

Opening Statement of Chairperson of the Irish Air Navigation Services, trading as AirNav Ireland, before the Joint Oireachtas Committee on Transport

8 November 2023

Chairperson – Mr Bryan Bourke, AirNav Ireland

Chairperson, Members of the Committee - Good Afternoon.

Thank you for the invitation to attend this meeting to speak to you in the context of my recent appointment as Chairperson of the Irish Air Navigation Service, trading as AirNav Ireland (**AirNav**).

In my Opening Statement, I would like to give you some background about my own experience, and then briefly introduce you to AirNav.

My Background

I qualified as a solicitor in 1993, having studied law at Trinity College, Dublin. I trained and worked at a leading Dublin law firm for over 5 years, and I worked for a large City law firm in London for a period during 1995 and 1996. In 1996 I joined William Fry as a corporate and mergers and acquisitions (Corporate/M&A) associate. I became a partner in William Fry in 1999.

During the subsequent 15 years I worked for Irish and international clients of William Fry on some of the largest and most complex transactions across multiple sectors in Ireland. These included:

- the IPO of Aer Lingus,
- the sale of Statoil's retail fuel business in Ireland,
- the J&E Davy MBO,
- the take private of Jurys Doyle Hotel Group plc, and the subsequent sale of Jurys Inns, and
- the IPO of Green REIT.

I have also advised large Irish and international clients on regulatory issues as well as corporate governance and other strategic mandates.

My work over the years involved engagement with clients in many different sectors. I have always had to gain a deep understanding of our clients' businesses and business environment, no matter what the sector.

In 2014 I was elected as Managing Partner of William Fry, one of the largest and longest established law firms in Ireland. In that role I was responsible for leading the strategic direction of the firm - effectively managing and directing its people, delivering profitability in the short and longer term and ensuring the delivery of top-tier service to clients. I was also responsible for making sure that the firm stayed at the forefront of its market. Over my period as Managing Partner, the firm successfully pursued significant brand and practice transformation projects. I was also responsible for a significant internal culture development project and, in my position, was effectively custodian of the values of the firm.

Chairperson Role

While I am not coming to the position of Chairperson of AirNav from an aviation background – in the time between the date my appointment was announced by the Ministers and Vesting Day (i.e. 30 April 2023) I had a series of detailed briefings with the CEO and management team of AirNav. We have also now obviously had a number of board meetings in the context of the transfer on 30 April and the bedding in and conduct of the AirNav Business since then. As well as attending the D'Olier Street headquarters frequently, I have visited the Air Traffic Control Centre in Dublin Airport a number of times and have visited the AirNav sites in Ballycasey and Ballygirreen in County Clare. I understand that this Committee had a very worthwhile tour of the centres in the Shannon region in the recent past. I plan to visit the Cork operation in the coming weeks.

I have also met a number of the team "on the ground", who I have found to be enthusiastic, engaged and extremely professional. And I am quickly gaining an understanding of the opportunities and issues facing the new company.

I see my role as Chair as understanding and guiding the CEO and management team on the opportunities and issues that arise, and being in a position to ask probing and challenging questions about them. Essentially, giving the space and guidance so that the experts in aviation can run the business to its, and its shareholder's, best advantage while ensuring that strong and transparent governance is the culture of the organisation.

AirNav Ireland

The Irish Air Navigation Service, trading as AirNav or AirNav na hÉireann, is a commercial semi state company which was incorporated on 2 February 2023 under the provisions of the Air Navigation and Transport Act 2022 (**the "Act"**).

In this Opening Statement when I refer to AirNav's activities I am referring also, where applicable in timing terms, to the Air Navigation Service Provider (**or ANSP**) services provided by the Irish Aviation Authority (**IAA**) until 30 April 2023.

