



SEANAD ÉIREANN

**AN BILLE AERLOINGSEOIREACHTA AGUS AERIOMPAIR,
2020**

AIR NAVIGATION AND TRANSPORT BILL 2020

**LEASUITHE TUARASCÁLA
REPORT AMENDMENTS**

SEANAD ÉIREANN

AN BILLE AERLOINGSEOIREACHTA AGUS AERIOMPAIR, 2020 —AN TUARASCÁIL

AIR NAVIGATION AND TRANSPORT BILL 2020 —REPORT

Leasuithe Amendments

**Government amendments are denoted by an asterisk*

- *1. In page 13, line 39, to delete “fit, and” and substitute “fit,”.
- *2. In page 13, to delete lines 40 and 41 and substitute the following:
 - “(l) to provide aeronautical rescue co-ordination for search and rescue services within the search and rescue region in relation to rescue co-ordination centres, rescue co-ordination sub-centres and joint rescue co-ordination centres established by the State pursuant to Annex 12 to the Chicago Convention, and
 - (m) to utilise, manage and develop the resources available to it in a manner consistent with the objects set out in *paragraphs (a) to (l)*.”.
- *3. In page 14, to delete lines 7 to 9 and substitute the following:
 - “(3) Any function conferred on the IANS by or under this Act and which, immediately before the vesting day, was a function of the IAA, shall, upon that day, cease to be a function of the IAA and stand vested in the IANS.”.
- *4. In page 16, to delete lines 39 to 42, and in page 17, to delete lines 1 to 16.
- *5. In page 21, lines 12 and 13, to delete “in relation to balance sheets and accounts”.
- *6. In page 21, lines 15 to 18, to delete all words from and including “of” in line 15 down to and including “sheet” in line 18.
- *7. In page 21, lines 21 and 22, to delete “the profit and loss account, the cash flow statement, the balance sheet” and substitute “the accounts”.
- *8. In page 30, after line 41, to insert the following:
 - “(3) Without prejudice to the European Communities Act 1972, the Minister may by order amend Schedule 1—
 - (a) by the insertion therein of a reference to a European Union Regulation, or
 - (b) by the deletion therefrom of a reference to a European Union Regulation.”.

*9. In page 54, lines 27 and 28, to delete “at such times as it may determine” and substitute “not less than twice a year”.

10. In page 54, lines 27 and 28, to delete “at such times as it may determine” and substitute “at a minimum twice yearly”.

—*Senators Regina Doherty, Gerard P. Craughwell.*

*11. In page 54, lines 32 to 34, to delete all words from and including “, first” in line 32, down to and including “second,” in line 34.

*12. In page 54, to delete lines 36 to 40, and in page 55, to delete line 1 and substitute the following:

“(a) specify the organisations invited to participate in the Forum, which shall include recognised aviation stakeholder groups, recognised aviation trade unions and representative bodies, certified aviation organisations and other interested parties, and

(b) determine the rules and procedures of the Forum including the composition of membership to ensure a representative participation from each organisation and the publication of minutes of meetings of the Forum.”.

13. In page 54, line 36, after “number” to insert “and names”.

—*Senators Regina Doherty, Gerard P. Craughwell.*

14. In page 55, between lines 3 and 4, to insert the following:

“(aa) electing a chair of the Forum by members of the Forum”.

—*Senators Regina Doherty, Gerard P. Craughwell.*

15. In page 55, to delete lines 12 to 16 and substitute the following:

“(4) (a) At its first meeting, the stakeholder forum will establish a sub-group of the stakeholder forum, referred to as the licence holders sub-forum, comprising representatives of licence holders and attested cabin crew, including but not limited to the following:

(i) operators;

(ii) pilots;

(iii) cabin crew;

(iv) engineers;

(v) air traffic controllers.

(b) The licence holders sub-forum will:

(i) hold at least two meetings of the licence holders sub-forum per calendar year, or as frequently as requested by at least two licence holder groups represented on the licence holders sub-forum;

- (ii) develop procedures for the operation of the licence holders sub-forum, and submit to the company and the Minister;
- (iii) develop a licence holders charter, no later than six months after establishment of the stakeholders forum, for submission to the company and the Minister. The Minister will make active the licence holders charter no later than 12 months after the establishment of the stakeholder's forum.
- (c) The Company will provide facilities (secretarial, meeting rooms, etc.) to the stakeholder's forum and to the Licence holder's sub-forum.”.

—*Senators Regina Doherty, Gerard P. Craughwell.*

16. In page 56, to delete lines 3 to 39, and in page 57, to delete lines 1 to 4 and substitute the following:

- “65B.** (1) (a) Subject to paragraph (b), the company will, at no more than three-year intervals, conduct a review of the effectiveness of airline provisions concerning crew peer support programmes.
- (b) The company will, not later than 12 months after the commencement of the *Air Navigation and Transport Act 2022*, conduct a review.
- (c) The company will publish on the company's website a report on the results of a review.
- (d) A review will consider the following:
- (i) the use of the programme by pilots;
 - (ii) the pilots' perception of the programme;
 - (iii) the protection of confidentiality;
 - (iv) the promotion, by accountable managers of recognised organisations of aircraft crew members, of the use of the programme and trust in it;
 - (v) the access and referral to professional advice as necessary, including referral to mental and psychological health professionals;
 - (vi) confidential arrangements for the temporary cessation of duty;
 - (vii) the process for returning to work;
 - (viii) resourcing;
 - (ix) accessibility, including online access;
 - (x) the selection and training of peers;
 - (xi) the independence of peers from management or supervisory

functions or any other conflict of interest.

- (e) Nothing should prejudice a person's right to seek assistance from a peer not working in the same organisation as the person seeking assistance from the support programme.
 - (f) In conducting a review, the company will seek the direct feedback of pilots and other stakeholders, at the same time protecting the confidentiality of all information provided.
- (2) Any deficiencies or opportunities for improvement identified by the company in the course of a review shall be dealt with directly through the company's oversight programme or through the State Plan for Aviation Safety, as applicable.
 - (3) Nothing in this section shall be construed to prejudice the generality of Commission Regulation (EU) No. 965/2012 of 5 October 2012 laying down technical requirements and administrative procedures related to air operations pursuant to Regulation (EC) No. 216/2008 of the European Parliament and of the Council.
 - (4) In this section—
 - 'programme' means a crew peer support programme referred to in subsection (1)(a);
 - 'review' means a review referred to in subsection (1)(a).
 - (5) That the legislation will be reviewed after a period of 12 months with a view to putting Peer Support Programmes as operated by Airlines in Ireland on a statutory footing following a period of consultation with stakeholders to determine the legislative position.”.

—*Senators Regina Doherty, Gerard P. Craughwell.*