

CAR-12

Civil Aviation Regulation

Enforcement Procedures

Effective: 30th September 2021

Approved by: H.E. Eng. Naif Ali Hamed Al Abri
(President of Civil Aviation Authority)

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Glossary of Terms or Abbreviations

The following terms or acronyms may be used in any manual or document published by the CAA. Reproduction in part or whole is allowed without prior approval. The Document Control Office reserves the rights to include such a listing in any CAA manual or document prior to publishing.

AIN	Aviation Infringement Notice
AMC	Acceptable Means of Compliance
CAA	Civil Aviation Authority
CAR	Civil Aviation Regulation
GM	Guidance Material
IATA	International Air Transport Association
ICAO	International Civil Aviation Organisation
Minister	Minister of Transport
MOR	Mandatory Occurrence Report
OTSB	Oman Transport Safety Bureau
PL	Policy Lead
VRS	Voluntary Reporting Scheme

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FOREWORD

- (a) The Civil Aviation Requirements for Civil Aviation Regulation Enforcement Procedures have been issued by the Civil Aviation Authority of Oman (hereinafter referred as CAA) under the provisions of the Civil Aviation Law of the Sultanate of Oman.
- (b) This CAR has been modelled upon similar regulations implemented by other member states and includes the subject matter endorsed within the ICAO Annexes. CAR-12 prescribes the requirements for:
 - (1) The enforcement of the requirements stipulated within the Omani CARs; and
 - (2) The applicable punitive actions that can and will be enforced by the Authority against recognised actions of non-compliance.
 - (3) Actions which constitute non-compliance with regulations (contraventions), but are not subject to enforcement action because the permission holder submits a voluntary safety report.
- (c) Amendments to the text in CAR-12 in revised editions are issued as a complete amendment of pages contained within.
- (d) The editing practices used in this document are as follows:
 - (1) 'Shall' is used to indicate a mandatory requirement and may appear in CARs.
 - (2) 'Should' is used to indicate a recommendation
 - (3) 'May' is used to indicate discretion by the Authority, or the industry as appropriate.
 - (4) 'Will' indicates a mandatory requirement and is used to advise of action incumbent on the Authority.

*****Note: The use of the male gender implies the female gender and vice versa.***

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SUBPART A - GENERAL

CAR 12.001 Applicability

CAR-12 prescribes the requirements for:

- (a) The application of enforcement penalties and fines applicable to the CARs;
- (b) The procedures to be followed in the event that the regulator learns of a contravention to the provisions of one or more of the CARs.

CAR 12.005 Terminology & Definitions

- (a) **Verbal warning.** The Director of Legal Department or a designated inspector acting on his behalf may verbally caution an individual or a designated person within an entity regarding a contravention. Such verbal warnings must accurately state the contravention, provide a legal basis for the contravention, and inform the cautioned party regarding which further enforcement actions are available to the Authority in the event of further non-compliance.
- (b) **Formal written warning.** The Director of Legal Department or a designated inspector acting on his behalf may issue a written notice to an individual or a designated person within an entity stating that the Authority believes that a contravention has occurred. Such written warnings must accurately state the contravention, provide a legal basis for the contravention, and inform the cautioned party regarding which further enforcement actions are available to the Authority in the event of further non-compliance.
- (c) **Imprisonment and Monetary fine.** Under the provisions of Articles 62 to 68 of the Civil Aviation Law (2019), imprisonment and monetary fines may be levied for non-compliance against the qualified provisions stated within those Articles. A fine shall be levied via the serving of an Aviation Infringement Notice (AIN) up to the maximum amount stated in the enforcement provision of the applicable Article. Non-payment of fines may be pursued through the appropriate court, with the cost of court action to be borne by the party receiving the AIN.
- (d) **Variation of authorisation.** The Authority may determine that the contravention warrants the restriction of the person or entity from engaging in certain types of activity previously granted in the authorisation. If the Authority chooses to issue a variation, the notice to the person or entity must specify if the variation is temporary or not, and if so, the expiry of the variation. In addition, the notice must specify the factual basis for why the variation is appropriate.
- (e) **Suspension of authorisation.** The Authority may determine that the contravention warrants the suspension of the authorisation. If the Authority chooses to issue a suspension, the notice to the person or entity must specify the period of time for which the suspension will be effective as well as the factual basis for why the suspension is appropriate.
- (f) **Revocation of authorisation.** The Authority may determine that the contravention warrants the revocation of the authorisation. If the Authority chooses to issue a revocation, the notice to the person or entity must specify the factual basis for why the variation is appropriate.
- (g) **Referral to Public Prosecution of Sultanate of Oman.** If the Authority determines that there is a likelihood that a criminal offence has been committed, the Authority may refer the case to

