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WEDNESDAY 15TH MAY, 2024

THE OFFICIAL GAZETTE 15TH MAY, 2024
LEGAL SUPPLEMENT — B

GUYANA No. 9 of 2024

REGULATIONS

Made Under

THE CIVIL AVIATION ACT 2018

(Act No. 21 of 2018)

IN EXERCISE OF THE POWERS CONFERRED UPON ME BY SECTIONS 36, 140, 142 AND 147 OF THE CIVIL AVIATION ACT 2018, I MAKE THE FOLLOWING REGULATIONS:-

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PART I

PRELIMINARY

Citation.

1. These Regulations may be cited as the Civil Aviation (Personnel Licensing) Regulations 2024.

Applicability.

2. These Regulations apply to applicants for, and holders of aviation documents issued by the Authority under these Regulations.

Interpretation.

3. (1) In these Regulations –

"aviation documents" means aviation documents required of personnel and approved training orgainsations (ATO), and includes licences, ratings, authorisations, designations, endorsements, certificates and approvals;

"Requirements of the Authority" means requirements of the Authority, made pursuant to section 142, in respect of these Regulations and includes –

(a) Requirements of the Authority in respect of approved training organisations; and

(b) Requirements of the Authority in respect of personnel licensing;

(2) In these Regulations, the Abbreviations -

ATO - Approved Training Organisation;
ATC - Air Traffic Control
CAME - Aviation Medical Examiner
FSTD – Flight Simulation Training Device
RPAS – Remotely Piloted Aircraft Systems;
IR – Instrument Rating

IS – Implementing Standards

CPL – Commercial Pilot Licence

ATPL – Airline Transport Pilot Licence

FI – Flight Instructor

PPL – Private Pilot Licence

OEM – Original equipment manufacturer

PART II

AVIATION DOCUMENTS

Issue of aviation documents and validation of foreign aviation documents.

4. (1) The Authority may issue, renew, re-issue or extend a licence, rating, authorisation, designation, endorsement or certificate when the applicant complies with the requirements of these Regulations and the Requirements of the Authority in respect of Personnel Licensing.

(2) The Authority may validate or convert foreign aviation documents when the applicant complies with the requirements of these Regulations.

(3) The Authority shall establish requirements for the issue, renewal and re-issue of the aviation documents and requirements for the validation and conversion of foreign aviation documents, and shall stipulate the privileges and limitations related to each.

Requirements for a licence, rating, authorisation, designation or certificate.

5. (1) An applicant shall, before being issued with any licence, rating, authorisation, designation, endorsement or certificate, meet such requirements in respect of age, knowledge, experience, instruction, skill, medical fitness where appropriate and language proficiency as is specified for that licence, rating, authorisation, designation, endorsement or certificate.

(2) An applicant for any authorization, licence or rating shall demonstrate the requirements in respect of knowledge and skill as are specified for that licence or rating in these Regulations.

(3) An applicant shall, for renewal or re-issue of a licence, rating, authorisation, designation, endorsement or certificate, meet the requirements as are specified for that licence, rating, authorisation, designation, endorsement or certificate.

Licences.

6. The Authority may issue the following licences to an applicant who satisfactorily accomplishes the requirements in these Regulations and the Requirements of the Authority in respect of Personnel Licensing for the licence sought-

(a) Flight crew-
  (i) private pilot - aeroplane, airship, helicopter or powered-lift;
  (ii) commercial pilot - aeroplane, airship, helicopter or powered-lift;
  (iii) multi-crew pilot - aeroplane;
  (iv) airline transport pilot - aeroplane, helicopter or powered-lift;
  (v) glider pilot – (private pilot, commercial pilot);
  (vi) free balloon pilot – (private pilot, commercial pilot);
  (vii) flight engineer; and
  (viii) remote pilot – aeroplane, airship, glider, rotorcraft, powered-lift or free balloon.

(b) Other personnel-
  (i) aircraft maintenance engineer;
  (ii) air traffic controller;
  (iii) flight dispatcher; and
  (iv) flight radio-telephone operator.

Note: Flight radio-telephone operator licence (FRTOL) may be included in the appropriate licence categories.

Ratings.

7. (1) The Authority may issue the following ratings which are

placed on a pilot licence when an applicant satisfactorily accomplishes the requirements in these Regulations and the Requirements of the Authority in respect of Personnel Licensing for the rating sought-

(a) category ratings;

(b) class ratings;

(c) type ratings;

(d) instrument ratings (IR) in aeroplane; helicopter; and powered-lift aircraft; and

(e) flight Instructor ratings.

(2) The Authority may issue the following ratings which are placed on a flight engineer's licence when an applicant satisfactorily accomplishes the requirements in these Regulations and the Requirements of the Authority in respect of Personnel Licensing for the rating sought-

(a) aircraft type; and

(b) any other rating considered necessary by the Authority.

