

THE SIERRA LEONE CIVIL AVIATION REGULATIONS



PART 22 - GENERAL POLICIES, PROCEDURES, AND DEFINITIONS

DECEMBER 2022

PREAMBLE

WHEREAS, The Director-General shall have power to perform such acts, -including the conduct of investigations, to issue and amend orders, rules, regulations and procedures pursuant to and in accordance with The Civil Aviation Act, 2019.

WHEREAS, the Director- General shall have power to publish all reports, orders, decisions, rules, and regulations issued under The Civil Aviation Act, 2019 in such form and manner as may be best adapted for public information and use;

NOW THEREBY, The Director General under its powers given by Article 17(1) and 17(2) (a) of The Civil Aviation Act, 2019 issue the following regulations which supersedes previous regulations on Instrument and Equipment.

1.SHORT TITLE

This Regulation may be cited as Sierra Leone Civil Aviation Regulation “SLCARS Part 22- General Policies, Procedures, and Definitions”.

2.EFFECTIVE DATE

This Regulation shall come into force as of the 21st day of December 2022.



Dr Moses Tiffa Bai
Director General

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RECORD OF AMENDMENT

Amendment Number	Amendment Reference	Amendment Date	Chapters Affected	Details

1. GENERAL

In exercise of the powers conferred upon it by section 17(1) of the Civil Aviation Act 2019, the Director General of Sierra Leone Civil Authority hereby makes the following Regulation-

This Regulation sets out the basic rules of construction and application of the Sierra Leone Civil Aviation Regulations and the rules governing the administration of licences, certifications and investigative and enforcement procedures.

Of special interest are the Implementing Standards that accompany each Part of the Regulations. These Implementing Standards provide detailed requirements that support the intent in a Part, and unless otherwise indicated, have the legal force and effect of the referring regulation.

This Part (22) contains: rules of construction of the Regulations, general administrative rules governing testing, licences certificates, investigative and enforcement procedures exemptions and the definitions used in the SLCAR's.

1.1 Rules of Construction

1.1.1 Throughout these Regulations the following word usage applies:

- (a) Shall indicates a mandatory requirement.
- (b) The words “no person may...” or “a person may not...” mean that no person is required, authorised, or permitted to do an act described in a regulation.
- (c) May indicates that discretion can be used when performing an act described in a regulation.
- (d) Will indicates an action incumbent upon the Authority.
- (e) Includes means “includes but is not limited to.”
- (f) Approved means the Authority has reviewed the method, procedure, or policy in question and issued a formal written approval.
- (g) Acceptable means the Authority has reviewed the method, procedure, or policy and has neither objected to nor approved its proposed use or implementation.
- (h) Prescribed means the Authority has issued written policy or methodology which imposes either a mandatory requirement, if the written policy or methodology states “shall,” or a discretionary requirement if the written policy or methodology states “may.”

1.2 Applicability

1.2.1 These regulations shall apply to all persons operating or maintaining the following:

- (a) Sierra Leone registered aircraft;
- (b) Aircraft registered in another Contracting State that are operated by a person licensed by Sierra Leone and must be maintained in accordance with the standards of the aircraft State of Registry, wherever that maintenance is performed;
- (c) Aircraft of other Contracting States operating in Sierra Leone

1.2.2 Those Regulations addressing persons certificated under any Part of these regulations apply also to any person who engages in an operation governed by any Part of these regulations

without the appropriate certificate, licence, operations specification, or similar document required as part of the certification.

1.2.3 Regulations addressing general matters establish minimum standards for all aircraft operated in Sierra Leone. Specific standards applicable to the holder of a certificate shall apply if they conflict with a more general regulation.

1.2.4 Foreign air operators, who conduct commercial air transport into, from, or within Sierra Leone, shall be governed by the provisions of the Operations Specification issued by the Authority, and by those provisions in Parts 6, 25 and 27 that specifically address commercial air transport. Regulations that address AOC holders apply only to operators certificated by Sierra Leone.

1.3 Organization of Regulations

1.3.1 These regulations are subdivided into five hierarchical categories:

(a) Part refers to the primary subject area.

(b) Subpart refers to any subdivision of a Part.

(c) Section refers to any subdivision of a Subpart.

(d) Subsection refers to the title of a regulation and can be a subdivision of a Subpart or Section,

(e) Paragraph refers to the text describing the regulations. All paragraphs are outlined alphanumerically in the following hierarchical order: 1, (a), (1), (i), (A).

1.3.2 Acronyms used within each Part are defined at the beginning of those Parts, and if a definition is supplied, a note will indicate the Part where the definition is located.

1.3.2.1 Notes may appear to provide exceptions, explanations, and examples to individual requirements.

1.3.2.2 Regulations refer to Implementing Standards, which provide additional detailed requirements that support the purpose of the subsection, and unless otherwise indicated, have the legal force and effect of the referring regulation. The rules of construction, in 1.1.1, apply to the Implementing Standards.

1.4 Units of Measurement

1.4.1 The units of measurement used for aeronautical purposes in Sierra Leone are those specified in the International System of Units.

1.4.2 Non-International System of Units adopted by Annex 5 are used in Sierra Leone in accordance with the table below.

VALUE	UNIT OF MEASUREMENT
Distance	Nautical mile
Altitudes, Elevations and Heights	Foot
Visibility	Status Mile
Speed, including wind speed	Knot
Vertical Speed	Foot per minute

1.4.3 Coordinated Universal Time (UTC) is used with the day beginning at 0000 hours and ending at 2400 hours:

- (a) Sierra Leone Standard Time is Greenwich Mean Time (GMT).
- (b) Sierra Leone does not observe the practice of Daylight Savings Time.

1.4.4 Date and time in civil aviation operations is expressed as a six-figure group of UTC Day, hours and minutes, except that in NOTAM and pre-flight information bulletins a ten-figure group of year, UTC month, day, hours, minutes in used.

1.4.5 The geographical coordinates indicating latitude and longitude are expressed in terms of the World Geodetic System 1984 (WGS84). WGS84 positions based on source data that do not meet the survey accuracies recommended in ICAO Annex 14 are marked with an asterisk (*).

2. GENERAL ADMINISTRATIVE RULES GOVERNING TESTING, LICENCES, AND CERTIFICATES

2.1 Display and Inspection of Licences and Certificates

(a) Pilot licence:

2.1.1 To act as a pilot of a civil aircraft of Sierra Leone registry, a pilot shall have in his or her physical possession or readily accessible in the aircraft a valid pilot licence or special purpose authorisation issued under these regulations.

2.1.2 To act as a pilot of a civil aircraft of foreign registry within Sierra Leone, a pilot shall be the holder of a valid pilot licence, and have the pilot licence in his or her physical possession or readily accessible in the aircraft.

2.1.3 Flight instructor licence: A person who holds a flight instructor licence shall have that licence, or other documentation acceptable to the Authority, in that person's physical possession or readily accessible in the aircraft when exercising the privileges of that licence.

2.1.4 Other personnel licence: A person required by any part of these regulations to have a personnel's licence shall have it in their physical possession or readily accessible in the aircraft or at the work site when exercising the privileges of that licence.

2.1.5 Medical certificate: A person required by any part of these regulations to have a current medical certificate shall have it in their physical possession or readily accessible in the aircraft or at the work site when exercising the privileges of that certificate.

- 2.1.6 Approved Training Organization (ATO) certificate: Each holder of a certificate shall display that certificate in a place in the school that is normally accessible to the public and that is not obscured.
- 2.1.7 Aircraft Certificate of Registration: Each owner or operator of an aircraft shall carry the aircraft certificate of registration on the aircraft and have it available for inspection.
- 2.1.8 Aircraft Certificate of Airworthiness: Each owner or operator of an aircraft shall display that certificate in the cabin of the aircraft or at the entrance to the aircraft flight deck.
- 2.1.9 Approved Maintenance Organisation (AMO) Certificate: Each holder of an AMO certificate shall prominently display that certificate in a place accessible to the public in the principal business office of the AMO
- 2.1.10 Aerial work certificate: Each owner or operator of an aircraft engaged in aerial work shall carry that certificate or a copy of that certificate on the aircraft and have it available for inspection.
- 2.1.11 Air operator certificate: Each owner or operator of an aircraft engaged in commercial air transport shall carry the air operator certificate or a copy of that certificate on the aircraft and have it available for inspection.
- 2.1.12 Inspection of licence: Each person who holds a personnel licence, medical certificate, or authorisation required by these regulations shall present it for inspection upon a request from:
 - (a) The Authority; or
 - (b) Any national or local law enforcement officer.