the Public Prosecution Office. If the Authority chooses to refer the case, then the normal criminal procedures for courts in the Sultanate of Oman shall apply.

SUBPART B – ENFORCEMENT PROCEDURES

CAR 12.100 Enforcement Scheme

The enforcement scheme will be applied by the Authority when it has been recognised or identified by the Authority that one or more of the provisions contained within the Civil Aviation Law or Regulations has been contravened by either an authorisation holder or a non-authorisation holder (i.e. a member of the public).

CAR 12.105 Enforcement Actions

The Authority may pursue one or more enforcement actions upon recognising or identifying a contravention. The following is a list of enforcement actions in degree of severity which the Authority may pursue in the event of a contravention:

- (a) **Verbal warning.** The Director of Legal Department or a designated inspector acting on his behalf may verbally caution an individual or a designated person within an entity regarding a contravention. Such verbal warnings must accurately state the contravention, provide a legal basis for the contravention, and inform the cautioned party regarding which further enforcement actions are available to the Authority in the event of further non-compliance.
- (b) **Formal written warning.** The Director of Legal Department or a designated inspector acting on his behalf may issue a written notice to an individual or a designated person within an entity stating that the Authority believes that a contravention has occurred. Such written warnings must accurately state the contravention, provide a legal basis for the contravention, and inform the cautioned party regarding which further enforcement actions are available to the Authority in the event of further non-compliance.
- (c) **Monetary fine.** Any fine shall be levied via the serving of an Aviation Infringement Notice (AIN) up to the maximum amount stated in the enforcement provision in each regulation in accordance with CAR-12.115. Non-payment of fines may be pursued through the appropriate court, with the cost of court action to be borne by the party receiving the AIN.
- (d) **Variation of authorisation.** The Authority may determine that the contravention warrants the restriction of the person or entity from engaging in certain types of activity previously granted in the authorisation. If the Authority chooses to issue a variation, the notice to the person or entity must specify if the variation is temporary or not, and if so, the expiry of the variation. In addition, the notice must specify the factual basis for why the variation is appropriate.
- (e) **Suspension of authorisation.** The Authority may determine that the contravention warrants the suspension of the authorisation. If the Authority chooses to issue a suspension, the notice to the person or entity must specify the period of time for which the suspension will be effective as well as the factual basis for why the suspension is appropriate.
- (f) **Revocation of authorisation.** The Authority may determine that the contravention warrants the revocation of the authorisation. If the Authority chooses to issue a revocation, the notice to the person or entity must specify the factual basis for why the variation is appropriate.
- (g) **Referral to Public Prosecution of Sultanate of Oman.** If the Authority determines that there is a likelihood that a criminal offence has been committed, the Authority may refer the case to

the Public Prosecution Office. If the Authority chooses to refer the case, then the normal criminal procedures for courts in the Sultanate of Oman shall apply.

Note: Actions (d) to (f) only apply to authorisation holders whilst actions (a) to (g) apply to both authorisation holders and non-authorisation holders (i.e. a member of the public).

