

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ



ދިވެހިސަރުކާރުގެ ގެޒެޓް

ގަވާއިދު : 51 ރިޕަބްލިކް : 15 ޖިއުލައި 2022 1443 - 15 ޖުލައި 2022 ސަރުކާރުގެ ގެޒެޓް

ދިވެހިސަރުކާރުގެ ގަވާއިދު : 2022/R-12

Maldivian Civil Aviation Regulations MCAR-100 Integrated Safety Management Systems

<p>• ދިވެހިސަރުކާރުގެ ސަރުކާރުގެ ފަރާތުން ފޮނުވާލެވޭ ސަރުކާރުގެ ގަވާއިދު ފޯމުގައި legallaaffairs@po.gov.mv ގައި ފޮނުވާލެވޭނެ ގޮތަށް ހަދަން.</p>	<p>ދިވެހިސަރުކާރުގެ ސަރުކާރުގެ ފަރާތުން ފޮނުވާލެވޭ ސަރުކާރުގެ ގަވާއިދު ފޯމުގައި ފޯމުގައި ފޮނުވާލެވޭނެ ގޮތަށް 3336211 ފަޑް : ފޯމުގައި 7242885 ފޯމުގައި : ފޯމުގައި ވެބްސައިޓް : www.gazette.gov.mv</p>
---	--



Maldives Civil Aviation Authority
Republic of Maldives

Maldivian Civil Aviation Regulations

MCAR-100 Integrated Safety Management Systems

Issue 1.00, 15 January 2022

Foreword

Maldives Civil Aviation Authority, in exercise of the powers conferred on it under Articles 5 and 6 of the Maldives Civil Aviation Authority Act 2/2012, has adopted this Regulation.

This Regulation shall be cited as “MCAR-100 Integrated Safety Management Systems” and shall come in to force on 15 January 2022.

Existing aviation requirements in the field of safety managements as listed in CAR Part 21 and ASC 00-2 will be repealed as from 15 July 2023.

Definitions of the terms and abbreviations used in this regulation, unless the context requires otherwise, are in MCAR-1 Definitions and Abbreviations.

List of Effective Pages

Section	Part	Page	Amendment	Date
	Foreword	2	Issue: 1.00	15 Jan 2022
	List of Amendments	3	Issue: 1.00	15 Jan 2022
	List of Effective Pages	4	Issue: 1.00	15 Jan 2022
	Table of Contents	5	Issue: 1.00	15 Jan 2022
A	Technical Requirements	6-20	Issue: 1.00	15 Jan 2022
B	Procedure for the Authority	21-22	Issue: 1.00	15 Jan 2022

Table of Contents

Foreword	2
List of Amendments	3
List of Effective Pages	4
Table of Contents	5
Section A - TECHNICAL REQUIREMENTS	6
100.1 Applicability	7
100.2 Management System	7
AMC1 100.2(a)(1);(2);(3);(5)	Non-Complex Organisations - General 7
AMC1 100.2(a)(1) Complex Organisations.....	8
GM1 100.2(a)(1) Safety Manager.....	9
GM2 100.2(a)(1) Complex Organisations - Safety Action Group.....	9
GM3 100.2(a)(1) Meaning Of The Terms 'Accountability' And 'Responsibility'	10
AMC1 100.2(a)(2) Complex Organisations — Safety Policy	10
GM1 100.2(a)(2) Safety Policy	10
AMC1 100.2(a)(3) Complex Organisations — Safety Risk Management	11
GM1 100.2(a)(3) Internal Safety Reporting Scheme.....	12
GM3 100.2(a)(3) Safety Risk Assessment — Risk Register.....	12
GM4 100.2(a)(3) Complex Organisations — Safety Risk Management — Interfaces.....	12
AMC1 100.2(a)(4) Training And Communication On Safety	13
GM1 100.2(a)(4) Training And Communication On Safety	13
AMC1 100.2(a)(5) Management System Documentation — General	13
AMC2 100.2(a)(5) Complex Organisations — Safety Management Manual	14
GM 100.2(a)(5) Management System Documentation — General	14
AMC1 100.2(a)(6) Compliance Monitoring — General	15
GM1 100.2(a)(6) Compliance Monitoring — General	16
GM2 100.2(a)(6) Management System	17
GM3 100.2(a)(6) Non-Complex Organisations — Compliance Monitoring.....	17
GM4 100.2(a)(6) Audit And Inspection.....	17
AMC1 100.2(b) Size, Nature And Complexity Of The Activity	17
100.3 Transition	18
Section B - PROCEDURE FOR THE CAA.....	19