2.2 Change of Name

- 2.2.1 A holder of a licence or certificate issued under these regulations may apply to change the name on a licence or certificate. The holder shall include with any such request—
 - (a) The current licence or certificate; and
 - (b) A copy of the marriage licence, court order, or other document verifying the name change.
- 2.2.2 The Authority will return to the personnel the documents specified in paragraph (a) of this subsection.

2.3 Change of Address

- 2.3.1 The holder of a personnel licence or certificate, or approved training organization certificate who has made a change in permanent mailing address may not, after 30 days from that date, exercise the privileges of the licence or certificate unless the holder has notified the Authority in writing of the new permanent mailing address, or current residential address if the permanent mailing address includes a post office box number.

2.4 Replacement of a Lost or Destroyed Personnel Licence or Medical Certificate or Knowledge Test Report

- 2.4.1 An applicant who has lost or destroyed one of the following documents issued under these regulations shall request a replacement in writing from the office designated by the Authority:
 - (a) A personnel licence.

- (b) A medical certificate.
- (c) A knowledge test report.

2.4.2 The personnel or applicant shall state in the request letter:

- (a) The name of the personnel or applicant;
- (b) The permanent mailing address, or if the permanent mailing address includes a post office box number, the person's current residential address;
- (c) The social security number or equivalent national identification number;
- (d) The date and place of birth of the personnel or applicant; and
- (e) Any available information regarding the:
 - (i) Grade, number, and date of issuance of the licence, and the ratings, if applicable;
 - (ii) Date of the medical examination, if applicable; and
 - (iii) Date the knowledge test was taken, if applicable.

2.4.3 After receiving an email / correspondence / letter from the Authority confirming that the lost or destroyed document was issued, a person may carry the letter in lieu of the lost or destroyed document for up to 60 days pending the personnel's receipt of a duplicate document

2.5 Falsification, Reproduction, or Alteration of Applications, Licences, Certificates, Logbooks, Reports, or Records

2.5.1 No person may make or cause to be made concerning any licence, certificate, rating, qualification, or authorisation, application for or duplicate thereof, issued under these regulations:

- (a) Any fraudulent or intentionally false statement;
- (b) Any fraudulent or intentionally false entry in any logbook, record, or report that these regulations require, or used to show compliance with any requirement of these regulations;
- (c) Any reproduction for fraudulent purpose; or
- (d) Any alteration.

2.5.2 Any person who commits any act prohibited under paragraph (a) of this section may have his or her personnel licence, rating, certificate, qualification, or authorisation revoked or suspended.

2.6 Voluntary Surrender or Exchange of Licence

2.6.1 The holder of a licence or certificate issued under these regulations may voluntarily surrender it for:

- (a) Cancellation;
- (b) Issuance of a lower grade licence; or
- (c) Another licence with specific ratings deleted.

2.6.2 An applicant requesting voluntary surrender of a licence shall include the following signed statement or its equivalent: “This request is made for my own reasons, with full knowledge that my (insert name of licence or rating, as appropriate) may not be reissued to me unless I again pass the tests prescribed for its issuance.

2.7 Prohibition on Performance during Medical Deficiency

2.7.1 A person who holds a current medical certificate issued under these regulations shall not act in a capacity for which that medical certificate is required while that person:

2.7.1.1 Knows or has reason to know of any medical condition that would make the person unable to meet the requirements for the required medical certificate; or

2.7.1.2 Is taking medication or receiving other treatment for a medical condition that results in the person being unable to meet the requirements for the required medical certificate.

2.8 Psychoactive Substance Testing and Reporting

2.8.1 Any person who performs any function requiring a licence, rating, qualification, or authorisation prescribed by these regulations directly or by contract for a certificate holder under the provisions of these regulations may be tested for usage of psychoactive substances.

2.8.2 Chemicals considered psychoactive substances are listed in IS 2.8.

2.8.3 Any person subject to these regulations who refuses to submit to a test to indicate the percentage by weight of alcohol in the blood, when requested by a law enforcement officer or the Authority, or refuses to furnish or to authorise the release of the test results requested by the Authority may:

(a) Be denied any licence, certificate, rating, qualification, or authorisation issued under these regulations for a period of up to 1 year after the date of that refusal; or

(b) Have his or her licence, certificate, rating, qualification, or authorisation issued under these regulations suspended or revoked.

2.8.4 Any person subject to these regulations who refuses to submit to a test to indicate the presence of narcotic drugs, marijuana, or depressant or stimulant drugs or substances in the body, when requested by a law enforcement officer or the Authority, or refuses to furnish or to authorise the release of the test results requested by the Authority may—

(a) Be denied any licence, certificate, rating, qualification, or authorisation issued under these regulations for a period of up to 1 year after the date of that refusal; or

(b) Have his or her licence, certificate, rating, qualification, or authorisation issued under these regulations suspended or revoked.

2.8.5 Any person subject to these regulations who is convicted for the violation of any local or national statute relating to the growing, processing, manufacture, sale, disposition, possession, transportation, or importation of narcotic drugs, marijuana, or depressant or stimulant drugs or substances, may—

(a) Be denied any licence, certificate, rating, qualification, or authorisation issued under these regulations for a period of up to 1 year after the date of final conviction; or

- (b) Have his or her licence, certificate, rating, qualification, or authorisation issued under these regulations suspended or revoked.

3. INVESTIGATIVE AND ENFORCEMENT PROCEDURES

3.1 Investigative Procedures

3.1.1 Reports of Violations

3.1.1.1 Any person who knows of a violation of the Sierra Leone Civil Aviation Act, 2019 or these regulations or orders thereunder should report it to the Authority.

3.1.1.2 Each report made under this section together with any other information the Authority may have that is relevant to the matter reported will be reviewed by the Authority to determine the nature and type of any additional investigation or enforcement action the Authority will take.

3.1.2 Investigations—General

3.1.2.1 Under the Sierra Leone Civil Aviation Act, 2019, the Director General of Civil Aviation Authority may conduct investigations, hold hearings, issue subpoenas, require the production of relevant document, records, and property, and take evidence and depositions.

3.1.3 Formal Complaints

3.1.3.1 Complaints submitted to the Authority under section 3.1.1 shall be in a form and manner prescribed by the Authority.

3.2 Administrative Action

3.2.1 If it is determined that a violation or an alleged violation of The Civil Aviation Act, 2019 or an order or regulation issued under it, is appropriate for administrative action, the Authority may take administrative action by one of the following: A “Warning Notice” that shall recite available facts and information about the incident or condition and indicate that it may have been a violation; or

- (a) A “Letter of Correction” which confirms the Authority’s decision in the matter and states the necessary corrective action the alleged violator has taken or agreed to take. If the agreed corrective action is not fully completed, formal certificate action may be taken in accordance with 3.3.3.

- (b) An administrative action under this section does not constitute a formal adjudication of the matter.

3.3 Legal Enforcement Actions

3.3.1 Civil Penalties.

3.3.1.1 Any person, other than a person conducting an operation in commercial air transport or international commercial air transport, who violates any provision of The Civil Aviation Act, 2019, these Aviation Regulations, or any order issued thereunder, is subject to a civil penalty imposed by the Authority in accordance with Section 56(1) of The Civil Aviation Act, 2019.

3.3.1.2 Any person conducting an operation in commercial air transport or international commercial air transport, who violates any provision of the Civil Aviation Act, 2019, these Aviation

Regulations, or any order issued thereunder, is subject to a civil penalty imposed by the Authority in accordance with Section 115 of the Civil Aviation Act, 2019.

3.3.1.3 Civil penalties may be assessed instead of or in addition to any licence or certificate action described in 3.3.3

3.3.1.4 Guidelines for civil penalties and certificate actions are listed in IS 3.3.

3.3.2 Criminal Penalties

3.3.2.1 Section 116 of the Civil Aviation Act, 2019 establishes criminal penalties for any person who knowingly and willfully violates specified provisions of that Act, or any regulation or order issued thereunder.

3.3.2.2 If the Authority becomes aware of a possible violation of any criminal provision of The Sierra Leone Civil Aviation Act, 2019 that is under the jurisdiction of another Sierra Leone government agency, the Authority shall immediately report it to the appropriate Sierra Leone government agency in a manner prescribed by both government agencies.

