



Public Authority for Civil Aviation

CAR-39

Civil Aviation Regulation

Airworthiness

Directives

Effective: 22nd July 2018

Approved by: HE Dr. Mohamed bin Nasser Al-Zaabi (CEO)

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Glossary of Terms or Abbreviations

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

ACAS	Airborne Collision Avoidance System
ACC	Area Control Centre
ACCID	Accident
AD	Airworthiness Directive
ADREP	Accident/Incident Reporting System
AFIS	Aerodrome Flight Information Service
AFTN	Aeronautical Fixed Telecommunication Network
AIC	Aeronautical Information Circular
AIP	Aeronautical Information Publication
AIS	Aeronautical Information Service
A/C	Aircraft
AMSL	Above Mean Sea Level
AOC	Air Operator Certificate
APP	Approach Control Office
ARO	Air Traffic Services Reporting Office
ATC	Air Traffic Control
ATS	Air Traffic Service
CAR	Civil Aviation Regulation
CFMU	Central Flow Management Unit
COM	Communications/Equipment
FIC	Flight Information Centre
FIS	Flight Information Service
GM	Guidance Material
IATA	International Air Transport Association
ICAO	International Civil Aviation Organisation
IIC	Investigator in Charge
INCID	Serious Incident
ISA	International standard atmosphere
Minister	Minister of Transport and Communications
NOTAM	Notice to Airmen
NPA	Notice of Proposed Amendment
OTSB	Oman Transport Safety Bureau
PL	Policy Lead
RCC	Rescue Co-ordination Centre of the Sultanate
RNAV	Area Navigation
SAR	Search and Rescue
SIGMET	Significant Meteorological Report
SRA	Surveillance Radar Approach
SSR	Secondary Surveillance Radar
TCAS	Traffic Alert and Collision Avoidance System
TL	Technical Lead
UTC	Universal Time Coordinated
VHF	Very High Frequency
WX	Weather

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FOREWORD

- (a) Enforcement Procedures ensuring compliance against Civil Aviation Regulation have been issued by the Public Authority for Civil Aviation of Oman (hereinafter referred as PACA or “the Authority”) 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 ICAO Annex 8
- (c) CAR-39 prescribes the requirements for:
 - (1) The establishing, implementation, and issuing Airworthiness Directives
 - (2) The applicable punitive actions that can be enforced by the Authority against recognised actions of non-compliance.
- (d) Amendments to the text in CAR-39 in revised editions are issued as a complete amendment of pages contained within.
- (e) 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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Article 1

Objectives and scope

- (1) This Regulation establishes measures for ensuring the application of the standards and requirements for Airworthiness Directives in pursuance to the enabling Law, for the time being in force.
- (2) The provisions of this Regulation shall apply only to civil aircraft flying in or over the territorial jurisdictions of the Sultanate of Oman.
- (3) This Regulation shall be known as CAR -39, and prescribes the requirements for Airworthiness Directives.

Article 2

Definitions

For the purpose of this CAR the following specific definitions shall apply and all the other definitions are included in CAR- 1:

‘Airworthiness Directive’ means a document issued or adopted by the Authority which mandates actions to be performed to restore an acceptable level of safety for aircraft, when evidence shows that the safety level may otherwise be compromised.

‘Foreign airworthiness directive’ means an airworthiness directive or mandatory airworthiness requirement issued by a foreign civil aviation authority which mandates actions to be performed to restore an acceptable level of safety for aircraft, when evidence shows that the safety level may otherwise be compromised.

Article 3

Amendment and revision

- (1) Revision may be made by the Authority to the technical requirements and administrative procedures contained in this Regulation resulting from any future International Standards changes in the airworthiness related Annexes in ICAO that the Authority may adopt.
- (2) When such revision is made, the Authority shall ensure that the aeronautical industry shall be made aware of such revision in accordance with the Civil Aviation Regulation Change Procedures or process that the Authority may establish.
- (3) By derogation from paragraph 1 and 2, the Authority may however, amend, revise, supersede, revoke or cancel this Regulation in this CAR or in whole in accordance with established Civil Aviation Regulation Change Procedures.

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SUBPART A - REQUIREMENTS

CAR-39.001 Applicability

This CAR-39 prescribes the requirements governing the issue of Airworthiness Directives that are applicable to aircraft, engines and propellers if type certificated separately (herein after referred to in this CAR as “products”) when:

- (a) An unsafe condition exists in a product; and
- (b) That condition is likely to exist or develop in other products of the same type design.

CAR-39.002 General

No person may operate a product to which an airworthiness directive applies except in accordance with the requirements of that airworthiness directive.

CAR-39.003 Effectivity

- (a) This CAR was first issued on 01 July 2010 and became effective from that date.
- (b) Revision 2 was issued and became effective on 16 July 2018.
- (c) Revision 2 of this CAR superseded all the previous revisions.

CAR- 39.004 Airworthiness Directives

- (a) The Authority shall accept the Type Certificates issued by the design authorities for Oman registered Aircraft. The country responsible for continuing airworthiness of the Type Certificate in accordance with ICAO Annex 8 (herein after called the country of design) for each product shall be determined by the Authority.
- (b) Airworthiness Directives issued by the country of design of the product shall be mandatory in Oman. Each operator shall make every effort to obtain airworthiness directives from the country of design.
- (c) The Authority shall distribute airworthiness directives to Omani registered operators when the documents are received from the country of design.

