FIJI AERONAUTICAL INFORMATION CIRCULAR

ISO 9001:2015 CERTIFIED

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ADM

ACCOUNTABLE MANAGER AND NOMINATED POST HOLDERS FOR OPERATORS WITH AN AOC AND/OR AN ANR145 APPROVAL

1. INTRODUCTION.

1.1 The purpose of this Circular is to advise operators of the requirements for AOC/ANR145 nominated post holders.

1.2 This Circular is to be read in conjunction with all other relevant Standards Documents, as appropriate.

2. ACCOUNTABLE MANAGER.

This person shall have the authority and responsibility within the applicant's organisation of ensuring that all activities authorised under the AOC/ANR145 and undertaken by the organisation shall be financed, properly resourced and carried out in accordance with the requirements and standards prescribed under the Air Navigation Regulations and Standards Documents. The person shall also ensure that the activities undertaken by the organisation are carried out in accordance with the requirements of the organisation's own documents.

2.1 DEFINITION

The term 'Accountable Manager' is an essential part of the AOC/ANR145 holder's management organisation and is used to describe the single individual who by virtue of his/her position has overall responsibility for ensuring that all operational activities can be financed and carried out to the standard required by the authority.

2.2 ELIGIBILITY

An Accountable Manager must be the person with overall executive responsibility for the operation of the regulated organisation. In many cases, this will mean a person who also sits on the Board of the Company the Chief Executive / Executive Chairman / Managing Director / Director General / General Manager, etc or on the equivalent non corporate body. In the case of a very large organisation embracing more than one individually regulated unit, it may be that the internal line of accountability to the Company Board or equivalent is through a more senior member of such a body. In this case, a separately-designated Accountable Manager will be required for each separately-regulated operating entity.

2.3 RESPONSIBILITY

2.3.1 An Accountable Manager will rely heavily upon a small number of senior managers with subordinate executive responsibility for each area of regulated technical specialism in their organisation. These people will report directly to the Accountable Manager and may themselves have to be designated and approved by the Authority as specific Nominated Post Holders.

2.3.2 In the case of an organisation which holds an Air Operator Certificate or equivalent regulatory permission, then the responsibilities of Post Holders shall include Flight Operations, Flight Training, Ground Operations, Engineering Maintenance and Quality Assurance. However, the Accountable Manager will also need to ensure that the person with responsibility for independent safety oversight across their whole organisation also reports to him/her.

2.4 The Service Provider's Safety Management System, shall reflect the internal the managerial organogram accountability to the Accountable Manager and evidence the lead overall responsibility of the Accountable Managers themselves.

2.5 A Service Provider seeking approval is responsible for:

(a) Appointing an accountable manager with the overall responsibility for the organisation remaining in compliance with regulation;

(b) The accountable manager is responsible for nominating Key Post holders to deliver specific functions in relation to the management of approval activity.

2.6 CAAF has no legal responsibility to decide on the suitability of the appointed accountable manager but it does have a responsibility to formally accept the nomination of the Key Post holders who meet the published criteria for their role. The authority will use their appointment as an opportunity to meet with them and gain an understanding of the extent of their knowledge. This can be specific qualifications and relevant experience for the particular role they are nominated for. This shall be presented to the authority in the form of their biographical profile (CV). If the authority is not satisfied with their nomination the authority shall inform the organisation and either reject their nomination based upon published criteria or agree a coaching environment where their performance may be monitored. Any failing in their performance is dealt with by measures against the approval. Any serious concerns with the organisations performance are dealt with by suspending or revoking the approval.

2.7 LEGAL RESPONSIBILITIES UNDER THE REGULATIONS.

2.7.1 The Corporate financial authority for ensuring that all aviation, airworthiness / maintenance activities can be financed safety.

2.7.2 Ensuring compliance with the Civil Aviation Authority of Fiji requirements for the activities of the Company Operations.

2.7.3 Undertaking periodic reviews of the Company Quality System to ensure that the Company operating standards are being maintained or improved.

2.7.4 The appointment of nominated post holders within the Company, and allocation of duties and responsibilities.

2.7.5 Ensuring that a Safety Management System is in place with the provision of the necessary resources to ensure its correct operation.

2.7.6 Establishing compliance by oversight convening and chairing of Safety Review Board meetings on a regular basis to be held at least 4 times per year plus as required for significant issues.