3.3.2.3 Guidelines for criminal penalties and certificate actions are listed in IS 3.3.

3.3.3 Certificate Action

3.3.3.1 Suspension or revocation of a licence or certificate for violation of the regulations.

3.3.3.2 The holder of any licence or certificate issued under these regulations who violates any provision of the Civil Aviation Act, as amended, or any regulation or order issued thereunder, is subject to suspension or revocation of the licence or certificate, in accordance with the provisions of section 94 of The Civil Aviation Act, 2019.

3.3.3.3 Any licence or certificate issued under these regulations ceases to be effective, if it is surrendered, suspended, or revoked.

3.3.3.4 The holder of any licence or certificate issued under these regulations that has been suspended or revoked shall return that licence to the Authority when requested to do so by the Authority.

3.3.3.5 Re-examination or re-inspection of a certificate or licence for lack of qualification.

3.3.3.6 Under Section 63 of the Sierra Leone Civil Aviation Act, 2019, the Authority may re-inspect any civil aircraft, aircraft engine, propeller, appliance, air operator, school, or approved maintenance organization, or any civil personnel holding a certificate or licence issued under section 54 of the Act.

3.3.3.7 If, as a result of that re-inspection or re-examination, or any other investigation made by the Authority, the Authority determines that a lack of qualification exists, and that safety in air transport and the public interest requires it, the Authority may issue an order to amend, modify, suspend, or revoke the licence or certificate in whole or in part.

3.3.3.8 Procedures for the re-examination of personnel licences, ratings, authorizations, or certificates are set forth in Part 2 of these Regulations.

3.3.3.9 Notice and opportunity to be heard. Unless safety in air transport requires immediate action, prior to a final determination under this section 3.3, the Authority shall provide the person with an opportunity to be heard as to why such certificate or licence should not be amended,

modified, suspended, or revoked, in accordance with section 64 of the Civil Aviation Act, 2019.

3.3.4 Seizure of Aircraft

3.3.4.1 As provided by the Sierra Leone Civil Aviation Act, 2019, an aircraft that is involved in a violation for which a civil penalty has been imposed or may be imposed on its owner or operator may be subject to seizure by the Authority in accordance with enforcement procedures set forth by the Authority.

3.3.5 Surrender, suspension, or revocation of licence or certificate

3.3.5.1 Any licence or certificate issued under these regulations ceases to be effective if it is surrendered, suspended, or revoked.

3.3.5.2 The holder of any licence or certificate issued under these regulations that has been suspended or revoked shall return that licence or certificate to the Authority when requested to do so by the Authority.

3.3.6 Reapplication After Revocation

3.3.6.1 Unless otherwise authorised by the Authority, a person whose licence, certificate, rating, or authorisation has been revoked may not apply for any licence, certificate, rating, or authorisation for 1 year after the date of revocation.

3.3.7 Reapplication After Suspension

3.3.7.1 Unless otherwise authorised by the Authority, a person whose licence has been suspended may not apply for any licence, rating, or authorisation during the period of suspension.

4 EXEMPTIONS

4.1 Applicability

4.1.1 This subpart prescribes procedures for the request, review, and denial or issuance of exemptions from any rule set forth in the Civil Aviation Act, or in its aviation safety and security regulations if the Director-General exercising the powers under Section 21 of The Civil Aviation Act, 2019, finds such action would be in the public interest.

4.2 General

4.2.1 Any interested person may apply to the Authority for an exemption from these Regulations.

4.2.2 Only the Authority may issue exemptions, and no person may take or cause to be taken any action not in compliance with these Regulations unless the Authority has issued an applicable exemption to the person.

4.2.3 Exemptions or exceptions will only be granted in extraordinary circumstances on the basis of a robust rationale.

4.3 Requirements for Application

4.3.1 General

4.3.1.1 Applications for an exemption should be submitted at least 60 days in advance of the proposed effective date, to obtain timely review.

4.3.1.2 The request must contain the applicant's:

- (a) Name.
- (b) Street address and mailing address, if different.
- (c) Telephone number.
- (d) Fax number if available.
- (e) Email address if available.
- (f) Agent for all purposes related to the application.

4.3.1.3 If the applicant is not a citizen or legal resident of Sierra Leone the application must specify a Sierra Leone agent for service.

4.4 Substance of the Request for Exemption

4.4.1 Applications must contain the following:

- (a) A citation of the specific requirement from which the applicant seeks relief;
- (b) Description of the type of operations to be conducted under the proposed exemption;
- (c) The proposed duration of the exemption;

4.4.2 An explanation of how the exemption would be in the public interest, that is, benefit the public as a whole.

4.4.3 A detailed description of the alternative means by which the applicant will ensure a level of safety equivalent to that established by the Regulation in question.

4.4.4 A review and discussion of any known safety concerns with the requirement, including information about any relevant accidents or incidents of which the applicant is aware.

4.4.5 A safety risk assessment or aeronautical study developed by the service provider to demonstrate whether an equivalent level of safety or an alternative acceptable means of compliance can be achieved.

4.4.6 If the applicant seeks to operate under the proposed exemption outside of Sierra Leone airspace, the application must also indicate whether the exemption would contravene any provision of the Standards and Recommended Practices of the International Civil Aviation Organization (ICAO).

4.4.7 Notwithstanding 4.3.1, an applicant may seek emergency processing of an exemption request

4.4.8 If the applicant seeks emergency processing, the application must contain supporting facts and reasons that the application was not timely filed, and the reasons it is an emergency.

4.4.9 The Authority may deny an application if the Authority finds that the applicant has not justified the failure to apply in a timely fashion.

4.5 Review, Publication, and Issue or Denial of Exemption

4.5.1 Initial Review by the Authority

4.5.1.1 The Authority will review the application for accuracy and compliance with the requirements of 4.3.

- 4.5.1.2 If the application appears on its face to satisfy the provisions of 4.3 and the Authority determines that a review of its merits is justified, the Authority will publish a detailed summary of the application for comment and specify the date by which comments must be received by the Authority for consideration.
- 4.5.1.3 If the filing requirements of 4.3 have not been met, the Authority will notify the applicant and take no further action until the applicant complies with the requirements of 4.3.
- 4.5.2 Evaluation of the Request
- 4.5.2.1 After initial review, if the filing requirements have been satisfied, the Authority shall conduct an evaluation of the request to include:
- (a) A determination of whether an exemption would be in the public interest;
 - (b) A determination, after a technical evaluation, of whether the applicant's proposal would provide a level of safety equivalent to that established by the Regulation;
 - (c) If it appears to the Authority that a technical evaluation of the request would impose a significant burden on the Authority's technical resources, the Authority may deny the exemption on that basis.
- 4.5.2.2 A determination, if the applicant seeks to operate under the exemption outside of Sierra Leone airspace, of whether a grant of the exemption would contravene the applicable ICAO Standards and Recommended Practices.
- 4.5.2.3 An evaluation of comments received from interested parties concerning the proposed exemption.
- 4.5.2.4 A recommendation, based on the preceding elements, of whether the request should be granted or denied, and of any conditions or limitations that should be part of the exemption.
- 4.5.3 Notification of Determination
- 4.5.3.1 The Authority shall notify the applicant by letter and publish a detailed summary of its evaluation and decision to grant or deny the request. The summary shall specify the duration of the exemption and any conditions or limitations to the exemption.
- 4.5.3.2 If the request is for emergency relief, the Authority will publish the application and/or the Authority's decision as soon as possible after processing the application.
- 4.5.3.3 If the exemption affects a significant population of the aviation community of Sierra Leone the Authority shall also publish the summary in its aeronautical information publications.
- 4.5.4 Extension of the Exemption to other Interested Parties
- 4.5.4.1 If the Authority determines that an exemption should be granted, other persons or organizations may apply to the Authority to be included in the relief granted.
- 4.5.4.2 Such applications shall be in accordance with the requirements of 3.4.3.
- 4.5.4.3 If the Authority determines that the request merits extension of the exemption to the applicant, it shall notify the applicant by letter, specifying the duration of the exemption, and listing any additional conditions that may pertain to the applicant that are not addressed in the underlying exemption.

4.6 Risk Assessment of Exemption Request

4.6.1 Prior to the grant of exemption, the SLCAA shall conduct a risk assessment of the specific exemption request to determine its impact on safety of flight. A safety risk matrix will be used to determine the severity and tolerability of the risk associated with the exemption so that mitigation measures can be put in place.

