continued as if they were instituted under these Regulations.

PART VI
TRANSITION, SAVINGS AND REVOCATION

Transition, savings and revocation GN. No. 136 of 2015

26.-(1) [Revokes the Civil Aviation (Safety Management) Regulations].

(2) All valid licences, certificates, permits or authorisation issued or granted by the Authority before the commencement of these Regulations shall remain operational until their expiry or are revoked, annulled or replaced.

FIRST SCHEDULE

(Made under regulation 4(2), 7, 9, 12, 13(1))

STATE SAFETY OVERSIGHT (SSO) SYSTEM CRITICAL ELEMENTS (CEs)

1. Primary aviation legislation (CE-1)

1.1 States shall promulgate a comprehensive and effective aviation law, commensurate with the size and complexity of their aviation activity and consistent with the requirements contained in the Convention on International Civil Aviation, to enable the oversight and management of civil aviation safety and the enforcement of regulations through the relevant authorities or agencies established for that purpose.

Note.- This includes ensuring that the aviation law remains relevant and appropriate to the State.

1.2 The aviation law shall provide personnel performing safety oversight functions access to the aircraft, operations, facilities, personnel and associated records, as applicable, of individuals and organisations performing an aviation activity.

2. Specific operating regulations (CE-2)

States shall promulgate regulations to address, at a minimum, national requirements emanating from the primary aviation legislation, for standardized operational procedures, products, services, equipment and infrastructures in conformity with the Annexes to the Convention on International Civil Aviation.

3. State system and functions (CE-3)

3.1 States shall establish relevant authorities or agencies, as appropriate, supported by sufficient and qualified personnel and provided with adequate financial resources for the management of safety.

3.2 States authorities or agencies shall have stated safety functions and objectives to fulfil their safety management responsibility. This includes the participation of the State aviation organisations in specific activities related to the management of safety in the State, and the establishment of the roles, responsibilities and relationships of such organisations.

3.3 The Authority shall take necessary measures, such as remuneration and conditions of service, to ensure that qualified personnel performing safety oversight functions are recruited and retained.

3.4 States shall ensure that personnel performing safety oversight functions are provided with guidance that addresses ethics, personal conduct and the avoidance of actual or perceived conflicts of interest in the performance of official duties.

3.5 The Authority shall use a methodology to determine the staffing requirements for personnel performing safety oversight functions, taking into account the size and complexity of the aviation activities in the State.

4. Qualified technical personnel (CE-4)

4.1 States shall establish minimum qualification requirements for the technical personnel performing safety-related functions and provide for appropriate initial and recurrent training to maintain and enhance the competence at the desired level.

4.2 States shall implement a system for the maintenance of training records for technical personnel.

5. Technical guidance, tools and provision of safety-critical information (CE-5)

5.1 States shall provide appropriate facilities, comprehensive and up-to-date technical guidance material and procedures, safety-critical information, tools and equipment, and transportation means, as applicable, to the technical personnel to enable them to perform the safety oversight functions effectively and in accordance with established procedures in a standardised manner.

5.2 States shall provide technical guidance to the aviation industry on the implementation of relevant regulations.

6. Licensing, certification, authorisation and approval obligations (CE-6)

States shall implement documented processes and procedures to ensure that individuals and organisations performing an aviation activity meet the established requirements before they are allowed to exercise the privileges of a licence, certificate, authorisation or approval to conduct the relevant aviation activity.

7. Surveillance obligations (CE-7)

States shall implement documented surveillance processes, by defining and planning inspections, audits and monitoring activities on a continuous basis, to proactively assure that aviation licence, certificate, authorisation and approval

holders continue to meet the established requirements. This includes the surveillance of personnel designated by the Authority to perform safety oversight functions on its behalf.

8. Resolution of safety issues (CE-8)

8.1 States shall use a documented process to take appropriate actions, up to and including enforcement measures, to resolve identified safety issues.

8.2 States shall ensure that identified safety issues are resolved in a timely manner through a system which monitors and records progress, including actions taken by individuals and organisations performing an aviation activity in resolving such issues.

