

#	Para	Comment Provider	Comment / Justification	Response	Resulting Text
1	Title	TMA	The title of the regulation is safety management system and the contents are very much similar to Management System given in ORO.GEN.200 and ORA.GEN.200 which may lead to confusion hence request to rename the title of regulation to avoid any confusion.	<p><u>Partially Accepted</u></p> <p>The CAA is of the opinion compliance is a pre-requisite to implement a safety management system. Further SMS should be implemented for the whole organisations and thus the CAA has chosen to go down the integrated route.</p> <p>At the same time this regulation only covers some aspects of a management system and this it would not be appropriate to title it “management system”. The full scope of the management system is reflected when read in conjunction with the certification regulation. Refer to slide at the end of this document from the SARI OPS &amp; FCL workshop.</p> <p>The CAA is of the opinion retaining “SMS” within the title will reduce confusion within the aerodrome operators and ANSP to whom MCAR-Air Operations/Aircrew do not apply.</p> <p>CAA will use its safety promotion activities to engage with operators and create awareness of the approach taken by the CAA.</p>	Title changed to “Integrated Safety Management Systems”
2	100.1	TMA	<p>MCAR-143 is not published.</p> <p>MCAR-147, MCAR-145 and MCAR-139 already includes regulations related to Quality Management and Safety Management. Hence, with the introduction of MCAR-100 as proposed in</p>	<p><u>Accepted</u></p> <p>MCAR-143/172 was expected to be published in parallel with MCAR-100. As these have not reached the promulgation stage 100.1(a) is changed.</p> <p>The proposed rule is not in conflict with MCAR-139.78, MCAR-145.A.65 and MCAR-147.A.130. There may be details in one regulation that is not included</p>	<p>(1) Any training organisation, approved in accordance with MCAR-147, that is...</p> <p>(4) Any air traffic service provider</p>

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			<p>the NPRM will lead to differences between the regulations.</p> <p>Also add applicability of this regulation to organization approved for continuing airworthiness management.</p>	<p>in another. For example, MCAR-145.A.65 quality system is responsible for certification authorisation but this is only applicable to MCAR-145 organisations. This does not mean a conflict. It is our opinion that a compliance function, even a small one, should have the basic features required in this regulation.</p> <p>MCAR-CAMO is in the draft stage. This will include SMS requirements for CAMOs.</p>	designated in accordance with MCAR-11; and
3	100.2(c)	TMA	It is recommended to make it clear in the regulation about organizations holding multiple approvals to be allowed to decide on the level of integration of their Management Systems established as per various regulations.	<p><u>Not Accepted</u></p> <p>The keyword in this point is “should” rather than “shall”. In the EASA source regulations this is specified as “shall” for licenced air carriers and holders of both aerodromes and ANSP approvals. For others the word used is “may”.</p> <p>The use of “should” here is to encourage integration but provide flexibility to organisations.</p>	No Changes
4	AMC1 100.2 (a)(3)	TMA	Request to elaborate more on difference in safety audit requirement as per AMC1 100.2 (a)(3).	Refer comment #9	N/A
5	AMC1 100.2(a)(6)	TMA	<p>If more than one person is designated for the compliance monitoring function, the accountable manager should identify the person who acts as the unique focal point (i.e. the compliance monitoring manager).</p> <p>It is recommended to keep above paragraph (as mentioned in EASA regulation) in this regulation as well.</p>	<u>Accepted</u>	(7) If more than one person is designated for the compliance monitoring function, the accountable manager should identify the person who

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					acts as the unique focal point (i.e. the 'compliance monitoring manager').
6	Title	IASL	MCAR-100 is based on MCAR-Air Operations ORO.GEN.200. ORO.GEN.200 requirement applies to the entire management system, that includes safety management and compliance monitoring. Hence, if the requirements for the management system are categorized as 'Safety Management System', it will be misleading and intent of the regulation is not clear. It would be more appropriate if the regulation is titled as 'Management System' in line with other regulations.	Refer comment #1	
7	100.1	IASL	MCAR-143 is not published. MCAR-147, MCAR-145 and MCAR-139 already includes regulations related to Quality Management and Safety Management. Hence, with the introduction of MCAR-100 as proposed in the NPRM will lead to differences between the regulations.	Refer comment # 2	
8	100.2(c)	IASL	Organisations holding multiple approvals to be allowed to decide on the level of integration of their Management Systems established as per various regulations.	Refer comment # 3	

