

Statutory Instrument 75 of 2023.

[CAP. 13:16

Civil Aviation (General Procedures and Enforcement)
(Amendment) Regulations, 2023 (No. 1)

IT is hereby notified that the Minister of Transport and Infrastructural Development has, in terms of section 79 of the Civil Aviation Act [*Chapter 13:16*], made the following regulations:—

Title

1. These regulations may be cited as the Civil Aviation (General Procedures and Enforcement) (Amendment) Regulations, 2023 (No. 1).

2. The Civil Aviation (General Procedures and Enforcement) Regulations, 2018, published in Statutory Instrument 253 of 2018 (“hereinafter called the principal regulations”) are amended by the repeal of sections 3, 4, 5, 6, 7 and 8.

3. The principal regulations are amended by the insertion of new sections after section 23 as follows—

“Offences

23A. A person commits an offence if that person—

- (a) hinders or obstructs an authorised officer, inspector or authorised person in the exercise of his or her powers or the performance of his or her duties;
- (b) when called upon by an authorised officer, inspector or authorised person to do so, refuses or fails to provide requested documents or information;
- (c) obstructs or impedes any other person acting in the exercise or performance of any privileges, powers or duties conferred on such other person by or in terms of the Civil Aviation regulations;
- (d) makes or causes to be made, either orally or in writing—
 - (i) any fraudulent, misleading or false statement for the purpose of obtaining any licence, rating, certificate, permit, approval, authorisation, exemption or other document in terms of the Civil Aviation regulations;

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- (ii) any fraudulent, misleading, or false entry in any logbook, record or report which is required to be kept, maintained, made, or used to show compliance with any provision of the Civil Aviation regulations;
- (e) falsifies, counterfeits, alters, defaces or mutilates, or adds anything to, any licence, rating, certificate, permit, approval, authorisation, exemption or other document issued in terms of the Civil Aviation regulations;
- (f) does or causes, or permits to be done or caused, any act contrary to, or fails to comply with, any provision of the Civil Aviation regulations, or a direction given or a prohibition made or a condition imposed or a rule, order or directive made in terms thereof;
- (g) exercises a privilege granted by, or uses, any licence, rating, certificate, permit, approval, authorisation, exemption or other document issued under the Civil Aviation regulations, of which he, she or it is not the holder;
- (h) unless otherwise authorised in the Civil Aviation regulations, permits a licence, rating, certificate, permit, approval, authorisation, exemption or other document issued under the Civil Aviation regulations, of which he, she or it is the holder, to be used, or a privilege granted thereby, to be exercised, by any other person;
- (i) operates or attempts to operate any aircraft in respect of which no valid certificate of registration and valid certificate of airworthiness have been issued;
- (j) commits any act, whether by interference with any flight crew member, ATS personnel member or AME, by tampering with any aircraft, or any part thereof, or by disorderly conduct or otherwise, which is likely to endanger the safety of any aircraft or its occupants;

- (k) without the permission of an aerodrome or heliport operator, enters any place within the boundaries of a licensed aerodrome or heliport which has been closed to the public;
- (l) gives false information pertaining to the investigation of any aviation accident or incident; and
- (m) contravenes any provision of the Civil Aviation regulations.

Presumptions against continuing offences, multiple offences and multiple administrative penalties

23B. In determining the commission of an offence and the appropriate administrative penalty to be imposed, it shall be presumed that each non-compliance committed relying on the same or similar facts, or intent, constitutes a single offence such that only a single administrative penalty amount as specified in the First Schedule shall be imposed for such offence committed.

Evidence

23C. In criminal proceedings under these regulations —

- (a) a written statement certified and signed by the Director General that a licence, rating, certificate, permit, approval, authorisation or exemption, as the case may be, has not been granted or issued to a specific person shall, upon the mere production thereof, be accepted as *prima facie* proof of the facts mentioned therein;
- (b) a document certified by the Director General to be a copy of a licence, certificate, permit, approval, authorisation or exemption and signed by the Director shall, upon the mere production thereof, be accepted as *prima facie* proof of the fact that the person whose name appears as the holder of the licence, certificate, permit, approval, authorisation or exemption, as the case may be, on that copy, was the holder of the licence, certificate, permit, approval, authorisation or exemption at the time when the offence was committed;

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- (c) a document certified to be an extract, by the Director General or a copy signed by the Director General, of any register maintained in terms of the Civil Aviation regulations shall, upon the mere production thereof, be accepted as *prima facie* proof of the facts mentioned therein; and
- (d) evidence supplied by an enforcement officer and generated from a computer system or by means of information and communication technology or electronic communication systems, specialised equipment, such as weighing scales, video recorders, small hand-held recording devices, navigation and communication transceivers and secondary equipment, shall be proved in terms of the Criminal Procedure and Evidence Act [*Chapter 9.07*].

Enforcement process

23D. The Authority may take administrative action which may result in the imposition of an administrative penalty, where it is established, on a balance of probabilities, that the conduct of a person or entity constitutes an offence and that such conduct was grossly negligent or wilful.