CAR 12.110 Designated Person for Enforcement Actions

- (a) The designated body with accountability for the detection, pursuing and initiation of enforcement actions shall be the President (Director General of Civil Aviation).
- (b) In accordance with Articles (7) and (8) of the Civil Aviation Law (2019) the Authority shall/will nominate designated CASI's, for each area of civil aviation safety oversight with the required powers enabling them to initiate enforcement actions for contraventions reported or detected during their oversight activities.
- (c) The designated person with accountability for pursuing and recording enforcement actions shall be the Director of Legal Department.
- (d) The Director of Legal Department shall ensure that an accurate register of all contraventions is maintained by the Authority. Such register shall include contraventions where enforcement action is pursued as well as contraventions where enforcement action is not pursued.

CAR 12.115 Enforcement Provisions within Civil Aviation Regulations

- (a) Each Civil Aviation Regulation shall include an enforcement provision section. This section shall specify the enforcement actions (as specified in CAR 12.105 above) which the Authority may pursue for each particular requirement specified within that CAR.
- (b) If the section provides for a monetary fine, the range of the amount available to be pursued by the Authority will be specified.
- (c) 3

CAR 12.120 Enforcement Procedures

- (a) When a CAA Inspector is apprised of, or observes a contravention, they will complete a Detection Notice form and forward it without delay to the appropriate Supervisor for decision. Even when the matter does not normally require further action, as in an oral counselling, the Detection Notice provides the CAA with an indication of a contravention and of Inspector activity. The information will also be used to compile statistics and will provide an indication of alleged offences or transgressions.
- (b) Upon recognising or identifying that one or more of the provisions contained within the Civil Aviation Regulations has been contravened, an inspector shall coordinate with the Director of Legal Department to determine if an enforcement action should be pursued, and if so, which enforcement action should be pursued.
- (c) The Director of Legal Department may designate a member of the inspectorate to pursue enforcement actions without his direct involvement, however, the Director of Legal Department must ensure that all contraventions are recorded in the register established pursuant to CAR 12.110 (b) above.

- (d) In determining which enforcement action to pursue, the Director of Legal Department and/or the member of the inspectorate designated by him pursuant to section (b) above shall apply the following criteria:
- (1) Prior contraventions of the same nature as the contravention at issue shall constitute an aggravating factor requiring more severe enforcement action;
 - (2) Wilful, deliberate or highly reckless conduct should constitute an aggravating factor requiring more severe enforcement action;
 - (3) Prior contraventions of a different nature may constitute an aggravating factor requiring more severe action;
 - (4) A contravention which poses a direct and demonstrable threat to safety shall constitute an aggravating factor requiring more severe action;
 - (5) A contravention which results in death or bodily harm shall constitute an aggravating factor requiring more severe enforcement action;
 - (6) A contravention which was made in order to avoid a direct and demonstrable threat to safety may constitute a mitigating factor permitting less severe enforcement action;
 - (7) In accordance with the provisions of Subpart C, contraventions included in qualified reports submitted pursuant to the Voluntary Reporting Scheme shall not be subject to enforcement action against the reporting party

CAR 12.125 Right of Appeal and Appeals Procedure

- (a) Subject to the exception in paragraph (f) any person or entity may appeal an enforcement action which has been taken against them under CAR-15, Subpart B.
- (b) In order to appeal an enforcement action, the person or entity must submit a Notice of Appeal to the Specialised Court, which must be received within thirty (30) days of the date of the enforcement action.
- (c) If the enforcement action taken by the Authority is a verbal or written warning, the appeal shall be limited to determining whether or not a contravention occurred.
- (d) If the enforcement action taken by the Authority is a fine or the accrual of demerit points, then the appeal shall determine whether or not a contravention occurred, and if so, whether the action taken by the Authority is appropriate.
- (e) If the enforcement action taken by the Authority is a restriction or variation of authorisation, suspension of authorisation, or revocation of authorisation, then the appeal shall determine whether or not a contravention occurred, and if so, whether the action taken by the Authority is appropriate.

- (f) If the enforcement action is a referral for public prosecution, the criminal prosecution shall serve to determine whether criminal penalties are appropriate. If the accused is found not guilty, the accused may file an appeal with the Specialised Court to determine whether or not a contravention occurred.
- (g) If an enforcement action results in a criminal conviction, the accused may not file an appeal in accordance with subsection (e) unless the criminal conviction is vacated.
- (h) If the Specialised Court finds that no contravention occurred, then the register of contraventions established pursuant to CAR-12.110 (b) must be updated accordingly.