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9	AMC1 100.2(a)(3) Complex Organisations – Safety Risk Management (d) (2) (iv) AMC1 100.2(a)(6) Compliance Monitoring – General (b)	IASL	<p>AMC1 100.2(a)(3) Complex Organisations – Safety Risk Management (d) (2) (iv) states; safety audits focusing on the integrity of the organisation's management system, and periodically assessing the status of safety risk controls</p> <p>AMC1 100.2(a)(6) Compliance Monitoring – General (b) states; Organisations should monitor compliance with the procedures they have designed to ensure safe activities. In doing so, they should as a minimum, and where appropriate, monitor compliance with:</p> <ul style="list-style-type: none"> <li>(1) privileges of the organisation;</li> <li>(2) manuals, logs, and records;</li> <li>(3) training standards;</li> <li>(4) management system procedures and manuals; and</li> <li>(5) required resources.</li> </ul> <p>Comments: What is the difference in safety audits focusing on the integrity of the organisation's management system, and monitoring compliance with the management system procedures to ensure safe activities?</p> <p>Scope of safety audits to be clearly defined and indicate if it would be</p>	<p><u>Noted</u></p> <p>Safety Audits focuses on how the organisation is managing safety risks and safety performance. It can be used to evaluate the effectiveness of the installed safety risk controls AND also monitor compliance with safety regulations.</p> <p>Compliance monitoring on the other hand focuses on the prescriptive regulatory requirements.</p> <p>Independence and objectivity of safety audits is important. Audits can be performed using resources of the compliance monitoring function with protections in place - policies, procedures, roles, communication protocols. It also requires an evaluation of training of the auditors. The Safety Manager remains responsible for this function even if different resources are used.</p>	No Changes

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			possible if these audits can be performed under compliance monitoring function.		
10	AMC1 100.2(a)(6) Compliance Monitoring – General (c)	IASL	EASA Air Ops includes the following point which is not found in MCAR-100 Safety Management System; If more than one person is designated for the compliance monitoring function, the accountable manager should identify the person who acts as the unique focal point (i.e. the 'compliance monitoring manager')	Refer comment #5	
11	AMC1 100.2(a)(6) – Compliance Monitoring – General (c)(5)	IAS	Allows same person to act as compliance monitoring manager and as safety manager provided that sufficient resources are allocated to both functions. This is allowed by EASA as well. Request to clearly specify the criteria for approval of same person to act as compliance monitoring manager as well as safety manager.	<u>Noted</u> Organisations specified in 100.1(a), should demonstrate that sufficient resources have been allocated. “Sufficient” depends greatly on the scope and complexity of the organisation in question.  Note the rule is slightly different in MCAR-CAMO.A.305. This provision is NOT available for complex CAMOs. Refer NPRM 2021-08	No Changes
12	Title	Manta	Suggest to change name to "Management System" since both SMS and QMS/Compliance Monitoring are covered in this regulation.	Refer comment #1	
13	100.1 Applicability	Manta	Could not find the regulation MCAR-143 and MCAR-172 published on the CAA website	Refer comment #2	
14	100.2 Management System (a)	Manta	The title of MCAR-100 is Safety Management System but throughout the document it has referred to both Management System and Safety	<u>Noted</u> These slight changes are a result of adopting requirements from six EASA regulations on management systems. For example, EASA	No Changes

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			Management System. Is there a reason for it? suggest to word as per MCAR Air Ops ORO.GEN.200 and MCAR Air Crew ORA.GEN.200 ("a management system that includes") to maintain consistency	Regulation 139/2014 on aerodromes is differently worded.  Also refer comment #1	
15	100.2 Management System (a) 6	Manta	This sentence is understandable coming under Management System but para (a) talks about SMS so a bit confusing to understand the flow.	<u>Noted</u>	
16		Manta	(d) By derogation from paragraph (a), for organisations with their principal place of business located outside the Maldives, a system for safety management may be established in accordance with the national aviation regulations of the State in which the organisation has its principal place of business."  Suggest to change to "Management System" since both SMS and QMS/Compliance Monitoring are covered in this regulation.	Refer comment #1	
17	AMC1 100.2(a)(6) Compliance Monitoring — General	Manta	Why compliance monitoring included under Safety Management System? Is MCAR 100 Management System?  Please also refer to comment #4 [ <i>#15 in this document</i> ]	Refer comment #1	
18	AMC1 100.2(a)(6) Compliance Monitoring — General point (b)5	Manta	Differently documented in EASA regulations but achieves the same intent I guess.	<u>Noted</u> Also refer to Comment #14	