The following criteria will be used:

- (a) Probability of occurrence will be ranked in increasing probability A to E
- (b) Consequences will be ranked in increasing severity from 0 to 5
- (c) Tolerability will be based on severity and probability

4.6.2 Risk Analysis Matrix

The Risk Analysis Matrix places the five categories at different levels of severity and in various degrees of probability, because it relates to the probability of the estimated potential consequences occurring.

4.6.3 Risk Severity

4.6.3.1 Risk severity measures the possible consequences of a situation of danger, taking as reference the worst foreseeable situation. The assessment of severity will be based on

- (a) number of lives that may be at risk (e.g., employees, passengers, bystanders, general public)
- (b) environmental impact (e.g., spillage of fuel or other hazardous products, physical disruption of natural habitats)
- (c) severity of property, financial damage (e.g., direct asset loss; damage to aviation infrastructure, third party damage, financial impact and economic impact for the State)
- (d) damage to the organization's reputation?

4.6.3.2 The following is an example of a risk severity table

SEVERITY OF OCCURENCE		
4	Catastrophic	<ul style="list-style-type: none">• Loss of Equipment• Multiple fatalities
3	Hazardous	<ul style="list-style-type: none">• Large reduction in safety margins• Physical distress or a high workload such that operations cannot be relied upon to perform their tasks accurately or completely• Serious or fatal injury to a number of people• Major equipment damage

2	Major	<ul style="list-style-type: none"> • Significant reduction in safety margins • Reduction in the ability operations to cope with adverse operating conditions as a result of and increase in workload, or as a result of conditions impairing their efficiency • Serious Incident • Injury to persons
1	Minor	<ul style="list-style-type: none"> • Nuisance • Operating Limitations • Use of emergency procedures • Minor Incident
0	Negligible	<ul style="list-style-type: none"> • Little consequence

4.6.4 Risk Tolerability Matrix

Catastrophic	4	4 Review	8 Unacceptable	12 Unacceptable	16 Unacceptable
Hazardous	3	3 Acceptable	6 Review	9 Unacceptable	12 Unacceptable
Major	2	2 Acceptable	4 Acceptable	6 Review	8 Unacceptable
Minor	1	1 Acceptable	2 Acceptable	3 Acceptable	4 Review
		Extremely improbable 1	Extremely Remote 2	Remote 3	Probable 4

4.6.5 Risk Determination

- (a) The following risk determinations will be made and documented for all identified hazards
- (1) An initial risk determination upon identification of the hazard; and
 - (2) A residual risk determination when the risk is believed to have been mitigated
- (b) The priority of the required mitigation will be based on the initial risk determination.
- (c) The level of risk as taken from the example risk matrix will be:
- (1) Red area = High Risk

This risk is unacceptable under the existing circumstances. Exemption will not be granted until control measures have been established to mitigate the risk to an acceptable level.

- (2) Yellow area = Medium Risk

Applicant's attention and approval of risk mitigation and control measures is required.

- (3) Green area = Low Risk

Acceptable after a review of the operation is conducted.

4.7 Appeal

- 4.7.1 Any person who disagrees with the administrative or legal enforcement actions or decisions of the Authority under the provisions of the SLCARs may appeal for a review within fourteen (14) days from the date of the imposition of the sanction.
- 4.7.2 The appeal shall be in writing and addressed to the Director- General of the Authority.
- 4.7.3 Upon receipt of the appeal, the Director General may constitute an Appeal Panel made up of members from the Authority and the aviation industry stakeholders.
- 4.7.4 Any sanction and/or decision imposed by the Authority shall subsist until set aside or varied by the Director General upon recommendation of the Appeal Panel.

5. DEFINITIONS

Definitions used in the SLCARs that are not found in the specific Regulation can be found in this subparagraph for ease of reference. In some instances, definitions in the Sierra Leone Civil Aviation Act may be different from the definition used in the SLCARs. This is because the laws tend to be written more broadly and may apply to different government agencies in Sierra Leone. The different government agencies within Sierra Leone are expected to make definitions according to their specific need. Definitions in this Part and the SLCARs use the ICAO definition, where available.

For the purpose of the Sierra Leone Civil Aviation Regulations (SLCARs) where the definition is not given in the SLCARs Part, the following definitions shall apply:

- (a) **Accountable manager.** The person acceptable to the Authority who has corporate authority for ensuring that all activities can be financed and carried out to the standard required by the Authority and any additional requirements defined by the operator. The accountable manager may delegate in writing to another person within the organisation the day-to-day management, but not the overall approval management responsibility.
- (b) **Citizen of Sierra Leone.** Refers to one of the following:
- (i) An individual who is a citizen of Sierra Leone;
 - (ii) A partnership of which each member is a citizen of Sierra Leone; or
 - (iii) A corporation or association created or organised and authorised under the laws of Sierra Leone.
- (c) **Civil aircraft.** Any aircraft other than State aircraft.
- (d) **Civil aviation.** The operation of any civil aircraft for the purpose of general aviation operations, aerial work, or commercial air transport operations.
- (e) **Conversion.** Conversion is the action taken by Sierra Leone in issuing its own licence on the basis of a licence issued by another Contracting State for use on aircraft registered in Sierra Leone.
- (f) **Corporate aviation.** The non-commercial operation or use of aircraft by a company for the carriage of passengers or goods as an aid to the conduct of company business, flown by (a) professional pilot(s) employed to fly the aircraft.

- (g) **Exception.** As relating to dangerous goods in Part 18 of these regulations, a provision in ICAO Annex 18 that excludes a specific item of dangerous goods from the Standards normally applicable to that item.
- (h) **Foreign air operator.** Any air operator, other than a Sierra Leonean air operator that undertakes, whether directly or indirectly or by lease or any other arrangement, to engage in commercial air transport operations within the borders or airspace of Sierra Leone, whether on a scheduled or charter basis.
- (i) **General aviation operation.** An aircraft operation other than a commercial air transport operation or an aerial work operation.
- (j) **Handling agent.** An agency that performs on behalf of the operator some or all of the latter's functions, including receiving, loading, unloading, transferring, or other processing of passengers or cargo.
- (k) **May.** A rule of construction that indicates that discretion can be used when performing an act described in a regulation.
- (l) **Minister.** The Minister responsible for civil aviation, as identified in the Civil Aviation Act of Sierra Leone.
- (m) **Person.** Any individual, firm, partnership, corporation, company, association, joint stock association, or body politic, including any trustee, receiver, assignee, or other similar representative of these entities.
- (n) **Ramp.** A defined area, on a land aerodrome, intended to accommodate aircraft for purposes of loading or unloading passengers, mail, or cargo; fuelling; parking; or maintenance.
- (o) **Safety-sensitive personnel.** Persons who might endanger aviation safety if they perform their duties and functions improperly, including crew members, aircraft maintenance personnel, and air traffic controllers.
- (p) **Shall.** A rule of construction indicating a mandatory requirement.
- (q) **The Authority.** Sierra Leone Civil Aviation Authority
- (r) **The State.** Republic of Sierra Leone
- (s) **Training programme.** A programme that consists of courses, courseware, facilities, flight training equipment, and personnel necessary to accomplish a specific training objective. It may include a core curriculum and a specialty curriculum.
- (t) **Will.** A rule of construction in paragraph that indicates an action incumbent upon the Authority or the State.

6. ADDITION OR REVISION TO THESE REQUIREMENTS

6.1 Applicability

6.1.1 This Subpart prescribes procedures for the addition, amendment or deletion of requirements to these Parts to:

- (a) Maintain conformance to the applicable ICAO Annex Standards;

- (b) Incorporate the applicable ICAO Annex Recommended Practices;
- (c) Incorporate published and relevant international safety practices critical to aviation safety;
- (d) Incorporate requirements specific to Sierra Leone aviation environment identified as necessary to the public interest and safety; and
- (e) Replace or delete requirements that are no longer applicable.

6.1.2 Interested parties of Sierra Leone aviation community are invited to submit proposed regulatory requirements for inclusion in the rule making process.

6.2 Procedures for Making and Amending Regulations

6.2.1 There shall be established by the Director General of the Authority, A Regulations Committee (hereinafter referred to as “Regulations Committee”).

6.2.2 Regulations Committee shall be a Standing Committee within the Authority.

6.2.3 Regulations Committee shall be responsible for:

- (a) Monitoring amendments to the Standards and Recommended Practices contained in the Annexes to the Convention on International Civil Aviation;
- (b) Incorporating the amendments into these Regulations;
- (c) Consideration of proposals for amendment to these Regulations made by stakeholders and other members of the Public;
- (d) Proposing on its motion, amendments to the Regulations;
- (e) Notification of and filing with ICAO of differences and Compliance with the SARP’s.

