



GOVERNMENT OF BERMUDA
Ministry of Transport

Department of Civil Aviation

To: All operators of General Aviation aircraft (FAR Part 91 and 125 equivalent) with a Maximum Take Off Mass in excess of 5,700kgs (12,500lbs)

Subject: Clarification of Bermuda Department of Civil Aviation requirements in relation to I.C.A.O Annex 6 Part 2 Section 3 Seventh Edition.

The Bermuda DCA issued a Notice to Operators, dated 18th November 2010 stating that operators found to be non-compliant with Section 3 of the 7th Edition of ICAO Annex Part II, which became applicable on 18th November 2010, will be refused further entry to the country until achieving compliance. The Standards and Recommended Practices contained within this Annex were enshrined in Bermuda regulations (the Air Navigation Overseas Territories Order 2007) in January 2008 for all applicable aircraft on the Bermuda register of aircraft, and all aircraft on the Bermuda register of aircraft, which are covered by the applicability detailed within the Annex, were required to become compliant by the 1st November 2009.

While it is understood that to date no Differences to the Standards of Annex 6 Part 2 have been promulgated by ICAO, Bermuda is also aware that many ICAO Contracting States have not published rules or guidance material for operators of aircraft registered within that State in relation to the new provisions of the Annex.

Additionally, ICAO is proposing to develop a separate Annex to the Convention for Safety Management Systems and the EASA Implementing Rules for Operations and related SMS requirements are expected to come into force in April 2012.

The Bermuda DCA recognizes that a minority of operators of aircraft, from Contracting States who have not yet issued Authority guidelines in relation to certain components of the Annex 6 Part 2 requirements (primarily Safety Management Systems), have been faced with a dilemma in satisfying the Bermuda requirements.

Action:

In the interest of fairness while addressing the objective of proactive safety management and compliance with International standards and recommended practices for all visiting aircraft subject to the Annex 6 Part 2 requirements, the Bermuda DCA is prepared to grant a period of grace to those operators who have not yet achieved compliance.

Therefore, **from 1st April 2011**, those operators who are determined to not be in compliance with the provisions of Annex 6 Part II when Ramp Inspected will be refused re-entry into Bermuda until compliance is achieved.



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In the interim period, aircraft visiting L.F. Wade International Airport (TXKF) may be subjected to random Ramp Inspections whereby evidence of progress towards compliance will be assessed and recorded by the Bermuda Department of Civil Aviation. Furthermore, inspection reports detailing non-compliance issues will be sent to the Aviation Authority of the State of Registry.

Flight Operations Section
On behalf of
The Director of Civil Aviation.

3rd December 2010.