

THE CIVIL AVIATION (SAFETY MANAGEMENT)
REGULATIONS, 2021

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Title	1. These Regulations may be cited as the Civil Aviation (Safety Management) Regulations, 2021.
Interpretation	<p>2. In these Regulations, unless the context otherwise requires:</p> <p>“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:</p> <p>(a) a person is fatally or seriously injured as a result of:</p> <p>(i) being in the aircraft, or</p> <p>(ii) direct contact with any part of the aircraft, including parts which have become detached from the aircraft, or</p> <p>(iii) direct exposure to jet blast,</p> <p>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</p> <p>(b) the aircraft sustains damage or structural failure which:</p> <p>(i) adversely affects the structural strength, performance or flight characteristics of the aircraft; and</p> <p>(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,</p>

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 Uganda, 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;

“Authority” means the Uganda Civil Aviation Authority established by section 3 of the Civil Aviation Authority Act, CAP 354;

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

“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; the term rotorcraft may be used as an alternative to helicopter.

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

“large aeroplane” means an aeroplane with a maximum take-off weight of more than 5 700 kg;

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

“occurrence” means incident or accident;

“operational personnel” means personnel such as flight crews; air traffic controllers; aeronautical station operators; maintenance technicians; personnel of aircraft design and manufacturing organizations; 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. Such safety data is collected from proactive or reactive safety-related activities, including but not limited to:

- a) accident or incident investigations;
- b) safety reporting;
- c) continuing airworthiness reporting;
- d) operational performance monitoring;
- e) inspections, audits, surveys; or
- f) safety studies and reviews

“safety information” means safety data processed, organized 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 organizational structures, accountabilities, responsibilities, policies and procedures;

“safety oversight” means a function performed by a State to ensure that individuals and organizations 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;

	<p>“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;</p> <p>“safety risk” means the predicted probability and severity of the consequences or outcomes of a hazard;</p> <p>“State of Design” means the State having jurisdiction over the organization responsible for the type design;</p> <p>“State of Manufacture” means the State having jurisdiction over the organization responsible for the final assembly of the aircraft;</p> <p>“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;</p> <p>“State Safety Programme (SSP)” means an integrated set of regulations and activities aimed at improving safety;</p> <p>“surveillance” means the State activities through which the State proactively verifies through inspections and audits that aviation licence, certificate, authorization or approval holders continue to meet the established requirements and function at the level of competency and safety required by the State;</p>
<p>Application</p>	<p>3. (1) These Regulations shall apply to safety management functions related to or in direct support of, the safe operation of aircraft.</p> <p>(2) Except where otherwise specified, these Regulations shall not apply to occupational safety, environmental protection and customer service or product quality.</p>

PART 2
STATE SAFETY MANAGEMENT RESPONSIBILITIES

State Safety Programme (SSP)	4. (1) The Civil Aviation Authority CAP 354 establishes a state safety programme that is commensurate with the size and complexity of the civil aviation system in Uganda.
	(2) Subject to sub-regulation (1), the State Safety Programme shall be implemented and maintained by the Authority.
Safety Oversight System	5. The state safety oversight system shall be implemented in accordance with the critical elements set out in First Schedule.

PART 2.1
STATE SAFETY POLICY, OBJECTIVES AND RESOURCES

Primary Aviation Legislation	6. The primary aviation legislation is established in accordance with the First Schedule to these regulations.
Enforcement policy	7. The an enforcement policy established by the Authority shall specifies the conditions and circumstances under which service providers with a safety management system shall deal with, and resolve, events involving certain safety issues, internally, within the context of their safety management system and to the satisfaction of the appropriate state authority.
Specific Operating Regulations	8. (1) The specific operating regulations are established in accordance with the First Schedule to these regulations.
	(2) The specific operating regulations in sub-regulation (1), guidance materials and implementation policy shall be periodically reviewed to ensure they remain relevant and appropriate.
State System and functions	9. (1) The state system and functions are established in accordance with the First Schedule to these regulations.
	(2)The safety policy and safety objectives established Authority shall reflect commitment