6.2.4 Regulations Committee shall send Notice of Proposed Amendments (NPA) to operators and other stakeholders and request their comments thereto within a period of 30 days.

6.2.5 Upon receipt of comments, Regulations Committee may consider and incorporate same into the Regulations.

6.2.6 Regulations Committee shall keep a record of such comments and its deliberations thereon.

6.3 Submission of Proposal.

6.3.1 Any interested person may submit to the Regulations Committee, a proposal on the introduction, amendment or withdrawal of a regulation or technical standard;

6.3.2 The proposal shall be in writing and shall:

- (a) state the name and address of the proposer;
- (b) state the contents of the regulation, technical standard or amendment proposed or specify the regulation or technical standard which the proposer wishes to be withdrawn;
- (c) explain the interests of the proposer; and
- (d) contain any information, views or arguments supporting the proposal.

6.3.3 All amendments to these Regulations shall be signed and Published by the Director General of the Authority.

- (a) explaining the interests of the proposer; and
- (b) containing any information, views or arguments supporting the proposal.

IMPLEMENTING STANDARDS

IS 2.8 List of Psychoactive Substances

(a) The following are deemed to be psychoactive substances:

- (1) Alcohol.
- (2) Opioids.
- (3) Cannabinoids.
- (4) Sedatives and hypnotics.
- (5) Cocaine and other stimulants (except caffeine).
- (6) Hallucinogens.
- (7) Volatile solvents.

IS 3.3 Legal Enforcement actions

(a) These sample sanction guidance tables provide a recommended approach to assessment of sanctions for violations of these Aviation Regulations.

These tables describe civil penalties as minimum, moderate, or maximum for a single violation of a particular regulation, in accordance with the Civil Aviation Act, 2019. These terms are defined as in the following tables.

Table 1. Range of Civil Penalties

Party Committing Violation	Amount of Civil Penalty (in USD)
Air Carriers	Maximum: \$18,750–25,000 Moderate: \$10,000–18,749 Minimum: \$2,000–9,999
Aerodrome Operators	Maximum: \$18,750–25,000 Moderate: \$10,000–18,749 Minimum: \$2,000–9,999
Air Navigation Service Providers	Maximum: \$18,750–25,000 Moderate: \$10,000–18,749 Minimum: \$2,000–9,999
Air Carrier Personnel	Maximum: \$850–1,100 Moderate: \$650–849 Minimum: \$500–649
General Aviation Owners, Operators, Mechanics, and Non-Licensed Persons	Maximum: \$850–1,100 Moderate: \$650–849 Minimum: \$500–649
Approved Maintenance Organisations	Maximum: \$16,250–25,000 Moderate: \$8,750–16,249 Minimum: \$1,850–8,749
Approved Training Organisations	Maximum: \$16,250–25,000

	Moderate: \$8,750–16,249 Minimum: \$1,850–8,749
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Table 2. Recommended Sanctions

Violation	Recommended Sanction per Violation	Licence and Certificate Action
I. AIR OPERATORS AND AERODROME OPERATORS, AIR NAVIGATION SERVICE PROVIDERS		
1. Maintenance Manual		
(a) Failure to maintain current manual	Minimum civil penalty	Up to 7-day suspension
(b) Failure to provide adequate instructions and procedures in manual	Moderate to maximum civil penalty	
(c) Failure to distribute manual to appropriate personnel	Minimum to moderate civil penalty	
(d) Release of aircraft without required equipment	Moderate to maximum civil penalty	Up to 7-day suspension
2. Failure to comply with Airworthiness Directive	Moderate to maximum civil penalty	
3. Operations specifications		
(a) Failure to comply with inspection and overhaul time limitations	Moderate civil penalty	Up to 7-day suspension
(b) Operations contrary to operations specifications – technical noncompliance	Minimum civil penalty	
(c) Operations contrary to operations specifications – likely potential or actual adverse effect on safe operations	Moderate to maximum civil penalty	
4. Failure to provide adequately for proper servicing, maintenance, repair, and inspection of facilities and equipment	Maximum civil penalty	Indefinite suspension until proper servicing, maintenance, repair, and inspection of facilities and

Violation	Recommended Sanction per Violation	Licence and Certificate Action
		equipment is provided to revocation
5. Failure to provide or maintain a maintenance and inspection organisation	Maximum civil penalty	Indefinite suspension until appropriate maintenance and inspection organisation is provided to revocation
6. Training programme		
(a) Failure to have or maintain an effective training programme	Maximum civil penalty	Indefinite suspension until compliance is demonstrated to revocation
(b) Failure to maintain a training programme	Moderate to maximum civil penalty	
(c) Failure to train personnel adequately	Moderate to maximum civil penalty	
7. Maintenance or aircraft paperwork		
(a) Incomplete or unsigned release	Minimum to maximum civil penalty	
(b) Failure to revise aircraft data after repair	Moderate to maximum civil penalty	
8. Performance of maintenance		
(a) By unauthorised person	Maximum civil penalty	
(b) Failure to perform or improper maintenance	Moderate to maximum civil penalty	
9. Failure to revise aircraft data after repair	Moderate to maximum civil penalty	
10. Records and reports		
(a) Failure to make accurate mechanical interruption summary reports	Moderate to maximum civil penalty	
(b) Failure to make available reports of major modifications or repairs	Moderate to maximum civil penalty	Indefinite suspension to

Violation	Recommended Sanction per Violation	Licence and Certificate Action
		revocation
(c) Failure to make accurate mechanical reliability reports	Moderate to maximum civil penalty	
(d) Failure to keep maintenance records	Maximum civil penalty to recommended certificate action	7-day suspension and thereafter until aircraft is in airworthy condition
(e) Failure to make required entry in aircraft log	Moderate to maximum civil penalty	
(f) Failure to make available pilot records	Moderate to maximum civil penalty	Indefinite suspension to revocation
(g) Failure to make available load manifests	Moderate to maximum civil penalty	Indefinite suspension to revocation
(h) Failure to monitor and record en route radio communications	Moderate to maximum civil penalty	
(i) Deliberate violation – intentional false or fraudulent entry, reproduction, or alteration in record or report		Revocation
(j) Deliberate violation – other		180-day suspension to revocation
11. Operation of an unairworthy aircraft		
(a) Technical nonconformity to type certificate, but no likely effect (potential or actual) on safe operation	Minimum civil penalty	
(b) Nonconformity that may have, or has, an adverse effect on safety of operation	Moderate to maximum civil penalty	
(c) Release of aircraft without required equipment	Moderate to maximum civil penalty	Up to 7-day suspension
12. Provisions specific to passenger carrying		
(a) Boarding or serving alcoholic beverages to a person who appears to be intoxicated	Maximum civil penalty	

Violation	Recommended Sanction per Violation	Licence and Certificate Action
(b) Failure to brief passengers	Moderate to maximum civil penalty	
(c) Failure to ensure seat and belt for each passenger	Maximum civil penalty	
(d) Operation without operable public address system	Maximum civil penalty	
(e) Failure to store baggage properly	Moderate civil penalty	
13. Failure to make available a seat on the flight deck for Authority inspectors conducting an en route inspection	Maximum civil penalty	
14. Provisions specific to flight deck crew		
(a) Using an unqualified crew member	Maximum civil penalty	
(b) Using a crew member with an expired medical certificate	Minimum to moderate civil penalty	
(c) Flight and duty time violations	Moderate civil penalty	
15. Violation of flight dispatch and release	Moderate to maximum civil penalty	
16. Other provisions		
(a) Improperly returning an aircraft to service	Maximum civil penalty	
(b) Illegal carriage of controlled substance with knowledge of carrier, i.e., knowledge of management personnel		Revocation
(c) Use of unqualified personnel other than flight deck crew member	Maximum civil penalty	
17. Security violations		
(a) Failure to properly screen baggage or each passenger	Maximum civil penalty	
(b) Unauthorised access to aerodrome operations area	Maximum civil penalty	
(c) Failure to comply with air carrier security programme, including failure to detect weapons, incendiary devices, and other dangerous devices	Maximum civil penalty	