2.7.7 Assessing and implementing changes of senior management considered at a Safety Review Board meeting.

2.8 LEGAL EXPOSURE

Accountable Manager potential liability could be as follows:

2.8.1 Criminal

The accountable manager can (and the organisation) be prosecuted.

2.8.2 Civil

The accountable manager can (and the organisation) be sued.

2.8.3 Regulatory

The authority might remove the accountable manager's (and the organisation's) licences, certificates and or approvals.

2.8.4 Employment

The accountable manager might lose his / her employment.

3. NOMINATED POST HOLDERS.

3.1 The operator must have nominated post holders, acceptable to the CAAF, who are responsible for the management and supervision of the following areas:

(a) Overall accountability and management of the organisation;

(b) Flight Operations;

(c) Training;
(d) Engineering / Maintenance;
(e) Safety Management Systems;
(f) Quality Assurance;
(g) Others (as required).

3.2 Nominated Post Holders should possess the appropriate experience and qualification requirements which are listed in paragraphs 4 to 10 below. The CAAF may accept a nominee who does not meet the requirements in full but whose qualifications are found to be comparable and possesses the ability to effectively perform the functions associated with the post and scale of the operation.

4. NOMINATED POST HOLDERS SHOULD HAVE:

4.1 Practical experience and expertise in the application of aviation safety standards and safe operating practices;

4.2 Satisfactory knowledge of ICAO SARPs i.e. ANNEXES;

4.3 Comprehensive knowledge of:
(a) Civil Aviation Act 1976;
(b) Air Navigation Regulations 1981 (as amended) and any associated requirements and procedures;
(c) Standards Documents in accordance with ANR146(4)
1) Air Operators Certificate (AOC);
2) ANR 145C – Aircraft Maintenance Organisations;
(d) And all other relevant Standards Documents, as appropriate;
(e) Aeronautical Information Circulars in accordance with ANR146(4);
(f) The AOC/ANR145 holder's Operations Specifications;
(g) The AOC/ANR145 holder's Operations Manual or Maintenance Management Manual where applicable;
(h) Organisation's Maintenance Management Manual.

5. QUALIFICATIONS AND WORK EXPERIENCE.

5.1 Appropriate management experience in a comparable organisation with a minimum of five (5) years relevant work experience of which at least two years should be from the aeronautical industry in an appropriate position.

6. FLIGHT OPERATIONS MANAGER AND/OR CHIEF PILOT AND/OR TRAINING MANAGER. THE NOMINATED POST HOLDER OR HIS/HER DEPUTY SHOULD HOLD A VALID FLIGHT CREW LICENCE APPROPRIATE TO THE TYPE OF OPERATION CONDUCTED UNDER THE AOC, HOLD A CURRENT TYPE RATING ON A TYPE OPERATED UNDER THE AOC, AND HAVING EXPERIENCE AS CAAF AUTHORISED EXAMINER OR A QUALIFIED TRAINING CAPTAIN IN ACCORDANCE WITH THE FOLLOWING:-

6.1 If the AOC includes aircraft certificated for a minimum crew of two (2) pilots - An Airline Transport Pilot's Licence issued or validated by the CAAF;

6.2 If the AOC is limited to aeroplanes certificated for a minimum crew of one (1) pilot – A Commercial Pilot's Licence, and if appropriate to the operation, an Instrument Rating issued or validated by the CAAF;

6.3 The Nominated Post Holder should have a thorough knowledge of the AOC holder's crew training concept for Flight Crew and Cabin Crew when relevant;

6.4 The overall conformity of flight operations and flying training programmes to the standards required by legal and Company regulations, particularly with reference to safety criteria and to the competence of flying staff;

6.5 Compliance with legal and Company requirements for the various aspects of crewing and route planning;

6.6 Ensuring that the provision of flying staff is sufficient to meet anticipated requirements with maximum efficiency, having regard to mandatory limitations where applicable and to the maintenance of good internal standards and practice;

6.7 Ensuring that operational reports and records are actioned as necessary, to enable the Company Quality Control Procedures to be effectively implemented, are preserved for the prescribed periods, and made available to the authorities concerned if required;

6.8 Delegating his responsibilities as required, in accordance with the responsibilities detailed within the Operations Manual, and ensuring that areas of delegated responsibility are efficiently executed;

6.9 The supervision of production and distribution of all Parts of the Company Operations Manual and its amendments. Ensuring that the Operations Manuals, Flight Guides, AIP's and other such pertinent material are kept amended and fully up to date;