SECOND SCHEDULE

(Made under regulation 10(5), 17(1) and 18(2)(b))

FRAMEWORK FOR A SAFETY MANAGEMENT SYSTEM (SMS)

The Schedule specifies the framework for the implementation and maintenance of an SMS. The framework comprises of four components and twelve elements as the minimum requirements for SMS implementation:

1. Safety policy and objectives

1.1 Management commitment

1.2 Safety accountability and responsibilities

1.3 Appointment of key safety personnel

1.4 Coordination of emergency response planning

1.5 SMS documentation

2. Safety risk management

2.1 Hazard identification

2.2 Safety risk assessment and mitigation

3. Safety assurance

3.1 Safety performance monitoring and measurement

3.2 The management of change

3.3 Continuous improvement of the SMS

4. Safety promotion

4.1 Training and education

4.2 Safety communication

1. Safety policy and objectives

1.1 Management commitment

1.1.1 The service provider shall define its safety policy in accordance with International and national requirements. The safety policy shall-

(a) reflect organisational commitment regarding safety, including the promotion of a positive safety culture;

(b) include a clear statement about the provision of the necessary resources for the implementation of the safety policy;

(c) include safety reporting procedures;

(d) clearly indicate which types of behaviours are unacceptable related to the service provider's aviation activities and include the circumstances under which disciplinary action would not apply;

(e) be signed by the accountable executive of the organisation;

(f) be communicated, with visible endorsement, throughout the organisation; and

(g) be periodically reviewed to ensure it remains relevant and appropriate to the service provider.

1.1.2 Taking due account of its safety policy, the service provider shall define safety objectives. The safety objectives shall-

(a) form the basis for safety performance monitoring and measurement as required by paragraph 3.1.2;

(b) reflect the service provider's commitment to maintain or continuously improve the overall effectiveness of the SMS;

(c) be communicated throughout the organisation; and

(d) be periodically reviewed to ensure they remain relevant and appropriate to the service provider.

1.2 Safety accountability and responsibilities

The service provider shall-

(a) identify the accountable executive who, irrespective of other functions, is accountable on behalf of the organisation for the implementation and maintenance of an effective SMS;

(b) clearly define lines of safety accountability throughout the organisation, including a direct accountability for safety on the part of senior management;

(c) identify the responsibilities of all members of management, irrespective of other functions, as well as of employees, with respect to the safety performance of the organisation;

(d) document and communicate safety accountability, responsibilities and authorities throughout the organisation; and

(e) define the levels of management with authority to make decisions regarding safety risk tolerability.

1.3 Appointment of key safety personnel

The service provider shall appoint a safety manager who is responsible for the implementation and maintenance of the SMS. Depending on the size of the service provider and the complexity of its aviation products or services, the responsibilities for the implementation and maintenance of the SMS may be assigned to one or more persons, fulfilling the role of safety manager, as their sole function or combined with other duties, provided these do not result in any conflicts of interest.

1.4 Coordination of emergency response planning

The service provider required to establish and maintain an emergency response plan for accidents and incidents in aircraft operations and other aviation emergencies shall ensure that the emergency response plan is properly coordinated with the emergency response plans of those organisations it must interface with during the provision of its products and services.

1.5 SMS documentation

1.5.1 The service provider shall develop and maintain an SMS manual that describes its-

(a) safety policy and objectives;

(b) SMS requirements;

(c) SMS processes and procedures; and

(d) accountability, responsibilities and authorities for SMS processes and procedures.

1.5.2 The service provider shall develop and maintain SMS operational records as part of its SMS documentation. Depending on the size of the service provider and the complexity of its aviation products or services, the SMS manual and SMS operational records may be in the form of stand-alone documents or may be integrated with other organisational documents or documentation maintained by the service provider.

2. Safety risk management

2.1 Hazard identification

2.1.1 The service provider shall develop and maintain a process to identify hazards associated with its aviation products or services.

2.1.2 Hazard identification shall be based on a combination of reactive and proactive methods.

2.2 Safety risk assessment and mitigation.

The service provider shall develop and maintain a process that ensures analysis, assessment and control of the safety risks associated with identified hazards. The process may include predictive methods of safety data analysis.

3. Safety assurance

3.1 Safety performance monitoring and measurement

3.1.1 The service provider shall develop and maintain the means to verify the safety performance of the organisation and to validate the effectiveness of safety risk controls.

3.1.2 The service provider's safety performance shall be verified in reference to the safety performance indicators and safety performance targets of the SMS in support of the organisation's safety objectives.

3.2 The management of change

The service provider shall develop and maintain a process to identify changes which may affect the level of safety risk associated with its aviation products or services and to identify and manage the safety risks that may arise from those changes.

3.3 Continuous improvement of the SMS

The service provider shall monitor and assess its SMS processes to maintain or continuously improve the overall effectiveness of the SMS.

4. Safety promotion

4.1 Training and education

4.1.1 The service provider shall develop and maintain a safety training programme that ensures that personnel are trained and competent to perform the SMS duties.