Violation	Recommended Sanction per Violation	Licence and Certificate Action
(d) Management personnel coerce, condone, or encourage falsification of records/reports		Revocation
(e) Deliberate failure to maintain employee records	Maximum civil penalty	
(f) Failure to challenge	Moderate civil penalty	
(g) Failure to test screeners or test equipment	Moderate civil penalty	
(h) Failure to properly train	Moderate civil penalty	
(i) Unintentional failure to maintain screener test records	Minimum to moderate civil penalty	
(j) Improper use of dosimeters	Minimum civil penalty	
(k) Failure to display identification	Minimum to moderate civil penalty	
(l) Failure to manage/control identification system	Maximum civil penalty	
(m) Failure to conduct background check	Minimum to moderate civil penalty	
(n) Failure to detect test objects	Maximum civil penalty	
(o) Failure to comply with approved or current security programme	Maximum civil penalty	
(p) Failure of the law enforcement officer to respond in a timely manner	Maximum civil penalty	
II. PERSONNEL OF AIR CARRIERS		
1. Maintenance, including inspections		
(a) Performing maintenance without a licence, rating, or authorisation	Maximum civil penalty	
(b) Performing maintenance that exceeds limitations		30- to 45-day suspension
(c) Failure to perform maintenance properly		30- to 120-day suspension
2. Inspection personnel		
(a) Failure to make required inspection		30- to 60-day suspension

Violation	Recommended Sanction per Violation	Licence and Certificate Action
(b) Making improper inspection		30- to 120-day suspension
(c) Improperly releasing an aircraft to service		30- to 60-day suspension
(d) Releasing aircraft for service without required equipment		30- to 60-day suspension
3. Records and reports		
(a) Failure to make entries in aircraft log		15- to 60-day suspension
(b) Failure to make entries in worksheets		15- to 30-day suspension
(c) Failure to make entries in other maintenance records		15- to 30-day suspension
(d) Failure to sign off on work or inspection performed		15- to 30-day suspension
(e) Failure to complete and sign an approval for return to service		15- to 30-day suspension
(f) Intentional falsification of records or reports		Revocation
4. Pre-flight		
(a) Failure to use pre-flight flight deck checklist		30- to 60-day suspension
(b) Failure to check aircraft logs, flight manifests, weather, etc.		30- to 90-day suspension
(c) Failure to make the required inspection		30- to 60-day suspension
(d) Failure to inspect, or improper inspection of, aircraft		15- to 30-day suspension
(e) Failure to ensure seat and belt are available for each passenger		30- to 60-day suspension
5. Taxiing		
(a) Failure to adhere to taxi clearance or instruction		30- to 60-day suspension
(b) Collision while taxiing		30- to 180-day suspension
(c) Jet blast		30- to 120-day

Violation	Recommended Sanction per Violation	Licence and Certificate Action
		suspension
(d) Taxiing with passenger standing		30- to 60-day suspension
(e) Taxiing off runway, taxiway, or ramp		30- to 90-day suspension
6. Take-off		
(a) Take-off against instruction or clearance		60- to 120-day suspension
(b) Take-off below weather minima		60- to 120-day suspension
(c) Take-off in overloaded aircraft (in excess of maximum certificated take-off mass)		60- to 120-day suspension
7. En route		
(a) Deviation from clearance or instruction		30- to 90-day suspension
(b) Operating VFR within clouds		90-day suspension to revocation
(c) Operation of unairworthy aircraft		30- to 180-day suspension
(d) Unauthorised departure from flight deck		15- to 30-day suspension
(e) Operating within restricted or prohibited area or within positive control area with clearance		30- to 90-day suspension
(f) Operating without required equipment		15- to 120-day suspension
(g) Fuel mismanagement/exhaustion		30- to 150-day suspension
(h) Operating contrary to NOTAM		30- to 90-day suspension
(i) Unauthorised manipulation of controls		30- to 90-day suspension
8. Approach to landing		
(a) Deviation from clearance or instruction in terminal area		30- to 90-day suspension

Violation	Recommended Sanction per Violation	Licence and Certificate Action
(b) Approach below weather minima		60- to 120-day suspension
(c) Exceeding speed limitation in aerodrome traffic areas		30- to 60-day suspension
9. Landing		
(a) Landing at wrong aerodrome		90- to 180-day suspension
(b) Deviation from instrument approach procedure		30- to 90-day suspension
(c) Overweight landing		30- to 90-day suspension
(d) Hard landing		15- to 60-day suspension
(e) Short or long landing		30- to 180-day suspension
(f) Wheels-up landing		15- to 90-day suspension
(g) Failure to comply with preferential runway system		15-day suspension
(h) Deviating from clearance or instruction		30- to 90-day suspension
10. Unauthorised admission to flight deck		30- to 90-day suspension
11. Failure to close and lock flight deck door	Maximum civil penalty	30-day suspension
12. Acting, or attempting to act, as flight crew member while under the influence of liquor or other psychoactive substances, or alcoholic beverage consumption within 8 hours		Emergency revocation
13. Denial of authorised entry to flight deck by authorised inspector		30- to 60-day suspension
14. Flight and duty time limitations		15- to 90-day suspension
15. Operation without required licence, certificate, or rating		
(a) Medical certificate		30- to 90-day

Violation	Recommended Sanction per Violation	Licence and Certificate Action
		suspension
(b) Lack of type rating		180-day suspension to revocation
(c) Missed proficiency check or line check		30- to 90-day suspension
(d) Lack of current experience, initial or recurrent training		30- to 90-day suspension
(e) Failure to have current medical certificate or licence or authorisation in possession	Minimum to moderate civil penalty	
(f) Operation with known disqualifying physical disability		Revocation
(g) Operation without valid medical certificate when not medically qualified or application for medical certificate deferred		Revocation
16. Failure to keep manual current	Minimum civil penalty	30- to 90-day suspension
III. INDIVIDUALS AND GENERAL AVIATION – OWNERS, PILOTS, MAINTENANCE PERSONNEL, APPROVED MAINTENANCE ORGANISATIONS, APPROVED TRAINING ORGANISATIONS, AIR NAVIGATION SERVICE PROVIDERS		
1. Owners and operators other than required crew members		
(a) Failure to comply with Airworthiness Directives	Moderate to maximum civil penalty	
(b) Failure to perform, or improper performance of, maintenance, including required maintenance	Moderate to maximum civil penalty	
(c) Failure to make proper entries in aircraft logs	Minimum to moderate civil penalty	
(d) Operation of aircraft beyond annual, 100-hour, or progressive inspection	Minimum to moderate civil penalty	
(e) Operation of unairworthy aircraft	Moderate to maximum civil penalty	
(f) Intentional falsification of any	Maximum civil penalty	Revocation

Violation	Recommended Sanction per Violation	Licence and Certificate Action
entry, reproduction, or alteration in any record or report		
2. Aviation maintenance organisations		
(a) Failure to provide adequately for proper servicing, maintenance, repairs, and inspection	Moderate to maximum civil penalty	Indefinite suspension until compliance to revocation
(b) Failure to provide adequate personnel who can perform, supervise, and inspect work for which the maintenance organisation is rated	Maximum civil penalty	7-day suspension and thereafter until adequate personnel are provided Indefinite suspension until compliance to revocation
(c) Failure to have enough qualified personnel to keep up with the volume of work	Maximum civil penalty	Up to 7-day suspension and thereafter until certificate holder has enough qualified personnel
(d) Failure to maintain records of supervisory and inspection personnel	Moderate to maximum civil penalty	
(e) Failure to maintain performance records and reports	Moderate to maximum civil penalty	
(f) Failure to ensure correct calibration of all inspection and test equipment is accomplished at prescribed intervals	Minimum to maximum civil penalty	
(g) Failure to set forth adequate description of work performed	Minimum to maximum civil penalty	
(h) Failure of mechanic to make log entries, records, or reports	Moderate to maximum civil penalty	
(i) Failure to sign or complete an approval for return to service	Minimum to moderate civil penalty	
(j) Inspection of work performed and approval for return to service by other than a qualified inspector	Maximum civil penalty to 30-day suspension	Up to 30-day suspension