6.10 The overall safety of all flying operations and following the requirements of the Safety Management System;

6.11 Working in conjunction with the Safety Manager and Quality Assurance, to ensure the control and co-ordination of Company actions in the event of aircraft accidents or incidents in accordance with the procedures laid down in the Operations Manual. Additionally, to ensure that Hazard and Incident/Accident Reports are actioned accordingly and being involved in the investigation and review of these reports;

6.12 The overall organisation, administration and discipline of all Operations staff both flying and non-flying, with recommendations to the Accountable Manager for matters of staff recruitment, discipline, and dismissal;

6.13 Liaison with outside authorities and organisations on the Company's behalf as required;

6.14 Maintaining aircrew confidence, discipline, control and supervision;

6.15 Ensuring that the SD-AF Flight Time Limitations requirements are met;

6.16 Conducting and/or supervising flight training and checking and ground training and checking of all flying staff;

6.17 The approval and assessment of the suitability of all maps, charts and Flight Guides; and

6.18 Checking of return Flight documentation and its compliance with current regulations and legislation.

7. MANAGER/DIRECTOR ENGINEERING AND/OR MAINTENANCE MANAGER AND/OR CHIEF ENGINEER. THE NOMINATED POST HOLDER SHOULD POSSESS THE FOLLOWING:-

7.1 Aircraft Maintenance Engineer's Licence or relevant engineering degree in aircraft maintenance / aerospace engineering;

7.2 Quality experience in engineering and maintenance of aircraft; and

7.3 Knowledge of the relevant type(s) of aircraft operated by the AOC holder.

8. SAFETY MANAGER / SAFETY MANAGEMENT SYSTEMS. THE CRITERIA FOR A SAFETY MANAGER POST HOLDER OR HIS/HER DEPUTY SHOULD INCLUDE, BUT NOT LIMITED TO THE FOLLOWING:-

8.1 Managing the SMS implementation plan on behalf of the accountable manager;

8.2 Performing/facilitating hazard identification and safety risk analysis;

8.3 Monitoring corrective actions and evaluating their results;

8.4 The monitoring of the implementation of actions taken to mitigate risks as listed in the safety action plan;

8.5 The provision of periodic reports on safety performance;

8.6 Ensuring maintenance of safety management documentation;

8.7 Ensuring that there is safety management training available and that it meets acceptable standards;

8.8 Providing advice on safety matters;

8.9 Ensuring initiation and follow-up of internal occurrence/accident investigations;

8.10 Ensuring that incidents and accidents are reported as required by legislation either through the CAAF Mandatory Occurrence Reporting (MOR) scheme or the company SMS;

8.11 Being an active member of both the Safety Review Board and Safety Action Group; and

8.12 Convening and chairing Safety Action Group Meeting.

9. QUALITY ASSURANCE MANAGER POST HOLDER SHOULD POSSESS THE FOLLOWING:

9.1 The person acceptable to the CAAF will be responsible for the management of the Quality System, both in terms of its monitoring function and in terms of requesting corrective and preventative actions;

9.2 The Quality Assurance Manager reports directly to the Accountable Manager;

9.3 The incumbent will have the overall Supervision to ensure that the standards set by the system of Quality Control are enforced;

9.4 Have adequate knowledge of International Aviation Laws and a good understanding of the Fiji Civil Aviation Law;

9.5 Typically be the holder of an AME licence or a Bachelor Degree in aircraft maintenance / aerospace engineering;

9.6 Must have 5-10 years' experience in maintenance and/or quality management.

9.7 The incumbent should be conversant with audit techniques, principles and a working knowledge of drafting expositions, aircraft manuals, MMOE, MME, MEL etc;

9.8 Completed training with a recognized Lead Auditor and SMS training institute; and

9.9 Must be able to work independently without fear of being penalized as QAM is a key position and is a focal contact for the Authority

10. OTHER POST HOLDERS (AS REQUIRED)

10.1 The Nominated Post Holder should have the experience, thorough knowledge and qualification relevant to their duties and responsibilities.

11. COMBINATION OF NOMINATED POST HOLDER'S RESPONSIBILITIES.

11.1 The acceptability of a single person holding several posts, possibly in combination with being the Accountable Manager as well, will depend upon the nature and scale of the operation. The two main areas of concern are competency and an individual's capacity to meet his/her responsibilities.

11.2 With regards to competency in the different areas of responsibility, there should not be any difference from the requirements applicable to persons holding only one post.

