



Primary Aviation Legislation



CE-1 Primary aviation legislation

Annex 19 Appendix 1



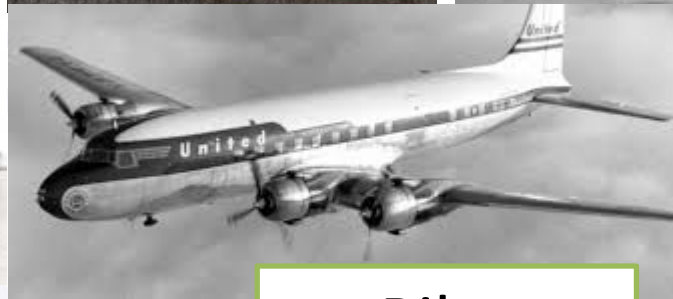
1.1 The State shall promulgate a comprehensive and effective aviation law, consistent with the size and complexity of the State's aviation activity and with the requirements contained in the Convention on International Civil Aviation, that enables the State to regulate civil aviation and enforce regulations through the relevant authorities or agencies established for that purpose.

1.2 The aviation law shall provide personnel performing safety oversight functions access to the aircraft, operations, facilities, personnel and associated records, as applicable, of service providers.

Primary legislation status in 2008



Air Navigation law dated from 1927



Registration
certificate

C of A

Pilot
license

Competency
certificate

2008 FAA IASA FINDINGS



- The basic statutory authority for civil aviation in Israel is the Air Navigation Law, which dates from the British Mandate period.
- the DG does not have sufficient operational and regulatory autonomy.
- There is no effective statutory framework for enforcement measures.

Does not meet international standards

Fundamentals of Primary Legislation

- Organizational aspects (CAA + GIA)
- Authority to implement all ICAO SARPs
- Oversight system
- Variety of available enforcement measures
- CAA status as a service provider
- Constitutional issues: Certification and licensing requirements ? Age limitations?



End



Organizational aspects of primary legislation

- Establishment of CAA as an independent authority
- Defines CAA, DG and CAA employees status
- Defines the scope of budget independence for CAA
- Defines the scope of human resources independence for the CAA
- CAA role as the owner/administrator of the SSP



Oversight role of the CAA



- To oversee the regulated entities and persons to ensure compliance with regulatory requirements
- To nominate qualified personnel as CASIs (Civil Aviation Safety Inspectors)
- Oversight powers of authority for CASIs



CASI initial qualifications



- Police approval
- Legal advisor approval of Non-COI prevention
- Oversight authorities training
- Basic indoctrination training



Oversight powers of authorities

- Require identification
- Require information and documents
- Perform tests or measurements and take samples for testing
- Enter any place, including an aircraft



enforcement measures



- License or certificate - revocation, limitation, suspension, refusal to renew
- Financial administrative penalties
- Criminal Penalties (fine / prison)
- Grounding of aircraft
- Administrative - documentation of violation or deficiency

Enforcement policy - the considerations for selecting the appropriate enforcement instrument