Notice of investigation

23E. (1) Where the Authority has reasonable suspicion that an offence has been committed, the Authority shall issue a notice of intended investigation to an alleged offender on the appropriate form which shall—

- (a) specify the nature of the alleged offence committed;
- (b) include evidence being relied upon pertaining to the alleged offence;
- (c) invite the alleged offender to make representations either orally or in writing on the allegations within 30 days of the issue or service of the notice.

(2) Following an investigation, the Authority shall inform the alleged offender of the outcome of such investigation, either by

issuing a notice of no further action or by issuing the offender with a notice of appropriate penalty as specified in the First Schedule.

Penalty notice

23F. (1) The Authority shall issue a penalty notice on the appropriate form if the Authority is satisfied, following an investigation, that the alleged offender has committed an offence.

(2) A penalty notice shall—

- (a) specify the nature of the alleged offence committed;
- (b) include evidence being relied upon pertaining to the alleged offence;
- (c) specify the administrative penalty or civil penalty payable for the offence.

Service of documents and records

23G. (1) Any notice served to an individual in terms of these regulations shall be served—

- (a) by giving it to an individual personally;
- (b) by leaving it at, or by sending it by registered mail to the address of the place of residence or business of the individual last known to the Authority;
- (c) by giving it, at the place of residence or business of the individual last known to the Authority, to an individual who is, or is reasonably believed to be, above the age of 16 years and apparently an occupant of, or employed at the place; or
- (d) by sending it to the last known email address of the individual.

(2) Any notice served to an entity in terms of these regulations shall be served—

- (a) by sending it by registered mail to the head office, registered office, principal place of business or other postal address of the entity;

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- (b) by giving it to an individual who is, or is reasonably believed to be, an officer of, or in the service of the entity and above the age of 18 years, at the head office, registered office, principal office or other place of business of the entity; or
 - (c) by sending it to the last known email address of the entity or a representative of the entity.
- (3) The Authority shall ensure that—
- (a) proper records of all enforcement actions taken in terms of these regulations are kept in the premises of the Authority; and
 - (b) copies of all notices issued, reports written and decisions taken in respect of any alleged offence and any investigation undertaken in terms of these regulations are filed.

Protection of information

23H. No information obtained under the voluntary reporting system shall be used against the person reporting such information in any enforcement action taken in terms of these regulations unless the Authority establishes that the violation was wilful.

Penalties

23I. The Authority may impose an administrative or civil penalty on an offender following an investigation.

Administrative penalty

23J. (1) The Authority may impose any of the following administrative penalties on an offender—

- (a) issue a letter of warning;
- (b) verbal counselling;
- (c) downgrading a certificate, licence, approval, authorisation, rating;
- (d) order corrective action;

- (e) suspension of certificate, licence, approval, authorisation;
- (f) cancellation of certificate, licence, approval, authorisation.

Civil penalty

23K. (1) A civil penalty imposed by the Authority in terms of these regulations shall be commensurate with the severity of the offence and shall not exceed the amounts prescribed in the First Schedule.

(2) A civil penalty shall be a debt due to the Authority and Authority may recover it from the offender by proceedings in a court of competent jurisdiction.”.

4. The principal regulations are amended by the repeal of the First Schedule and the substitution of the following—

“FIRST SCHEDULE (*Sections 23E*)

LEGAL ENFORCEMENT ACTIONS GUIDELINES (CIVIL PENALTIES)

1. These sample sanction guidance tables provide an approach to assessment of sanctions for violations of relevant the Civil Aviation regulations.

2. These tables describe civil penalties as minimum, moderate, or maximum for a single violation of particular regulations. These terms are defined as in the following tables.

Table 1. Range of Civil Penalties

Party committing violation	Amount of Civil Penalty
Air Operators, Dangerous goods Agents and Carriers	Maximum: USD100 000 Moderate: USD50 000 Minimum: USD25 000
Airport Operators, ANS, AGA	Maximum: USD100 000 Moderate: USD50 000 Minimum: USD25 500
Air Operator Personnel and other licenced personnel	Maximum: USD10 000 Moderate: USD5 000 Minimum: USD2 000

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General Aviation Owners, Operators, Mechanics, and non-licenced persons	Maximum: USD5 000 Moderate: USD2 500 Minimum: USD1000
Approved Maintenance Organisations	Maximum: USD6 000 Moderate: USD4 000 Minimum: USD2 500
Approved Training Organisations	Maximum: USD5 000 Moderate: USD2 500 Minimum: USD1 000
Other entities eg Fuel farms, Fuel dispenser, Ground Handlers, Drone Operators, etc	Maximum: USD10 000 Moderate: USD5 000 Minimum: USD2 000

TABLE 2. APPLICABLE SANCTIONS

Violation	Minimum Sanction per Violation
AIR OPERATORS AND AIRPORT OPERATORS	
1. Maintenance Manual	
(a) Failure to maintain current manual	Suspend until manuals are current to 7 day suspension and thereafter until manuals are made current
(b) Failure to provide adequate instructions & procedures in manual	Moderate
(c) Failure to distribute manual to appropriate personnel	Moderate civil penalty
(d) Release of aircraft without required equipment	Maximum civil penalty to 7-day suspension
2. Failure to comply with Airworthiness Directives	Maximum civil penalty
3. Operations Specifications	
(a) Failure to comply with inspection and overhaul time limitations	Maximum civil penalty and 7-day suspension
(b) Operations contrary to operations specifications	Maximum civil penalty
4. Failure to provide adequately for proper servicing, maintenance, repair, and inspection of facilities and equipment	Maximum civil penalty and suspension until proper servicing maintenance repair, and inspection of facilities and equipment is provided.