11.3 The capacity of an individual to meet his/her responsibilities will primarily be dependent upon the scale of the operation. However the complexity of the organisation or of the operation may prevent, or limit, combinations of posts which may be acceptable in other circumstances.

11.4 In most circumstances, the responsibilities of a Nominated Post Holder will rest with a single individual. However, in the area of ground

operations, it may be acceptable for these responsibilities to be split, provided that the responsibilities of each individual concerned are clearly defined.

11.5 The intent of this Circular is neither to prescribe any specific organisational hierarchy within the operator's organisation nor to prevent the CAAF from requiring a certain hierarchy before it is satisfied that the management organisation is suitable.

12**.** The Accountable Manager and Post Holders should be Fiji citizens unless local expertise is not available for the safety of its operation. In cases where foreign expertise is required, approval shall be granted in accordance with the local employment terms and conditions and accepted by the CAAF.

13. FIT & PROPER PERSON APPROVAL PROCEDURE

13.1 NEW APPLICANT / NOMINEE

a. The operator fills in the 'Nomination/Change of Nomination of Accountable Personnel' form (CA 107A) and the nominee completes a 'Fit & Proper Person Form' (CA 107B).

b. (NOTE: If an applicant has already been deemed 'Fit & Proper' in the preceding 24 months and none of the information related to the applicant has changed, he / she need not submit a CA 107B form but a 'Fit and Proper Person Declaration – CA 107C).)

c. The applicant attaches all the certified documents required by the Form CA 107B as well as copy of the current job description for the position being nominated for and submits to the Authority.

d. The relevant department to assess the application and the Form submitted by the applicant to determine if it has been correctly completed and all the documents submitted as required. If the application (or form) is incomplete, write to the applicant advising of it and requiring them to provide complete application.

e. Once the complete application is received, the relevant department must assess the applicant's profile as described in the form (CA 107B) to determine if the applicant can be acceptable as part of fit and proper.

f. If the department rejects the application (for example, due to applicant's profile such as evidence of criminal offence history etc), the applicant needs to be informed in writing together with reasons for the rejection of the application.

g. If the department accepts the applicant as satisfactory, a time needs to be set for conducting a face to face interview with the applicant to determine his/her competence for the role.

h. The department head to nominate the applicable committee members listed on the assessment checklist (CA 107D) depending on the post for which the nominee is to be accessed. A date & time

shall be agreed to, when all the committee members will be available and a written notification to be sent to the applicant advising of the interview date and time.