4.1.2 The scope of the safety training programme shall be appropriate to each individual's involvement in the SMS.

4.2 Safety communication

The service provider shall develop and maintain a formal means for safety communication that-

(a) ensures personnel are aware of the SMS to a degree commensurate with their positions;

(b) conveys safety-critical information;

(c) explains why particular actions are taken to improve safety; and

(d) explains why safety procedures are introduced or changed.

THIRD SCHEDULE

(Made under regulation 19 (2)[1], 21(1), 21(3), 22(3))

PRINCIPLES FOR THE PROTECTION OF SAFETY DATA, SAFETY INFORMATION AND RELATED

SOURCES

1. General principles

1.1 States shall, through national laws, regulations and policies protecting safety data, safety information and related sources, ensure that-

(a) a balance is struck between the need for the protection of safety data, safety information and related sources to maintain or improve aviation safety, and the need for the proper administration of justice;

(b) safety data, safety information and related sources are protected in accordance with this Schedule;

(c) the conditions under which safety data, safety information and related sources qualify for protection are specified; and

(d) safety data and safety information remain available for the purpose of maintaining or improving aviation safety.

1.2 When an investigation under Accident and Incident Regulations has been instituted, accident and incident investigation records listed under the protection of accident and incident investigation records in the Accident and Incident Regulations shall be subject to the protections accorded therein instead of the protections accorded by these Regulations.

2. Principles of protection

2.1 States shall ensure that safety data or safety information is not used for-

(a) disciplinary, civil, administrative and criminal proceedings against employees, operational personnel or organisations;

[1] **GN. No. 951 of 2020**

(b) disclosure to the public; or

(c) any purposes other than maintaining or improving safety, unless a principle of exception applies.

2.2 States shall accord protection to safety data, safety information and related sources by ensuring that-

(a) the protection is specified based on the nature of safety data and safety information;

(b) a formal procedure to provide protection to safety data, safety information and related sources is established;

(c) safety data and safety information will not be used in a way different from the purposes for which they were collected, unless a principle of exception applies; and

(d) to the extent that a principle of exception applies, the use of safety data and safety information in disciplinary, civil, administrative and criminal proceedings will be carried out only under authoritative safeguards.

3. Principles of exception

Exceptions to the protection of safety data, safety information and related sources shall only be granted when the competent authority-

(a) determines that there are facts and circumstances reasonably indicating that the occurrence may have been caused by an act or omission considered, in accordance with national laws, to be conduct constituting gross negligence, wilful misconduct or criminal activity;

(b) after reviewing the safety data or safety information, determines that its release is necessary for the proper administration of justice, and that the benefits of its release outweigh the adverse domestic and international impact such release is likely to have on the future collection and availability of safety data and safety information; or

(c) after reviewing the safety data or safety information, determines that its release is necessary for maintaining or improving safety, and that the benefits of its release outweigh the adverse domestic and international impact such release is likely to have on the future collection and availability of safety data and safety information.

4. Public disclosure

4.1 States that have right-to-know laws shall, in the context of requests made for public disclosure, create exceptions from public disclosure to ensure

the continued confidentiality of voluntarily supplied safety data and safety information.

4.2 Where disclosure is made in accordance with paragraph 3, States shall ensure that-

(a) public disclosure of relevant personal information included in the safety data or safety information complies with applicable privacy laws; or

(b) public disclosure of the safety data or safety information is made in a de-identified, summarized or aggregate form.

5. Responsibility of the custodian of safety data and safety information

States shall ensure that each SDCPS has a designated custodian to apply the protection to safety data and safety information in accordance with applicable provisions of this Schedule. The custodian may refer to an individual or organisation.

6. Protection of recorded data

6.1 States shall, through national laws and regulations, provide specifics measures of protection regarding the confidentiality and access by the public to ambient workplace recordings.

6.2 States shall, through national laws and regulations, treat ambient workplace recordings required by national laws and regulations as privileged protected data subject to the principles of protection and exception as provided for in this Schedule.

FOURTH SCHEDULE

(Made under regulation 25[2])

CONSEQUENTIAL AMENDMENTS

	Title of Regulation	Deleted regulation
1.	The Civil Aviation (Operation of Aircraft) Regulations - GN. 74 of 2017	Regn. 29
2.	The Civil Aviation (Air Operator Certification and Administration) Regulations - GN. 69 of 2017	Regn. 56
3.	The Civil Aviation (Aerodromes) Regulations - GN. 73 of 2017	Regn. 29

[2] **GN. No. 951 of 2020**