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Violation	Minimum Sanction per Violation
5. Failure to provide or maintain a maintenance & inspection organization	Maximum civil penalty and suspension until appropriate maintenance and inspection organization is provided.
6. Training Program	
Failure to have or maintain an effective training program	Maximum civil penalty and suspension until compliance is demonstrated
7. Failure to insure that maintenance release document is completed and signed	Maximum civil penalty
8. Performance of maintenance by unauthorized persons	Maximum civil penalty
9. Failure to perform or improper performance of maintenance	Maximum civil penalty
10. Failure to revise aircraft data after repair	Moderate penalty
11. Records and Reports	
(a) Failure to make accurate mechanical interruption summary report	Moderate civil penalty
(b) Failure to make available reports of major alterations or repairs	Maximum civil penalty
(c) Failure to make accurate mechanical reliability reports	Moderate civil penalty
(d) Failure to keep maintenance records	Maximum civil penalty and 7-day suspension and thereafter until aircraft is in airworthy conditions
(e) Failure to make required entry in aircraft log	Moderate civil penalty
(f) Failure to make available pilot records	Maximum civil penalty
(g) Failure to make available load manifests	Maximum civil penalty
12. Operation of an unairworthy aircraft	
(a) Technical non-conformity to type certificate, but not likely to affect (potential or actual) on safe operation	Minimum civil penalty
(b) Non-conformity which may have an adverse effect on safety of operation	Moderate civil penalty
(c) Non-conformity which has an adverse effect (actual or potential) on safe operation	Maximum civil penalty
13. Serving alcoholic beverages to or boarding a person who appears to be intoxicated	Maximum civil penalty

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Violation	Minimum Sanction per Violation
14. Failure to make available a seat on the flight deck for Authority inspectors conducting an en route inspection	Maximum civil penalty
15. Using an unqualified crewmember	Maximum civil penalty and suspension of operations
16. Improperly returning an aircraft to service	Maximum civil penalty and suspension
17. Illegal carriage of controlled substance with knowledge of carrier, i.e., knowledge of management personnel	Revocation of the certificate
18. Security Violations	
(a) Failure to properly screen baggage or each passenger	Maximum civil penalty
(b) Unauthorised access to airport operations area	Maximum civil penalty
(c) Failure to comply with air carrier security program, including failure to detect weapons, incendiary and other dangerous devices	Maximum civil penalty
(d) Management personnel encouragement of falsification of records/reports	Revocation of certification
(e) Deliberate failure to maintain employee records	Maximum civil penalty
(f) Failure to test screeners or test equipment	Moderate civil penalty
(g) Failure to maintain screener test records	Minimum civil penalty
(h) Improper use of dosimeters	Minimum civil penalty
(i) Failure to display identification	Minimum civil penalty
(j) Failure to manage/control identification system	Maximum civil penalty
(k) Failure to conduct background check	Moderate civil penalty
(l) Failure to detect test objects	Maximum civil penalty
(m) Failure to comply with approved or current security program	Maximum civil penalty
II.PERSONNEL OF AIR CARRIERS	
1.Maintenance performed by unauthorised personnel	
(a) Without a licence	Maximum civil penalty
(b) Exceeding limitations	Suspension
2. Failure to properly perform maintenance	Suspension
3. Inspection personnel	
(a) Failure to make required inspection	Suspension
(b) Making improper inspection	Suspension

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Violation	Minimum Sanction per Violation
(c) Improperly releasing an aircraft to service	Suspension
4. Records and reports	
(a) Failure to make entries in aircraft log	Suspension
(b) Failure to make entries in worksheets	Suspension
(c) Failure to sign off work or inspection performed	Suspension
(d) Failure to complete and sign maintenance release document	Suspension
(e) Falsification of records or reports	Revocation
5. Releasing aircraft for service without required equipment	Suspension
6. Pre-flight	
(a) Failure to use pre-flight cockpit checklist	Suspension
(b) Failure to check aircraft logs, flight manifests, weather, etc.	Suspension
7. Taxiing	
(a) Failure to adhere to taxi clearance or instruction	Suspension
(b) Collision while taxiing	Suspension
(c) Jet blast	Suspension
(d) Taxiing with passenger standing	Suspension
8. Takeoff	
(a) Takeoff against instruction or clearance	Suspension
(b) Takeoff below weather minima	Suspension
(c) Takeoff in overloaded aircraft	Suspension
9. Enroute	
(a) Deviation from clearance or instruction	Suspension
(b) Operating VFR within clouds	Suspension
(c) Operation of unairworthy aircraft	Suspension
(d) Unauthorized departure from flight desk	Suspension
(e) Operating within restricted or prohibited area, or within positive control area with clearance	Suspension
(f) Operating without required equipment	Suspension
(g) Fuel mismanagement/exhaustion	Suspension
10. Approach to landing	
(a) Deviation from clearance or instruction in terminal area	Suspension
(b) Approach below weather minimums	Suspension
(c) Exceeding speed limitation in airport traffic areas	Suspension