13.2 INTERVIEW

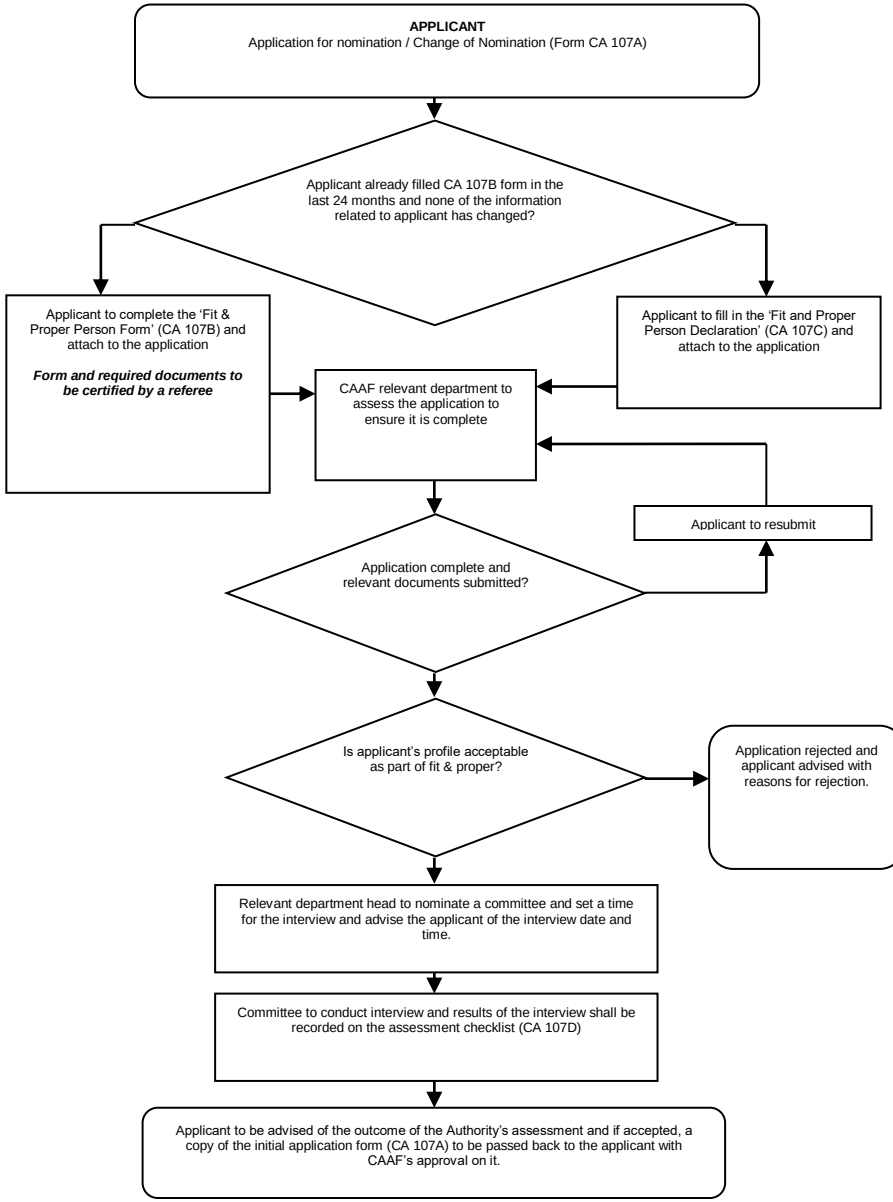
(a) The committee members to come prepared for the interview especially areas of interview relevant to them as listed on the 'Fit and Proper Person Assessment Checklist' (CA 107D).
(b) The committee to interview the applicant and the results of the interview shall be recorded on the assessment checklist (CA 107D).
(c) The committee members to collectively assess and decide on whether the applicant is 'Fit and Proper' for the post applied for and update the checklist by ticking the relevant box.
(d) Members to sign on the assessment checklist.
(e) The applicant to be advised on the outcome of the Authority's assessment and if accepted, a copy of the initial application form (CA 107A) to be passed back to the applicant with CAAF's approval on it.

14. APPENDIX

14.1 Appendix A is the Fit and Proper process Flowchart.

14.2 Appendix (i), (ii) and (iii) are samples of the CAAF application forms for nominated Post Holders, therein referred to and shall be taken, read and construed as an essential and integral part of this Circular.

APPENDIX A – Fit and Proper Flowchart



APPENDIX (i)

ISO 9001: 2008 CERTIFIED	**Civil Aviation Authority of Fiji** **Application – Nomination/Change of Nomination of Accountable and Senior Personnel**	Form **CA 107A**

DETAILS OF MANAGEMENT PERSONNEL

1. *Name of Organisation/Operator Name:*
2. *Aviation Document Number (Delete as applicable):*
3. Name:
4. *CAAF Licence No. (if applicable):*
5. Nomination for the Position of:
6. *Work Permit held:* ☐
   (If expatriate)

Please tick this box if post holder is also the Accountable Manager. ☐

7. Qualifications relevant to the Item (5) Position: *(use additional sheet if necessary)*

8. Work Experience relevant to the Item (5) Position: *(use additional sheet if necessary)*

SAMPLE

9. Name of previous post holder (if any):

10. Declaration of Undertaking

(a) I, _____, an employee of _____ and nominated for the position of _____, having understood my assigned accountabilities and responsibilities, am prepared to uphold them.

(b) I am fully aware that any failure on my part on the area of responsibility so assigned to me to ensure:

(i) compliance to the applicable standards published by the Authority; and
(ii) conformance to the procedures promulgated by my employer;

may result in the withdrawal of the Authority's approval of my appointment to the position.

(c) I understand that each post holder is accountable for the responsibilities/functions so prescribed for the said position and that accountability entails competency on the part of the post holder in his/her performance.

Signature..... Date.....

On completion, please send this form ***(together with the completed CA 107B or CA 107C)*** *under confidential cover to the CAAF.*

CAAF Use Only *(To be completed by authorised CAAF staff member accepting this nomination)*

Acceptability of the applicant: **Yes / No***

Interview: **Yes / No***

Organisation and the applicant so advised? **Yes / No***

☐ Aviation document amended to reflect the change of Nominated Person (if applicable).

Name..... Signature..... Date.....