	<p>regarding safety and facilitate the promotion of a positive safety culture in the aviation community.</p> <p>(3) The safety policy and safety objectives shall be published and reviewed periodically to ensure that they remain relevant and appropriate for Uganda.</p> <p>(4) The system specified in sub-regulation (1) shall identify, define and document the requirements, obligations, functions and activities regarding the establishment and maintenance of the SSP, including the directives to plan, organize, develop, maintain, control and continuously improve the SSP in a manner that meets the State’s safety objectives.</p> <p>(5) The safety policy and safety objectives established by the Authority shall reflect Uganda’s commitment regarding safety and shall facilitate the promotion of a positive safety culture in the aviation community.</p> <p>(6) Subject to sub-regulation (5) the safety policy and safety objectives shall be published and periodically reviewed to ensure that they remain relevant and appropriate to Uganda.</p>
Qualified technical personnel	<p>10. (1) The qualification of technical personnel shall be established in accordance with the First Schedule to these regulations.</p> <p>(2) Subject to sub-regulation (1), technical personnel shall include those persons performing safety-related functions for or on behalf of the Authority.</p>
Technical guidance, tools and provision of safety-critical information	<p>11. The technical guidance, tools and provision of safety critical information shall be established in accordance with the First Schedule to these regulations.</p>

PART 2.2
STATE SAFETY RISK MANAGEMENT

<p>Licensing, certification, authorization and approval obligations</p>	<p>12. Licensing, certification, authorization and approval processes shall be established in accordance with the First Schedule to these regulations.</p>
<p>Safety Management System (SMS) obligations</p>	<p>13. (1) The following service providers shall implement a Safety Management System:</p> <ul style="list-style-type: none"> (a) approved training organizations certified in accordance with the Civil Aviation (Approved Training Organizations) Regulations, as amended that are exposed to safety risks related to aircraft operations during the provision of their services; (b) operators of aeroplanes or helicopters authorized to conduct international commercial air transport in accordance with the applicable Civil Aviation (Air Operator Certification and Administration) Regulations, as amended; (c) approved maintenance organizations providing services to operators of aeroplanes or helicopters engaged in international commercial air transport, in accordance with the Civil Aviation (Air Operator Certification and Administration) Regulations, as amended; (d) organizations responsible for the type design or manufacture of aircraft, engines or propellers in accordance with the requirements for airworthiness of aircraft; (e) air traffic services providers certificated in accordance with the

	<p>Civil Aviation (Air Traffic Services) Regulations, as amended; and</p> <p>(f) operators of certified aerodromes in accordance with the Civil Aviation (Aerodromes) Regulations, as amended.</p> <p>(2) A service provider or operator shall establish safety performance indicators and targets acceptable to the Authority.</p> <p>(3) The international general aviation operator of large or turbojet aeroplanes registered in Uganda shall implement a safety management system based on a criteria established by the Authority.</p> <p>(4) The criteria established by the Authority in accordance with sub-regulation (3) shall address the Safety Management System framework and elements contained in the Second Schedule to these Regulations.</p>
Accident and incident investigation	14. The process to investigate accidents and incidents is established in accordance with the Civil Aviation (Aircraft Accident and Incident Investigation) Regulations, as amended in support of management of safety in Uganda.
Hazard identification and safety risk assessment	<p>15. (1) An operator and a service provider shall use the process acceptable to the Authority to identify hazards from collected safety data.</p> <p>(2) Subject to sub-regulation (1) information regarding safety data collection, analysis and the sharing and exchange of safety information is provided for part 4 of these regulations.</p> <p>(3) The process to ensure the assessment of safety risks associated with identified hazards shall be developed and maintained as part of the state safety programme.</p>
Management of safety risks	16. (1) The mechanisms for the resolution of safety issues shall be established in accordance with the First Schedule to these regulations.

	<p>(2) The process developed and maintained under the state safety programme to manage safety risks shall include the acceptance, mitigation, avoidance or transfer of the risks and the careful assessment of their underlying factors.</p>
<p><i>PART 2.3</i> <i>STATE SAFETY ASSURANCE</i></p>	
<p>Surveillance obligations</p>	<p>17. (1) The surveillance of operators and service providers shall be conducted by the Authority in accordance with the First Schedule to these regulations.</p>
	<p>(2) The Authority shall take into consideration the safety performance as well as the size and complexity of its aviation products or services while conducting surveillance of operators and service providers.</p>
	<p>(3) The inspections, audits and surveys towards those areas of greater safety concern or need shall be carried out in accordance with established procedures by the Authority as specified in the applicable technical guidance material.</p>
	<p>(4) Subject to sub-regulation (3) Organizational risk profiles, outcomes of hazard identification and risk assessment, and surveillance outcomes shall provide information for the prioritization of inspections, audits and surveys.</p>
	<p>(5) The Authority shall periodically review the safety performance of an individual service provider as specified in the applicable technical guidance material.</p>
<p>State safety performance</p>	<p>18. (1) An Acceptable Level of Safety Performance to be achieved by the Authority shall be established through the state safety programme.</p>
	<p>(2) The process to evaluate the effectiveness of actions taken to manage safety risks and resolve safety issues shall be developed and maintained as specified by the Authority in the applicable technical guidance material and the safety assessment results</p>

