

AERONAUTICAL CIRCULAR CIVIL AVIATION AUTHORITY – MACAO, CHINA

SUBJECT:

ORGANIZATION AND POST-HOLDERS
REQUIREMENTS

EFFECTIVE DATE:

5 November 2018

CANCELLATION:

AC/OPS/026R00

GENERAL:

The President of Civil Aviation Authority – Macao, China, in exercise of his power under Paragraph 89 of the Air Navigation Regulation of Macao (ANRM) and Article 35 of the Statutes of Civil Aviation Authority, approved by the Decree-Law 10/91/M, established this Aeronautical Circular (AC).

1 Introduction

According to paragraphs 75(2) and 75(3) of the Air Navigation Regulation of Macao (ANRM), issuance and continued validity of an air operator certificate (AOC) shall be dependent upon the operator demonstrating its equipment, organization, method of control and supervision, safety management system, quality system, training programme, maintenance arrangements and any other arrangements are well established and maintained to secure the safe operation and are consistent with the nature and extend of the operations specified in the operator's AOC and associated operations specifications (OPS SPEC).

In most cases, organization is always the core element in optimizing the functions of different areas in a company. A sound and effective management structure is essential to establish and implement company decisions, procedures and operating instructions to all personnel for the desired objectives. It is particularly important that the operational management should have proper status in the organization and be in suitably experienced and competent hands.

This AC is issued to promulgate relevant requirements in favor of the composition of a commercial air transport organization with the procedures and requirements for the appointments of post-holders.

2 Applicability

- 2.1 This AC is applicable to all Macao Air Operator Certificate (AOC) holders and any person applying for the grant of an AOC.

3 Organization and Responsibility

- 3.1 Operator shall satisfy the AACM that its organization and management are suitable and properly matched to the scale and scope of the operations.
- 3.2 Operator shall have nominated an accountable manager who has corporate authority for ensuring that all operations and maintenance activities can be financed and carried out to the standard required by the AACM. The accountable manager shall be responsible for establishing and maintaining an effective management system.
- 3.3 Operator shall have nominated post-holders, acceptable to the AACM, with the responsibility of ensuring that the operator remains in compliance with the applicable requirements. The post-holders shall be ultimately responsible to the accountable manager.
- 3.4 Operator shall have sufficient qualified personnel for the planned tasks and activities to be performed in accordance with the applicable requirements.
- 3.5 Operator shall maintain appropriate experience, qualification and training records to show compliance with paragraph 3.4.
- 3.6 Operator shall ensure that all personnel are aware of the rules and procedures relevant to the exercise of their duties.
- 3.7 Prior to any management change, revised management organization structure, reporting lines and listing of key staff members shall be provided to the AACM for acceptance.

4 Post-Holder

- 4.1 In accordance with paragraph 3.3, operator shall have nominated post-holders, acceptable to the AACM, who are responsible for the management and supervision of the following areas:
- Flight Operations;
 - Aircraft Maintenance;
 - Crew Training;
 - Ground Operations;
 - Safety Management System; and
 - Quality System.
- 4.2 A person nominated as a post-holder by the holder of an AOC shall not be nominated as a post-holder by the holder of any other AOC, unless acceptable to the AACM.
- 4.3 Post-holders shall be conversant with the operator's operations manual, and be familiar with regulatory requirements.
- 4.4 Persons nominated as post-holders shall be contracted to work sufficient hours to fulfill the management functions associated with the scale and scope of the operation.
- 4.5 Operator shall make arrangements to ensure continuity of supervision. Post-holder's deputy shall be defined in case of absence of post-holder. Post-holder's deputy shall be conversant with the operator's operations manual, and be familiar with regulatory requirements.
- 4.6 Operator contracting other organizations to provide certain services retains responsibility for the maintenance of proper standards. In such circumstances, the post-holders shall be given the tasks of ensuring that any contractor employed meets the required standards.
- 4.7 Operator shall ensure that the duties, tasks, authorities and responsibilities of each post-holder are clearly defined and the chains of responsibility within the organization are firmly established in the operator's operations manual.
- 4.8 In the case of a change of post-holder, the operator shall inform the AACM at least 30 days before the date of the proposed change, or at the earliest opportunities in case of an exceptional circumstances for unforeseen change, for acceptance by the AACM before implementation.

4.9 Nominated post-holders shall have managerial competency together with appropriate technical/operational qualifications in aviation. Except where otherwise agreed with the AACM, post-holders responsible for the areas outlined in paragraph 4.1 shall have the following minimum qualification and experience:

4.9.1 General

Five years relevant work experience, including two years in the aeronautical industry, and appropriate management experience preferably in a comparable organization in aviation. Comprehensive knowledge of:

- (a) the applicable regulatory requirements and familiarity with safety management system, quality system and management system;
- (b) the AOC holder's operations specifications; and
- (c) the need for, and content of, the relevant parts of the AOC holder's operations manual.