Once authorised a copy of this form must be returned to the nominee.

APPENDIX (ii)

ISO 9001:2008 CERTIFIED	Civil Aviation Authority of Fiji **Fit and Proper Person Form**	Form **CA 107B**

Note: This form must be accompanied by an application form for nomination of an Accountable / Nominated senior person (CA 107A) - do not send in this form separately.

Instructions for completing this form – please read

1. *Fit and Proper determinations can only be made at the time of application for an aviation document or nomination (change of nomination) for a senior position.*
2. *This Fit and Proper Person form must accompany every application for an aviation document or for the nomination of a senior person appointment.*
3. *A Fit and Proper Person Declaration (CA 107C) may only be used by applicants who have been determined Fit and Proper previously by the Authority and:*
   - *within the past 24 months who have completed this Fit and Proper Person form, and*
   - *where the facts and information declared previously remain unchanged.*
4. *Further instructions are contained in the grey boxes in the left hand margin throughout the Form.*
5. *Forms which are incomplete or lacking any required documents will be returned.*

SECTION 1. PERSONAL PARTICULARS OF APPLICANT (in BLOCK CAPITALS please)

SAMPLE

Title *(Mr/Mrs/Ms/Miss)*		Last Name			
Given Name(s)					
Country of Birth		Nationality	Fijian	Date of Birth *(dd/mm/yy)*	
Address for Service in Fiji – complete this section if this information is not an accompanying application form. Please notify CAAF of any changes to your Address for Service.					
Tel			Mob		
Fax			Email		

SECTION 2. ORGANIZATION DETAILS

Ensure all details are completed. Detailing education, training, qualifications and relevant positions held during the past ten years must be attached to this form. *If you need to continue on separate sheets, these may be attached in a separate envelope marked 'Confidential'.*	Name of Organization Designation of position for person named in Section 1 Responsibilities the person named in Section 1 will assume as defined in the relevant SD requirement - **A CURRICULUM VITAE**

SECTION 3. CONFIRMATION OF IDENTITY

*Please enclose a **COPY** of any **one** of the following items to confirm your identity, duly certified by a Commissioner for Oaths.* *The copy must be of a current (unexpired) document.* *Please tick the included item.*	1. A Fiji Drivers licence ☐ 2. A full birth certificate ☐ 3. A Fiji or overseas passport ☐

APPENDIX (iii)

ISO 9001: 2008 CERTIFIED	Civil Aviation Authority of Fiji **Fit and Proper Person Declaration**	Form **CA 107C**

Fit and Proper Person Declaration

Instructions for completing this form

1. *This declaration must be accompanied by an application form or letter - do not send in separately*
2. *It may only be used by applicants who have been determined Fit and Proper previously and:*
   - *within the past 24 months who have completed a Fit and Proper Person Form (CA 107B), and*
   - *where the facts and information declared previously are unchanged.*

1. Personal Details

CAAF Licence Number *(If applicable)*		Date of Birth *(dd/mm/yy)*	
Title *(Mr/Mrs/Ms/Miss)*		Last Name	
Given Name(s)			
Country of Birth		Nationality	

SAMPLE

2. Declaration

Complete details of CA 107B Form completion within previous 24 months.

The provision of false information or failure to disclose information relevant to the grant or holding of an aviation document constitutes an offence under Regulation 128 (2) (c) of the Air Navigation Regulations 1981.

I, *(name)* _____,

declare that I have previously submitted a CA 107B form on *(date)* _____,

for the purpose of *(document / position applied for)* _____,

and that the information so presented, including any enclosures, is unchanged and reflects my record of conduct.

Consent to Disclosure and Collection

I authorize the collection by CAAF or his delegate from, and the disclosure to CAAF by, any person, organization or government department of any details of the following information about me: my knowledge and compliance with aviation safety regulatory requirement; my physical or mental health or serious behavioral problems; any criminal investigations, charges or convictions, including any matters relating to any aviation safety offence. However I do not consent to the release of any information to which the irrelevant conviction applies, pursuant to the *Rehabilitation of Offenders (Irrelevant Convictions) Act 1997*.

I authorize CAAF to use, and disclose, the information obtained about me for any purpose associated with the lawful functions of the Civil Aviation Authority under the *Civil Aviation Act 1976*.

Applicant's Signature		**Date**	

CAAF USE ONLY

Assessment			
Fit and Proper Person:	Yes No		
Name:		Signature:	
Position:		Date:	