	<p>may be used to support the prioritization of actions to manage safety risks.</p> <p>(3) The process specified in sub-regulation (2) shall provide for the evaluation by the Authority of the effectiveness of the state safety programme in order to maintain or continuously improve the overall level of safety performance.</p>
<p>PART 2.4 STATE SAFETY PROMOTION</p>	
Internal communication and dissemination of safety information	<p>19. The established SSP shall promote safety awareness, the sharing and exchange of safety information to support, within the State aviation organizations, the development of a positive safety culture that fosters an effective SSP.</p>
External communication and dissemination of safety information	<p>20. (1) The established state safety programme 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.</p>
	<p>(2) Subject to sub-regulation (1) promoting safety awareness shall include identifying accessible safety training for the aviation community.</p>
<p>PART 3 SAFETY MANAGEMENT SYSTEM (SMS)</p>	
SMS - General	<p>21. (1) An operator or service provider may extend one SMS across multiple activities within the same organization depending on its size and complexity.</p>
	<p>(2) The operator or service provider shall establish an SMS acceptable to the Authority and:</p> <p>a) in accordance with the framework elements contained in the Second Schedule to these regulations;</p>

	<p>b) commensurate with the size of the operator service provider and the complexity of its aviation products or services.</p>
	<p>(3) The operator or service provider develops a plan to facilitate SMS implementation.</p>
	<p>(4) The SMS of a training organization approved in accordance with the Civil Aviation (Approved Training Organization) regulations, as amended, that is exposed to safety risks related to aircraft operations during the provision of its services shall be acceptable to the Authority.</p>
	<p>(5) The SMS of a certified operator of aeroplanes or helicopters authorized to conduct international commercial air transport, in accordance with the Civil Aviation (Air Operator Certification and Administration) regulations, as amended shall be acceptable to the Authority.</p>
	<p>(6) The SMS of an approved maintenance organization providing services to operators of aeroplanes or helicopters engaged in international commercial air transport, in accordance with the Civil Aviation (Air Operator Certification and Administration) regulations, as amended shall be acceptable to the Authority.</p>
	<p>(7) The SMS of an organization responsible for the type design of aircraft, engines or propellers, in accordance with requirements for airworthiness of aircraft, shall be acceptable to the State of Design.</p>
	<p>(8) The SMS of an organization responsible for the manufacture of aircraft, engines or propellers, in accordance with requirements for airworthiness of aircraft, shall be acceptable to the State of Manufacture.</p>
	<p>(9) The SMS of an ATS provider, in accordance with the Civil Aviation (Air Traffic Services) regulations, as amended, shall be acceptable to the Authority.</p>
	<p>(10) The SMS of an operator of a certified aerodrome, in accordance with the Civil Aviation</p>

	(Aerodromes) regulations, as amended, shall be acceptable to the Authority.
<p>PART 3.1 INTERNATIONAL GENERAL AVIATION — AEROPLANES</p>	
SMS for international general aviation — aeroplanes	22. The SMS of an international general aviation operator, conducting operations of large or turbojet aeroplanes in accordance with the Civil Aviation (Operation of Aircraft –General Aviation - Aeroplanes) regulations, as amended shall be commensurate with the size and complexity of the operation and meet the criteria established by the Authority.
<p>PART 4 SAFETY DATA AND SAFETY INFORMATION COLLECTION, ANALYSIS, PROTECTION, SHARING AND EXCHANGE</p>	
Safety data collection and processing systems	23. (1) The safety data collection and processing systems (SDCPS) established by the Authority under SSP shall capture, store, aggregate and enable the analysis of safety data and safety information.
	(2) Subject to sub-regulation (1) SDCPS refers to processing and reporting systems, safety databases, schemes for exchange of information, and recorded information shall include but not limited to: <ul style="list-style-type: none"> (a) data and information pertaining to accident and incident investigations; (b) data and information related to safety investigations by State authorities or aviation service providers; (c) mandatory safety reporting systems as indicated in sub-regulation (3); (d) voluntary safety reporting systems as indicated in sub-regulation (4); and (e) self-disclosure reporting systems, including automatic data capture systems, as specified in Civil Aviation (Operation of Aircraft – Commercial Air

