



Inspectie Leefomgeving en Transport
Ministerie van Infrastructuur en Waterstaat

PROTOCOL
ON THE COOPERATION IN THE EXERCISE OF SHARED SAFETY
OVERSIGHT
ON THE SERVICES PROVIDED BY PJIAE-ATS WITHIN
THE KINGDOM OF THE NETHERLANDS

Document Control

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0.1	30/07/2025	Initial draft	[REDACTED]
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The Directors of the Civil Aviation Authorities of Sint Maarten and the Netherlands, hereinafter to be referred to as "Parties" or individually "Party"

Taking into consideration:

- articles 1.2.2 and 2.7 ^[1] of the Cooperation Protocol on Civil Aviation of November 2017 ("*het Protocol betreffende de samenwerking op het gebied van de burgerluchtvaart binnen het Koninkrijk der Nederlanden*");
- articles , 4 and 7 ^[2] of the "Memorandum van overeenstemming betreffende onderlinge assistentie op het gebied van luchtvaarttoezicht en compliance monitoring ter zake van het Koninkrijk der Nederlanden".
- article 2 ^[3] of the "Regeling van de Minister van Infrastructuur en Waterstaat, van 30 augustus 2018, nr. IENW/BSK-2018/173672, tot erkenning van het Aerodrome Flight Information Service Officer license van St. Maarten voor de BES";
- article 7 ^[4] of the Protocol on the shared oversight of DC-ANSP.
- that the Sint Maarten Civil Aviation Authority is primarily responsible for carrying out safety oversight activities with regard to "Operations of Civil Aerodromes in Sint Maarten" and "provision of Air Navigation Services in Sint Maarten's airspace namely Juliana Terminal Manoeuvring Area (TMA)".
- that Parties wish to seek closer and more efficient cooperation in the exercise of safety oversight activities of PJIAE.

¹ Artikel 1.2.2 De landen werken in elk geval samen bij de volgende onderwerpen: (a) veiligheid luchtvaartbreed, iv Samenwerking op het gebied van toezichhoudende taken;

Artikel 2.7 Door ondertekening door de bewindslieden staan zij toe dat de directeuren luchtvaart onderling kunnen overgaan tot het sluiten van overeenkomsten (service level agreements) met betrekking tot het verlenen van specifieke luchtvaart toezicht functies en of uitwisselen van personeel aangaande luchtvaartveiligheid.

² Artikel 4 Toezicht- en compliance monitoring programma; Artikel 7 Verantwoordelijkheid

³ Artikel 2, lid 1 De Minister erkent als geldig bewijs van bevoegdheid voor het verstrekken van vluchtinformatie en het bedienen van luchtvaartstations het door de bevoegde autoriteit van Sint Maarten afgegeven document Aerodrome flight information service officer license, bedoeld in bijlage a, deel 2, onderdeel 2.9, van de Regeling luchtvaartpersoneel van Sint Maarten; Artikel 2, lid 2. De in het eerste lid bedoelde erkenning geldt uitsluitend voor de uitvoering van werkzaamheden op Saba en Sint Eustatius.

⁴ Article 7 (1) The Netherlands and Sint Maarten have a separate understanding on shared oversight with regard to the ATS services provided by PJIAE; article 7 (2) Articles 1 to 6 of this Protocol do not apply to the shared oversight between the Netherlands and Sint Maarten on PJIAE-ATS services.



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Have agreed on the following:

Article 1 - PJIAE Approved Training Organization for the training of aerodrome flight information officers

1. The approval of the provided training plan for aerodrome flight information officers (AFISO) for the aerodromes of Saba and Sint Eustatius by the PJIAE Aviation Training Academy is part of the shared safety oversight activities for the PJIAE ATO oversight activities.
2. The periodic safety oversight of the AFISO training provided by PJIAE Aviation Training Academy are the shared responsibility of the Sint Maarten Civil Aviation Authority and the Netherlands and are part of this shared oversight protocol.

Article 2 – Certification and enforcement

Under the provisions of Article 1, the Director of the Sint Maarten Civil Aviation Authority is responsible for making formal decisions concerning the certification and enforcement of the PJIAE N.V. Organization.

Article 3 – Safety oversight

1. With the framework of article 2, decisions related to safety oversight activities are taken by the Director of the Sint Maarten Civil Aviation Authority in line with the procedures as contained in the SMCAA – Aerodrome & Air Navigation Services Handbook.
2. The Sint Maarten Civil Aviation Authority is responsible for the safety oversight on PJIAE as ATS provider and as Approved Training Organization for both the training of air traffic controllers and aerodrome flight information officers.
3. Each year, by September (year n-1), the Sint Maarten Civil Aviation Authority will prepare an Annual Surveillance Program including the planned safety oversight and compliance monitoring activities for the following year that are expected to require assistance from the other Party.