Section A - TECHNICAL REQUIREMENTS

100.1 Applicability

- (a) This regulation applies to:
- (1) Any training organisation, approved in accordance with MCAR-147, that is exposed to safety risks related to aircraft operations during the provision of its services;
 - (2) Any maintenance organisation approved in accordance with MCAR-145;
 - (3) Any operator of an aerodrome certified in accordance with MCAR-139;
 - (4) Any air traffic service provider designated in accordance with MCAR-11; and
 - (5) Any other organisation that is required by the Maldivian Civil Aviation Regulations to establish a system for safety management.
- (b) Notwithstanding paragraph (a)5, this regulation does not apply to any organisation that is required to maintain a system for safety management under MCAR-Air Operations or MCAR-Aircrew.

100.2 Management System

- (a) An organisation to which this regulation applies shall implement and maintain a system for safety management that includes;
- (1) clearly defined lines of responsibility and accountability throughout the organisation, including a direct safety accountability of the accountable manager;
 - (2) a description of the overall philosophies and principles of the organisation with regard to safety, referred to as the safety policy;
 - (3) the identification of aviation safety hazards entailed by the activities of the organisation, their evaluation and the management of associated risks, including taking actions to mitigate the risk and verify their effectiveness;
 - (4) maintaining personnel trained and competent to perform their tasks;
 - (5) documentation of all management system key processes, including a process for making personnel aware of their responsibilities and the procedure for amending this documentation;
 - (6) a function to monitor compliance of the organisation with the relevant requirements. Compliance monitoring shall include a feedback system of findings to the accountable manager to ensure effective implementation of corrective actions as necessary; and
 - (7) any additional requirements that are prescribed in this Regulation or any other Regulation applicable to the organisation.
- (b) The management system shall correspond to the size of the organisation and the nature and complexity of its activities, taking into account the hazards and associated risks inherent in these activities.
- (c) Where the organisation holds one or more additional organisation certificates within the scope of Maldives Civil Aviation Authority Act 2/2012 and its implementing regulations, the management system should be integrated with that required under the additional certificate(s) held.
- (d) By derogation from paragraph (a), for organisations with their principal place of business located outside the Maldives, a system for safety management may be established in accordance with the national aviation regulations of the State in which the organisation has its principal place of business.

AMC1 100.2(a)(1);(2);(3);(5) Non-Complex Organisations - General

- (a) Safety risk management may be performed using hazard checklists or similar risk management tools or processes, which are integrated into the activities of the organisation.

- (b) The organisation should manage safety risks related to a change. The management of change should be a documented process to identify external and internal change that may have an adverse effect on safety. It should make use of the organisation's existing hazard identification, risk assessment and mitigation processes.
- (c) The organisation should identify a person who fulfils the role of safety manager and who is responsible for coordinating the safety-management-related processes and tasks. This person may be the accountable manager or a person with an operational role within the organisation.
- (d) Within the organisation, responsibilities should be identified for hazard identification, risk assessment and mitigation.
- (e) The safety policy should include a commitment to improve towards the highest safety standards, comply with all applicable legal requirements, meet all applicable standards, consider best practices and provide appropriate resources.
- (f) The organisation should, in cooperation with other stakeholders, develop, coordinate and maintain an emergency response plan (ERP) that ensures orderly and safe transition from normal to emergency operations and return to normal operations. The ERP should provide the actions to be taken by the organisation or specified individuals in an emergency and reflect the size, nature and complexity of the activities performed by the organisation.

AMC1 100.2(a)(1) Complex Organisations

The management system of an organisation should encompass safety by including a safety manager and a safety review board in the organisational structure.