SUBPART C – VOLUNTARY REPORTS EXEMPT FROM ENFORCEMENT ACTION**CAR 12.200 Establishment and purposes of scheme**

- (a) There is established a scheme pursuant to regulation CAR-13.400 paragraph (c) (known as the **Voluntary Reporting Scheme**) for the voluntary reporting of contraventions and other safety incidents.
- (b) The scheme is to be administered by the Executive Director of the Oman Transport Safety Bureau.
- (c) The purposes of the scheme are:
 - (1) to enable holders of civil aviation authorisations to voluntarily report reportable contraventions without enforcement action being taken against them; and
 - (2) to strengthen the foundation of aviation human factors safety research; and
 - (3) to identify deficiencies and problems in the Oman aviation safety system; and
 - (4) to provide data for planning and improvements to the Oman aviation safety system.

CAR 12.205 Qualified reports pursuant to Voluntary Reporting Scheme

- (a) An authorised permission holder shall not be subject to enforcement action for contravention of regulations if such permission holder makes a voluntary safety report of such contravention in accordance with the scheme established pursuant to sub-regulation CAR 13.400 para (c) and referenced in section CAR 12.105 above unless the provisions of section (b) below apply to the contravention.
- (b) Reports of the following types of contraventions shall not constitute qualified reports pursuant to section (a) above:
 - i. a contravention that is deliberate;
 - ii. a contravention that is fraudulent;
 - iii. a contravention that causes or contributes to an accident or to a serious incident (whether before or after the contravention is reported); and
 - iv. a contravention of a regulation prescribed under sub-regulation CAR 13.400 para (b) (Mandatory Occurrence Reporting system – MORs).
- (c) The Executive Director will determine in accordance with the procedures outlines for the Voluntary Reporting Scheme whether a report constitutes a qualified report in accordance with section (a) above.
- (d) Notwithstanding the provisions of this section, the Authority reserves the right to take non-punitive action in the interest of safety based upon information submitted in a qualified report. Such action shall not constitute enforcement action.

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SUBPART D – ENFORCEMENT PROCEDURES

CAR 12.300 Enforcement scheme

The enforcement scheme will be applied by the Authority when it has been recognised or identified liability offences applicable to an issued civil aviation authorisation which have been knowingly or by deliberate actions contravened the compliance standards required of the authorisation issued.

This scheme will be administered using the following procedures:

- (a) A fine system applicable to the stated penalty units prescribed in the regulation against non-compliance; or
- (b) The demerit point scheme is derived from the penalty units applied against non-compliance and is cumulative for a stated period.

CAR 12.305 Offences to which demerit points scheme applies

- (a) All offences under the CARs that are specified as strict liability offences are prescribed as offences to which Chapters 12 and 13 (Articles 59 to 68) of the Civil Aviation Law (CAL 76/2019), whereby a fine up to the maximum amount stated within the applicable Article may be levied against the offending non-compliance.
- (b) The number of points that are incurred in relation to an offence to which that Division applies are as follows:
 - (1) if the maximum penalty for the offence is 10 penalty units or less — 1 demerit point;
 - (2) if the maximum penalty for the offence is more than 10 penalty units but less than 26 penalty units — 2 demerit points;
 - (3) if the maximum penalty for the offence is 26 penalty units or more — 3 demerit points.

CAR 12.310 Classes of civil aviation authorisations

For the purposes of Article 62 of the CAL 76/2019, a civil aviation authorisation mentioned in column 2 of an item in Table 12.310 belongs to the class of civil aviation authorisation mentioned in column 3 of the item.

