



STATUTORY INSTRUMENTS.

**S.I. No. 509 of 2024**

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EXAMINATION OF THE IRISH AVIATION AUTHORITY  
(APPLICATION AND ENFORCEMENT OF TECHNICAL AND SAFETY  
STANDARDS) REGULATIONS 2024

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I, JAMES LAWLESS, Minister of State at the Department of Transport, in exercise of the powers conferred on me by section 32(3)(aa) (inserted by section 67(a) of the Air Navigation and Transport Act 2022 (No. 40 of 2022)) of the Irish Aviation Authority Act 1993 (No. 29 of 1993) (as adapted by the Transport, Tourism and Sport (Alteration of Name of Department and Title of Minister) Order 2020 (S.I. No. 351 of 2020)), and the Transport (Delegation of Ministerial Functions) (No. 2) Order 2024 (S.I. No. 354 of 2024), hereby make the following regulations:

1. These Regulations may be cited as the Examination of the Irish Aviation Authority (Application and Enforcement of Technical and Safety Standards) Regulations 2024.

2. In these Regulations —

“Act” means the Irish Aviation Authority Act 1993 (No. 29 of 1993);

“company” means the Irish Aviation Authority;

“EASA Basic Regulation” means Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018<sup>1</sup>;

“examination” means an examination of the performance of the company of its functions in so far as they relate to the application and enforcement of technical and safety standards in relation to aircraft and air navigation initiated under section 32(3)(a) of the Act.

3. (1) Aspects of the company’s performance of its functions in so far as they relate to the application and enforcement of technical and safety standards in relation to aircraft and air navigation which shall be the subject of an examination include its oversight and the regulation of the following:

- (a) areas of civil aviation safety regulation that fall outside the European Union Aviation Safety Agency oversight framework;
- (b) areas of civil aviation safety regulation falling partially within the European Union Aviation Safety Agency regulatory framework, but where some related aspects require implementation of policy and legislation in the State;
- (c) areas of civil aviation safety regulation falling under the International Civil Aviation Organization framework but outside

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<sup>1</sup> OJ L212, 22.8.2018, p.1

European Union competency, requiring regulation and oversight by the company;

- (d) areas of civil aviation safety regulation falling outside the International Civil Aviation Organization and European Union Aviation Safety Agency regulatory frameworks requiring regulation and oversight by the company;
- (e) areas of civil aviation safety regulation that intersect different regulatory frameworks to verify the holistic integration regulation and oversight by the company.

(2) An examination shall also include a review of the following:

- (a) the implementation of any recommendations of the previous examination;
- (b) how the company carries out its role as the National Supervisory Authority for Ireland;
- (c) the effectiveness of how the company engages with the entities that it regulates.

4. (1) The Minister, in appointing a person to carry out an examination, shall issue terms of reference for an examination for the purpose of setting out the scope and focus of an examination.

(2) The Minister shall cause a copy of the terms of reference issued under paragraph (1) to be published on a website of the Government as part of the report produced under section 32(3)(a) of the Act.

5. The Minister in considering terms of reference required under Regulation 4 shall have regard to:

- (a) the outcome and follow up from external oversight in relation to—
  - (i) the European Aviation Safety Programme referred to in Article 5 of the EASA Basic Regulation,
  - (ii) the safety programme established and maintained by the State pursuant to Article 7 of the EASA Basic Regulation,
  - (iii) the State Plan for Aviation Safety prepared pursuant to Article 8 of the EASA Basic Regulation,
  - (iv) the annual review of aviation safety performance in the State prepared by the company, and
  - (v) the Universal Safety Oversight Audit Programme of the International Civil Aviation Organization;
- (b) new regulatory obligations and developments in civil aviation safety that have come into force since the previous examination;
- (c) aviation safety data trends in the State of the previous 3 years.

GIVEN under my Hand,  
3 October, 2024.

JAMES LAWLESS,  
Minister of State at the Department of Transport

EXPLANATORY NOTE

*(This note is not part of the Instrument and does not purport to be a legal interpretation.)*

These Regulations set out certain aspects of the Irish Aviation Authority's performance of its functions in so far as they relate to the application and enforcement of technical and safety standards in relation to aircraft and air navigation which shall be the subject of a periodic examination initiated under section 32(3)(a) of the Irish Aviation Authority Act 1993. They provide for the issuing by the Minister for Transport of terms of reference for an examination that set out the scope and focus of an examination.

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