CAR-39.005 Issuance

The Authority may issue an Airworthiness Directive in respect of aircraft, engines and propellers if type certificated separately if the Authority believes on reasonable grounds that

- (a) an unsafe condition exists in any aircraft or aircraft component; and
- (b) that condition is likely to exist or develop in any other aircraft or aircraft component of the same design.
- (c) When the Authority issues a mandatory Special Airworthiness Directive, it shall advise the country of design on the issued mandatory Special Airworthiness Directive.

CAR-39.006 Compliance

- (a) No person shall operate or permit the operation of an Oman registered aircraft to which an Airworthiness Directive applies, or an Oman aircraft fitted with an aircraft component to which an Airworthiness Directive applies, unless that person ensures that the aircraft complies with:
 - (1) each applicable Airworthiness Directive issued in accordance with CAR-39.005 by the compliance time specified in the Airworthiness Directive; or
 - (2) an alternative means of compliance approved under CAR-39.009 for each applicable Airworthiness Directive.
- (b) In addition to sub-paragraph (a), no person shall operate or permit the operation of an Oman aircraft unless that person ensures that the aircraft or any installed component complies with:
 - (1) any applicable foreign airworthiness directives issued by the relevant authority of the State of Design by the compliance time specified in the applicable foreign airworthiness directive; or
 - (2) an alternative means of compliance approved under CAR-39.009 for each of the applicable foreign airworthiness directive.
- (c) Notwithstanding sub-paragraph (b), the Authority adopt an Airworthiness Directive referencing a particular foreign airworthiness directive from the state of Design.
- (d) In compliance with sub-paragraph (b), the Authority shall be notified of the results arising from compliance of airworthiness directives.

CAR-39.007 Amendments

The Authority may issue an amendment to an Airworthiness Directive issued in accordance with CAR-39.005 and will identify the amendment by a suffix to the original Airworthiness Directive number.

CAR-39.008 Cancellation

The Authority may cancel an Airworthiness Directive when the Authority is satisfied that the grounds required by CAR-39.005 for the issue of the Airworthiness Directive no longer exist.

CAR-39.009 Alternative Means of Compliance

- (a) An applicant for the approval of an alternative means of compliance to that specified in an Airworthiness Directive or a foreign airworthiness directive shall submit a request to the Authority containing at least the following information:
 - (1) the make, model, and serial number of the aircraft or aircraft component to which the Airworthiness Directive or foreign airworthiness directive applies; and
 - (2) in the case of an aircraft to which an Airworthiness Directive or a foreign airworthiness directive applies, its registration markings; and
 - (3) the name and address of the applicant; and
 - (4) the identification of the Airworthiness Directive or foreign airworthiness directive for which the alternative means of compliance is sought;
 - (5) substantiating data to demonstrate that a level of safety equivalent to that of the Airworthiness Directive or foreign airworthiness directive, as the case may be, can be achieved by the proposed alternative means of compliance; and
 - (6) such further particulars as the Authority may require relating to the aircraft or aircraft component, or the approval of an alternative means of compliance.
- (b) The Authority may approve an alternative means of compliance if the Authority is satisfied that the alternative means of compliance provides an equivalent level of safety to that achieved

through compliance with the requirements in the Airworthiness Directive or foreign airworthiness directive.

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SUBPART B — ACCEPTABLE MEANS OF COMPLIANCE (AMC) AND INTERPRETIVE/ EXPLANATORY MATERIAL (IEM)

CAR 39.010 General

- (a) This section contains Acceptable Means of Compliance (AMC) and Interpretative/Explanatory Material (IEM) that has been included in the CAR-39 to provide clarifications on compliance with the CAR-39 requirements.
- (b) Where a particular CAR paragraph does not have an Acceptable Means of Compliance or any Interpretative/Explanatory Material, it is considered that no supplementary material is required.
- (c) In addition, Advisory Circulars issued by the Authority may contain further Acceptable Means of Compliance and/or Interpretative/Explanatory Material.

CAR 39.011 Presentation

- (a) The Acceptable Means of Compliance and Interpretative/Explanatory Material are presented in page being identified by the date of issue and number under which it is amended or re-issued.
- (b) A numbering system has been used in which the Acceptable Means of Compliance and Interpretative Material uses the same number as the paragraph in CAR to which it refers. The number is preceded by the letters AMC or IEM to distinguish the material from the CAR itself.
- (c) The acronyms AMC and IEM also indicate the nature of the material and for this purpose the two types of material are defined as follows:
 - (1) Acceptable Means of Compliance (AMC) illustrate a means, or several alternative means, but not necessarily the only possible means by which a requirement can be met. It should however, be noted that where a new AMC is developed, any such AMC (which may be additional to an existing AMC) may be amended into the document or issued as a separate Advisory Circular.
 - (2) Interpretative/Explanatory Material (IEM) helps to illustrate the meaning of a requirement.
- (d) Explanatory notes not forming part of the AMC text appear in a smaller typeface.

IEM – CAR-39.006(b) Compliance with Foreign Airworthiness Directives

- (1) For aircraft, engines and propellers if type certificated separately and components, the applicable airworthiness directives would mean those airworthiness directives that are issued by the authority of the State of Design for the particular aircraft, engine, propeller and components respectively.

Note: *In the case where the authority of the State of Design for the particular aircraft issues an airworthiness directive that is incompatible to the airworthiness directive issued by the State of Design of the engine or propeller and components, the airworthiness directive issued by the State of Design of the aircraft would take precedence.*

- (2) For aircraft components installed on the aircraft not covered by paragraph (1) above, the relevant and applicable airworthiness directives would mean those airworthiness directives that are issued by the authority of the country of design for that aircraft component.

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