Table 12.310 Classes of Civil Aviation Authorisations

Column 1 Item	Column 2 Particular civil aviation authorisations	Column 3 Class of civil aviation authorisation
1	a certificate issued under Article 21 of the Civil Aviation Law (2019)	Air operator certificate (AOC)
2	a certificate issued under CAR-47 and Article 20 of the Civil Aviation Law (2019)	Certificate of registration
3	a certificate issued under CAR-64 or Article 30 of the Civil Aviation Law (2019)	Certificate of approval for non-licensed personnel
4	an aircraft engineer licence issued under CAR-66 of Oman	Authorisation to perform maintenance certification and issue certificate of release to service
4A	an authority mentioned within FAR-33 (or any other recognised equivalent regulation)	Maintenance authority
5	a licence referred to in CAR FCL-1 of Oman	Flight radiotelephone licence
6	a licence referred to in Article 31 of the Civil Aviation Law (2019) & CAR FCL-1	Pilot licence
7	a flight engineer licence under CAR-FCL 4 of Oman	Flight engineer licence
8	a certificate issued under CAR-FCL 3 of Oman	Medical certificate
9	a licence or authorisation issued under CAR-FCL 1 of Oman	Air traffic control licence
10	a certificate issued under CAR-102 of Oman	Remote Pilot Authorisation (RPA) certificate
11	(a) a certificate issued under CAR-139 (b) a registration granted under CAR-139	Aerodrome certificate
12	an approval granted under CAR-139 Subpart H	ARFFS approval
12A	an approval granted under regulation CAR FCL-1	Flying training authorisation
12B	a certificate issued under regulation CAR FCL-1	Flying training authorisation
13	an approval granted under CAR-172 of Oman	ATS approval
14	an approval granted under CAR-171 of Oman	Aeronautical telecommunication and radionavigation provider approval
15	a certificate or authorisation issued under CAR-173 of Oman	Instrument flight procedure approval

CAR 12.315 Effect of subsequent suspension or cancellation in certain situations

If:

- (a) A civil aviation authorisation is cancelled (the *earlier cancellation*); and
- (b) If there had been no earlier cancellation, a subsequent suspension or cancellation under Article (62) (a) & (b) of the Civil Aviation Law 76/2019 would have had effect in relation to the authorisation; and
- (c) The earlier cancellation is later set aside by the Specialised Court;
the subsequent suspension or cancellation has effect, in relation to the civil aviation authorisation, on the day immediately following the day when the Specialised Court set aside the earlier cancellation.

CAR 12.320 Penalties incurred in the event of non-compliance

- (a) The Demerit Points Scheme (the Scheme) is a system applied to Article (62) of the Civil Aviation Law 2019 (CAL 2019) and provides a staged approach for dealing with a civil aviation authorisation holder who has multiple, less serious breaches of regulatory requirements. Under the scheme, demerit points are incurred for such breaches;
- (b) After a predetermined number of points have been accumulated within a specified period, the holder's authorisation(s) will be suspended or cancelled. As the time for this action is pre-determined by the legislation, it largely removes the scope for discretion;
- (c) Penalties can be applied against a civil aviation authorisation in a combination of manners;
 - (1) A fine is levied via the serving of an Aviation Infringement Notice (AIN) up to the maximum point value stated in the regulation for which non-compliance has been proven plus awarded demerit points are cumulative; or
 - (2) The fine is waived by the Authority but cumulative demerit points are issued as per CAR-12.300 para (2)
- (d) In the event of non-payment of the fine, the action can be taken to court where the fine incurred will equal the maximum fine applicable to the point value placed against the non-compliance issue, plus the applicable awarding of demerit points as per the point score value;
- (e) Where the holder has not been served with an AIN but an investigation by the Authority has disclosed a *prime facie* case against the holder, the matter has been referred to the Oman Courts and the holder is convicted or found guilty by that court; and
- (f) All demerit points issued are in relation to the class of authorisation to which the offence relates and they are cumulative over a three (3) year period after which time they are removed from the recorded value against the authorisation(s) held (see CAR 12.330).

CAR 12.325 Consequences of incurring demerit points

- (a) The specific number of demerit points are accumulated in relation to the same class of authorisation within a specific period of time, after which all authorisations of that class will be suspended or cancelled;

- (b) No new civil aviation authorisations within the same class may be granted to an individual, in the case of a suspension, during the period of that suspension and, in the case of a cancellation, for three (3) years.

