



## **PART 100**

### **Safety Management System**

## **DESCRIPTION**

Part 100 is to introduce new rules to improve Mongolian aviation safety performance in a way that embeds an effective safety culture in aviation organisations; and to ensure Mongolia meets its international obligations as a signatory to the Convention on International Civil Aviation.

**This document is the current consolidated version of Part 100 produced by the Civil Aviation Authority, and serves as a reference only. It is compiled from the official ordinary rules that have been signed into law by the Minister of Road and Transport. Copies of the official rule and amendments as signed by Minister may be obtained from the Civil Aviation Authority or may be downloaded from the official web site at: [www.mcaa.gov.mn](http://www.mcaa.gov.mn)**

**Bulletin**

ICAO 29<sup>th</sup> Assembly Resolution A29-3 of year 1992 urges States to promote global harmonization of national rules. In order to implement this Resolution, Mongolian Civil Aviation Regulation has been developed based on “Memorandum for Technical Cooperation” between CAA of Mongolia and New Zealand, signed on 6<sup>th</sup> of May, 1999.

<b>Amendment history</b>	<b>Effective date</b>
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**Note:** This Part 100 Amend.1.1 has been released in Mongolian and English languages, based on NZCAR Part 100 Amend.0 dated 01.Feb.2016 and Annex 19 Ed.2 dated 11.Jul.2016.

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**100.1. Purpose**

(a) This Part aims to a civil aviation organisation is required to establish, implement, and maintain a SMS.

(b) This Part applies to civil aviation organisation that is required by Annex 19 of Chicago Convention to establish, implement, and maintain a SMS:

- (1) approved training organisations;
- (2) air operators;
- (3) approved maintenance organisations;
- (4) organisations responsible for the type design of aircraft, engine or propellers
- (5) organisations responsible for manufacture of aircraft, engine or propellers;
- (6) air traffic service providers;
- (7) aerodrome operators.

**100.3. Safety management system**

(a) An organisation to which this Part applies must have a SMS. The framework for the implementation and maintenance of an SMS, comprises following four components and twelve elements as the minimum requirements for SMS-

- (1) safety policy and objectives-
  - (i) management commitment;
  - (ii) safety accountability and responsibilities;
  - (iii) appointment of key safety personnel;
  - (iv) coordination of emergency response planning;
  - (v) SMS documentation;
- (2) safety risk management-
  - (i) hazard identification;
  - (ii) safety risk assessment and mitigation;
- (3) safety assurance-
  - (i) Safety performance monitoring and measurement;
  - (ii) The organisational management change;
  - (iii) Continuous improvement of the SMS;
- (4) safety promotion-
  - (i) Training and education;
  - (ii) Safety communication.

(b) The civil aviation organisation must document all processes required to establish, implement and maintain the SMS.

(c) The civil aviation organisation's SMS must correspond to the size of the organisation, the nature and complexity of the activities undertaken by the organisation, and the hazards and associated risks inherent in the activities undertaken by the organisation.

#### **100.5. Safety policy and objectives**

(a) Management commitment-

- (1) The civil aviation organisation must define its safety policy in accordance with international and national requirements. The safety policy shall-
  - (i) reflect organisational commitment regarding safety, including the promotion of a positive safety culture;
  - (ii) include a clear statement about the provision of the necessary resources for the implementation of the safety policy;
  - (iii) include safety reporting procedures;
  - (iv) clearly indicate which types of behaviours are unacceptable related to the civil aviation organisation's aviation activities and include the circumstances under which disciplinary action would not apply;
  - (v) be signed by the accountable executive of the organisation;
  - (vi) be communicated, with visible endorsement, throughout the organisation;
  - (vii) be periodically reviewed to ensure it remains relevant and appropriate to the civil aviation organisation.
- (2) Taking due account of its safety policy, the civil aviation organisation must define safety objectives. The safety objectives shall:
  - (i) form the basis for safety performance monitoring and measurement as required by paragraph 100.9(a)(2);
  - (ii) reflect the civil aviation organisation's commitment to maintain and continuously improve the overall effectiveness of the SMS;
  - (iii) be communicated throughout the organisation;
  - (iv) be periodically reviewed to ensure they remain relevant and appropriate to the civil aviation organisation.

- (b) Safety accountability and responsibilities;
  - (1) The civil aviation organisation must:
    - (i) identify the accountable executive who, irrespective of other functions, is accountable on behalf of the organisation;
    - (ii) clearly define lines of safety accountability throughout the organisation including a direct accountability for safety on the part of senior management;
    - (iii) identify the responsibilities of all members of management, irrespective of other functions, as well as of employees, with respect to the safety performance of the organisation;
    - (iv) document and communicate safety accountability, responsibilities and authorities throughout the organisation;
    - (v) define the levels of management with authority to make decisions regarding safety risk tolerability.
  
- (c) Appointment of key safety personnel;
  - (1) The civil aviation organisation must appoint a safety manager who is responsible for the implementation and maintenance of the SMS.

Depending on the size of the civil aviation organisation and the complexity of its aviation products or services, the responsibilities for the implementation and maintenance of the SMS may be assigned to one or more persons, fulfilling the role of safety manager, as their sole function or combined with other duties, provided these do not result in any conflicts of interest.
  
- (d) Coordination of emergency response planning;
  - (1) The civil aviation organisation required to establish and maintain an emergency response plan for accidents and incidents in aircraft operations and other aviation emergencies must ensure that the emergency response plan is properly coordinated with the emergency response plans of those organisations it must interface with during the provision of its products and services.
  