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19	-	AAA	Acceptable without changes	<u>Noted</u>	
20	100.2 Management System (a) (5)	Villa	What is the minimum required scope of “all management system key processes”? are they the processes associated with Safety Management such as Safety Policy, Reporting, HIRA, Emergency Response... etc). Do they include processes required by regulations such as MCAR-145 (performance of maintenance, certification of maintenance, storage procedures.. etc)	<u>Noted</u> : Safety management processes.  This regulation is intended to be always an “add-on” to another regulation unlike for example Air Ops or Aircrew which are mostly self-contained. Thus, in the case of an MCAR-145 organisation, 145.A.70 specifies procedures specific to maintenance.	No Changes
21	100.2 Management System (a) (6)	Villa	Why is Compliance monitoring function included under this regulation? Is a compliance monitoring function required under the system for safety management (SMS).	Refer comment #1	
22	100.2 Management System (a) (7)	Villa	(7) any additional requirements that are prescribed in this Regulation or any other Regulation applicable to the organisation.  The requirement of this Clause in not clear.	<u>Noted</u> The intent is that the SMS should cater for all the Regulations applicable to the organisation.	No Changes
23	100.2 Management System (d)	Villa	This clause may be problematic when contracting. MCAR 145 requires in order to contract maintenance of aircraft and major components the organisation must hold MCAR 145 Approval. MCAR 100 now will supplement 145 and enhance safety standard of organisations located in Maldives. This will not ensure a consistent standard when contracted to overseas organisations who may be	<u>Noted</u> The CAA feels implementing this regulation at this time at the many international MCAR-145s providing services to the Maldivian fleet can restrict the choice available to Maldivian organisations. It is also important to note it may be impractical for CAA to implement this regulation at a global level and the better way is to leverage the efforts of our counterpart CAAs.	No Changes

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			subject to a different Management System Requirement.		
24	AMC1 100.2(a)(1) Complex Organisations (a) (2) (ii)	Villa	What is the safety action plan?	The plan of activities, their prioritisation, timelines and resources that are needed to improve the safety of the organisation. This should be aligned with the Global Aviation Safety Plan and the Safety Action Plan specified in the Maldivian SSP. The organisation may give it a different name.	No Changes
25	AMC1 100.2(a)(1) Complex Organisations (a) (2) (iii)	Villa	The Safety Manager is required to provide periodic reports to whom?	Internal and external stakeholder that requires such reports. E.g., SRB etc.	No Changes
26	AMC1 100.2(a)(1) Complex Organisations (a) (2) (v)	Villa	What is an acceptable standard for the Safety Management Training?	<u>Noted</u> Refer to Doc 9859 para 9.6.4. You may also refer to industry standards such as IATA ISM ORG 1.6.5 requirements.	No Changes
27	AMC1 100.2(a)(1) Complex Organisations (a) (2) (vi)	Villa	The Safety Manager is required to provide advice on Safety Matters to whom?	Internal external stakeholder that requires such advice. E.g., SRB, Postholders, Contractors, CAA etc.	No Changes
28	AMC1 100.2(a)(1) Complex Organisations (a) (3)	Villa	(3) If more than one person is designated for the safety management function, the accountable manager should identify the person who acts as the unique focal point (i.e. the 'safety manager').  What does this clause imply? as specified under 100.2(a)6. Compliance monitoring function is required for safety management system. Is this clause referring to such distinguishment	This is to permit the CAA to identify the safety manager required in the regulations when multiple persons with similar titles are designated for the SMS functions.  Also refer to comments #5 and #11,	No Changes



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			pertaining to functions (HIRA, Documentation, Training, Compliance. etc)?		
29	AMC1 100.2(a)(1) Complex Organisations (b) (2)	Villa	It is unclear what is meant by who the heads of functional areas are. Is the intent to include the nominated persons or to include all top management in addition to nominated persons such as head of IT, head of HR, head of commercial. . .etc?	It should include more than the nominated persons if these functional areas are necessary for the implementation of the safety management system. The CAA has accepted (via the SMS manual) cases where the SRB is purely composed of Postholders and cases where the SRB includes IT, Finance, Commercial and HR.	No Changes
30	AMC1 100.2(a)(1) Complex Organisations (b) (3) (iii)	Villa	<p>The safety review board should monitor (iii) the effectiveness of the organisation's safety management processes.</p> <p>Item (i) is monitoring the safety performance. What additional requirement is pertaining to the effectiveness of safety management processes. Is it pertaining to the outcome of PSOE audits?</p>	Point (i) refers to the actual performance and point (iii) refers to the effectiveness of the processes used to achieve point (i) performance.	No Changes
31	AMC1 100.2(a)(1) Complex Organisations (c)	Villa	Why is it a board responsibility when MCAR-145.A.30 (a) requires accountable manager to ensure that all necessary resources are available to accomplish maintenance in accordance with MCAR-145.A.65(b) to support the organisation approval. Safety Policy is also signed by accountable manager i.a.w AMC1 100.2(a)(2) and not the board. It would be more appropriate to state accountable Manager.	<p><u>Not Accepted</u></p> <p>There is a difference in the two requirements. The Accountable Manager shall ensure resources necessary for <i>compliance with MCAR-145</i>. In this case the regulation is referring to resources required to meet <i>safety performance established by the organisation</i>. This almost always beyond just compliance.</p>	No Changes

