



URGENT SAFETY RECOMMENDATIONS

URGENT REQUIRES IMMEDIATE ACTION

ALERT # SA-10 -01- 2015

TO: Director of Civil Aviation

CC: Glenys Hanna-Martin - Minister of Transport & Aviation (MOTA)
Mrs. Lorraine Armbrister – Permanent Secretary – MOTA
Mr. Charles Albury – Under-Secretary - MOTA
Mr. Hubert Adderley - Manager – Flight Standards Inspectorate

DATE: October 1, 2015

PURPOSE: IDENTIFICATION OF ACTIONS DEEMED UNSAFE AND REQUIRE IMMEDIATE ACTION.

In accordance with Annex 13 to the Convention on International Civil Aviation, Aircraft Accident and Incident Investigation, International Standards and Recommended Practices, Chapter 6, Paragraph 6.8, "At any stage of the investigation of an accident or incident, the accident or incident investigation authority of the State conducting the investigation shall recommend to the appropriate authorities, including those in other States, any preventive action that it considers necessary to be taken promptly to enhance aviation safety."

During the course of current investigations undergoing including N177PC, a PA-23-250 aircraft which occurred on Monday September 28, at Chub Cay in the Berry Islands and N44NA which occurred in Freeport, Grand Bahama on Tuesday September 29, a disturbing trend has been discovered.

In the interest of public safety this urgent safety recommendation is being provided.

Both aircraft [REDACTED] as well as N44NA has been known and documented by Registration to the Flight Standard Inspectorate as unauthorized commercial / charter operators, since February 2015, yet nothing was done to put a stop to these activities. *See attached Memo.*



In addition, also on the list obtained by the Accident Investigation Unit of aircraft that are currently engaged in illegal commercial operations are three (3) aircraft that are owned by the operator of a major airline. These aircrafts are used to carry passengers when the load limit is too small for the large aircraft to make the trip. This information has also been furnished to the Flight Standards Inspectorate, also since February 2015, yet nothing has been done to attempt to stop this practice.

Those aircraft in question are [REDACTED]
[REDACTED] In addition to these aircraft listed the memo attached also list other registrations of aircrafts' that are actively engaged in illegal commercial operations yet the Flight Standards Inspectorate with mandate of oversight, surveillance and safety for the traveling public seem either unwilling or powerless to effect changes to make this practice cease.

In the current investigation involving [REDACTED], a written statement from one of the occupants given to the Royal Bahamas Police Officer after the crash, confirmed that he paid for a charter to take him and his party to Chub Cay.

A review of the documents received from the RBPF in support of their investigation, it has been noted that the pilot, [REDACTED], was in possession of an Identification Card for Lynden Pindling Int'l Airport issued by Airport Authority. This card was issued in the name of a company [REDACTED] and he was listed as Owner / Chief Pilot.

A review of records in the Flight Standards Inspectorate as well as a review of records from the Licensing / Economic Section of the Civil Aviation Department does not list this company as an authorized Air Operator Certificate holder.

It is apparent that Airport Authority has been issuing Identification Badges to individuals with a business license and not an AOC Certificate. This is a serious breach of security and a threat to safety as anyone can present a business license, be issued an Identification badge and gain access to the secure area of the airport without having the knowledge and understanding of the seriousness of their actions when they access such sterile area of the airfield.

The unsuspecting public is not aware that the person holding an ID badge with the name of a company, has not been authorized by the Civil Aviation Department to engage in commercial operations and unwittingly pay for charter services as in the case of [REDACTED] which crashed in Chub Cay.

Additionally, as in the case of [REDACTED], concerns have been raised as to the qualification and competence of this pilot as well as to the maintenance status of this aircraft that crashed.

It is therefore the recommendation of this Department that with great urgency,

1. The Civil Aviation Department (CAD) and Ministry of Transport & Aviation (MOTA) schedule urgent meetings with the Airport Authority and / NAD with a view to have all such ID cards recalled.
2. The CAD and MOTA ensure, along with the Airport Authority, that anyone requesting any such ID bearing the name of a company used for transportation of passengers or cargo, that individual or company has undergone a process of certification as required by Bahamas Civil Aviation Safety Regulations.



3. The CAD and MOTA in conjunction with Airport Authority ensure that any such individual that is given permission to engage in commercial aviation have also been fully trained in security procedures while conducting business on the secure airside.
4. The CAD and MOTA ensure that all Fixed Based Operators when accepting flight plans from individuals attempting to engage in commercial operations, that individual must show a copy of the Air Operator Certificate along with Economic Authority issued by the Civil Aviation Department otherwise services should be denied.
5. The CAD and MOTA work with Fixed Base Operators to ensure that anyone attempting to engage in such illegal activities that they are denied access to the airside and reported to the Civil Aviation Department with a view to prosecution for illegal commercial operations.

It is strongly recommended that the CAD and MOTA take a proactive approach to bring these unauthorized commercial operations to an end. The accident involving [REDACTED] and N44NA were fortunate in that no one was fatally injured, if this trend continues and unauthorized operators are ignored and allowed to continue, the next outcome may not be so fortunate.