	<p>Transport Aeroplanes) regulations, as amended as well as manual data capture systems.</p> <p>(3) SDCPS may include inputs from State, industry and public sources, and may be based on reactive and proactive methods of safety data and safety information collection.</p> <p>(4) The mandatory safety reporting system established by the Authority shall include the reporting of incidents by operators and service providers.</p> <p>(5) The voluntary safety reporting system established by the Authority shall collect safety data and safety information not captured by mandatory safety reporting systems.</p> <p>(6) The state authorities responsible for the implementation of the SSP shall have access to the SDCPS as referenced in sub-regulation (1) to support their safety responsibilities, in accordance with the principles specified in the Third Schedule to these regulations.</p> <p>(7) Subject to sub-regulation (6), state authorities responsible for the implementation of the SSP may include:</p> <ul style="list-style-type: none"> (a) Uganda Civil Aviation Authority (b) Aircraft Accident and Incident Investigation Unit (c) Ministry of works and Transport (d) Maritime Department <p>(8) The safety database shall use standardized taxonomy to facilitate safety information sharing and exchange.</p>
<p>Safety data and safety information analysis</p>	<p>24. (1) The process established and maintained by the Authority shall provide for analysis of the safety data and safety information from the SDCPS and associated safety databases.</p> <p>(2) Subject to sub-regulation (1), the safety data and safety information analysis performed by the Authority shall identify systemic and cross-cutting hazards that might not otherwise be identified by the</p>

	safety data analysis processes of individual service providers and operators.
Safety data and safety information protection	25. (1) The Authority shall accord protection to safety data captured by, and safety information derived from, voluntary safety reporting systems and related sources in accordance with the Third Schedule to these regulations.
	(2) Subject to sub-regulation (1), sources of safety data shall include individuals and organizations.
	(3) The Authority shall extend the protection referred to in sub-regulations (1) to safety data captured by, and safety information derived from, mandatory safety reporting system and related sources.
	(4) An operator or service provider shall create a reporting environment where employees and operational personnel may trust that their actions or omissions that are commensurate with their training and experience shall not be punished as a fundamental to safety reporting.
	(5) A person shall not make available or use safety data or safety information collected, stored or analysed in accordance with these regulations for purposes other than maintaining or improving safety, unless the competent authority determines, in accordance with the Third Schedule to these regulations, that the principle of exception applies.
	(6) Notwithstanding the requirements of sub-regulation (5), 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.
	(7) The Authority shall take necessary measures, including the promotion of a positive safety culture, to encourage safety reporting through the systems referred to in regulation (23).
	(8) Where necessary the Authority shall facilitate and promote safety reporting by reviewing the applicable requirements and policies.

	<p>(9) In support of the determination referred to in sub-regulation (5), Uganda shall institute and make use of appropriate advance arrangements between its authorities and State bodies entrusted with aviation safety and those entrusted with the administration of justice and such arrangements shall take into account the principles specified in the Third Schedule to these regulations.</p>
	<p>(10) Subject to sub-regulation (9), the arrangements may be formalized through legislation, protocols, agreements or memoranda of understanding.</p>
<p>Safety information sharing and exchange</p>	<p>26. (1) For purposes of these regulations sharing refers to giving, while exchange refers to giving and receiving in return.</p>
	<p>(2) Where the Authority, in the analysis of the information contained in its SDCPS, identifies safety matters considered to be of interest to other States, the Authority shall forward such safety information to them as soon as possible.</p>
	<p>(3) Prior to sharing such information, the Authority shall agree with such states on the level of protection and conditions on which safety information will be shared and the level of protection and conditions shall be in accordance with the Third Schedule to these regulations.</p>
	<p>(4) The Authority shall promote the establishment of safety information sharing or exchange networks among users of the aviation system, and facilitate the sharing and exchange of safety information, unless national laws provide otherwise.</p>
<p>PART 5 GENERAL PROVISIONS</p>	
<p>Administrative sanctions</p>	<p>27. A person who fails to comply with the provisions of these Regulations, is liable to administrative measure as may be prescribed under the Compliance and Enforcement Manual.</p>

PART 6
TRANSITION, SAVINGS AND REVOCATIONS

Savings and transition	28. All approvals or authorisations issued or granted by the Authority before the commencement of these Regulations shall remain operational until their expiry or are revoked, annulled or replaced.
Revocation	29. The Civil Aviation (Safety Management) Regulations, 2020 are revoked.