Table 12.325 – Method of calculating penalty

Accrual Period	Number of Demerit Points	Action by the Authority	Penalty
3 Years (ending on the date of the current prescribed offence)	At least 12 points minimum	First-time Demerit Suspension Notice	12-15 points = 90 days Suspension of all authorisations of the same class 16-19 points = 120 days Suspension of all authorisations of the same class Over 19 points = 150 days Suspension of all authorisations of the same class; and No entitlement to be granted for a civil aviation authorisation of the same class from the date of the notice to the end of the last day of the suspension
3 years (ending on the date of the current prescribed offence) 3 years (ending on the date of the current prescribed offence)	At Least 6 points minimum At Least 6 points minimum	Second-time Demerit Suspension Notice Second-time Demerit Suspension Notice	6-9 points = 90 days Suspension of all authorisations of the same class 10-13 points = 120 days Suspension of all authorisations of the same class Over 14 points = 150 days Suspension of all authorisations of the same class; and No entitlement to be granted for a civil aviation authorisation of the same class from the date of the notice to the end of the last day of the suspension.
3 years (ending on the date of the current prescribed offence)	At Least 6 points minimum	Demerit Cancellation Notice	Cancellation of all civil aviation authorisations of the same class; and No entitlement to be granted for a civil aviation authorisation of the same class for 3 years from the date of the notice.

CAR 12.330 Expiry of demerit points

- (a) All demerit points, which accrued and were counted towards a suspension or cancellation are disregarded for the purposes of subsequent calculations of demerit points except where those points were incurred after the date of the notice but before the suspension or cancellation begins (the start date of the notice).
- (b) The Authority must remove all expired points from the Demerit Points Register.

CAR 12.335 Reinstatement of authorisations

A holder who have been served a Demerit Suspension Notice or Demerit Cancellation Notice, the holder can apply to the Authority to have the authorisation re-instated. In such cases an authorisation may be re-instated if, and only if, the Authority is satisfied, on the evidence provided by the holder, that the suspension or cancellation would cause severe financial hardship, because without the authorisation the holder would not be able to earn the holder's principal or only income.

When a decision to re-instate has been taken, the Authority may impose such conditions on the authorisation granted, as they consider appropriate in the circumstances. Conditions to be considered would include:

- (a) A limitation on the type of flying to be permitted;
- (b) A limitation on the hours to be flown;
- (c) A limitation on the period during which flying can be conducted;
- (d) Implementations of additional system checks; or
- (e) A change in the accountable personnel responsible for the oversight of the authorisation granted.

Before imposing any conditions, the Authority's delegate will discuss the conditions with their legal services.

CAR 12.340 First and Second-Time demerit suspension notices

From the Table 12.325 above, there are first-time and second-time suspension notices, which the Authority will be required to issue to a holder of a civil aviation authorisation based on the number of demerit points incurred in a given period in relation to that class of authorisation.

- (a) **First-Time Demerit Suspension Notice – where after-acquired authorisation:** When a person acquires an authorisation, after incurring demerit points for a prescribed offence but within three years ending on the date of the offence, and those demerit points add up to a total of at least 12 demerit points, those points are taken to be incurred against that authorisation, upon which the Authority will issue a First-Time Demerit Suspension Notice.
- (b) **Second-Time Demerit Suspension Notice – where after-acquired authorisation:** When a person acquires an authorisation after incurring demerit points for a prescribed offence but within three years ending on the date of the offence, and those demerit points add up to a total of at least 6 demerit points, those points are taken to be incurred against that authorisation and, if the Authority has once previously given the holder a demerit suspension notice, the Authority will issue a Second-Time Demerit Suspension Notice.

CAR 12.345 Demerit cancellation notice

As stated in the Table 12.325 above, the Authority will be required to issue a Demerit Cancellation Notice to a holder of a civil aviation authorisation, where the holder has committed a prescribed offence, has been issued with a First-Time and Second-Time Suspension Notice and within a three (3) year period, ending on the day of the offence, has incurred 6 demerit points in relation to that class of authorisation. The holder is not entitled to be granted a civil aviation authorisation of that class for three (3) years from the date of the notice.