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Violation	Minimum Sanction per Violation
11. Landing	
(a) Landing at wrong airport	Suspension
(b) Deviation from instrument approach procedure	Suspension
(c) Overweight landing	Suspension
(d) Hard landing	Suspension
(e) Short or long landing	Suspension
(f) Wheels up landing	Suspension
(g) Failure to comply with preferential runway system	Maximum civil penalty
12. Unauthorized admission to flight deck	Suspension
13. Failure to close and lock cockpit door	Maximum civil penalty
14. Acting as flight crewmember while under the influence of liquor or other psychoactive substances, or alcoholic beverage consumption within 8 hours	Emergency revocation
15. Denial of authorized entry to flight deck	Suspension
16. Flight and duty time limitations	Suspension
17. Operation without required licence, certificate or rating	
(a) Medical certificate	Suspension
(b) Lack of type rating	Suspension
(c) Missed proficiency check	Suspension
(d) Lack of current experience	Suspension
(e) Failure to have current certificate or licence in possession	Moderate civil penalty and 7 day suspension
18. Operation with known physical disability	Revocation
III. Individuals and General Aviation—Owners, Pilots, Maintenance Personnel, Approved Maintenance Organisations, Approved Training Organisations	
1. Owners and operators other than required crewmembers	
(a) Failure to comply with airworthiness directives	Maximum civil penalty
(b) Failure to perform or improper performance of maintenance, including required maintenance	Maximum civil penalty
(c) Failure to make proper entries in aircraft logs	Minimum civil penalties
(d) Operation of aircraft beyond annual, 100-hour, or progressive inspection	Minimum civil penalty

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Violation	Minimum Sanction per Violation
(e) Operation of unairworthy aircraft	Moderate civil penalty
(f) Falsification of any record	Revocation
2. Aviation Maintenance Organizations	
(a) Failure to provide adequately for proper servicing, maintenance repairs, and inspection	Moderate civil penalty
(b) Failure to provide adequate personnel who can perform, supervise, and inspect work for which the station is rated	Maximum civil penalty and 7-day suspension and thereafter until adequate personnel are provided
(c) Failure to have enough qualified personnel to keep up with the volume of work	Maximum civil penalty and 7-day suspension and thereafter until certificate holder has enough qualified personnel
(d) Failure to maintain records of supervisory and inspection personnel	Moderate civil penalty
(e) Failure to maintain performance records and reports	Moderate civil penalty
(f) Failure to ensure correct calibration of all inspection and test equipment is accomplished at prescribed intervals	Minimum civil penalty
(g) Failure to set forth adequate description of work performed	Minimum civil penalty
(h) Failure of mechanic to make log entries, records, or reports	Moderate civil penalty
(j) Inspection of work performed and approval for return to service by other than a qualified inspector	Maximum civil penalty and 30 day suspension
(k) Failure to have an adequate inspection system that produces satisfactory quality control	Moderate civil penalty and 30 day suspension and thereafter until an adequate inspection system is attained.
(l) Maintaining or altering an article for which it is rated, without using required technical data, equipment, or facilities	Maximum civil penalty and 30 day suspension
(m) Failure to perform or properly perform maintenance, repairs, alterations, and required inspections	Moderate civil penalty and 30 day suspension
(n) Maintaining or altering an airframe, powerplant, propeller, instrument, radio, or accessory for which it is not rated.	Revocation

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Violation	Minimum Sanction per Violation
(o) Failure to report defects or unairworthy conditions to the Authority in a timely manner.	Maximum civil penalty
(p) Failure to satisfy housing and facility requirements	Moderate civil penalty and suspension until housing and facility requirements are satisfied
(q) Change of location, housing, or facilities without advance written approval	Moderate civil penalty and suspension until approval is given
(r) Operating as a certificated repair station without a repair station certificate	Maximum civil penalty
(s) Failure to permit Authority to inspect	Maximum civil penalty and suspension until Authority is permitted to inspect.
3. General Aviation Maintenance Personnel	
(a) Failure to revise aircraft data after major repairs or alterations	Suspension
(b) Failure to perform or improper performance of maintenance	Suspension
(c) Failure of mechanic to properly accomplish inspection	Suspension
(d) Failure of mechanic to record inspection	Minimum civil penalty and 30 day suspension
(e) Failure of Inspection Authorization holder to properly accomplish inspection	Suspension of Inspection Authorization
(f) Failure of Inspection Authorization holder to record inspection	Moderate civil penalty and 30 day suspension of Inspection Authorization
(g) Maintenance performed by person without a certificate	Moderate to maximum civil penalty
(h) Maintenance performed by person who exceeded certificate limitations	Suspension
(i) Improper approval for return to service	Moderate civil penalty and 60 day suspension
(j) Failure to make maintenance record entries	Moderate civil penalty and 60 day suspension
(k) Failure to set forth adequate description of work performed	Minimum civil penalty and 30 day suspension
(l) Falsification of maintenance records	Revocation
4. Student Operations	
(a) Carrying passengers	Revocation