- (a) Safety manager
 - (1) The safety manager should act as the focal point and be responsible for the development, administration and maintenance of an effective safety management system.
 - (2) The functions of the safety manager should be to:
 - (i) facilitate hazard identification, risk analysis and management;
 - (ii) monitor the implementation of actions taken to mitigate risks, as listed in the safety action plan;
 - (iii) provide periodic reports on safety performance;
 - (iv) ensure maintenance of safety management documentation;
 - (v) ensure that there is safety management training available and that it meets acceptable standards;
 - (vi) provide advice on safety matters; and
 - (vii) ensure initiation and follow-up of internal occurrence/accident investigations.
 - (3) If more than one person is designated for the safety management function, the accountable manager should identify the person who acts as the unique focal point (i.e. the 'safety manager').
- (b) Safety review board
 - (1) The safety review board should be a high level committee that considers matters of strategic safety in support of the accountable manager's safety accountability.
 - (2) The board should be chaired by the accountable manager and be composed of heads of functional areas.
 - (3) The safety review board should monitor:

- (i) safety performance against the safety policy and objectives;
 - (ii) that any safety action is taken in a timely manner; and
 - (iii) the effectiveness of the organisation's safety management processes.
- (c) The safety review board should ensure that appropriate resources are allocated to achieve the established safety performance.
- (d) The safety manager or any other relevant person may attend, as appropriate, safety review board meetings. He/she may communicate to the accountable manager all information, as necessary, to allow decision making based on safety data.

GM1 100.2(a)(1) Safety Manager

SAFETY MANAGER

- (a) Depending on the size of the organisation and the nature and complexity of its activities, the safety manager may be assisted by additional safety personnel for the performance of all safety management related tasks.
- (b) Regardless of the organisational set-up it is important that the safety manager remains the unique focal point as regards the development, administration and maintenance of the organisation's safety management system.

COMPETENCIES OF THE SAFETY MANAGER

- (c) The safety manager as defined under AMC1 100.2(a)(1) is expected to support, facilitate and lead the implementation and maintenance of the safety management system, fostering an organisational culture for an effective safety management, risk management and occurrence reporting. The competencies for a safety manager should thus include, but not be limited to, the following:
- (1) Knowledge of:
 - (i) ICAO standards and Maldivian requirements and provisions on safety management;
 - (ii) basic safety investigation techniques; and
 - (iii) human factors in aviation.
 - (2) Relevant and documented work experience, preferably in a comparable position, in:
 - (i) management systems including compliance monitoring systems and safety management;
 - (ii) risk management; and
 - (iii) the operations of the organisation.
 - (3) Other suitable competencies
 - (i) the promotion of a positive safety culture;
 - (ii) interpersonal, influencing and leadership skills;
 - (iii) oral and written communication skills;
 - (iv) data management, analytical and problem-solving skills;
 - (v) professional integrity.

GM2 100.2(a)(1) Complex Organisations – Safety Action Group

- (a) A safety action group may be established as a standing group or as an ad-hoc group to assist or act on behalf of the safety review board.
- (b) More than one safety action group may be established depending on the scope of the task and specific expertise required.

- (c) The safety action group should report to and take strategic direction from the safety review board and should be comprised of managers, supervisors and personnel from operational areas.
- (d) The safety action group should:
 - (1) monitor operational safety;
 - (2) define actions to mitigate the identified safety risks;
 - (3) assess the impact on safety of operational changes; and
 - (4) ensure that safety actions are implemented within agreed timescales.
- (e) The safety action group should review the effectiveness of previous safety recommendations and safety promotion.

GM3 100.2(a)(1) Meaning of the Terms 'Accountability' and 'Responsibility'

In the English language, the notion of accountability is different from the notion of responsibility. Whereas 'accountability' refers to an obligation which cannot be delegated, 'responsibility' refers to an obligation that can be delegated.

AMC1 100.2(a)(2) Complex Organisations — Safety Policy

- (a) The safety policy should:
 - (1) be endorsed by the accountable manager;
 - (2) reflect organisational commitments regarding safety and its proactive and systematic management;
 - (3) be communicated, with visible endorsement, throughout the organisation; and
 - (4) include safety reporting principles.
- (b) The safety policy should include a commitment:
 - (1) to improve towards the highest safety standards;
 - (2) to comply with all applicable legislation, meet all applicable standards and consider best practices;
 - (3) to provide appropriate resources;
 - (4) to enforce safety as one primary responsibility of all managers; and
 - (5) not to blame someone for reporting something which would not have been otherwise detected.
- (c) Senior management should:
 - (1) continually promote the safety policy to all personnel and demonstrate their commitment to it;
 - (2) provide necessary human and financial resources for its implementation; and
 - (3) establish safety objectives and performance standards.