(3) The Authority may issue the following ratings which are placed on an air traffic controller licence when an applicant satisfactorily accomplishes the requirements in these Regulations and the Requirements of the Authority in respect of Personnel Licensing for the rating sought-

(a) aerodrome control rating;

(b) approach control procedural rating;

(c) approach control surveillance rating;

(d) approach precision radar control rating;

(e) area control procedural rating; and

(f) area control surveillance rating.

(4) The Authority may issue the following ratings which are placed on an aircraft maintenance engineer licence when an applicant satisfactorily accomplishes the requirements in these Regulations and the Requirements of the Authority in respect of Personnel Licensing for the rating sought-

(a) airframe;

(b) powerplant;

(c) avionics;

(d) RPAS; and

(e) type ratings.

Authorisations.

8. (1) The Authority may issue the following authorisations when an applicant satisfactorily accomplishes the requirements in these Regulations and the Requirements of the Authority in respect of Personnel Licensing for the authorisation sought-

(a) student pilot and remote student pilot authorisation;

(b) student Air Traffic Controller Authoristion- the Authority shall ensure that privileges granted would not permit student pilots and student Air Traffic Controllers to constitute a hazard to air navigation;

(c) examiner authorisation;

(d) instructor authorisation for training in a flight simulation training device;

(e) ground Instructor authorisation; and

(f) flight Information Service Officer authorisation.

(2) The Authority may issue the following authorisations which are placed on a licence when an applicant satisfactorily accomplishes the requirements in these regulations and the Requirements of the Authority

in respect of Personnel Licensing for the authorisation sought-

(a) Category II pilot authorisation; and

(b) Category III pilot authorisation.

(3) The Authority may, without prejudice to any other provision of these Regulations, authorise any person that is qualified and competent to perform an aviation activity on its behalf that relates to conduct of examination or tests, providing a course of training or instruction and furnishing reports to the Authority.

Certificates.

9. (1) The following medical certificates are issued when an applicant satisfactorily accomplishes the requirements in these Regulations and the Requirements of the Authority in respect of Personnel Licensing for the certificate sought-

(a) Class 1 for IR, CPL, FI and ATPL;

(b) Class 2 for PPL and flight engineer licence; and

(c) Class 3 for Air traffic controller licence, flight Information Service Officer, and remote pilot licence.

(2) The Authority may issue a Validation Certificate to validate an aviation document issued by another Contracting State in accordance with these Regulations and the Requirements of the Authority in respect of Personnel Licensing.

(3) The Authority may issue a Certificate of Validity for the following-

(a) flight dispatchers; and

(b) aircraft maintenance engineers,

and the Certificate, in the case of aircraft maintenance engineers, may include type ratings.

(4) The Authority may issue a Certificate of Test for pilots on which the results of proficiency or competency checks and flight tests will be recorded by Approved Check Airmen, Designated Flight Test Examiners and Inspectors or other competent persons authorised by the Director General.

Endorsements.

10. An authorised instructor may recommend to the Authority the following endorsements for a pilot who satisfactorily accomplishes the required training in these Regulations and the Requirements of the Authority in respect of Personnel Licensing -

(a) complex aeroplane endorsement;

(b) high-performance aeroplane endorsement; and

(c) high-altitude aircraft endorsement.

Designations.

11. The Authority may issue the following designations to private persons who are qualified to act on behalf of the Director General in accordance with the Requirements of the Authority in respect of Personnel Licensing -

(a) Designated Pilot Examiner;

(b) Designated Flight Dispatcher Examiner;

(c) Designated Aircraft Maintenance Engineer Examiner;

(d) Designated Air Traffic Control Examiner; and

(e) Other designees as may be determined by the Director-General.

Validity period of aviation documents.

12. (1) The validity period of licences, ratings, authorisations, designations, certificates of validation and medical certificates and the renewal and reissue conditions are indicated in the applicable sections of these Regulations.

(2) The validity period that may be reflected in the licences,

ratings, authorisations, designations and certificates shall be as such to ensure that other contracting states are enabled to be satisfied as to the validity of the document.

(3) One month extension of medical certificates may be performed by the CAME when delegated and so authorised by the Director-General.

(4) Extension of licences, ratings, authorisations, designations and certificates shall be granted by the Director-General when the situation so warrants and the Director-General is satisfied that there shall be no decrease in safety.

(5) An application for the issue, renewal and reissue of a licence, rating, authorisation, designation and certificate by the Authority shall be made to the Authority in the application form available on the Guyana Civil Aviation Authority's website, and a request made in writing with all pertinent information may be submitted in cases where a form is not available.

Renewal.

13. (1) Except as provided in subregulation (2), application for renewal of licences, rating, authorisation, designation or certificate shall be accomplished as follows-

(a) application for renewal shall be made on the forms issued by the Authority and made available on the Guyana Civil Aviation Authority's website; and

(b) applications for renewal shall be made to the Authority at least fourteen days before the expiration date.