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Violation	Minimum Sanction per Violation
(b) Solo flight without endorsement	Suspension
(c) Operation on international flight	Suspension
(d) Use of aircraft in business	Suspension
(e) Operation for compensation or hire	Revocation
5. Flight instructors	
(a) False endorsement of student pilot certificate	Revocation
(b) Exceeding flight time limitations	Suspension
(c) Instruction in aircraft for which he/she is not rated	Suspension
6. Operational violations	
(a) Operation without valid airworthiness or registration certificate	Suspension
(b) Failure to close flight plan or file arrival notice	Minimum civil penalty
(c) Operation without valid pilot certificate (no certificate)	Maximum civil penalty
(d) Operation while pilot certificate is suspended	Emergency revocation
(e) Operation without pilot or medical certificate in personal possession	Suspension
(f) Operation without valid medical certificate	Suspension
(g) Operation for compensation or hire without commercial pilot certificate	Revocation
(h) Operation without type or class rating	Suspension
(i) Failure to comply with special conditions of medical certificate	Revocation
(j) Operation with known physical deficiency	Revocation
(k) Failure to obtain preflight information	Suspension
(l) Deviation from ATC instruction or clearance	Suspension
(m) Taxiing, takeoff, or landing without a clearance where ATC tower is in open	Suspension
(n) Failure to maintain radio communications in airport traffic area	Suspension
(o) Failure to comply with airport traffic pattern	Suspension
(p) Operation in terminal control area without or contrary to a clearance	Suspension
(q) Failure to maintain altitude in airport traffic area	Suspension
(r) Exceeding speed limitations in traffic area	Suspension
(s) Operation of unairworthy aircraft	Suspension
(t) Failure to comply with Airworthiness directives	Suspension

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Violation	Minimum Sanction per Violation
(u) Operation without required instruments and/or equipment	Suspension
(v) Exceeding operating limitations	Suspension
(w) Operation within prohibited or restricted area, or within positive control area	Suspension
(x) Failure to adhere to right of way rules	Suspension
(y) Failure to comply with VFR cruising altitudes	Suspension
(z) Failure to maintain required minimum altitudes over structures, persons, or vehicles over:	
i. Congested area	Suspension
ii. Sparsely populated area	Suspension
(aa) Failure to maintain radio watch while under IFR	Suspension
(bb) Failure to report compulsory reporting points	Suspension
(cc) Failure to display position lights	Suspension
(dd) Failure to maintain proper altimeter settings	Suspension
(ee) Weather operations:	
(i) Failure to comply with visibility minimums in controlled airspace	Suspension
(ii) Failure to comply with visibility minimums outside controlled airspace	Suspension
(iii) Failure to comply with distance from clouds requirements in controlled airspace	Suspension
(iv) Failure to comply with distance from clouds requirements outside of controlled airspace	Suspension
(ff) Failure to comply with IFR landing minimums	Suspension
(gg) Failure to comply with instrument approach procedures	Suspension
(hh) Careless or reckless operations:	
(i) Fuel mismanagement/exhaustion	Suspension
(ii) Wheels up landing	Suspension
(iii) Short or long landing	Suspension
(iv) Landing on or taking off from closed runway	Suspension
(v) Landing or taking off from ramps or other improper areas	Suspension

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Violation	Minimum Sanction per Violation
(vi) Taxiing collision	Suspension
(vii) Leaving aircraft unattended with motor running	Suspension
(viii) Propping aircraft without a qualified person at controls	Suspension
(ii) Passenger operations	
(i) Operation without approved seat belts	Suspension
(ii) Carrying passengers who are under the influence of drugs or alcohol	Suspension
(iii) Performing acrobatics when all passengers are not equipped with approved parachutes	Suspension
IV. SECURITY VIOLATIONS BY INDIVIDUALS	
1. Checked baggage	
(a) Failure to declare unloaded firearm	Minimum civil penalty
(b) Loaded firearm	Maximum civil penalty
(c) Incendiary/explosive	Maximum civil penalty
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	Maximum civil penalty
(iii) In sterile area with no aggravating circumstances	Moderate civil penalty
(iv) In sterile area with aggravating circumstance	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
(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
3. Passengers: Intent to board	

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(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	Maximum civil penalty
(iii) In sterile area or aboard aircraft with no aggravating circumstances	Moderate civil penalty
(iv) In sterile area or aboard aircraft with aggravating circumstances	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	Moderate civil penalty
(ii) At screening point with aggravating circumstances	Maximum civil penalty
(iii) In sterile area or aboard aircraft with no aggravating circumstances	Moderate civil penalty
(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	Maximum civil penalty
(ii) At screening point with aggravating circumstances	Maximum civil penalty
(iii) In sterile area or aboard aircraft with no aggravating circumstances	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 screen 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