GM1 100.2(a)(2) Safety Policy

The safety policy is the means whereby the organisation states its intention to maintain and, where practicable, improve safety levels in all its activities and to minimise its contribution to the risk of an aircraft accident as far as is reasonably practicable.

The safety policy should state that the purpose of safety reporting and internal investigations is to improve safety, not to apportion blame to individuals.

AMC1 100.2(a)(3) Complex Organisations — Safety Risk Management

(a) Hazard identification processes

- (1) Reactive and proactive schemes for hazard identification should be the formal means of collecting, recording, analysing, acting on and generating feedback about hazards and the associated risks that affect the safety of the operational activities of the organisation.
- (2) All reporting systems, including confidential reporting schemes, should include an effective feedback process.

(b) Risk assessment and mitigation processes

- (1) A formal risk management process should be developed and maintained that ensures analysis (in terms of likelihood and severity of occurrence), assessment (in terms of tolerability) and control (in terms of mitigation) of risks to an acceptable level.
- (2) The levels of management who have the authority to make decisions regarding the tolerability of safety risks, in accordance with (b)(1), should be specified.

(c) Internal safety investigation

- (1) The scope of internal safety investigations should extend beyond the scope of occurrences required to be reported to the competent authority.

(d) Safety performance monitoring and measurement

- (1) Safety performance monitoring and measurement should be the process by which the safety performance of the organisation is verified in comparison to the safety policy and objectives.
- (2) This process should include:
 - (i) safety reporting, addressing also the status of compliance with the applicable requirements;
 - (ii) safety studies, that is, rather large analyses encompassing broad safety concerns;
 - (iii) safety reviews including trends reviews, which would be conducted during introduction and deployment of new technologies, change or implementation of procedures, or in situations of structural change in operations;
 - (iv) safety audits focussing on the integrity of the organisation's management system, and periodically assessing the status of safety risk controls; and
 - (v) safety surveys, examining particular elements or procedures of a specific operation, such as problem areas or bottlenecks in daily operations, perceptions and opinions of operational personnel and areas of dissent or confusion.

(e) The management of change

The organisation should manage safety risks related to a change. The management of change should be a documented process to identify external and internal change that may have an adverse effect on safety. It should make use of the organisation's existing hazard identification, risk assessment and mitigation processes.

(f) Continuous improvement

The organisation should continuously seek to improve its safety performance. Continuous improvement should be achieved through:

- (1) proactive and reactive evaluations of facilities, equipment, documentation and procedures through safety audits and surveys;
- (2) proactive evaluation of individuals' performance to verify the fulfilment of their safety

responsibilities; and

- (3) reactive evaluations in order to verify the effectiveness of the system for control and mitigation of risk.

(g) The emergency response plan (ERP)

- (1) An ERP should be established that provides the actions to be taken by the organisation or specified individuals in an emergency. The ERP should reflect the size, nature and complexity of the activities performed by the organisation.
- (2) The ERP should ensure:
 - (i) an orderly and safe transition from normal to emergency operations;
 - (ii) safe continuation of operations or return to normal operations as soon as practicable; and
 - (iii) coordination with the emergency response plans of other organisations, where appropriate.

GM1 100.2(a)(3) Internal Safety Reporting Scheme

- (a) The overall purpose of the internal safety reporting scheme is to use reported information to improve the level of the safety performance of the organisation and not to attribute blame.
- (b) The objectives of the scheme are to:
 - (1) enable an assessment to be made of the safety implications of each relevant incident and accident, including previous similar occurrences, so that any necessary action can be initiated; and
 - (2) ensure that knowledge of relevant incidents and accidents is disseminated, so that other persons and organisations may learn from them.
- (c) The scheme is an essential part of the overall monitoring function and it is complementary to the normal day-to-day procedures and 'control' systems and is not intended to duplicate or supersede any of them. The scheme is a tool to identify those instances where routine procedures have failed.
- (d) All occurrence reports judged reportable by the person submitting the report should be retained as the significance of such reports may only become obvious at a later date.