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32	GM1 100.2(a)(1) Safety Manager (c) (1)	Villa	(i) knowledge on MCAR Requirements will be more relevant pertaining to this regulation. (ii) no comment (iii) Is this a very basic understanding requirement? Please specify Basic Human Factors.	Partially accepted: (i) Changed to Maldivian requirements (ii) Noted (iii) This is not basic human factors.	No Changes
33	GM1 100.2(a)(1) Safety Manager (c) (2)	Villa	(i) please specify safety management systems instead of safety management similar to compliance monitoring systems. (ii) Risk Management is a very broad subject. Safety Risk Management would be more appropriate for role. (iii) When hiring a person for the position of the Safety Manager, how would the documented work experience be demonstrated for the operations of the organisation?	Not Accepted: (i) Self-explanatory (ii) This item comes under “comparable position”. (iii) This item comes under “comparable position”.	No Changes
34	GM1 100.2(a)(1) Safety Manager (c) (3)	Villa	(iii) please consider Communication in the English Language. When these competencies are specified in the regulations, how will organisations be required to demonstrate the competencies.	<u>Not Accepted:</u> Language is left as is to allow some flexibility for foreign organisations. But in the Maldivian context knowledge of English is necessary to meet this requirement.  The usual methods that companies use when they hire managers for positions which require specific competencies. E.g., qualifications, interviews etc.	No Changes
35	GM2 100.2(a)(1) Complex Organisations –	Villa	Regulation nor AMC mentions Safety Action Group, why is guidance material introducing this requirement?	<u>Noted:</u>  We will ask EASA.	No Changes

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	Safety Action Group				
36	AMC1 100.2(a)(2) Complex Organisations — Safety Policy (b) (1)	Villa	Instead of 'highest safety standard' state 'highest safety standards as reasonably practicable'. This is to align with the Risk Management philosophy described in SSP where risks are reduced to a level as low as reasonably practicable.	<u>Rejected:</u> The CAA is of the opinion our policy should be to aim to improve towards the highest safety standards.	No Changes
37	AMC1 100.2(a)(3) Complex Organisations — Safety Risk Management (d) (iv)	Villa	safety audits focussing on the integrity of the organisation's management system, and periodically assessing the status of safety risk controls; and  Please clarify, if it refers to 1. an audit on the SMS&CMS and 2. audit of all safety risk controls defined in the hazard/risk register. Please elaborate the word periodically. Are these scheduled audits or audits when an occurrence report is received pertaining to those controls?	<u>Noted:</u> The management system includes both. Periodicity depends on the risk control and context. These are scheduled but does not prevent the organisation from reacting to reports.	No Changes
38	AMC1 100.2(a)(4) Training And Communication On Safety (a)	Villa	(1) All personnel should receive safety training as appropriate for their safety responsibilities. (2) Adequate records of all safety training provided should be kept.  (1) Is the requirement for training on SMS or hazards associated with the job function? (2) Is there no recurrent requirement and retention period?	<u>Noted:</u> There are two types of training envisaged. Those required by regulation and those required by the company to perform a specific job.  Recurrent training - Refer to Doc 9859 para 9.6.4. Refer to also comment #46.	No Changes