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Violation	Minimum Sanction per Violation
(f) Artful concealment of firearm or incendiary/explosive at screening point, in sterile area, or aboard aircraft.	Maximum civil penalty/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 information concerning an attempt to do an act that would be a crime prohibited by the Civil Aviation Act	Maximum civil penalty
(d) Threatening overt act or other intent to use or dangerously display firearm, incendiary/explosive, or other deadly or dangerous weapon (including stun guns)	Maximum civil penalty
(e) Violation of the Civil Aviation Act	Criminal referral

DANGEROUS GOODS AND GROUND HANDLING

DG OFFENCES	
(a) Handling or carriage of dangerous goods without authorization	Maximum penalty
(b) Violation of DG Authorisation approval conditions	Maximum penalty
(c) Failure to decontaminate aircraft after leakage	Maximum penalty
(d) Failure to implement DG passenger and crew awareness systems	Moderate penalty
(e) Failure to train operational personnel	Maximum penalty
(f) Failure to maintain DG training records	Maximum penalty
(g) Incorrect NOTOC/ No NOTOC provided	Moderate penalty
(h) Use of unapproved DG instructor/ATO	Moderate penalty
(i) Failure to preserve DG operational records	
(j) Failure to present DG documentation to the Authority	
(k) Failure to report DG accident and incident	Maximum penalty
(l) Denial of access for DG Inspections	Moderate penalty
(m) Failure to revise manuals after regulations revisions	

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Ground Handling	
(a) Operations of GSE by untrained staff	Moderate penalty
(b) Use of unapproved GSE Instructors	Moderate penalty
(c) Use of unapproved ground Handling Agents	Moderate penalty
(d) Failure to report ground handling safety incident	Moderate penalty
PERSONNEL LICENCING	
(a) Exercising the privileges of a licence without meeting maintenance of competency and recent experience requirements	Suspension or revocation
(b) exercise the privileges of a licence and related ratings when the holder is aware of any decrease in his or her medical fitness which might render the holder unable to safely and properly exercise these privileges	Suspension or revocation
(c) Failure to notify the Authority of a known decrease in medical fitness	Suspension or revocation
(d) Making a false declaration to a designated medical examiner	Suspension or revocation
(e) Failure by a designated medical examiner (DME) to perform his/her duties in accordance with the prescribed procedures	Suspension or revocation
(f) Exercising the privileges of a licence or rating with an expired medical certificate	Suspension or revocation
(g) Failure by a licence holder to perform his/her duties in accordance with the prescribed procedures and privileges of his/her licence	Suspension or revocation
(h) Failure by a flight or practical examiner to perform his/her duties in accordance with the prescribed procedures	Suspension or revocation
(i) Making a false declaration or falsifying documents submitted to the Authority for licencing purposes	Suspension or revocation
(j) Unauthorised solo flight by student pilot	Suspension or revocation
(k) Giving instruction to a student without valid instructor rating or authorisation	Suspension or revocation
(l) acting as a commercial pilot in an aeroplane of which the maximum certificated take-off mass is over 1,545 kg without a valid Instrument rating.	Suspension or revocation
(m) Failure to display a licence or authorisation or to present it to an authorised official upon request.	Suspension or revocation
(n) Failure to surrender a revoked licence or authorisation	Minimum civil penalty
(o) Falsification of documents by medical examiner	Suspension or revocation

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(p) Failure to, within reasonable time, provide the requested medical information or history, or failure to authorise the release so requested.	Suspension or revocation
APPROVED TRAINING ORGANISATION	
(a) Failure by a training organization to perform its function according to its procedures manual	Suspension or revocation
(b) operating an aviation training organisation without a certificate and training specifications issued by the Authority.	Moderate Civil Penalty
(c) Failure to notify the Authority 30 days before any significant changes specified in the regulation affecting an ATO are made.	Minimum Civil Penalty
(d) Conducting or advertising to conduct any training, testing, or checking that is not approved by the Authority if that training is designed to satisfy any requirement of the regulations;	Moderate Civil Penalty
(e) making any statement relating to certification and training specifications that is false or designed to mislead any person contemplating enrolment in that organisation	Maximum Civil Penalty
(f) advertising that the organisation is certified unless it clearly differentiates between courses that have been approved under the regulations and those that have not been approved under these regulations	Maximum Civil Penalty
(a) Failure to: (i) remove all indications, including signs, wherever located, that the organisation was certified by the Authority; and (ii) notify all advertising agents, and advertising media employed by the organisation to cease all advertising indicating that the organisation is certified by the Authority. When ATO certificate has been surrendered, suspended, revoked, or terminated	Moderate Civil Penalty
III.A AERODROME OPERATORS/Aerodromes and ground aids	
1. Access to the aerodrome	
(a) Preventing the Authority's inspector access to the aerodrome facilities	Maximum civil penalty
(b) Preventing the Authority's inspector to access aerodrome equipment, records and personnel	Maximum civil penalty