GM3 100.2(a)(3) Safety Risk Assessment — Risk Register

The results of the assessment of the potential adverse consequences or outcome of each hazard may be recorded by the organisation in a risk register, an example of which is provided below.

Hazard		Incident Sequence Description	Existing Controls	Outcome (Pre-Mitigation)			Additional Mitigation required	Outcome (Post-Mitigation)			Actions and Owners	Monitoring and Review Requirements
No.	Description			S	L	R		S	L	R		

KEY: S = Severity; L = Likelihood; R = Risk

GM4 100.2(a)(3) Complex Organisations — Safety Risk Management — Interfaces

- (a) Hazard identification and risk assessment start with an identification of all parties involved in the arrangement, including independent experts and non-approved organisations. It extends to the overall control structure, assessing, in particular, the following elements across all subcontract levels and all parties within such arrangements:
- (1) coordination and interfaces between the different parties;
 - (2) applicable procedures;
 - (3) communication between all parties involved, including reporting and feedback channels;
 - (4) task allocation responsibilities and authorities; and
 - (5) qualifications and competency of key personnel.
- (b) Safety risk management focuses on the following aspects:
- (1) clear assignment of accountability and allocation of responsibilities;
 - (2) only one party is responsible for a specific aspect of the arrangement — no overlapping or conflicting responsibilities, in order to eliminate coordination errors;
 - (3) existence of clear reporting lines, both for occurrence reporting and progress reporting;
 - (4) possibility for staff to directly notify the organisation of any hazard suggesting an obviously unacceptable safety risk as a result of the potential consequences of this hazard.

AMC1 100.2(a)(4) Training and Communication on Safety

- (a) Training
- (1) All personnel should receive safety training as appropriate for their safety responsibilities.
 - (2) Adequate records of all safety training provided should be kept.
- (b) Communication
- (1) The organisation should establish communication about safety matters that:
 - (i) ensures that all personnel are aware of the safety management activities as appropriate for their safety responsibilities;
 - (ii) conveys safety critical information, especially relating to assessed risks and analysed hazards;
 - (iii) explains why particular actions are taken; and
 - (iv) explains why safety procedures are introduced or changed.
 - (2) Regular meetings with personnel where information, actions and procedures are discussed may be used to communicate safety matters.

GM1 100.2(a)(4) Training and Communication on Safety

The safety training programme may consist of self-instruction via the media (newsletters, flight safety magazines), classroom training, e-learning or similar training provided by training service providers.

AMC1 100.2(a)(5) Management System Documentation — General

- (a) The organisation's management system documentation should at least include the following information:
- (1) a statement signed by the accountable manager to confirm that the organisation will continuously work in accordance with the applicable requirements and the organisation's documentation, as required by applicable regulations;
 - (2) the organisation's scope of activities;
 - (3) the titles and names of:
 - (i) the accountable manager, who has the authority for ensuring that all activities can be financed in accordance with the applicable requirements;
 - (ii) person or group of persons nominated by the organisation, with the responsibility of ensuring the organisation remains in compliance with the applicable regulations;
 - (4) an organisation chart showing the lines of responsibility between the persons referred to in (3);
 - (5) a general description and location of the facilities;
 - (6) procedures specifying how the organisation ensures compliance with the applicable requirements;
 - (7) the amendment procedure for the organisation's management system documentation.
- (b) The organisation's management system documentation may be included in a separate manual or in (one of) the manual(s), as required by the applicable regulations. A cross-reference should be included.

AMC2 100.2(a)(5) Complex Organisations — Safety Management Manual

- (a) The safety management manual (SMM) should be the key instrument for communicating the approach to safety for the whole of the organisation. The SMM should document all aspects of safety management, including the safety policy, objectives, procedures and individual safety responsibilities.
- (b) The contents of the safety management manual should include all of the following:
- (1) scope of the safety management system;
 - (2) safety policy and objectives;
 - (3) safety accountability of the accountable manager;
 - (4) safety responsibilities of key safety personnel;
 - (5) documentation control procedures;
 - (6) hazard identification and risk management schemes;
 - (7) safety action planning;
 - (8) safety performance monitoring;
 - (9) incident investigation and reporting;
 - (10) emergency response planning;
 - (11) management of change (including organisational changes with regard to safety responsibilities);
 - (12) safety promotion.
- (c) The SMM may be contained in (one of) the manual(s) of the organisation.

