

# SAFETY RECOMMENDATION SI-18-007

## Details

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| Synopsis                                   | On January 17, 2018 at approximately 8:15am Eastern Standard Time (EST), a PA23-250 aircraft (N62769) crashed shortly after takeoff into the Atlantic Ocean approximately 4nm southeast of the Mastic Point settlement in North Andros, Bahamas. The pilot and 5 passengers were killed as a result. The ill-fated flight originated from San Andros Int'l Airport with intended destination of Lynden Pindling International Airport, in Nassau, Bahamas. The flight operated on a visual flight rules flight plan. In the vicinity of the crash, the weather at the time was marginal visual meteorological conditions. |
| Recommendation                             | The Air Accident Investigation Department recommends that the Bahamas Civil Aviation Authority increase its surveillance of the general aviation sections and institute a plan of action to ensure all Bahamas citizens who are owners or operators of foreign registered aircraft, they are in possession of required Bahamas issued license.  |
| Original Recommendation Transmittal Letter | <a href="#">Recommendation Letter</a><br><a href="#">Recommendation</a>   |
| Overall Status                             | Closed – Exceeds Recommended Action <sup>1</sup>  |
| Location                                   | Nassau Bahamas  |
| Accident Number                            | A18-000004  |
| Accident Report                            | Loss of Control Inflight and Uncontrolled Flight into Terrain (Ocean)   |
| Accident Date                              | 17 <sup>th</sup> January, 2018  |
| Issue Date                                 | 1 <sup>st</sup> May, 2018   |
| Date Closed                                | 13 <sup>th</sup> May, 2020  |
| Addressee(s)                               | Captain Charles Beneby – Director General   |
| Addressee(s) Response                      | Open – Response Received  |

## Safety Recommendation History

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| From     | AAIA  |
| To       | BCAA  |
| Date     | 1 <sup>st</sup> May, 2018   |
| Response | <a href="#">Recommendation Letter</a><br><a href="#">Recommendation</a> |

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| From             | BCAA   |
| To               | AAIA   |
| Date             | 24 <sup>th</sup> July, 2018  |
| Response         | <a href="#">BCAA Response</a>  |
| Response Summary | <p>The Bahamas Civil Aviation Authority (BCAA) accepts these safety recommendations.</p> <p>The BCAA through its Safety Oversight Department (SOD) has commenced several initiatives geared towards eliminating all illegal air charter activities at the Lynden Pindling International Airport (LPIA) and a number of Family Island Airports. SOD Inspectors are conducting heightened surveillance activities at general aviation facilities involving three (3) daily shifts. SOD</p> |

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|  | <p>Inspectors are now conducting surveillance operations at certain Family Island Airports where illegal air charter activities are known to be occurring. SOD Inspectors are lawfully empowered to intercept and detain all aircraft suspected of conducting illegal air charter activities. Pilots caught conducting illegal air charter activities will have their pilot licence suspended or revoked by the BCAA and may also be prosecuted for criminal offences.</p> <p>As many of the aircraft believed to be involved in illegal air charter operations are registered in the United States of America, the BCAA has commenced surveillance and inspection initiatives involving US-registered aircraft involved in general aviation activities being operated by Bahamian Citizens, through joint operations with the Federal Aviation Administration (FAA) and SOD at general aviation facilities at LPIA. The first joint operation was conducted in early 2018. Another joint operation will be conducted shortly. These initiatives are aimed at ensuring that all US-registered aircraft being operated in The Bahamas and their pilots are operating within the law, and not involved in illegal air charter operations. All US-registered aircraft found to be conducting illegal air charter activities will be reported to the FAA and are subject to detention and confiscation. Pilots caught conducting illegal air charter activities in US-registered aircraft will have their pilot licence revoked by the BCAA or FAA, and may also be prosecuted for criminal offences.</p> <p>The BCAA has also established an aviation industry working group which includes representatives from the BCAA, the Royal Bahamas Defence Force, the Royal Bahamas Police Force, Bahamas Customs, Bahamas Immigration, the Airport Authority, and Family Island Administrators. This working group intends to meet on a regular basis to collaborate and develop joint initiatives and multi-pronged strategies and surveillance activities to eliminate illegal air charter activities from all airports throughout The Bahamas.</p> <p>The BCAA presently conducts quarterly industry meetings with industry stakeholders and general aviation pilots to discuss the issue of illegal charter activities and to obtain industry feedback, comments and recommendations on addressing and eradicating these illegal activities. SOD has conducted three (3) such meetings thus far in 2018, with the next Industry Meeting to be held on July 24<sup>th</sup>, 2018. The BCAA intends to embark on an aggressive public awareness campaign to inform the travelling public of the risks associated with travelling on unlicensed aircraft for hire and to discourage them from engaging in such activities.</p> <p>SOD has launched its revamped Single Pilot Air Operator Certificate initiative to encourage those involved in general aviation activities in The Bahamas, and who may be involved in illegal air charter activities, to legitimize such activities through regulation and certification, which would</p> |
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|  | <p>lawfully permit them to conduct commercial air taxi and air charter operations.</p> <p>The BCAA has drafted amendments to the Civil Aviation Act, 2016 and the Civil Aviation (General) Regulations, 2017 to eradicate illegal air charter activities for submission to the Attorney General. These amendments will require Bahamian general aviation pilots operating US-registered aircraft to possess Bahamas-issued pilot's licences, general aviation operating certificates and airport security pass badges, before being permitted access to secured areas of airports and to their aircraft. Additional amendments to the Civil Aviation (General) Regulations 2017, will require all US-registered aircraft that are based in the Bahamas to be listed with the BCAA, and in certain circumstances to be placed on The Bahamas Aircraft Registry. The Civil Aviation (General) Regulations 2017 will also be amended to provide effective civil penalty enforcement provisions and processes. Amendments to the Civil Aviation Act, 2016 will also include stiffer enforcement and penalty provisions and increased prison terms and fines for those convicted of illegal air charter activities.</p> |
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| From     | AAIA                                |
| To       | BCAA                                |
| Date     | 13 <sup>th</sup> May, 2020          |
| Status   | Closed – Exceeds Recommended Action |
| Response | <a href="#">AAIA Closure Letter</a> |

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| To       |  |
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| Date     |  |
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<sup>i</sup> Closed – Exceeds Recommended Action – Response by recipient indicates action on the safety recommendation has been completed. The action taken surpasses what the AAIA envisioned.