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2. Aerodrome establishment certificate	
(a) Establishing an aerodrome without an aerodrome establishment certificate	Maximum civil penalty
(b) Deviation from approved aerodrome design	Maximum civil penalty
(c) Proceeding with aerodrome construction without approval from the Authority	Maximum civil penalty
(d) Failure to conduct aerodrome tests as directed by the Authority	Moderate civil penalty
(e) Using a contractor not approved by the Authority	Maximum civil penalty
(f) Failure to comply with aerodrome establishment renewal and amendment regulatory requirements	Moderate civil penalty
3. Aerodrome certificate	
(a) Operating without an aerodrome certificate	Maximum civil penalty
(b) Failure to apply for certificate renewal at least 30 days before the certificate expiry date	Maximum civil penalty
(c) Failure to comply with aerodrome certificate amendment, surrender and transfer requirements	Minimum civil penalty
4. Aerodrome license	
(a) Operating without an aerodrome license	Maximum civil penalty
(b) Failure to apply for license renewal at least 30 days before the certificate expiry date	Maximum civil penalty
(c) Failure to comply with aerodrome license amendment, surrender and transfer requirements	Moderate civil penalty
5. Competency of aerodrome personnel	
(a) Use of unqualified/untrained personnel	Maximum penalty
(b) Provision of inadequate personnel	Moderate penalty
6. Failure to have or maintain an effective training programme and training plan	Moderate penalty
7. Aerodrome maintenance	
(a) Failure to provide and ensure proper and efficient maintenance of aerodrome facilities	Maximum penalty
(b) Failure to provide adequately for proper servicing, maintenance repairs, and inspection	Maximum penalty
(c) Failure to provide adequate maintenance personnel who can perform, supervise, and inspect maintenance of aerodrome facilities	Maximum penalty
(d) Failure to have adequate qualified/competent personnel as per the approved methodology for determining sufficient number of aerodrome personnel	Maximum penalty
(e) Failure to maintain aerodrome maintenance records and reports.	Maximum penalty

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(f) Failure to ensure correct calibration of all aerodrome maintenance test equipment is accomplished at prescribed intervals	Maximum penalty
(g) Failure to set forth adequate description of work performed	Maximum penalty
(h) Failure to make maintenance log entries, records, or reports	Maximum penalty
(i) Maintaining or altering an aerodrome facility of equipment without adhering to the aerodrome maintenance manual	Maximum penalty
(j) Failure to perform or properly perform aerodrome maintenance, repairs, alterations, and required inspections.	Maximum penalty
(k) Maintaining aviation facilities for which one is not qualified to carry-out the maintenance works	Maximum penalty
(8) Storage of fuel, pyrotechnic stores and other highly inflammable goods or other dangerous goods at an aerodrome without permission of the Authority	Maximum penalty
(9) Safety violations at aerodromes	
(a) Smoking within any place or bring an open flame into any place, where that act is prohibited by a displayed notice	Minimum penalty
(b) Willfully give a false fire alarm	Maximum penalty
(c) Tamper or interfere with any fire hose reel, hydrant or any other item of equipment provided for fire fighting purposes	Minimum penalty
(d) Store or stack any material or equipment in a manner which constitutes or is likely to constitute a fire hazard	Minimum penalty
(e) Access a restricted area of an aerodrome without authorization by an operator	Maximum penalty
(f) Move an aircraft or a vehicle in the restricted area without permission of the operator	Maximum penalty
(g) Move an aircraft or vehicle in the restricted area in a manner that endangers the safety of persons and property	Moderate penalty
(h) Enter or exit a restricted area of an aerodrome through points not established by the operator for that purpose.	Maximum penalty
(i) Test-run an aircraft engine at place on the aerodrome not designated, by an operator, for that purpose	Minimum penalty
(j) Obstruct or interfere with the proper use of an aerodrome	Maximum penalty
(k) Remove or deface any notice, writing, document or marking erected or displayed at an aerodrome	Moderate penalty

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(l) Throw, leave or drop anything capable of causing injury to any person or damage to any property	Moderate penalty
(m) Dump or spill any substance capable of causing water pollution	Moderate penalty
(n) Climb any wall, fence, barrier, ceiling, gate or post on an aerodrome	Maximum penalty
(o) Bring a vehicle into or drive into an aerodrome without permission from the operator	Maximum penalty
(p) Failure to remove from an aerodrome any vehicle or any obstacle that is likely to be hazardous to aircraft operations	Maximum penalty
(q) Construction of any facilities on an aerodrome, which may adversely affect the operation of any electronic, visual navigation or air navigation service facility on the aerodrome	Maximum penalty
(r) Bring, permit, graze or feed animals in any area of an aerodrome or cause wildlife to graze in a restricted area of an aerodrome	Maximum penalty
(s) Erection or growth of an obstacle within or outside the safeguard area of an aerodrome without the approval of the Authority.	Maximum penalty
(t) Failure to mark or illuminate an obstacle approved by the Authority within or outside the safeguard area of an aerodrome.	Moderate penalty
(u) Sell, offer for hire or distribute any goods or offer any service for reward at an aerodrome without approval by the aerodrome operator	Moderate penalty
(v) Disregard any direction in a notice to the public posted around or on the aerodrome	Maximum penalty
(w) Exhibit any notice or advertisement at an aerodrome unless on premises which the person exhibiting is authorized to occupy.	Moderate penalty
(x) Temper or interfere with an aircraft without authority of the pilot in charge	Maximum penalty
(y) Obstruct, alter, remove, destroy or interfere with any air navigation lights without approval by the Authority	Maximum penalty
(z) Display a light or use any reflective material which endangers the safety of aircraft due to glare or prevents the clear reception of any light or signal displayed for air navigational purpose	Maximum penalty
(10) Notifying and reporting	