4.9.2 Flight Operations

Comprehensive management experience in airline or equivalent organization, and valid Airline Transport Pilot License and the associated ratings appropriate to a type of operation conducted under the AOC. In case the nominated person's license and ratings are not current, his/her deputy shall hold a valid flight crew license and the associated ratings.

4.9.3 Aircraft Maintenance

Relevant knowledge, background and appropriate experience related to aircraft maintenance and continuous airworthiness; practical experience and expertise in the application of aviation safety standards and safe maintenance practices; comprehensive knowledge of operator's maintenance responsibilities and procedures; thorough familiarity with the operator's maintenance management exposition.

4.9.4 Crew Training

Valid Airline Transport Pilot License and appropriate ratings for at least one of the aircraft used by the operator under the AOC, and valid flight instructor rating with thorough knowledge of the operator's training programme for flight crew members. The nominated person shall have a thorough knowledge of the AOC holder's crew training concept for flight and cabin crew.

4.9.5 Ground Operations

Thorough knowledge of ground operations relevant to the AOC.

4.9.6 Safety Management System (SMS)

Thorough knowledge of SMS operations and meet the qualifications for a Safety Manager in the ICAO Safety Management Manual (ICAO Doc 9859).

4.9.7 Quality System

Thorough knowledge of operator's quality system and meet the qualifications for a Quality Manager set forth in the Macao Aeronautical Circular - AC/OPS/019 "Air Operator Quality System Requirements".

5 Acceptance of Post-holders

- 5.1 Dependent on previous experience and background, nominee may be required to undergo an interview with the AACM to determine whether, in accordance with operator's operations manual, the nominee is acceptable to the AACM to assume the intended post within the organization management.
- 5.2 Nominee who does not satisfy whether in part or entirety of the qualification and experience requirements specified in this AC, may, at the discretion of the AACM, be accepted as eligible to be the post-holder for supervising specific areas within the operator's organization management.
- 5.3 The AACM may, depending on the size, nature and complexity of the operations, require the operator to nominate additional post-holders to ensure the safety of the operations or allow for a nominated post-holder to take on more than one role.
- 5.4 The acceptability of a single person holding several posts shall depend upon the nature and scale of the operation. The main areas of concern shall be competence and an individual's capacity to meet his/her responsibilities.
- 5.5 As regards competence in different areas of responsibility, there shall not be any difference from the requirements applicable to persons holding only one post.
- 5.6 The capacity of an individual to meet his/her responsibilities shall primarily be dependent upon the scale of the operation. However, the complexity of the organization or of the operation may prevent, or limit, combinations of posts which may be acceptable in other circumstances.
- 5.7 In most circumstances, the responsibilities of a nominated person shall rest with a single individual. However, in the area of ground operations, it may be acceptable for responsibilities to be spilt, provided that the responsibilities of each individual concerned are clearly defined.

6 Operations Manual

6.1 With respect to the operator's organizational structure, the operations manual shall include, but not limited to, the followings:

- (a) a description of the organizational structure including the general organization of the operator and of the operations department. The relationship between the operations department and the other departments of the operator and the subordination and reporting lines of all divisions, departments, etc., which pertain to the safety of flight operations, should be defined;
- (b) duties, tasks, authorities and responsibilities of each post-holder and the chains of responsibility within the organization; and
- (c) a description of the system for supervision of the operation by the operator including how the safety of flight operations and the qualifications of personnel involved in all such operations are supervised and monitored. In particular, it contains the procedures related to the competence of operations personnel and the control, analysis and storage of records, flight documents and safety-related data.

7 Adequacy and Competency of Personnel

7.1 General

7.1.1 Operator shall employ sufficient personnel for the areas outlined in paragraph 4.1.

7.1.2 All personnel assigned to, or directly involved in, the areas outlined in paragraph 4.1 shall:

- (a) be properly trained;
- (b) demonstrate their competencies in the performance of their assigned duties; and
- (c) be aware of their responsibilities and the relationship of their duties to the operation as a whole.

7.2 Supervision of personnel

7.2.1 Operator shall appoint a sufficient number of personnel supervisor, taking into account the structure of the operator's organization and the number of personnel employed.

7.2.2 The duties and responsibilities of these supervisors shall be defined, and any other necessary arrangements shall be made to ensure that they can discharge their supervisory responsibilities.

7.2.3 The supervision of crew members and personnel involved in the operation shall be exercised by individuals with adequate experience and the skills to ensure the attainment of the standards specified in the operations manual.

7.3 Crew members

7.3.1 Operator shall employ sufficient flight and cabin crew for the planned operations, trained and checked in accordance with the training programmes approved by the AACM.

7.4 Ground staff

7.4.1 Operations and ground handling departments, in particular, shall be adequately staffed with trained personnel who have a thorough understanding of their responsibilities within the organization. Line of responsibilities shall be clearly defined for ground handling functions associated with the following:

- (a) Ramp operations
- (b) Passenger services
- (c) Baggage services
- (d) Cabin services
- (e) Weight and balance control
- (f) Ground support equipment
- (g) Fuel services

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