(2) Renewal of ratings and CAT II or CAT III pilot authorisations may be performed by the examiner or approved check airmen if delegated by the Director-General.

Reissue.

14. If a licence, rating, authorisation, designation, endorsement or certificate has expired for more than six months the applicant shall undergo refresher training and pass the applicable tests detailed in the Requirements of the Authority in respect of Personnel Licensing in order to be reissued with a licence rating, authorisation, designation or certificate.

Privileges.

15. (1) The holder of a licence, rating, certificate, authorisation, or designation issued by the Authority shall not exercise privileges other than those granted by the licence, rating, certificate, authorisation, or designation.

(2) The privileges granted by a licence, rating, certification, authorisation, or designation issued by the Authority shall not be exercised unless the holder maintains competency and meets the requirements of these Regulations and the Requirements of the Authority in respect of Personnel Licensing for recent experience, where applicable.

(3) A person shall not act as pilot-in-command or as co-pilot, as remote pilot-in-command or remote co-pilot of an aircraft registered in Guyana unless that person holds a valid licence issued or rendered valid in accordance with the requirements of these Regulations and the Requirements of the Authority in respect of Personnel Licensing, and appropriate to the duties to be performed by that person.

(4) A person shall not act as air traffic controller at any ATC facility unless that person is the holder of an appropriate licence issued in accordance with the requirements of these Regulations and the Requirements of the Authority in respect of Personnel Licensing.

(5) A person shall not act as aircraft maintenance engineer, or as flight dispatcher, unless that person is the holder of an appropriate licence issued or rendered valid in accordance with the requirements of these

Regulations and the Requirements of the Authority in respect of Personnel Licensing.

(6) A person shall not act as a flight crew member of an aircraft or as a remote flight crew member of a RPAS unless that person holds a valid licence issued or rendered valid by the State of registry of the aircraft or holds a valid licence issued or rendered valid by the State of operator of the RPAS.

Maintenance of competency and recurrent training.

16. (1) Maintenance of competency shall be satisfactorily recorded in the flight crew or remote flight crew member's certificate of test and may also be recorded in their personal record (e.g., logbook) or in the operator's records.

(2) The maintenance of competency of flight crew and remote flight crew members engaged in commercial air transport operations may be satisfactorily established by demonstration of skill during proficiency flight checks completed in accordance with the prescribed Regulations and the Requirements of the Authority.

(3) A flight crew or remote flight crew member may demonstrate his or her continued competency, partially or completely, in FSTDs approved by the Authority.

(4) The maintenance of competency for air traffic controllers may be satisfactorily established by demonstration of skill during competence or proficiency checks completed in accordance with any regulations or requirements issued under the Act and shall be satisfactorily recorded by the Air Navigation Services provider.

(5) The maintenance of competency of flight dispatchers engaged in commercial air transport operations may be satisfactorily established by demonstration of competence during competency checks completed in accordance with any regulations or requirements issued

under the Act.

(6) The maintenance of competency for flight dispatchers shall be satisfactorily recorded in the relevant operator's records.

(7) No person required by any regulations or requirements issued under the Act to complete periodic recurrent training may exercise the privileges of the person's aviation document unless the person has completed the recurrent training curricula approved by the Authority within the required timeframe.

Medical fitness.

17.(1) An applicant for the following licences, authorisations, and designations shall hold a current and appropriate medical certificate issued under the requirements of these regulations in order for his or her licence, authorisation, or designation to be valid-

(a) student pilot or remote student pilot authorisation;

(b) pilot licence;

(c) remote pilot licence;

(d) flight engineer licence;

(e) designated examiners for pilots and flight engineers;

(f) air traffic controller licence;

(g) flight information service officer authorisation.

(2) The Authority shall take appropriate action when any report is received from a medical examiner that a false declaration was made by an applicant for a licence or rating during the medical assessment process.

(3) The level of medical fitness to be met for the renewal of a medical certificate shall be same as that for the initial issue except where otherwise specifically stated.

(4) The Authority shall ensure that the level of medical fitness to be met for the renewal of a medical certificate is the same as that for the initial issue except where otherwise specifically stated.

(5) The Director-General reserves the right to suspend licence privileges of any licence holder who knowingly exercise the privileges of his licence and related ratings at any time when they are aware of any decrease in their medical fitness which might render them unable to exercise these privileges safely and properly.

(6) The Director-General shall designate medical examiners, qualified and licensed in the practice of medicine, to conduct medical examinations of fitness of applicants for the issue or renewal of the licences or ratings.

(7) The Authority shall establish a system to adequately identify the examiner whenever medical reports are submitted in electronic format.

