

Response to the Safety Recommendations

SR	Safety Recommendation	Response
01	<p>To review the existing coordination procedures/ establish new procedures between KL ATSC and Joint Air Traffic Control Centre (JATCC) with regard to unidentified primary target observed by the Radar Controller.</p>	<p><u>Non-Acceptance</u></p> <p>CAAM notes this Safety Recommendation ('SR').</p> <p>As a Contracting State to the Chicago Convention, CAAM has committed to comply with standard 2.17 of Annex 11 to the Chicago Convention which requires contracting states to establish coordination between military authorities and air traffic services that may affect flights of civil aircraft.</p> <p>Be that as it may, there are no requirements or recommended practices on how the coordination between the military authorities and air traffic services pertaining to an unidentified primary target should be made. The only reference that is made to the contracting states is that the contracting states are required to establish the coordination procedures.</p> <p>Consequently, contracting states are able to structure and conduct the coordination in a manner that is appropriate to their operational, technical and organizational environment.</p> <p>With regard to this matter, CAAM wishes to highlight that prior to MH370 incident CAAM has developed internal coordination procedures between CAAM and military authorities pertaining to an unidentified primary target and</p>

		<p>has committed to review the coordination procedures from time to time.</p> <p>In addition, there is a joint meeting between CAAM and Royal Malaysian Air Force which is held twice a year to discuss air space issues, among others on the coordination procedures.</p>
<p>02</p>	<p>To review the present Duty Roster System for KL ATSC with the objective of improving the working conditions.</p>	<p><u>Non-acceptance</u></p> <p>CAAM was made to understand that this SR derived from the finding as articulated at paragraph 6(c), page 406 of the Final Report which states that <i>“from 1600 UTC [0000 MYT] till 2200 UTC [0600 MYT], the Sector 3+5 Planning Position was manned by an OJT Controller and an AFD Officer as the qualified Controllers were having their respective breaks”</i>.</p> <p>Pertaining to this matter, upon perusal on the Duty Roster, CAAM wishes to confirm that from 1600 UTC till 2200 UTC, Sector 3+5 was not at all manned by an OJT Controller.</p> <p>Be that as it may, CAAM wishes to notify that due to an increase in the number of traffic, the Duty Roster System is currently being reviewed from time to time.</p>

03	To develop a comprehensive Quick Reference on ATC actions relating to aircraft emergency to be available at all Controller working positions.	<u>Acceptance</u> CAAM supports this SR. CAAM has committed, to develop a comprehensive quick reference on air traffic controller actions relating to aircraft emergency to be available at all controller working positions.
04	Air Traffic Controllers are to be provided refresher training to ensure established procedures are always complied with.	<u>Acceptance</u> CAAM supports this SR. With regard to the refresher training, CAAM provides requirements which requires the air traffic controllers to undergo a refresher training. On this note, CAAM has committed to provide refresher training to the air traffic controllers with a view to ensure the competencies are maintained.

05	To review and enhance the training syllabi of the courses for Lead-in and On-the-job training to include ATC actions during aircraft emergencies for ATS personnel at KL ATSC.	<p><u>Non-acceptance</u></p> <p>For purposes of training, CAAM wishes to highlight that standards 1.2.8.3 and 4.5.2.2.1 of Annex 1 to the Chicago Convention requires completion of an approved training course in an approved training organization and have undertaken on-the-job-training ('OJT').</p> <p>With regard to the OJT, there are two phases namely; Pre-OJT or known as "Lead-in" and OJT. Pre-OJT phase is a phase that prepares the trainee for live OJT where the trainee is familiarized with local procedures, airspace, systems, and equipment. As for CAAM, "emergency procedures" is part of the "local procedures". Therefore, CAAM wishes to inform that "emergency procedures" is part of training syllabi for Lead-in.</p> <p>ICAO vide ICAO Document 10056 (<i>Manual on Air Traffic Controller Competency-Based Trainings and Assessment</i>) states that the main reason for using a simulator during the OJT phase is to train for non-routine situations which include emergency that is related to aircraft operations. On this note, CAAM wishes to inform that "emergency" is part of training syllabi for OJT.</p>
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<p>06</p>	<p>To review and introduce more stringent security measures for cargo scanning at Penang International Airport/all airports and the point of entry into airside at KLIA/all airports.</p>	<p><u>Non-acceptance</u></p> <p>CAAM is cognisant of the investigation team's concerns over the security measures for cargo scanning at airports. Be that as it may, the measures for cargo screening as prescribed by the CAAM is consistent with the standard as determined by the ICAO.</p> <p>It is important to note that as a contracting state to the Chicago Convention, Malaysia is required to implement standards and procedures as prescribed by the ICAO.</p>
<p>07</p>	<p>To review the privileging process of the appointment of the designated aviation medical examiners on a regular basis</p>	<p><u>Non-acceptance</u></p> <p>Having perused the Final Report, it is to be noted that the Final Report is silent on the discussion pertaining to the designated aviation medical examiners (DAME) ie. whether DAME applied wrong procedures in examining the pilots, any kind of wrongdoings to suggest that their credential would be in question.</p> <p>The Final Report merely states that the pilots hold a valid medical certificate (pages 437 and 440 of the Final Report).</p> <p>It is interesting to note that Annex 13 to the Chicago Convention refers the SR as "<i>a proposal of the investigation team based on information derived from the investigation, made with the intention of preventing accidents or incidents</i>". Therefore, the SR is drawn up on the basis of the facts established by the investigation team.</p>

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	In light of the fact that there are no available facts established pertaining to the DAME in the Final Report, CAAM is not able to provide a response to this SR.
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