GM 100.2(a)(5) Management System Documentation — General

- (a) It is not required to duplicate information in several manuals. The information may be contained in any of the organisation's manuals (e.g. operations manual, aerodrome manual, maintenance organisation exposition, etc.), which may also be combined.

- (b) The organisation may also choose to document some of the information required to be documented in separate documents (e.g. procedures). In this case, it should ensure that manuals contain adequate references to any document kept separately. Any such documents are then to be considered an integral part of the organisation's management system documentation.

AMC1 100.2(a)(6) Compliance Monitoring — General

(a) Compliance monitoring

The implementation and use of a compliance monitoring function should enable the organisation to monitor compliance with the relevant requirements of this regulation and other applicable regulations.

- (1) The organisation should specify the basic structure of the compliance monitoring function applicable to the activities conducted.
- (2) The compliance monitoring function should be structured according to the size of the organisation and the complexity of the activities to be monitored.

- (b) Organisations should monitor compliance with the procedures they have designed to ensure safe activities. In doing so, they should as a minimum, and where appropriate, monitor compliance with:

- (1) privileges of the organisation;
- (2) manuals, logs, and records;
- (3) training standards;
- (4) management system procedures and manuals; and
- (5) required resources.

(c) Organisational set up

- (1) To ensure that the organisation continues to meet the requirements of this regulation and other applicable regulations, the accountable manager should designate a compliance monitoring manager. The role of the compliance monitoring manager is to ensure that the activities of the organisation are monitored for compliance with the applicable regulatory requirements, and any additional requirements as established by the organisation, and that these activities are carried out properly under the supervision of the relevant head of functional area.
- (2) The compliance monitoring manager should be responsible for ensuring that the compliance monitoring programme is properly implemented, maintained and continually reviewed and improved.
- (3) The compliance monitoring manager should:
 - (i) have direct access to the accountable manager;
 - (ii) not be one of the other persons referred to in AMC1 100.2(a)(5)(a)3;
 - (iii) be able to demonstrate relevant knowledge, background and appropriate experience related to the activities of the organisation, including knowledge and experience in compliance monitoring; and
 - (iv) have access to all parts of the organisation, and as necessary, any contracted organisation.
- (4) In the case of a non-complex organisation, this task may be exercised by the accountable manager provided he/she has demonstrated having the related competence as defined in (c)(3)(iii).
- (5) In the case the same person acts as compliance monitoring manager and as safety manager, the accountable manager, with regards to his/her direct accountability for safety, should ensure that sufficient resources are allocated to both functions, taking into account the size of the organisation and the nature and complexity of its activities.

- (6) The independence of the compliance monitoring function should be established by ensuring that audits and inspections are carried out by personnel not responsible for the function, procedure or products being audited.
 - (7) If more than one person is designated for the compliance monitoring function, the accountable manager should identify the person who acts as the unique focal point (i.e. the 'compliance monitoring manager').
- (d) Compliance monitoring documentation
- (1) Relevant documentation should include the relevant part(s) of the organisation's management system documentation.
 - (2) In addition, relevant documentation should also include the following:
 - (i) terminology;
 - (ii) specified activity standards;
 - (iii) a description of the organisation;
 - (iv) the allocation of duties and responsibilities;
 - (v) procedures to ensure regulatory compliance;
 - (vi) the compliance monitoring programme, reflecting:
 - (A) schedule of the monitoring programme;
 - (B) audit procedures;
 - (C) reporting procedures;
 - (D) follow-up and corrective action procedures; and
 - (E) recording system.
 - (vii) the training syllabus referred to in (e)(2);
 - (viii) document control.
- (e) Training
- (1) Correct and thorough training is essential to optimise compliance in every organisation. In order to achieve significant outcome of such training, the organisation should ensure that all personnel understand the objectives as laid down in the organisation's management system documentation.
 - (2) Those responsible for managing the compliance monitoring function should receive training on this task. Such training should cover the requirements of compliance monitoring, manuals and procedures related to the task, audit techniques, reporting and recording.
 - (3) Time should be provided to train all personnel involved in compliance management and for briefing the remainder of the personnel.
 - (4) The allocation of time and resources should be governed by the volume and complexity of the activities concerned.