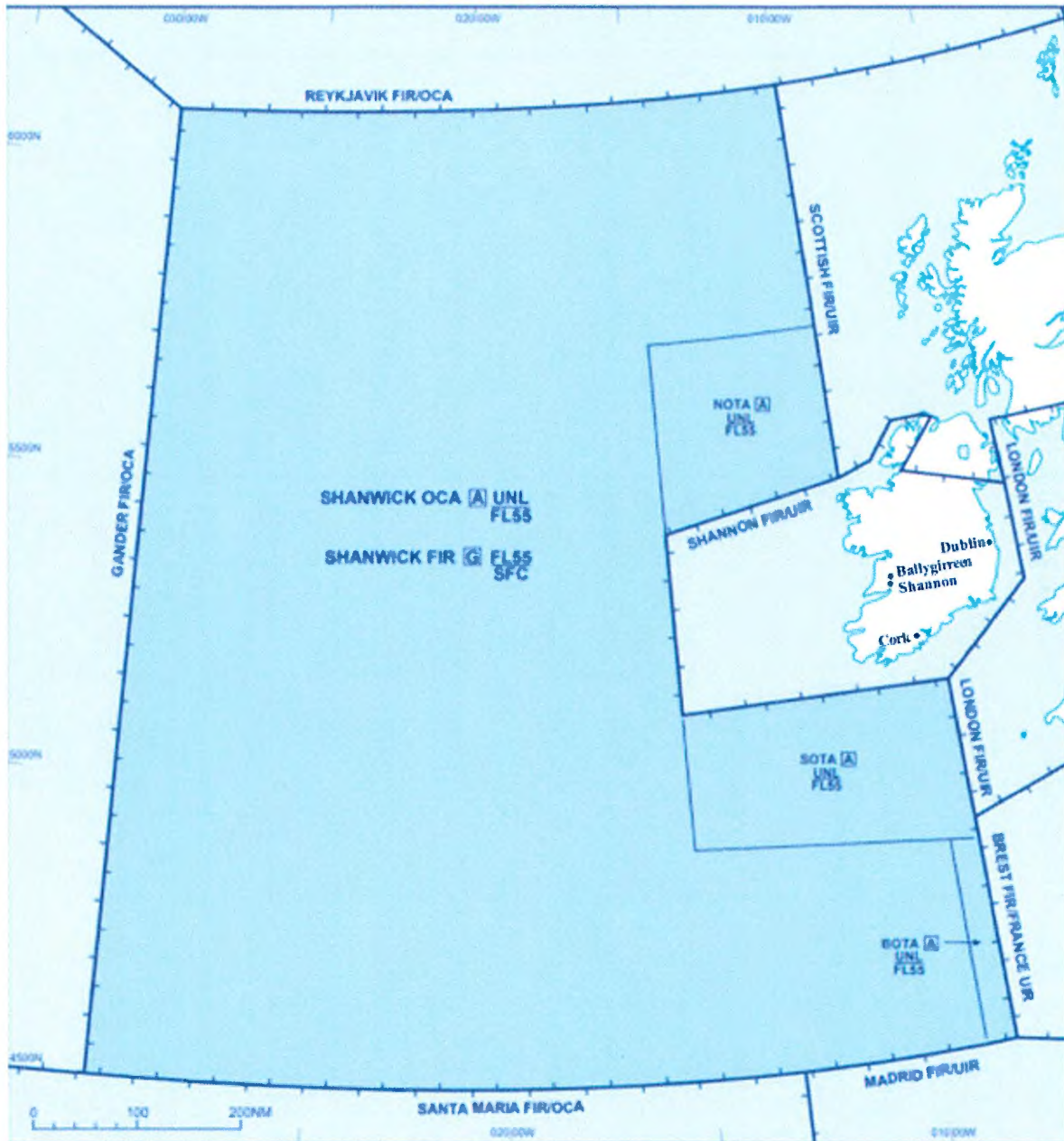
AirNav's core functions, being the provision of commercial air navigation, air traffic management and related services in Irish controlled airspace, were transferred to it from the IAA with effect from midnight on 30 April 2023 pursuant to provisions of the Act. AirNav provides services in line with international standards and recommended practices, as set out by the International Civil Aviation Organisation (ICAO) which is a United Nations agency. AirNav is also regulated by the IAA, which now incorporates the former Commission for Aviation Regulation.

AirNav provides air traffic management services (**ATM**) at three state airports – Dublin, Shannon and Cork, as well as providing navigation and ATM services in a number of different areas of Irish controlled airspace, which covers over 450,000 square km. AirNav is certified to carry out those activities under the requirements of Commission Implementing Regulation (EU) 2017/373. Its processes are approved by the IAA in line with European and international requirements.

Safety of ATM and other services is the number one priority of AirNav.

With this Opening Statement, I have included a map (overleaf) which I hope is helpful in describing AirNav's operations.

SHANWICK FIR/OCA



As many of you will be aware from your visit to the AirNav sites in Clare, the Shannon FIR - that is the Shannon Flight Information Region - refers to the airspace over Ireland and a portion of airspace off the west coast. This airspace was designated to the Irish state by ICAO.

The Shanwick Oceanic Region, which stretches to about halfway across the Atlantic Ocean, including the two areas marked as NOTA and SOTA is international airspace. Under state-to-state agreements between Ireland and the UK approved by ICAO, air traffic control in the oceanic region is the responsibility of the UK. As part of this oceanic agreement, Ireland has been delegated responsibility for aeronautical communications with aircraft transiting through the Shanwick region and AirNav provides ATM services by AirNav in the NOTA and SOTA parts of the Shanwick region.

Therefore, AirNav provides a full ATM service to air traffic in NOTA, SOTA and the Shannon FIR, effectively operating those areas as one consolidated air space.

Safety – AirNav's Key Priority

As I mentioned earlier, safety is AirNav's number one priority.

AirNav has rigorous processes and procedures in place, which are approved and continuously monitored by the relevant oversight bodies, to ensure that it delivers a safe, effective and efficient service.

There has been a dedicated team in place in the IAA for many years – known as the Air Navigation Services Division or ANSD – which has responsibility for continuous regulatory oversight of AirNav's operation which includes, for example, periodic and random audits and inspections. In addition, any changes to our operations must be approved by the IAA following its review of detailed risk assessments and safety cases. Oversight is, in fact, conducted by both national and European regulators, the IAA and EASA (European Aviation Safety Agency).

Conclusion

The Covid-19 Pandemic obviously presented a significant challenge to the entire civilian aircraft industry. Thankfully, the robust recovery in air traffic levels is continuing and the AirNav team has responded to that in a very positive manner, and will continue to play its part in facilitating this sustained recovery. Certainly, like other ANSPs across the globe there are challenges, and the AirNav team have been taking all steps possible to address those in the Irish context.

Finally, thank you once again for the invitation to meet you today to what is my first appearance at a Joint Oireachtas Committee meeting.

I am more than happy to address any questions you may have at this time. You will appreciate that I am a relatively newly appointed Chair, not an executive, so I will answer those questions as best I can. If I do not have the answers to any of your questions I will, with your permission, take those away to discuss with the executive team and respond in writing.