



CHAPTER 13

UTILIZATION OF AVIATION SAFETY INSPECTORS FROM OTHER CIVIL AVIATION AUTHORITIES AND/OR REGIONAL SAFETY OVERSIGHT ORGANIZATIONS

1.0 PURPOSE

This chapter is issued to provide guidance and information on the utilisation of Aviation Safety Inspectors from other Civil Aviation Authorities (CAAs) and Regional Safety Oversight Organisations (RSOOs) for the performance of safety oversight tasks for which the Authority does not have a qualified Aviation Safety Inspector (ASI).

2.0 REFERENCE

2.1 Civil Aviation Act 2006 Section 69.

3.0 GUIDANCE AND PROCEDURE

3.1 GENERAL INFORMATION

3.1.1 The Civil Aviation Act 2006 permits the Authority to enter into regional cooperation in the regulation and administration of aviation safety oversight. Nigeria through the Authority has signed an agreement with an ICAO recognised Regional Safety Oversight Organisations (RSOO) viz Banjul Accord Group Aviation Safety Oversight Organisation (BAGASOO). Nigeria is also a contracting member of the African Civil Aviation Commission (AFCAC). AFCAC is a specialised Agency of the African Union in the field of Civil Aviation.

3.1.2 The Civil Aviation Act 2006 further permits the Authority to, in the interest of public safety and the safety of civil aviation, to delegate certain aviation safety tasks under the cooperative agreement to citizens of Nigeria and/or citizens of the other States party to the agreement.

3.1.3 The Authority may utilise the services of a qualified Aviation Safety Inspector from any CAA that is a party to any regional cooperative agreements that Nigeria is a party to. The Authority may also utilise the services of a qualified Aviation Safety Inspectors from BAGASOO and AFCAC under the African and Indian Ocean – Cooperative Inspectorate Scheme (AFI-CIS) Scheme.

3.1.4 The Authority can only utilise the services of a qualified Aviation Safety Inspector from another CAA or RSOO under the following circumstances:

- (a) there is no qualified Aviation Safety Inspector within the employ of the Authority to perform the safety oversight task;



- (b) it is difficult within a reasonable time to train aviation safety inspectors within the employ of the Authority and qualify them to perform the safety oversight task;
- (c) it is difficult for the Authority to employ a qualified citizen of Nigeria and qualify him/her to perform the safety oversight task within a reasonable time;
- (d) there is an urgent need to perform the safety oversight task in the public interest and aviation safety that makes (b) and (c) impracticable.

3.2 PROCEDURE

- 321 The request for utilisation of qualified Aviation Safety Inspector (s) from other CAAs and RSOOs must be coordinated by the directorate making the request with the Director General's office and Legal Department.
- 322 The directorate making the request must determine the need to utilise the services of qualified Aviation Safety Inspector from other CAAs and RSOOs taking 3.1.4 above into consideration.
- 323 The directorate desirous of having the services of an ASI /technical expert shall make a written request to the Director General. The request shall give a detailed description of the type of work and any special qualifications desired, the dates, the times and locations of the work. The specific deliverables shall be described in the work request. The directorate will liaise through the DG's office with other CAAs and RSOOs for availability of qualified Aviation Safety Inspector(s) within their employ or Scheme respectively and select the most qualified among the pull of inspectors available.
- 324 The directorate making the request will liaise with legal department to draft a memorandum of understanding (MOU) or agreement for the utilisation of the Aviation Safety Inspector and send it to the providing CAA or RSOO through the DG's office. The MOU or agreement must take into consideration paragraph 3.3 to 3.11 below.
- 325 The directorate making the request must arrange for the Aviation Safety Inspector(s) on loan to (be) provided the required technical guidance materials (TGMs), tools and equipment to aid the performance of the aviation safety oversight task.
- 326 The loaned Aviation Safety Inspector must be given necessary orientation by the responsible directorate prior to assigning the safety oversight task to him/her and must be accompanied at all times when performing the task by (the receiving State's) Aviation Safety Inspector within the responsible directorate.
- 327 The Aviation Safety Inspector must complete NCAA AC-GEN013 form and attach certificate and proof of experience for the consideration and acceptance of the directorate making the request.

3.3 PROVIDING AND RECEIVING STATES

- 331 "Providing State" is the CAA or RSOO of the (donor) ASI. The "Receiving State" is the State requesting for technical assistance.