GM1 100.2(a)(6) Compliance Monitoring — General

- (a) The organisational set-up of the compliance monitoring function should reflect the size of the organisation and the nature and complexity of its activities. The compliance monitoring manager may perform all audits and inspections himself/herself or appoint one or more auditors by choosing personnel having the related competence as defined in AMC1 100.2(a)(6) point (c)(3)(iii), either from, within or outside the organisation.
- (b) Regardless of the option chosen it must be ensured that the independence of the audit function is not affected, in particular in cases where those performing the audit or inspection are also responsible for other functions for the organisation.

- (c) In case external personnel are used to perform compliance audits or inspections:
 - (1) any such audits or inspections are performed under the responsibility of the compliance monitoring manager; and
 - (2) the organisation remains responsible to ensure that the external personnel has relevant knowledge, background and experience as appropriate to the activities being audited or inspected; including knowledge and experience in compliance monitoring.
- (d) The organisation retains the ultimate responsibility for the effectiveness of the compliance monitoring function, in particular for the effective implementation and follow-up of all corrective actions.

GM2 100.2(a)(6) Management System

(Reserved)

GM3 100.2(a)(6) Non-Complex Organisations — Compliance Monitoring

- (a) Compliance monitoring audits and inspections may be documented on a 'Compliance Monitoring Checklist', and any findings recorded in a 'Non-compliance Report'.

GM4 100.2(a)(6) Audit and Inspection

- (a) 'Audit' means a systematic, independent and documented process for obtaining evidence and evaluating it objectively to determine the extent to which requirements are complied with.
- (b) 'Inspection' means an independent documented conformity evaluation by observation and judgement accompanied as appropriate by measurement, testing or gauging, in order to verify compliance with applicable requirements.

AMC1 100.2(b) Size, Nature and Complexity of the Activity

- (a) An air traffic services provider should be considered as complex unless it provides or plans to provide services only with respect to one or more of the following categories:
 - (1) aerial work;
 - (2) general aviation;
 - (3) commercial air transport limited to aircraft with less than 10 tonnes of maximum take-off mass or less than 20 passenger seats;
 - (4) commercial air transport with less than 10,000 movements per year, regardless of the maximum take-off mass and the number of passenger seats; for the purposes of this provision, 'movements' means, in a given year, the average over the previous three years of the total number of take-offs and landings.
- (b) An air navigation services provider, other than an air traffic services provider, should be considered as complex unless it has a gross annual turnover of MVR 18,000,000 or less in relation to the services they provide or plan to provide;.
- (c) An aerodrome flight information services provider should be considered as complex unless it is providing aerodrome flight information services by operating regularly not more than one working

position at any aerodrome;

- (d) An organisation, other than an air navigation services provider, should be considered as complex when it has a workforce of more than 20 full-time staff or full-time equivalents (FTEs) involved in the activity subject to Maldives Civil Aviation Authority Act 2/2012 and its implementing regulations.
- (e) Notwithstanding paragraph (d), organisations with up to 20 full-time staff or FTEs may also be considered complex based on an assessment of the following factors:
 - (1) in terms of complexity, the extent and scope of contracted activities subject to the approval;
 - (2) in terms of risk criteria, the extent of the following:
 - (i) operations requiring a specific approval;
 - (ii) high-risk commercial specialised operations;
 - (iii) operations with different types of aircraft used; and
 - (iv) operations in challenging environment (offshore, mountainous area, etc.).

100.3 Transition

- (a) An organisation that holds a valid approval specified in MCAR-100.1(a) may correct, until 15 July 2023, any finding of non-compliance related to a requirement introduced by this regulation. Where after 15 July 2023 the organisation has not closed such findings, the approval certificate will be revoked, limited or suspended in whole or in part.
- (b) An organisation that holds a valid approval specified in MCAR-100.1(a) shall make an application to amend their existing approval to include an MCAR-100.2 management system before 15 February 2023. This application shall be made in a form and manner established by the CAA.

Section B - PROCEDURE FOR THE CAA

(INTENTIONALLY LEFT BLANK)