SCHEDULES

FIRST SCHEDULE

Regulations 5, 6, 7, 8, 9, 10, 11, 12, 16, 17

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

1. Primary aviation legislation (CE-1)

(1) The Civil Aviation Authority Act is 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.

(2) The Civil Aviation Act provide personnel performing safety oversight functions access to the aircraft, operations, facilities, personnel and associated records, as applicable, of individuals and organizations performing an aviation activity.

2. Specific operating regulations (CE-2)

Uganda has promulgated the civil aviation regulations to address, at a minimum, national requirements emanating from the Civil Aviation Authority Act, 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)

(1) Uganda has established the Civil Aviation Authority and other relevant agencies, as appropriate, supported by sufficient and qualified personnel and provided with adequate financial resources for the management of safety.

(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 organizations in specific activities related to the management of safety in the State, and the establishment of the roles, responsibilities and relationships of such organizations.

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

3.4 The Authority ensures 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 uses a methodology to determine their staffing requirements for personnel performing safety oversight functions, taking into account the size and complexity of the aviation activities in Uganda.

4. Qualified technical personnel (CE-4)

(1) The Authority establishes 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.

(2) The Authority implements a system for the maintenance of training records for technical personnel.

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

(1) The Authority provides 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 standardized manner.

(2) The Authority provides technical guidance to the aviation industry on the implementation of relevant regulations.

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

The Authority implements documented processes and procedures to ensure that individuals and organizations performing an aviation activity meet the established requirements before they are allowed to exercise the privileges of a licence, certificate, authorization or approval to conduct the relevant aviation activity.

7. Surveillance obligations (CE-7)

The Authority implements documented surveillance processes, by defining and planning inspections, audits and monitoring activities on a continuous basis, to proactively assure that aviation licence, certificate, authorization 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)

(1) The Authority uses a documented process to take appropriate actions, up to and including enforcement measures, to resolve identified safety issues.

(2) The Authority ensures that identified safety issues are resolved in a timely manner through a system which monitors and records progress, including actions taken by individuals and organizations performing an aviation activity in resolving such issues.

SECOND SCHEDULE

FRAMEWORK FOR A SAFETY MANAGEMENT SYSTEM (SMS)

Regulations 21

This Schedule specifies the framework for the implementation and maintenance of a Safety Management System. The framework comprises of four components and twelve elements as the minimum requirements for Safety Management System implementation:

1. Safety policy and objectives:

- (a) Management commitment;
- (b) Safety accountability and responsibilities;
- (c) Appointment of key safety personnel;
- (d) Coordination of emergency response planning; and
- (e) Safety Management System documentation

2. Safety risk management:

- (a) Hazard identification;
- (b) Safety risk assessment and mitigation.

3. Safety assurance:

- (a) Safety performance monitoring and measurement;
- (b) The management of change;
- (c) Continuous improvement of the Safety Management System.

4. Safety promotion:

- (a) Training and education;
- (b) Safety communication.

1. SAFETY POLICY AND OBJECTIVES

- (1) Management commitment:
 - (a) the service provider shall define its safety policy in accordance with international and national requirements, the safety policy shall:
 - (i) reflect organizational commitment regarding safety, including the promotion of a positive safety culture;
 - (ii) include a clear statement about the provision of the necessary resources for the implementation of the safety policy;
 - (iii) include safety reporting procedures;
 - (iv) 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;
 - (v) be signed by the accountable executive of the organization;
 - (vi) be communicated, with visible endorsement, throughout the organization; and
 - (vii) be periodically reviewed to ensure it remains relevant and appropriate to the service provider.
 - (b) taking due account of its safety policy, the service provider shall define safety objectives. The safety objectives shall—
 - (i) form the basis for safety performance monitoring and measurement as required by paragraph 3(1) (b);
 - (ii) reflect the service provider's commitment to maintain or continuously improve the overall effectiveness of the Safety Management System;
 - (iii) be communicated throughout the organization; and
 - (iv) be periodically reviewed to ensure they remain relevant and appropriate to the service provider.