CAR 12.350 Demerit Cancellation Notice - where after-acquired authorisation

Where a person acquires an authorisation after incurring demerit points for a prescribed offence but within three years ending on the date of the offence, and those demerit points add up to a total of at least six (6) demerit points, those points are taken to be incurred against that authorisation and; if the Authority has twice previously given the holder a demerit suspension notice in relation to that class of authorisation, the Authority will issue a Demerit Cancellation Notice.

CAR 12.355 Demerit Points Register

In administering the Demerit Points Scheme, the Authority is required to maintain a register. It must record, in relation to demerit points incurred because of a prescribed offence:

- (a) The number of demerit points prescribed by the regulations in relation to the particular offence;
- (b) The date the offence was committed;
- (c) The class of authorisations in relation to which the demerit points are incurred; and
- (d) Any other matter the regulations require from time to time

The register is maintained by the Investigations Branch, Legal Department and has been drafted to comply with the legislation. It also links with the Infringement Notice Register. The Authority must also:

- (a) If it becomes aware of it, correct any mistake, error, or omission in the register;
- (b) Remove expired points from the register.


CAR 12.360 Comparative Table of Penalties

The following table lists the penalties that may be imposed by the CAA, through the issuing of an Aviation Infringement Notice (AIN), without taking the matter to court. If the permission holder disagrees with the penalty applied they may appeal the decision made by the Authority as per CAR-15, Subpart C. (See Table 12.360)

Table 12.360 – Table of Penalties

Maximum Penalty set out in CARs	Maximum Penalty applied under the Aviation Infringement Notice (AIN) Scheme	Maximum Fine the CAA can Impose	Demerit Points Incurred Against Class of Authorisation
5 Penalty points	60 OMR (1 penalty unit)	300 OMR (5 penalty units)	1 demerit point
10 Penalty units	60 OMR (1 penalty unit)	600 OMR (5 penalty units)	1 demerit point
15 Penalty units	180 OMR (3 penalty units)	900 OMR (15 penalty units)	2 demerit points
20 Penalty units	180 OMR (3 penalty units)	1,200 OMR (20 penalty units)	2 demerit points
25 Penalty units	180 OMR (3 penalty units)	1,500 OMR (20 penalty units)	2 demerit points
30 Penalty units	300 OMR (5 penalty units)	1,800 OMR (20 penalty units)	3 demerit points
50 Penalty units	300 OMR (5 penalty units)	3,000 OMR (20 penalty units)	3 demerit points

APPENDIX A: CAA – AVIATION INFRINGEMENT NOTICE (AIN)

	CIVIL AVIATION AUTHORITY DIRECTORATE GENERAL OF CIVIL AVIATION REGULATION	Form	CAR-12-01
		Revision	01
		Date	02/06/21
AVIATION INFRINGEMENT NOTICE (AIN)			
I. LEVEL OF INFRINGEMENT			
<input type="checkbox"/> FIRST INFRINGEMENT <input type="checkbox"/> SECOND INFRINGEMENT <input type="checkbox"/> CANCELLATION			
II. COMPANY DATA			
1. COMPANY NAME :			
2. REGISTERED ADDRESS :			
3. ACCOUNTABLE MANAGER :			
4. TELEPHONE NUMBER :			
5. EMAIL :			
III. DETAILS OF AVIATION INFRINGEMENT			
1. CAR REFERENCE :			
2. DATE OF REPORTED INFRINGEMENT :			
3. DATE PERMISSION HOLDER ADVISED OF INFRINGEMENT AND RECTIFICATION DATE : INITIAL DATE: __/__/__ RECTIFICATION DATE: __/__/__			
4. PREVIOUS WARNING DATES (If Applicable) : FIRST WARNING: __/__/__ SECOND WARNING: __/__/__			
5. HAS PERMISSION HOLDER ACTED IN ACCORDANCE WITH NOTICE TO MITIGATE : <input type="checkbox"/> YES <input type="checkbox"/> NO			
6. HAS CANCELLATION OF PERMISSION BEEN DISCUSSED WITH PERMISSION HOLDER? : <input type="checkbox"/> YES <input type="checkbox"/> NO			
IV. DESCRIPTION OF NON COMPLIANCE WITH CIVIL AVIATION REGULATIONS			
DETECTION DATE:	PROPOSED PENALTY	DETAILS OF NON COMPLIANCE AND RECTIFICATION ACTION REQUIRED	
NAMES OF INSPECTORS:	<input type="checkbox"/> FORMAL WARNING; OR <input type="checkbox"/> AIN ADMINISTRATIVE PENALTY/FINE OF _____ OMR		
V. STATEMENT			