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(a) Failure to notify the Authority of any changes to the aerodrome facilities, equipment and level of service planned in advance.	Maximum penalty
(b) Failure to notify the Authority of obstacles and wild-life hazards, levels of service, movement areas, and any other condition that affects aviation safety at the aerodrome	Maximum penalty
(c) Failure to report all incidents and accidents on an aerodrome to the Authority	Maximum penalty
(d) Failure to notify aerodrome data, information and limitations to the Aeronautical Information services and Air Traffic Control	Maximum penalty
(e) Failure to notify the Authority in writing of any change in organisational structure	Maximum penalty
(f) Failure to notify the aerodrome users of any operational information or any change in operational status of each facility, equipment and level of service	Maximum penalty
(11) Aerodrome manual	
(a) Use of aerodrome manual not approved/accepted by the Authority	Moderate penalty
(b) Amendment of aerodrome manual without approval of the amendments by the Authority	Moderate penalty
(c) Failure to distribute aerodrome manual as per the aerodrome manual distribution list	Minimum penalty
(d) Failure to maintain the aerodrome manual information current	Minimum penalty
(12) Bird and wildlife programmes	
(a) Failure to take practical measures to control the bird habitat and attractants at or around the aerodrome and to disperse birds which are a potential hazard to aircraft operations	Maximum penalty
(13) Aerodrome Equipment and facilities	
(14) Procuring, importing, relocating, installing, maintaining, repairing, modifying, calibrating equipment without the approval of the Authority	Maximum penalty
(15) Carrying out factory acceptance tests without the Authority's inspector	Maximum penalty
(16) Commissioning aerodrome equipment before or without the training of the Authority's inspector	Maximum penalty
(17) Military aerodromes	
(a) Operate a civil aircraft in a military aerodrome without the written consent of the Military Authority	Maximum penalty

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(18) Aerodrome insurance policy	
(a) Operate an aerodrome to be operated without a policy of insurance in force in relation to the aerodrome	Maximum penalty
(19) Aerodrome licenses, certificates and records	
(a) Mutilate, alter, render illegible or destroy a licence, certificate or any entry made in any record	Maximum penalty
(b) Willfully omit to make a material entry in a licence, certificate or record	Maximum penalty
(20) Aerodrome emergency exercises	
(a) Failure to conduct the aerodrome emergency exercises as per the required frequency	Maximum penalty
(21) Aviation fuel depots	
(a) Operating a fuel depot or installation without an operating certificate	Maximum penalty
(b) Permitting aviation fuel to be delivered to an aviation fuel installation or from it, to an aircraft which is unfit for use in an aircraft	Maximum penalty
(c) Failure to keep written records of aviation fuel quality checks and tests	Maximum penalty
(d) Failure to apply for depot operating certificate at least 30 days before certificate expiry date.	Minimum penalty
III.B air navigation service providers (ATM, AIM, CNS, MET, SAR)	
Certification	
(a) Operating without a certificate	Maximum civil penalty
(b) Failure to apply for certificate renewal in writing within 30 days before the certificate expires	Minimum civil penalty
(c) Failure to notify the Authority in writing within 14 days of any material change in the application or renewal of certificate from the date when the change occurs	Minimum civil penalty
(d) Failure to notify the Authority in written notice not less than 30 days of the service provider's intention to surrender the certificate	Minimum civil penalty
Failure to notify the Authority in writing of any change in organisational structure	Minimum civil penalty
Buying, importing, relocating, installing, maintaining, repairing, modifying, calibrating equipment without the approval of the Authority	Maximum civil penalty
Carrying out factory acceptance tests without the inspector	Maximum civil penalty

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Commissioning the equipment before or without the training of the inspector	Maximum civil penalty
Failure to notify the users of relevant operational information or any change in operational status of each facility and equipment	Moderate civil penalty
Failure to employ adequate, competent and qualified personnel to ensure smooth and efficient operation of the service	Minimum civil penalty
Failure to calibrate specified equipment as required by regulations	Maximum civil penalty
Manual of Operations	
(a) Failure to maintain current manual	Maximum civil penalty
(b) Failure to provide adequate procedures in manual	Moderate civil penalty
(c) Failure to distribute manual to appropriate personnel	Minimum civil penalty

3. For any offence that is not listed in the table above, the penalty range shall be as follows–

- (a) maximum– \$10 000.00
- (b) moderate– \$ 5 000.00
- (c) minimum– \$500.00.”.

