

13 MARCH 00

OPINION

Call for setting up of Malta Aviation Authority

The inquiry report into the ill-fated flight of a Piper Lance aircraft from Djerba to Malta on December 3, 1995 has put the blame for the tragedy on mistaken decisions taken by Carmelo Bartolo, pilot and owner of the aircraft, five passengers and the pilot died in the incident.

The report, showed that had the Department of Civil Aviation been adequately equipped with the necessary equipment and staff, it could have surely prevented the tragedy from taking place.

The Djerba-Malta flight was not Sunaviation's first to be run on that route. Hundreds of flights were made by the single-engined Piper Lance since the company acquired the aircraft and registered it in Malta in 1990.

A look at some of the statistics published annually by Malta International Airport in the years before the accident should have alerted staff at the Department of Civil Aviation that all was not normal with Sunaviation's operations.

According to MIA's annual statistical review, in 1993, the single-engined Piper Lance, 9HABU, operated 71 flights carrying 177 passengers. A year later, in 1994, these numbers shot up dramatically, to 189 flights and 502 passengers. Operating 189 flights and carrying 502 passengers should have served as an eye opener that the single-engined aircraft, could, somehow, have been used on an air-taxi service.

Notwithstanding this information, 10 months after the publication of MIA's statistics (in February 1995), the Piper Lance was still flying and carrying passengers to Tunisia and Italy until it met its fate on December 5 of that year.

The report stated: "On the strength of evidence collected there was a clear indication that Bartolo was making use of the aircraft (single-engined Piper Lance) for the transportation of passengers for reward, notwithstanding that Sunaviation did not have the required air service licence. Police investigations and other documents on record confirm this fact."

The inquiry report also noted that Bartolo, as managing director of Sunaviation and another air company, Excelair, "fused and confused both companies to suit his purpose, particularly when Excelair faced difficulties".

Excelair had an air-taxi licence while Sunaviation did not. One of the conditions for the issuing of an air-taxi licence is that the aircraft must be powered by two engines. Excelair had two such aircraft, a Piper Navajo and ReimsCessna Caravan. The fusion and confusion of Excelair and Sunaviation emerged in the 1995 statistical review for 1995 when Sunaviation, having done so well in 1994, disappeared altogether from the

statistics and only Excelair appeared. It is true, as the report said, that the DCA issued warnings and even grounded Excelair's aircraft for some time, but it is still inexplicable how Bartolo was allowed to continue flying his Piper Lance. Somebody, somewhere, should have noticed the frequency of the Piper Lance's flights and should have taken action immediately.

The public deserves an explanation from the DCA because of what seems to be a lack of control.

What action, if any, did the DCA take in the 11 months before the tragedy when it should have known from statistics that the Piper Lance was being used for the carriage of passengers?

According to the inquiry report, the Department of Civil Aviation "did not inform the aircraft manufacturer of the incident as required to do in terms of ICAO regulations", and "failed to conduct effective investigations of their own into Bartolo's investigations".

These two shortcomings also deserve an explanation from the Department of Civil Aviation.

Also worthy of the inquiry board's recommendation is that there should be a revision of licensing regulations obliging all pilots of Maltese-registered aircraft

to register their licences with the DCA. I don't think that it had to be a tragedy for this kind of recommendation to be made, considering that the Maltese Civil Aircraft Registration was started 30 years ago.

The board also recommended that a National Accident Investigation Board be set up, independently from the DCA, and a revision be made of the Air Accident Regulations of 1956, probably formulated after the worst air disaster we had in Malta when an Avro York crashed on the cliffs of Wied iz-Zurriq killing over 50 passengers and crew on board earlier that year.

I would add that the report by the board of inquiry regarding the disappearance of the Piper Lance has, perhaps indirectly, shown that the Department of Civil Aviation, forming part of the bureaucratic public service cannot meet the exigencies and efficiency required in the industry of aviation.

The DCA should be dismantled and regulatory powers in aviation be passed on to a new Malta Aviation Authority set up on the same lines as foreign aviation authorities. Only in this way can aviation in Malta be regulated by qualified staff paid well for their responsibilities and specialisation.

A Malta Aviation Authority would complement the professional operations that the Malta International Airport has become renowned for since its inception in February 1992.

for Alex & Carmel