I HEREBY ADVISE THE ABOVE STATED COMPANY THAT AN AVIATION INFRINGEMENT NOTICE (AIN) HAS BEEN ISSUED
BY THE CIVIL AVIATION AUTHORITY AND SUCH BREACH SHALL:
BE RECTIFIED BY THIS DATE (If applicable): __/__/____; AND/OR
SETTLE ADMINISTRATIVE FINE: AND/OR
RETURN THE COPY OF PERMISSION AUTHORISATION TO THE CAA BY THIS DATE: __/__/____

SIGNATURE:



(NAME):

(POSITION):

DATE: __/__/____

STAMP

APPENDIX B: CAA – DETECTION NOTICE (DN)

	CIVIL AVIATION AUTHORITY DIRECTORATE GENERAL OF CIVIL AVIATION REGULATION	Form	CAR-12-02
		Revision	01
		Date	02/06/21
DETECTION NOTICE (DN)			
VI. COMPANY DATA			
6. COMPANY NAME :			
7. REGISTERED ADDRESS :			
8. ACCOUNTABLE MANAGER :			
9. TELEPHONE NUMBER :			
10. EMAIL :			
VII. DETAILS OF AVIATION INFRINGEMENT			
7. CAR REFERENCE :			
8. DATE OF ALLEGED INFRINGEMENT :			
9. DATE OF DETECTION :			
10. DATE PERMISSION HOLDER ADVISED OF INFRINGEMENT AND RECTIFICATION DATE : INITIAL DATE: ____/____/____ RECTIFICATION DATE: ____/____/____			
VIII. DESCRIPTION OF NON COMPLIANCE WITH CIVIL AVIATION REGULATIONS			
COUNSELLING DATE:		DETAILS OF NON COMPLIANCE AND COUNSELLING ACTION COMPLETED BY INSPECTOR	
NAMES OF INSPECTOR(S):			
IX. DETAILS OF ADDITIONAL ACTIONS TAKEN BY INSPECTOR			
X. RECOMMENDATION FOR FURTHER ACTION			
<input type="checkbox"/> NO FURTHER ACTION <input type="checkbox"/> FORMAL WARNING <input type="checkbox"/> WITHDRAWAL NOTICE <input type="checkbox"/> REVOCATION NOTICE <input type="checkbox"/> AIN PENALTY			
XI. SIGNATURE			
THE ABOVE COMPANY HAS BEEN COUNSELED FOLLOWING THE DETECTION OF A SAFETY OR REGULATORY NON-COMPLIANCE ISSUE AND FURTHER ACTION MAY BE REQUIRED.			
SIGNATURE:			
(NAME):			
(POSITION):			
		DATE: ____/____/____	
FOR DGCAR USE ONLY:			
<input type="checkbox"/> FURTHER COUNSELLING <input type="checkbox"/> FORMAL WARNING <input type="checkbox"/> AIN PENALTY <input type="checkbox"/> ISSUE LEGAL ACTION (SUSPENSION OR REVOCATION)			
HAS PERMISSION HOLDER ACTED IN ACCORDANCE WITH THE NOTICE TO MITIGATE? <input type="checkbox"/> YES <input type="checkbox"/> NO			

INTENTIONALLY LEFT BLANK