



Resolution Number 5 Performance Based Regulation

Whereas Flight 2005, Flight 2010, and other planning documents generated at the highest levels in the Transport Canada organization all provide a very clear direction and vision for the aviation industry in Canada, and;

Whereas NATA supports the initiatives set forth in the aforementioned publications, and;

Whereas it is clear from the aforementioned documents that Safety Management Systems (SMS), data driven decision making, risk analysis, and performance based regulations are all key components in the future of Canadian aviation, and;

Whereas in order for the industry to move forward as contemplated in the aforementioned planning documents it will be necessary for both air operators and Transport Canada to fully embrace the principles of SMS, data driven decision making, risk analysis, and performance based regulations at all levels within their respective organizations, and;

Whereas air operators who have implemented SMS for their organizations have developed and are developing skills with respect to risk analysis and data driven decision making, and;

Whereas the regulatory template for mainstream aviation in Canada does not always account for the unique operating environment of northern and remote Canada and this has led to numerous requirements for regulatory exemptions for northern operators, and:

Whereas the notion of a regulatory exemption to a prescriptive regulation, when based upon a sound risk analysis is entirely consistent with the principles of performance based regulations, particularly when the applicant for an exemption has a fully functioning Safety Management System;

Therefore be it resolved that Transport Canada agree to give due consideration to all requests for regulatory exemptions when such exemption requests come from NATA members with fully functioning SMS programs and contain the appropriate data and a comprehensive risk analysis

Passed at the 36th Annual General Meeting in Whitehorse, April 18, 2012

This is an update and re-affirmation of Resolution 9 from 2010
that was re-affirmed in 2011.