(2) Safety accountability and responsibilities

The service provider shall—

- (i) identify the accountable executive who, irrespective of other functions, is accountable on behalf of the organization for the implementation and maintenance of an effective SMS;
- (ii) clearly define lines of safety accountability throughout the organization, including a direct accountability for safety on the part of senior management;
- (iii) 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 organization;
- (iv) document and communicate safety accountability, responsibilities and authorities throughout the organization; and
- (v) define the levels of management with authority to make decisions regarding safety risk tolerability.

(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.

(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 organizations it must interface with during the provision of its products and services.

- (5) Safety Management System documentation
 - (a) The service provider shall develop and maintain a Safety Management System manual that describes its—
 - (i) safety policy and objectives;
 - (ii) Safety Management System requirements;
 - (iii) Safety Management System processes and procedures; and
 - (iv) accountability, responsibilities and authorities for Safety Management System processes and procedures.
 - (b) The service provider shall develop and maintain Safety Management System operational records as part of its Safety Management System documentation. Depending on the size of the service provider and the complexity of its aviation products or services, the Safety Management System manual and Safety Management System operational records may be in the form of stand- alone documents or may be integrated with other organizational documents (or documentation) maintained by the service provider.

2. SAFETY RISK MANAGEMENT

(1) Hazard identification—

- (a) The service provider shall develop and maintain a process to identify hazards associated with its aviation products or services.
- (b) Hazard identification shall be based on a combination of reactive and proactive methods.

(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

(1) Safety performance monitoring and measurement

- (a) The service provider shall develop and maintain the means to verify the safety performance of the organization and to validate the effectiveness of safety risk controls.
- (b) The service provider's safety performance shall be verified in reference to the safety performance indicators and safety performance targets of the Safety Management System in support of the organization's safety objectives.

(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) Continuous improvement of the Safety Management System

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

4. SAFETY PROMOTION

(1) Training and education

- (a) The service provider shall develop and maintain a safety training programme that ensures that personnel are trained and competent to perform their Safety Management System duties.
- (b) The scope of the safety training programme shall be appropriate to each individual's involvement in the Safety Management System.

(2) Safety communication

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

- (a) ensures personnel are aware of the Safety Management System

- 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

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

Regulations 25

1. General principles

(1) Uganda, through national laws, regulations and policies protecting safety data, safety information and related sources, ensures 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.

(2) When an investigation under the Civil Aviation (Aircraft Accident and Incident Investigation) Regulations, as amended has been instituted, accident and incident investigation records listed under the protection of accident and incident investigation records in the Regulations shall be subject to the protections accorded therein instead of the protections accorded by these regulations.

2. Principles of protection

(1) The Authority ensures that safety data or safety information is not used for—

- (a) disciplinary, civil, administrative and criminal proceedings against employees, operational personnel or organizations;
- (b) disclosure to the public; or
- (c) any purposes other than maintaining or improving safety; unless a principle of exception applies.

(2) The Authority 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, willful 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

(1) Where right-to-know laws are applicable, the Authority 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.

(2) Where disclosure is made in accordance with section 3, the Authority 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

The Authority ensures 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 organization.

6. Protection of recorded data

Note 1.— Ambient workplace recordings required by national laws, for example, cockpit voice recorders (CVRs) or recordings of background communication and the aural environment at air traffic controller work stations, may be perceived as constituting an invasion of privacy for operational personnel that other professions are not exposed to.

Note 2.— Provisions on the protection of flight recorder recordings and recordings from air traffic control units during investigations instituted under the Civil Aviation (Aircraft Accident and Incident Investigation) Regulations, as amended are contained therein. Provisions on the protection of flight recorder recordings during normal operations are contained in applicable operation of aircraft regulations.

(1) Uganda through national laws and regulations, provides specific measures of protection regarding the confidentiality and access by the public to ambient workplace recordings.

(2) Uganda through national laws and regulations, treats 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.

Cross References

1. The Civil Aviation (Aerodromes) Regulations, as amended;
2. The Civil Aviation (Air Operator Certification and Administration) Regulations, as amended;
3. The Civil Aviation (Airworthiness) Regulations, as amended;
4. The Civil Aviation (Approved Training Organizations) Regulations, as amended;
5. The Civil Aviation (Certification of Air Navigation Services) Regulations, as amended;
6. The Civil Aviation (Operation of Aircraft) Regulations, as amended.