Article 4 -Shared safety oversight

1. The Parties are responsible for the shared safety oversight on PJIAE Aviation Training Academy as Approved Training Organization as far as it concerns the approval of the training plan for the AFISO training for the aerodromes of Saba and Sint Eustatius.
2. Each year, by September (year n-1), as part of the "Toezicht- en Compliance Programma Koninkrijk der Nederlanden (KdNL)", Parties will prepare the planned shared safety oversight and compliance monitoring activities for the following year for adoption by the "Regiegroep Luchtvaart KdNL" in October (year n-1).
3. The procedures that will be followed in the performance of the shared safety oversight activities are laid out in the SMCAA – Aerodrome & Air Navigation Services Handbook.
4. The shared safety oversight activities are facilitated and led by the ANS/Aerodrome Inspector of Sint Maarten Civil Aviation Authority.
5. Each party shall appoint one ANS Civil Aviation Safety Inspector (CASI) for the shared safety oversight activities and may appoint one or more alternate Civil Aviation Safety Inspector.
6. Depending on the type of safety oversight activity the composition of the State-Civil Aviation Safety Inspector(s) may change to reflect the expertise in the area of safety oversight that is being addressed.



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Article 5 - Shared Safety Oversight Tasks

1. The safety oversight duties, functions and responsibilities are laid out in the SMCAA – Aerodrome & Air Navigation Services Handbook.
2. The joint audit/inspection team performs its tasks and reports its findings in a manner to be prescribed in the SMCAA – Aerodrome & Air Navigation Services Handbook and in accordance with the applicable laws and regulations.
3. The shared safety oversight activities are led by the ANS/Aerodrome Inspector of Sint Maarten, who is responsible for the coordination of the audit/inspection program with the PJIAE organization.

Article 6 - Shared Oversight Competency Requirements

1. Parties are responsible to ensure that the competency of the Civil Aviation Safety Inspector (CASI) that is made available for the shared safety oversight activities of PJIAE are trained, competent and qualified in accordance with their own national policies and procedures to conduct audits/inspections and that training records are kept up-to-date and on request available.
2. Parties ensure that at least one CASI is trained as lead auditor.

Article 7 The joint audit/inspection team

1. Depending on the type of safety oversight activity, a team of inspectors (the audit or inspection team) will be assembled to perform the safety oversight activity.
2. The Parties among each other shall deliver the capacity by means of qualified inspectors required to carry out the safety oversight inspection or audit.
3. The joint audit/inspection team is responsible for the conduct of the audit/inspection, gathering, recording and provision of objective evidence to assess compliance or non-compliance and compiling the audit/inspection report.
4. In case that a State- Civil Aviation Safety Inspector has a dissenting opinion with regard to the conclusions of the audit/inspection team this will be explicitly annotated by the ANS/Aerodrome Inspector of Sint Maarten Civil Aviation Authority.

Article 8 – Shared safety oversight decision making

1. Proposals made by the joint audit/inspection team on the shared safety oversight decisions are made by consensus within team by the ANS/Aerodrome Inspector of Sint Maarten Civil Aviation Authority.
2. The Director of the Sint Maarten Civil Aviation Authority takes formal decisions regarding or resulting from the shared safety oversight activity on behalf of both Parties.
3. The Director of the Sint Maarten Civil Aviation Authority is responsible for communicating the report findings to the PJIAE organization.
4. In case of a dissenting opinion as expressed by a State-Civil Aviation Safety Inspector to the conclusions of the audit/inspection team, the Director of the Sint Maarten Civil Aviation Authority will discuss this with the ILT Team leader Aviation responsible for ANS oversight.

Article 9 Validity, revision, withdrawal and termination

1. This protocol becomes valid after it has been signed by both Parties and will remain valid for an indefinite period of time.
2. This protocol can be revised by consensus between both Parties.
3. Arrangement shall be taken to re-evaluate this protocol in line with the upcoming harmonised certification regulations before its coming into force.
4. In case that a Party wishes to withdraw from this protocol, it can do so six months after it has given notice in writing of its intention to withdraw to other Parties.
5. This protocol can be terminated by consensus between both Parties.

Article 10 Signed versions

This protocol is kept at the premises of the Sint Maarten Civil Aviation Authority and a signed electronic copy of the protocol is provided to the other Party.



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For the accepting Civil Aviation Authorities

of Sint Maarten

Louis Halley, Department Head Civil Aviation & Shipping and Maritime



Date: 07 November 2025

of the Netherlands

Stefanie Spekreijse, Directeur ILT-Luchtvaartautoriteit



Date: 25 november 2025



**Sint Maarten Civil Aviation Authority
Ministry of Tourism, Economic Affairs,
Traffic and Telecommunication**

AERODROMES AND GROUND AIDS

and

**AIR NAVIGATION SERVICES
HANDBOOK**

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(Annexed to the Protocol)