- 332 Conclusion and signing of the Memorandum of Understanding (MoU) between the Providing State and the Receiving State shall form the basis for the use of Inspectors appointed under this Scheme. However, delegations of tasks and functions shall be mutually agreed by both parties and that the performance of those delegated tasks may require a variety of resources.

3.4 BASIS FOR RESOURCE SHARING

- 341 The MOU/Agreement provides for both States or RSOO to share technical resources. The signatories to the Agreement, being the Director General (DG) responsible for Civil Aviation, have been duly accredited by their respective States to enter into such MOU/Agreement.

3.5 APPOINTMENT OF ASI

- 351 The criteria for qualification and selection of Aviation Safety Inspectors is detailed in the applicable directorate TGM. Once the ASI has fulfilled the required criteria the Inspector can be nominated by the Providing State to the Receiving State. The applicable FSG directorate is responsible for determining which Inspectors are qualified to be used (for performance of the required task) once the Providing State has indicated that they are available for duties. Such determination shall be made by evaluating the qualification and training records, evaluation of the experience and suitability of an Inspector for the assigned duties.

3.6 REMUNERATION OF ASI

- 361 Providing CAA or organization shall be responsible for all salary and other emoluments for their Inspectors who are assigned to these duties. Receiving CAA or organization shall be responsible for all travel expenses including ground and air transportation, accommodation, and per diem allowances, airport departure taxes or fees and the costs of the Inspector obtaining a visa, where applicable. The providing State shall facilitate the arrangements with respect to the use of Inspector and charge the receiving CAA where such arrangements are mutually agreeable.
- 362 Where the assignment of the Inspector is likely to be for an extended period of time, i.e. for more than four weeks per year, it is advisable for the providing and receiving authorities to make formal arrangements for recovery of personnel costs as this would constitute an unfair burden on the provider.

3.7 INDEMNIFICATION OF ASI

- 371 Providing CAA or organization shall already indemnify their inspectors prior to assigning them to the Authority. Moreover, the assignment of a providing CAA/Organisation Inspector to the Authority is deemed to be done by order of the providing CAA/Organisation. Therefore, the providing CAA's/Organisation indemnification of the Inspector is continuous. The Authority is to ensure that Inspectors assigned to duties for their Authority/State are indemnified for work carried out under their authorization /delegation.



3.8 IDENTIFICATION AND SECURITY OF ASI

381 The Receiving authorities shall issue appropriate identification and secure area access passes as required and these shall also be carried by the Inspectors when on assignment to the Receiving State.

3.9 REVOCATION OF ASI STATUS

391 Where incompetence, improper conduct, negligence, or lack of qualifications is seen to exist on the part of the donor ASI, that Inspector shall be reported to the Providing State and will be suspended pending resolution of the issues. Resolution shall be the responsibility of the Providing State.

392 The assignment of a donor ASI may be terminated without cause at any time by the receiver. The provider shall not terminate the assignment of an ASI without giving sufficient notice for alternative arrangements to be effected.

3.10 REPORTING RELATIONSHIPS FOR DONOR ASI

3.10.1 The donor inspectors assigned to duties shall report to the applicable FSG directorate for the duration of the assignment to the receiving State. Where there is an issue regarding instruction or tasks to be performed, during such an assignment the ASI shall bring the concern to the attention of the applicable directorate who will make all efforts to resolve the issue in discussion with the providing and receiving authorities. Receiving authorities shall make every effort to ensure that task assignments are clear, and the deliverables are clearly described in the work requests. The donor Inspector's local reporting relationship in the receiving State shall be described in the work request in order to avoid confusion and facilitate communications and accomplishment of tasks and activities.

3.11 RIGHT TO REFUSE DANGEROUS OR HAZARDOUS WORK

311.1 (The assigned) Aviation Safety Inspector shall have the right to refuse (any assigned) dangerous or hazardous work.

3.12 PROCEDURE FOR ARRANGING FOR SERVICES OF DONOR ASI

3.12.1 The directorate desirous of having the services of an ASI/technical expert shall make a written request to the Director General. The request shall give a detailed description of the type of work and of any special qualifications desired; the dates, the times and location of the work; the name(s) of the CAA or organisations involved and the name and contact details of the receiving Authority/State responsible manager to whom the ASI will report during the assignment. The specific deliverables shall be described in the work request.