Violation	Recommended Sanction per Violation	Licence and Certificate Action
(k) Failure to have an adequate inspection system that produces satisfactory quality control	Moderate civil penalty to 30-day suspension and thereafter until an adequate inspection system is attained.	Up to 30-day suspension and thereafter until an adequate inspection system is attained
(l) Maintaining or modifying an aeronautical product for which it is rated, without using required technical data, equipment, or facilities	Maximum civil penalty	Up to 30-day suspension
(m) Failure to perform or properly perform maintenance, repairs, modifications, or required inspections	Moderate to maximum civil penalty	Up to 30-day suspension
(n) Maintaining or modifying an airframe, powerplant, propeller, instrument, radio, or accessory for which it is not rated	Maximum civil penalty to revocation	Suspension or revocation
(o) Failure to report defects or unairworthy conditions to the Authority in a timely manner	Moderate to maximum civil penalty	
(p) Failure to satisfy housing and facility requirements	Moderate civil penalty	Suspension until housing and facility requirements are satisfied
(q) Change of location, housing, or facilities without advance written approval	Moderate civil penalty	Suspension until approval is given
(r) Operating as a certificated maintenance organisation without an AMO certificate	Maximum civil penalty	
(s) Failure to permit Authority to inspect	Maximum civil penalty	Indefinite suspension until Authority is permitted to inspect
3. General aviation maintenance personnel		
(a) Failure to revise aircraft data after major repairs or modifications		30- to 60-day suspension

Violation	Recommended Sanction per Violation	Licence and Certificate Action
(b) Failure to perform or improper performance of maintenance		30- to 120-day suspension
(c) Failure of mechanic to properly accomplish inspection		30- to 60-day suspension
(d) Failure of mechanic to record inspection		15- to 30-day suspension
(e) Failure of inspection authorisation holder to properly accomplish inspection		60-day suspension to revocation
(f) Failure of inspection authorisation holder to record inspection		15- to 30-day suspension
(g) Maintenance performed by person without a certificate	Moderate to maximum civil penalty	
(h) Maintenance performed by person who exceeded certificate limitations		15- to 60-day suspension
(i) Improper approval for return to service		30- to 120-day suspension
(j) Failure to make maintenance record entries		30- to 60-day suspension
(k) Failure to set forth adequate description of work performed		15- to 30-day suspension
(l) Falsification of maintenance records		Revocation
4. Student operations		
(a) Carrying passengers		Revocation
(b) Solo flight without endorsement		45- to 90-day suspension
(c) Operation on international flight		60- to 90-day suspension
(d) Use of aircraft in business		30- to 120-day suspension
(e) Operation for compensation or hire		Revocation
5. Instructors for licences, ratings, authorisations, and endorsement		
(a) False endorsement of a student licence, rating, authorisation, or record		Revocation

Violation	Recommended Sanction per Violation	Licence and Certificate Action
(b) Exceeding flight time limitations or other training time limitations		30- to 90-day suspension
(c) Instruction in aircraft and/or course for which he or she is not rated		60- to 180-day suspension
6. Operational violations		
(a) Operation without valid airworthiness or registration certificate	30- to 90-day suspension	
(b) Failure to close flight plan or file arrival notice	Administrative action to minimum civil penalty	
(c) Operation without valid pilot licence (no licence issued)	Maximum civil penalty	
(d) Operation while pilot licence is suspended		Emergency revocation
(e) Operation without pilot licence or medical certificate in personal possession	Minimum civil penalty	
(f) Operation without valid medical certificate (no medical certificate issued)		Revocation
(g) Operation for compensation or hire without CPL		90-day suspension to revocation
(h) Operation without type or class rating		60- to 120-day suspension
(i) Failure to comply with special conditions of medical certificate		90-day suspension to revocation
(j) Operation with known physical deficiency		90-day suspension to revocation
(k) Failure to obtain pre-flight information		30- to 90-day suspension
(l) Deviation from ATC instruction or clearance		30- to 90-day suspension
(m) Taxiing, take-off, or landing without a clearance where ATC tower is open		30- to 90-day suspension
(n) Failure to maintain radio communications in aerodrome		30- to 60-day suspension

Violation	Recommended Sanction per Violation	Licence and Certificate Action
traffic area		
(o) Failure to comply with aerodrome traffic pattern		30- to 60-day suspension
(p) Operation in terminal control area without or contrary to a clearance		60- to 90-day suspension
(q) Failure to maintain altitude in aerodrome traffic area		30- to 60-day suspension
(r) Exceeding speed limitations in traffic area		30- to 60-day suspension
(s) Operation of unairworthy aircraft		30- to 180-day suspension
(t) Failure to comply with Airworthiness Directives		30- to 180-day suspension
(u) Operation without required instruments and/or equipment		30- to 90-day suspension
(v) Exceeding operating limitations		30- to 90-day suspension
(w) Operation within prohibited or restricted area, or within positive control area		30- to 90-day suspension
(x) Failure to adhere to right-of-way rules		30- to 90-day suspension
(y) Failure to comply with VFR cruising altitudes		30- to 90-day suspension
(z) Failure to maintain required minimum altitudes over structures, persons, or vehicles over:		
i. Congested area		60- to 180-day suspension
ii. Sparsely populated area		30- to 120-day suspension
(aa) Failure to maintain radio watch while under IFR		30- to 60-day suspension
(bb) Failure to report compulsory reporting points under IFR		30- to 60-day suspension
(cc) Failure to display position lights		30- to 60-day suspension

Violation	Recommended Sanction per Violation	Licence and Certificate Action
(dd) Failure to maintain proper altimeter settings		30- to 60-day suspension
(ee) Weather operations:		
i. Failure to comply with visibility minima in controlled airspace		60- to 180-day suspension
ii. Failure to comply with visibility minima outside controlled airspace		30- to 120-day suspension
iii. Failure to comply with distance from clouds requirements in controlled airspace		60- to 180-day suspension
iv. Failure to comply with distance from clouds requirements outside controlled airspace		30- to 120-day suspension
(ff) Failure to comply with IFR landing minima		45- to 180-day suspension
(gg) Failure to comply with instrument approach procedures		45- to 180-day suspension
(hh) Careless or reckless operations:		
i. Fuel mismanagement/exhaustion		30- to 150-day suspension
ii. Wheels-up landing		30- to 60-day suspension
iii. Short or long landing		30- to 90-day suspension
iv. Landing on or taking off from closed runway		30- to 60-day suspension
v. Landing on or taking off from ramps or other improper areas		30- to 120-day suspension
vi. Taxiing collision		30- to 90-day suspension
vii. Leaving aircraft unattended with motor running		30- to 90-day suspension
viii. Propping aircraft without a qualified person at controls		30- to 90-day suspension
ix. Unauthorised dropping of object from aircraft		30- to 60-day suspension

Violation	Recommended Sanction per Violation	Licence and Certificate Action
x. Unauthorised towing		30- to 60-day suspension
xi. Acrobatic flight on airway, over congested area, below minimum altitude, etc.		90- to 180-day suspension
xii. Taking off with insufficient fuel		30- to 150-day suspension
xiii. Operating so as to cause a collision hazard		60- to 180-day suspension
xiv. Taxiing aircraft off runway, taxiway, or ramp		30- to 90-day suspension
(ii) Passenger operations		
i. Operation without approved seat or berth and approved safety belt for each person on board the aircraft required to have them during take-off, en route flight, and landing		30- to 60-day suspension
ii. Carrying passengers who are under the influence of drugs or alcohol		60- to 120-day suspension
iii. Performing acrobatics when all passengers are not equipped with approved parachutes		60- to 90-day suspension
iv. Use of unapproved parachute		30- to 60-day suspension
v. Permitting unauthorised parachute jumping		30- to 90-day suspension
vi. Carrying passenger(s) without required recent flight experience		30- to 120-day suspension
7. ID plate violations		
(a) Improper removal, changing, or placing of identification information on a product		
i. Inadvertent	Minimum civil penalty	
ii. Intentionally misrepresenting	Maximum civil penalty	Revocation

Violation	Recommended Sanction per Violation	Licence and Certificate Action
identity of product		
(b) Improper removal or installation of identification plate		
i. Inadvertent	Minimum civil penalty	
ii. Intentionally misrepresenting identity of product	Maximum civil penalty	Revocation
8. Approved Training Organisations		
(a) Knowingly permitting school aircraft to be used for unlawful carriage of controlled substances or other illegal activities		Revocation
(b) Refusal to permit inspection of facilities, equipment, personnel, records, or certificate by the Authority	Maximum civil penalty	Indefinite suspension until Authority is permitted to inspect, up to revocation
(c) False advertising	Maximum civil penalty	
(d) Improper crediting to or graduation of student		
i. Inadvertent	Moderate to maximum civil penalty	
ii. Intentional		Revocation
(e) Refusal to permit Authority test, check, or examination of student	Maximum civil penalty	Indefinite suspension until Authority is permitted to test, check, or examine, up to revocation
(f) Unqualified or unauthorised instruction	Moderate to maximum civil penalty	
(g) Failure to establish or maintain training record	Moderate to maximum civil penalty	
(h) Failure to carry checklist or operator's handbook	Minimum civil penalty	
9. Air Traffic Controller		
(a) Air traffic controller commit violation		Up to 90 days

