

## **EBAA SAFETY COMMITTEE**

### **Terms of Reference V1.3**

#### **OBJECTIVE**

The objective of the EBAA Safety Committee is to enhance operational safety of the EBAA member organisations, through risk identification and mitigation as well as the development of industry-leading safety practices which will further advance the high standards of business aviation. To attain this objective, the Committee will advise, educate, and consult with EBAA members and the EBAA Board of Governors on safety issues related to business aviation operations to improve the overall safety culture in the industry.

The Safety Committee will study, foster, and develop accident prevention procedures, standards, and programs; develop safety-related operating, maintenance, and administrative standards for the industry; work with other associations worldwide; disseminate this information to all EBAA member operators through EBAA programmes and publications.

#### **COMPOSITION OF THE EBAA SAFETY COMMITTEE**

The Committee is comprised of members, officers, special advisors and invited guests. Any EBAA member is eligible for Committee membership. Only one representative from any member company may be a voting member.

#### **Quorum**

A simple majority of voting Committee members attending in person or by teleconference will constitute a quorum. The minimum number of voting members is eight, excluding the Chairman.

#### **Voting**

At any meeting at which a quorum is present, voting at any time shall be by a simple majority of the voting members attending in person, by proxy, or by teleconference.

In the event of a tie vote, the motion will fail unless the chair votes to break the tie. The chair does not otherwise vote. Special advisors and ex-officio members may not vote.

#### **DUTIES**

Conduct of the Committee meetings will be in strict compliance with the Safety Committee guidelines and Terms of Reference.

The EBAA Point of Contact is responsible for recording minutes, validating them with the chairman and having them distributed to all committee members. The draft minutes are distributed to the meeting participants for review and opportunity to comment. Final minutes are distributed to the entire distribution list.

The Committee will maintain and provide to the EBAA secretariat a current list of regular Committee members and prepare a brief written report on Committee activities to be submitted to the Board of Governors two weeks prior to every board meeting and, three weeks before the June Board of Governors meeting, submit a list of Committee goals and a status report to the EBAA staff liaison.

On approval of the Committee, present to the Board of Governors all recommendations from the Committee that entail action or expenses by the association. This shall be done through the Board PoC or in accordance with instructions received from the EBAA secretariat.

## **REGULAR ACTIVITIES**

The EBAA Safety Committee will have four meetings per year (aimed in the first quarter of each year, around the dates of EBACE, after the summer break and around the dates of the Safety Conference) and regular teleconferences three weeks before every Board of Governors meeting, to allow enough time for the goal and status report to be drafted.

The Safety Committee should designate members to represent its interests at a higher level (e.g. in RMT groups and WGs at EASA and other relevant regulatory bodies), if and when required.

Should the members of the EBAA Safety Committee deem it necessary, the Chair will authorise the establishment of external Working Groups on topics of interest for the EBAA members (e.g. FRMS, FTL, FCL etc.). Furthermore, if these groups require external expertise, the members of each Working Groups may invite consultants and/or crew members to share their perspective.

To ensure the continuity of the EBAA Safety Committee and reinforce its work, the members will investigate the option to strike partnerships with similar bodies, as for example entities under the IBAC umbrella, as well as with other EBAA Committees and Working Groups.

Towards the end of every year, the members of the Safety Committee should produce a budget forecast for the following year. This budget should be approved by the chairman and endorsed by the EBAA Point(s) of Contact and shall be submitted to the Board of Governors for approval.

## **Recommendations to the Board of Governors**

The EBAA Safety Committee, through the EBAA Secretary General, consider and make recommendations to the Board of Governors on the following areas that may affect the future of the business aviation and/or its operators:

- Activities that are concerned with the Committee's interests at all levels in the industry;
- Community education or acceptance;
- Operational needs and requirements of the membership community;

## **EXPENSES**

All expenses incurred by regular members, officers, special advisors and invited guests of the Committee are the responsibility of the individual concerned. As a matter of policy, EBAA will not reimburse individuals for such expenses, unless otherwise pre-agreed in writing or unless when attending meetings in formal representation of the EBAA.

## **BUDGET**

The EBAA Safety Committee, through its appointed Chairman, is responsible and accountable for the budget and ensuring that the budget is not exceeded or used inappropriately.

The EBAA Points of Contact will liaise with the Secretary General to put the approval of the budget on the agenda of the relevant Board meeting. As neither the Secretary General nor the EBAA contact points are members of the Board, the Board could (at its full discretion) always invite the Secretary General, the relevant EBAA point of contact or the chairman of the Safety Committee to present and defend the budget at the relevant Board meeting.

## **PRIVACY AND CONFIDENTIALITY**

For purposes of this document, "Confidential Information" shall include all information or material that has or could have commercial value or other utility in the business in which the members of the EBAA Safety Committee members are engaged. If Confidential Information is in written form, the Disclosing Party shall label or stamp the materials with the word "Confidential" or some similar written warning. If Confidential Information is transmitted orally, the Disclosing Party shall promptly provide a statement that such oral communication constituted Confidential Information.

## **COMPETITION LAW**

It is the EBAA's policy to conduct all its meetings and other activities in strict compliance with applicable EU and national competition laws. Members must not engage in any collusive or anti-competitive behaviour during meetings or informal break-out sessions. For example, it is strictly prohibited for members to discuss prices, customers, revenues, costs, capacity levels or other commercially sensitive information.

## **UNCOMPLIANCE WITH COMPETITION LAW AND/OR PRIVACY AND CONFIDENTIALITY CLAUSES**

Not complying with the above mentioned clauses will result in immediately stopping of the meeting and recording in the minutes of the reason as "Non-compliance with the Privacy and Confidentiality Clause / the Competition Law Clause of the EBAA Safety Committee Terms of Reference". Moreover, the involved party will be excluded from any further meetings or activities of the Safety Committee.

## **E-SORS (EBAA Safety Occurrence Reporting System)**

The E-SORS privacy policy is available as an attachment to this document.

## **AMENDMENT OF THESE TERMS OF REFERENCE**

Upon a majority vote of the Committee, the Committee Chair, with the advice and consent of EBAA Point(s) of Contact, may make application to the Board of Governors for a change to these Terms of Reference.

## **DEFINITIONS**

Committee Officers.: The Committee Chair and Vice Chair.

Regular Member: An employee of an EBAA member company.

Special Adisor: A participant in the Committee meeting who does not take part in the voting process

Invited Guest: An industry expert or representative of an authority who does not regularly attend the Committee meetings, but whose expertise is deemed valuable on a certain topic of interest for the Committee

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