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39	AMC1 100.2(a)(5) Management System Documentation — General (b)	Villa	(b) The organisation's management system documentation may be included in a separate manual or in (one of) the manual(s), as required by the applicable regulations. A cross-reference should be included.  Cross-reference to what? And included where?	<u>Noted</u> Self-explanatory	No Changes
40	AMC2 100.2(a)(5) Complex Organisations — Safety Management Manual (b) (7)	Villa	(b) The contents of the safety management manual should include all of the following: (7) safety action planning;  What is the section (7) 'safety action planning' about?	<u>Noted</u> This is the process that results in the safety action plan.	No Changes
41	GM 100.2(a)(5) Management System Documentation — General	Villa	GM 100.2(a)(5) Management System Documentation — General (b) The organisation may also choose to document some of the information required to be documented in separate documents (e.g. procedures). In this case, it should ensure that manuals contain adequate references to any document kept separately. Any such documents are then to be considered an integral part of the organisation's management system documentation.  Will these procedures then be required to be approved by the CAA?	<u>Noted</u> These will be treated in the same manner as the SOPs referred in the CAME or MOE etc.	No Changes

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42	AMC1 100.2(a)(6) Compliance Monitoring — General	Villa	(b) Organisations should monitor compliance with the procedures they have designed to ensure safe activities. In doing so, they should as a minimum, and where appropriate, monitor compliance with  What is “procedures designed to ensure safe activities” referring to? Is it the safety risk controls or procedures to ensure compliance with the regulations?	<u>Noted</u> Procedures to ensure compliance.	No Changes
43	AMC1 100.2(a)(6) Compliance Monitoring — General (c) (5)	Villa	Is this by derogation to 3.ii AMC1 100.2(a)(5)(a)(3)(ii). Safety Manager is responsible to comply with this regulation and nominated via Form 4?	<u>Noted</u> This is where the functions of SM and QM/CM are performed by the same person, i.e., one Form 4 is issued.	No Changes
44	AMC1 100.2(a)(6) Compliance Monitoring — General (d) (1)	Villa	1) Relevant documentation should include the relevant part(s) of the organisation’s management system documentation.  It is not clear what the requirement in this clause is.	<u>Noted</u> Self-explanatory	No Changes
45	AMC1 100.2(a)(6) Compliance Monitoring — General (d) (2)	Villa	Is this referring to a compliance monitoring manual? How will MOE Part 3 for MCAR-145 Organizations be affected? Governing the same area in various requirements could lead to more complexity.	<u>Noted</u> Ref comment #2 and #20	
46	AMC1 100.2(a)(6) Compliance Monitoring — General (e) (2)	Villa	(2) Those responsible for managing the compliance monitoring function should receive training on this task. Such training should cover the requirements	<u>Noted</u> All personnel involved in compliance management to the extent of their duties.	No Changes

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			<p>of compliance monitoring, manuals and procedures related to the task, audit techniques, reporting and recording.</p> <p>Is this requirement for Compliance Monitoring Manager/s alone? Is there a recurrent requirement?</p>	<p>Doc 9859 para 9.6.4 on training specifies “The training programme should include initial and recurrent training requirements to maintain competencies”. The organisation should come to an agreement with the CAA on these via the exposition or manual.</p> <p>Ref Assessment Tool para 4.1.2 on how CAA evaluates training.</p>	
47	Section B – PROCEDURE FOR THE CAA	Villa	Why have these been left blank? Will there be no procedures for the CAA at all pertaining to Safety Management Systems of organisations that his regulation apply to	<p><u>Noted</u></p> <p>At this stage these will not be included. This may be included gradually as we have done in NPRM 2021-08.</p>	No Changes
48	-	CAA Board	There is no time given to operators to transition to the new requirements.	<u>Accepted</u>	<p><u>Foreword</u></p> <p>“... ASC 00-2 will be repealed as from 15 July 2023.”</p> <p><u>New Point</u></p> <p>100.3 Transition</p> <p>(a) An organisation that holds a valid approval specified in MCAR-100.1(a) may correct, until 15 July 2023, any finding of non-</p>

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					<p>compliance related to a requirement introduced by this regulation. Where after 15 July 2023 the organisation has not closed such findings, the approval certificate will be revoked, limited or suspended in whole or in part.</p> <p>(b) An organisation that holds a valid approval specified in MCAR-100.1(a) shall make an application to amend their existing approval to include an MCAR-100.2 management system before</p>

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					15 February 2023. This application shall be made in a form and manner established by the CAA.

#### Terminology

<b>Accepted</b>	The CAA agrees with the comment and any proposed amendment is wholly transferred to the revised text
<b>Partially accepted</b>	The CAA either agrees partially with the comment, or agrees with it but the proposed amendment is only partially transferred to the revised text.
<b>Noted</b>	The CAA acknowledges the comment but no change to the existing text is considered necessary.
<b>Not Accepted</b>	The comment or proposed amendment is not shared by the CAA.



Notes:

1. Slide referred to in Comment Response 1.

