

Opening Statement of IALPA to the Joint Committee on Transport & Communications Tuesday, 15 February 2022.

The Irish Air Line Pilots Association (IALPA) welcomes this opportunity to appear before the Joint Committee on Transport and Communications on behalf of over 1,200 professional pilot members in Ireland. Mindful of the short time available to us today, this Opening Statement is short and focused.

The Air Navigation & Transport Bill 2020 represents the most significant change to Irish Aviation Safety regulation in 30 years. For many years IALPA has campaigned for such a Bill. The Bill restructures the Irish Aviation Authority (IAA) into a pure regulatory body, by amalgamating the Safety Regulatory Division (SRD) of the 'old' IAA with the Commission for Aviation Regulation into a 'new' IAA, while separating out the current commercial activities into another state-owned company.

IALPA broadly welcomes this initiative, and we were keen to propose additional measures to the Bill to achieve two objectives:

- future proof the legislation, and
- enhance the IAA as a Regulatory body.

As licence holders with statutory obligations, it is essential that the regulator listens to those it regulates, such as pilots, engineers, and air traffic controllers. To ensure our proposed amendments are professionally based, we retained aviation safety experts and legal professionals specialising in aviation law to help prepare the proposed amendments.

IALPA lobbied Deputies and Senators from all parties and none to consider our proposed amendments, and if possible, put them into the parliamentary process. It is important to state clearly that the amendments we propose:

- Do not conflict with the programme for Government, nor do they conflict with any published policy of any political party.
- The proposed amendments do not in any way interfere with the intent of the Bill to restructure aviation regulation in Ireland.
- They do not take away from the Bill's impact on the organisations and entities that it restructures.
- Contrary to what has been suggested by others, our amendments do not cut across any existing EU legislation, or any recommendations of the International Civil Aviation Organisation (ICAO).

In summary, EASA and ICAO regulations set down the minimum required standards for aviation regulation. Our amendments enhance those minimums by adding to the powers of the new IAA. They enhance the ability of the IAA as the aviation policeman in Ireland.

To our dismay the proposals from IALPA for the enhancement of aviation regulation have been dismissed by the Department Officials and the IAA for reasons that have not been properly explained to us. The first time IALPA became aware of the Departments resistance to the proposed amendments was at the Select Committee hearing of the Transport Committee. The Minister was on notice of our amendments but refused to accept any of them. Subsequently we met with Department Officials and IAA representatives, but none could give us any technical reasons for their opposition to these safety enhancing proposals. They expressed the view that primary legislation is not the place for these amendments but provided no rationale for that

position. IALPA is perplexed at the refusal to provide a regulator with additional powers, should they need to use them in the future.

For the record, we met the Minister Naughton for the first time on these proposals for 30 minutes on the 01st of February, the evening before the Seanad considered the amendments. Following the events in the Seanad, we met the Minister with officials on the 09th of February for approximately 1 hour in the Department of Transport Lesson Lane. In the 18 plus months that the Bill has been in existence, these are the only two meetings the Minister agreed to on this matter, despite numerous requests for such meetings.

It is significant that the Select Transport committee considered the Air Navigation & Transport Bill *before* the publication of the R116 Accident Report. As you know, 4 brave crew members died in the accident while in the service of saving others. The two pilots were members of IALPA. The Report highlights an “Organisational accident” ie a combination of multiple factors aligning to cause the accident. Significantly, the Report did not identify anything in the crew performance that contributed to the accident. But the report made Recommendations many directed at the Department and the IAA.

It is the IALPA position that the Bill would have been more appropriately scrutinised had the Transport committee had sight of the Accident report and its recommendations prior to the select committee consideration of the Bill.

IALPA also has considerable concerns around the Bureau Veritas report, and its use in the Dáil and Seanad.

I now wish to take the Committee through the proposed amendments and the rationale for these amendments.

1. Peer Support Programmes: Briefing letter addressed to the Minister and copied to the Transport Committee.
2. IAA performance on the production of adequate and accurate maps and charts. Examples contained in booklet.
3. IAA performance on best international practice on safety teams. Examples contained in booklet.
4. IAA performance on security of Irish aviation. Examples contained in booklet.