

### **Background and Purpose of initial Consultations**

First consultation was carried out to proposed regulatory changes in AMC and GM to UK Regulation (EU) 965/2012 to align with new Standards and Recommended practices introduced by Annex 6, Part I, Chapter 15, for International Commercial Air Transport – Aeroplanes commenced in Feb 2025.

CAP 3085 – Consultation on Changes to UK Regulation (EU) 965/2012 with regards to Specific Cargo Compartment Safety Risk Assessment was published on 20 Feb 2025 for a period of 10 weeks.

The purpose of consultations at this stage was to gain feedback from industry and the wider public on the proposed amendments. Additionally, the CAA wanted to gain an understanding of costs that should be considered beyond the existent Compliance Monitoring and Safety Management Systems that are required to be in place by virtue of the Air Operations Regulations.

Operators were asked to provide estimates of what costs and benefits that could be incurred/gained from the adoption and implementation of these regulatory changes.

The results of this consultation were intended be used to guide the development of the regulatory changes, refine the AMC and GM and contribute to the assessment of monetary impact to industry.

All responses were collected through the consultation platform “Citizen Space” and a consultation Response Document was drafted.

No comments or feedback were provided during the consultation on the questions related to costs and benefits of the proposed changes.

### **Targeted Consultations**

The lack of feedback on cost and benefits of the proposed changes in the initial consultation led to a targeted consultation to enable the CAA and DfT to accurately consider these in a formal Impact Assessment or De Minimus Assessment, before publishing the regulatory changes becoming effective.

Operators were asked to provide estimate on one-off and transitional costs.

- With regards to Staff Resourcing, Staff training i.e. to capture number of staff needed for the initial implementation, costs required for training of all personnel and one-off potential costs related to administrative functions that would be needed for the implementation of the changes to the regulation.
- Operators were also asked to provide potential costs related to familiarisation activities to all relevant staff and organisations and to provide cost estimations on the implementation of the oversight programme that would have been aligned with existing oversight cycle rationales established by the operator’s compliance monitoring and safety management systems.
- The descriptors aimed to capture any other one-off and transitional costs that may not have been captured in the previous cost types.

In relation to continued year-on-year costs associated with maintaining the activities to ensure sustained performance of the oversight of the supply chain, as well as the regular review and update of the specific risk assessment, such as:

- Potential costs related to administrative functions that would be needed for maintaining the safety management and compliance monitory system, after implementation of the regulatory changes.

- Estimates related to continued year-on-year costs associated with maintaining the activities to ensure sustained performance of the oversight of the supply chain, as well as the regular review and update of the specific risk assessment.

This questionnaire also aimed to consider the benefits of the Specific Risk Assessment being conducted to allow for sufficient mitigation and prevention of an accident which could cause the loss of the aircraft, resulting from an uncontrolled fire in the cargo compartment.

The aim was to collect information by 20 June. It was confirmed to operators that information provided by their organisation would be treated in the strictest confidence and would be completely de-identified when used in the Impact assessment conducted by the CAA and DfT.

The targeted consultations were launched on 21 May 2025 to three operators that displayed the diverse operational characteristics involving the transport of cargo only operations, passenger and cargo operations, passenger only operations and the transport of mail. We received only one response.

### **Summary of Response**

A risk assessment in compliance with Annex 6, Part I, Chapter 15 proposed changes had been proactively implemented when the new SARPS became effective. With regards to cost assessment the following feedback was received:

- Operator was able to absorb all one-off, ongoing and transitional costs into the business –They did not employ any additional heads to produce the Annex 6 Chapter 15 risk assessment. All the additional training and updates to operating manuals were just part of the BAU continuous development cycle.
- It is reasonable to assume that Oversight Implementation Costs scale relates to the number of country/airport pairings that an operator flies. As stated by the operator, it was difficult to ascertain the full cost on benefiting from implementing these measures to reduce cost of passenger, crew fatalities, the cost of salvage or removal operations due to the complexity of their operation.
- With regards to loss of aircraft / loss of revenue / loss of reputation – they were willing to ascertain the cost per aircraft frame (although this would greatly vary in the case of a diverse fleet).
- They also provided feedback on strategies to adequately mitigate risks introduced by unknown entities in the supply chain, by taking a holistic approach to the "Safety of the Supply Chain" in ensuring that all stakeholders perform their safety functions when handling and transporting cargo and hazardous materials.

### **Conclusion.**

Therefore, as reported by the operator, when they review their current control measures and look at what additional controls would be required to mitigate the risks, they always balance the costs of those

measures against the worst-case scenario outcome, thus, making it more of a moral imperative based on the severity and likelihood, rather than a financial consideration.