



An Roinn Iompair
Turasóireachta agus Spóirt

Department of Transport,
Tourism and Sport

Príomh Oifig
44 Sráid Chill Dara, Baile Átha Cliath 2, Éire.

Head Office
44 Kildare Street, Dublin 2, Ireland.

Lo-Call 1890-443311 +353-1-670 7444
+353-1-670 9633 www.dttas.ie

30 July, 2014

Mr. Paul Gretch,
Director,
Office of International Aviation,
U.S. Department of Transportation,
1200 New Jersey Ave, SE,
Washington, DC 20590,
USA.

Dear Mr. Gretch

I am writing to you in relation to the application by Norwegian Air International (NAI) to the Department of Transportation for a Foreign Air Carrier permit and exemption authority.

I wish to express this Department's concern at some of the comments relating to NAI's application which appear to question Ireland's capability to provide effective safety oversight of NAI's operations.

I want, therefore, to take this opportunity to place on the record the facts concerning Ireland's aviation safety oversight regime. I do so to alleviate any unnecessary concerns that ill-informed commentary may have raised.

As you will be aware, NAI was granted an Air Operator Certificate (AOC) and an Air Carrier Operating Licence (ACOL) by the competent licensing authorities in Ireland on 12 February 2014. The authority responsible for the grant of an AOC in Ireland is the Irish Aviation Authority (IAA). In order to secure approval for an AOC in Ireland, NAI was subject to a rigorous assessment process over a number of months. The IAA only issued the AOC to NAI when it was fully satisfied that the company fully met all EU safety regulatory criteria.

Ireland has a very strong reputation in aviation at a global level and a robust regulatory regime for safety oversight that complies with all requirements of the European Aviation Safety Agency (EASA) and the International Civil Aviation Organisation (ICAO). Like all EU Member States, Ireland's safety oversight capabilities are regularly reviewed by EASA and by ICAO and these

reviews/audits have consistently ranked Ireland's safety oversight regime as amongst the best in the world.

Every airline licenced in Ireland, is subject to safety oversight in accordance with EU Ops Regulations. IAA personnel routinely travel to wherever in the world Irish operators carry out approved activities in order to conduct safety oversight. This includes on-going inspections of base/line stations, aircraft and flight crew during flights. These audit programmes are performed to ensure operators comply with all relevant EU Regulations and are part of the IAA's safety regulation regime employed on a daily basis.

The IAA uses these principles to provide safety regulation for all of its operators including one of the largest international airlines in the world, which operates a point to point system from 64 bases across Europe and North Africa carrying 81m passengers per annum. The majority of the flights operated by this airline do not operate out of Ireland and the IAA's safety oversight is conducted in the respective foreign jurisdictions. This system of oversight has been in operation successfully for a number of decades and proven very effective. Some other national regulatory authorities in the EU are also accustomed to providing oversight of other large international airlines which operate a majority of their services outside of the licencing jurisdiction. This is not unusual in an EU context.

There are approximately 1200 aircraft on the Irish aircraft register. The IAA has conducted safety regulatory oversight of long-haul operators with services to North America for many years as well as safety regulation of aircraft on the Irish register from other regions in the world. In the context of the IAA's existing safety regulation activities, the oversight of NAI does not constitute a significant expansion of its existing international aviation safety oversight programme and is, in fact, one of the smallest AOCs issued to date in Ireland.

The Department and the IAA reject suggestions that, on the basis that NAI will not be operating from this country, Ireland will be unable to effectively oversee the safety of the company's operations. Such commentary represents a misunderstanding of how the safety oversight of international airlines operates in practice and how it is successfully carried out by EU civil aviation regulators in full accordance with EU law.

Claims have also been made in some of the comments in the on-line docket that NAI's Irish AOC is a 'flag of convenience', a claim that the Department also rejects. The facts are that NAI is an Irish domiciled business entity and is a subsidiary of the parent company, Norwegian Air Shuttle. All accountable post-holders of NAI are based in Ireland, with a significant number of staff

based at its Irish office at Dublin airport. The IAA would not support the maintenance of an AOC to any operator unless this safety requirement was fully adhered to.

The Irish and U.S. aeronautical authorities have a strong record of successful collaboration and I know that concerns about our regime are not shared by the Department of Transportation or the Federal Aviation Administration. Nonetheless, the Irish authorities consider it necessary at this point to set the record straight and protect the reputation of Irish airlines and Irish aviation. I would be grateful, therefore, if a copy of this letter could be placed in the on-line docket.

Finally, it would be appreciated if the Department of Transportation could process NAI's applications as expeditiously as possible in accordance with the EU-US Open Skies Agreement. This Department and the relevant licensing authorities are available to assist your Department should any further information be required.

I look forward to your response and to a continuation of our successful collaboration on aviation matters that has been sustained over many decades.

Yours sincerely

A handwritten signature in blue ink, appearing to read "John J. Fearon", is written over a horizontal line.

John J. Fearon
Director General of Civil Aviation