Violation	Recommended Sanction per Violation	Licence and Certificate Action
affects the safety and regularity of Air traffic services		suspension of an Air Traffic controller license
(b) Air traffic controller does not satisfy the renewal requirement of the license		Up to 90 days suspension of an Air Traffic controller license
(c) Air Traffic controller commit a massive violation or deliberate work negligence		Not less than one year revocation of an Air Traffic Controller License or Rating
(d) Operation without valid medical certificate		Up to 30 days License Suspension
(e) ATC officer occupies position's ratings is not convenient with his/her license		Up to 30 days License Suspension
IV. SECURITY AND SAFETY VIOLATIONS BY INDIVIDUALS		
1. Checked baggage		
(a) Failure to declare unloaded firearm	Minimum civil penalty	
(b) Loaded firearm	Moderate to maximum civil penalty	
(c) Incendiary/explosive	Up to maximum civil penalty and/or criminal referral	
2. Non-passengers: No intent to board		
(a) Possession of firearm (unloaded, unloaded with ammunition accessible, or loaded) or other dangerous or deadly weapon (including stun guns):		
i. At screening point with no aggravating circumstances	Minimum civil penalty	
ii. At screening point with aggravating circumstances	Moderate to maximum civil penalty	
iii. In sterile area with no aggravating circumstances	Minimum to moderate civil penalty	

Violation	Recommended Sanction per Violation	Licence and Certificate Action
iv. In sterile area with aggravating circumstances	Moderate to maximum civil penalty	
(b) Possession of incendiary/explosive at screening point or in sterile area with no intent to board a flight	Moderate to maximum civil penalty and/or criminal referral	
(c) Artful concealment of firearm (loaded or unloaded), other dangerous or deadly weapon (including stun guns), or incendiary/explosive at screening point or in sterile area	Maximum civil penalty and/or criminal referral	
3. Passengers: Intent to board		
(a) Possession of dangerous or deadly weapon (including stun guns, mace, etc., but excluding firearms and incendiary/explosives) that would be accessible in flight in air transportation:		
i. At screening point with no aggravating circumstances	Minimum civil penalty	
ii. At screening point with aggravating circumstances	Moderate to maximum civil penalty	
iii. In sterile area or aboard aircraft with no aggravating circumstances	Minimum to moderate civil penalty	
iv. In sterile area or aboard aircraft with aggravating circumstances	Moderate to maximum civil penalty	
(b) Possession of firearm that would be accessible in flight in air transportation with firearm unloaded, without accessible ammunition:		
i. At screening point with no aggravating circumstances	Minimum to moderate civil penalty	
ii. At screening point with aggravating circumstances	Maximum civil penalty	
iii. In sterile area or aboard aircraft with no aggravating	Moderate civil penalty	

Violation	Recommended Sanction per Violation	Licence and Certificate Action
circumstances		
iv. In sterile area or aboard aircraft with aggravating circumstances	Maximum civil penalty	
(c) Possession of firearm that would be accessible in flight in air transportation with firearm loaded, or with accessible ammunition:		
i. At screening point with no aggravating circumstances	Moderate to maximum civil penalty	
ii. At screening point with aggravating circumstances	Maximum civil penalty	
iii. In sterile area or aboard aircraft with no aggravating circumstances	Moderate to maximum civil penalty	
iv. In sterile area or aboard aircraft with aggravating circumstances	Maximum civil penalty	
(d) Artful concealment of dangerous or deadly weapon (including stun guns, but excluding firearms and incendiary/explosives) at screening point, in sterile area, or aboard aircraft	Maximum civil penalty and/or criminal referral	
(e) Possession of incendiary/explosive at screening point, in sterile area, or aboard aircraft that would be accessible in flight in air transportation	Maximum civil penalty and/or criminal referral	
(f) Artful concealment of firearm or incendiary/explosive at screening point, in sterile area, or aboard aircraft	Maximum civil penalty and/or criminal referral	
4. Other acts		
(a) Entering sterile area after failing to submit to screening – non-aggravated	Minimum civil penalty	
(b) Entering sterile area after failing to submit to screening – aggravated	Moderate to maximum civil penalty	
(c) Imparting or conveying false	Maximum civil penalty	

Violation	Recommended Sanction per Violation	Licence and Certificate Action
information concerning an attempt to do an act that would be a crime prohibited by The Civil Aviation Act, 2019		
(d) Threatening overt act or other intent to use or dangerously display firearm, incendiary/explosive, or other deadly or dangerous weapon (including stun gun)	Maximum civil penalty and/or criminal referral	
(e) Violation of The Civil Aviation Act, 2019	Criminal referral	
5. Unruly passengers		
(a) Interference with crew member	Maximum civil penalty	
(b) Physical assault or threat to physically assault a flight or cabin crew member	\$1,100–8,000 USD	
(c) Physical assault or threat to physically assault an individual other than a crew member	\$500–5,000 USD	
(d) Acting in a manner that poses imminent threat to safety of aircraft or other individuals on aircraft	\$5,000–27,500 USD	
(e) Smoking while “No Smoking” sign is lighted	Maximum civil penalty	
(f) Smoking in aircraft lavatory	Maximum civil penalty	
(g) Tampering with smoke detector	\$1,800–2,200 USD	
(h) Failure to fasten seat belt while seat belt sign is lighted	Minimum to moderate civil penalty	
(i) Failure to occupy an approved seat or berth with a safety belt and, if installed, shoulder harness properly secured during movement on the surface, take-off, or landing	Minimum to moderate civil penalty	
(j) Operating a portable electronic device	Maximum civil penalty	
(k) Drinking alcoholic beverages not served by operator	Maximum civil penalty	
6. Special emphasis enforcement –		

Violation	Recommended Sanction per Violation	Licence and Certificate Action
individuals aiming laser beam at aircraft		
(a) Single, first-time, inadvertent, or non-deliberate violation by individual	Moderate civil penalty (\$2,200–4,399 USD); higher if individual holds airman certificate and should appreciate potential for danger associated with act	
(b) Deliberate violation by an individual not holding an airman certificate	Civil penalty of up to the statutory maximum (\$11,000 USD per violation)	
(c) Deliberate violation by an airman certificate holder, regardless of whether airman was exercising the privileges of his or her certificate at the time of the violation	Maximum civil penalty	Revocation (in addition to civil penalty)
7. Falsification		
(a) Intentionally false or fraudulent entry on, reproduction of, or alteration of an application, a licence, a certificate, a rating, or an approval		Revocation of authorised certificates
8. Miscellaneous		
(a) Carriage of illegal substances on aircraft		Revocation
(b) Conducting operation without required operating certificate		60- to 120-day suspension
(c) Misuse of an aerodrome-approved identification medium	Minimum to moderate civil penalty	
(d) Making an incorrect statement on an application for a personnel licence or medical certificate		Indefinite suspension (pending correction of application and determination of qualification) or revocation of personnel licence or

Violation	Recommended Sanction per Violation	Licence and Certificate Action
		medical certificate
(e) Refusal to produce personnel licence and/or associated medical certificate		30-day suspension, and until produced to revocation
V. AIRCRAFT OWNER/OPERATOR REGISTRATION VIOLATIONS		
(a) Operation of an unregistered aircraft		30- to 90-day suspension of pilot licence
(b) Operation of an aircraft without an effective and valid certificate of aircraft registration on board	Minimum to maximum civil penalty only if operator is different from pilot	30- to 90-day suspension of pilot certificate
(c) Failure to return an ineffective or invalid certificate of aircraft registration		Revocation of certificate of aircraft registration
(d) Use of registered aircraft to carry out or facilitate unlawful activities		Mandatory revocation of certificate of aircraft registration and of all other certificates of aircraft registration issued to its owner and revocation of all personnel licences and the medical certificate

Violation	Recommended Sanction per Violation	Licence and Certificate Action
VI. ALL INDIVIDUALS AND ENTITIES		
(a) Failure to surrender suspended or revoked licence, authorisation, or other approval, or medical certificate	Individual: Moderate civil penalty per day, with the total civil penalty generally \$5,000–11,000 USD Entity: Moderate civil penalty per day	