- (e) SMS documentation;
  - (1) The civil aviation organisation must develop and maintain an SMS manual that describes its-
    - (i) safety policy and objectives;
    - (ii) SMS requirements;
    - (iii) SMS processes and procedures;
    - (iv) accountability, responsibilities and authorities for SMS processes and procedures.

- (2) The civil aviation organisation must develop and maintain SMS operational records as part of its SMS documentation. Depending on the size of the civil aviation organisation and the complexity of its aviation products or services, the SMS manual and SMS operational records may be in the form of stand-alone documents or may be integrated with other organisational documents (or documentation) maintained by the civil aviation organisation.

#### **100.7. Safety risk management**

##### (a) Hazard identification-

- (1) The civil aviation organisation must develop and maintain a process to identify hazards associated with its aviation products or services.
- (2) Hazard identification shall be based on a combination of reactive and proactive methods.

##### (b) Safety risk assessment and mitigation-

- (1) The civil aviation organisation must develop and maintain a process that ensures analysis, assessment and control of the safety risks associated with identified hazards. The process may include predictive methods of safety data analysis.

#### **100.9. Safety assurance**

##### (a) Safety performance monitoring and measurement-

- (1) The civil aviation organisation must develop and maintain the means to verify the safety performance of the organisation and to validate the effectiveness of safety risk controls.

An internal audit process is one means to monitor compliance with safety regulations, the foundation upon which SMS is built, and assess the effectiveness of these safety risk controls and the SMS. Guidance on the scope of the internal audit process is contained in the ICAO Doc 9859 Safety Management Manual (SMM).

- (2) The civil aviation organisation must establish Safety Review Board which consists of senior persons required by relevant CAR for purpose of-
  - (i) review all outstanding audit nonconformities;
  - (ii) define actual reason of delay in corrective and preventive actions;
  - (iii) make revision of the audit procedure, plan and frequency.
- (3) The civil aviation organisation's safety performance must be verified by Safety Review Board in reference to the safety performance indicators and safety performance targets of the SMS in support of the organisation's safety objectives.

- (b) The organisational management change-
  - (1) The civil aviation organisation must develop and maintain a process to identify changes which may affect the level of safety risk associated with its aviation products or services and to identify and manage the safety risks that may arise from those changes.
- (c) Continuous improvement of the SMS-
  - (1) The civil aviation organisation must monitor and assess its SMS processes to maintain and continuously improve the overall effectiveness of the SMS.

#### **100.11. Safety promotion**

- (a) Training and education-
  - (1) The civil aviation organisation must develop and maintain a safety training program that ensures that personnel are trained and competent to perform their SMS duties.
  - (2) The scope of the safety training program shall be appropriate to each individual's involvement in the SMS.
- (b) Safety communication-
  - (1) The civil aviation organisation must develop and maintain a formal means for safety communication that:
    - (i) ensures personnel are aware of the SMS to a degree commensurate with their positions;
    - (ii) conveys safety-critical information;
    - (iii) explains why particular actions are taken to improve safety; and
    - (iv) explains why safety procedures are introduced or changed.

#### **100.13. Safety data and safety information protection**

- (a) The Director must accord protection to safety data captured by, and safety information derived from, voluntary safety reporting systems and related sources.
- (b) Safety data and safety information protection is based following principles-
  - (1) **General principles.** The Director must, through national laws, regulations and policies protecting safety data, safety information and related sources, ensure that:
    - (i) a balance is struck between the need for the protection of safety data, safety information and related sources to maintain and improve aviation safety, and the need for the proper administration of justice;

- (ii) Employees and operational personnel's actions or omissions that are commensurate with their training and experience will not be punished is fundamental to safety reporting system.
  - (iii) safety data, safety information and related sources are protected in accordance with this paragraph;
  - (iv) the conditions under which safety data, safety information and related sources qualify for protection are specified; and
  - (v) safety data and safety information remain available for the purpose of maintaining and improving aviation safety.
- (2) **Principles of protection.** Unless a principle of exception applies, the Director must ensure that safety data or safety information is not used for-
- (i) disciplinary, civil, administrative and criminal proceedings against employees, operational personnel or organisations;
  - (ii) disclosure to the public; or
  - (iii) any purposes other than maintaining and improving safety.
- (3) **Principles of exception.** Exceptions to the protection of safety data, safety information and related sources shall only be granted when the appropriate competent authority-
- (i) determines that there are facts and circumstances reasonably indicating that the occurrence may have been caused by an act or omission considered, in accordance with national laws, to be conduct constituting gross negligence, wilful misconduct or criminal activity;
  - (ii) after reviewing the safety data or safety information, determines that its release is necessary for the proper administration of justice, and that the benefits of its release outweigh the adverse domestic and international impact such release is likely to have on the future collection and availability of safety data and safety information; or
  - (iii) after reviewing the safety data or safety information, determines that its release is necessary for maintaining and improving safety, and that the benefits of its release outweigh the adverse domestic and international impact such release is likely to have on the future collection and availability of safety data and safety information.
- (4) **Public disclosure.** The Director that have right-to-know laws shall, in the context of requests made for public disclosure, create exceptions from public disclosure to ensure the continued confidentiality of voluntarily supplied safety data and safety information. Where disclosure is made in accordance with paragraph (b)(3), the Director must ensure that:
- (i) public disclosure of relevant personal information included in the safety data or safety information complies with applicable privacy laws; or
  - (ii) public disclosure of the safety data and safety information is made in a de-identified, summarized or aggregate form.

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