(8) The Authority shall apply basic safety management principles to the medical assessment process of licence holders that includes-

(a) routine analysis of in-flight incapacitation events and medical findings during medical assessments to identify areas of increased medical risks; and

(b) continuous re-evaluation of the medical assessment process to concentrate on identified areas of increased medical risks.

(9) The Authority shall implement appropriate aviation-related health promotion for licence holders subject to a medical assessment to reduce future medical risks to flight safety.

(10) The Authority shall use the services of medical assessors to

evaluate reports submitted to the licensing authorities by medical examiners.

(11) The Authority shall ensure that medical confidentiality is respected at all times by its staff, the medical examiners and the medical assessors.

(12) The Authority shall ensure that only pertinent medical information as determined by the medical assessor is presented to relevant officers of the Authority when required and justified by operational considerations.

Limitation of privileges of Pilots.

18. (1) The Authority shall not permit any person who holds a pilot licence issued under these Regulations to act as a pilot-in-command in single-pilot operations on a civil aircraft registered in Guyana engaged in international commercial air transport operations if the person has reached his or her 60th birthday.

(2) The Authority shall not permit any person who holds a pilot licence issued under these Regulations to serve as a pilot of a civil aircraft registered in Guyana engaged in international commercial air transport operations requiring more than one pilot if the person has reached his or her 65th birthday.

Validation and conversion of foreign licences and ratings.

19. For the purposes of these Regulations –

(a) the Authority may convert any licence of a flight crew, remote flight crew, aircraft maintenance engineer or flight dispatcher granted under the laws of any other ICAO Contracting State, provided that the Authority is convinced that the licence is issued in accordance with ICAO requirements and satisfy Guyana's regulatory requirements;

(b) the Authority may issue a certificate of validation for a temporary period, rendering valid any licence of a flight crew, aircraft maintenance engineer, air traffic controller, or flight dispatcher granted under the law of any other ICAO Contracting State, provided that the Authority is convinced that the licence is issued in accordance with ICAO requirements and satisfy Guyana's regulatory requirements;

(c) a certificate of validation shall be issued subject to such conditions and for such period as specified in the certificate; and

(d) the Authority shall confirm the validity of the foreign licence with the State of issue prior to validating or converting any such licence.

Approved training organization.

20. (1) An approved training organization (ATO) is an organization approved and regulated by the Authority, in accordance with these Regulations and the Requirements of the Authority in respect of approved training organisations, to perform approved training.

(2) No person may operate an ATO without, or in violation of, an ATO certificate and training specifications issued in accordance with these Regulations and the Requirements of the Authority in respect of approved training organisations.

(3) The Authority will issue to an ATO that meets the requirements of regulations 20, 21, 22, 23 and 24, and the Requirements of the Authority in respect of approved training organisations, an ATO certificate and training specifications for providing courses for flight crew licences and ratings and for courses for personnel other than flight crew members, as approved by the Authority.

Validity of the certificate and renewal.

21. Subject to satisfactory compliance with the requirements of regulations 20, 21, 22, 23 and 24 the initial ATO certificate will be valid for 1 year and the validity of a renewed certificate is 2 years except the ATO surrenders the certificate to the Authority or the Authority suspends or revokes the certificate.

Approval of foreign ATO.

22. (1) There is no difference between the approval of training organisation based abroad and those based in country.

(2) The principles and procedures that are described for ATO application in the Requirements of the Authority in respect of ATO are also fully applicable to foreign ATOs, except that, the Authority may rely on the approval and oversight system of the host State to issue the approval using a process that is similar to the validation of other licences.

Approved training conducted in an ATO.

23. (1) The Authority may approve a training programme for a licence, rating, authorisation, or endorsement that allows an alternative means of compliance with the experience requirements prescribed in these Regulations and the Requirements of the Authority in respect of ATO when training is conducted within an ATO under special curricula.

(2) Approved training shall provide a level of competency at least equal to that provided by the minimum experience requirements for personnel not receiving such approved training.

(3) Approved training for aviation personnel licences shall be conducted within an ATO.

(4) Prior to authorising an alternative means of compliance that permits an ATO to conduct training that does not meet the normal prescribed experience requirements, the Authority will ensure that the approved training programme provides a level of competency at least equal to that provided by the minimum experience requirements for

personnel not receiving such approved special curricula.

(5) All competency-based approved training for aviation personnel shall be conducted within an ATO.

(6) Notwithstanding sub-regulation (5), the Authority may grant special authorisation (in exceptional circumstances and where there are no ATO capable of conducting the training,) to a training organisation or an approved instructor to conduct competency-based training for aviation personnel.

Reliance on Training and Testing in another Contracting State.

24. (1) The Authority may rely on the training and testing system administered by another Contracting State as the basis for its own approved training curriculum, including the administration of written or practical test requirements for airman licences provided that the Authority has an agreement with the other Contracting State whose training or testing system is used.

(2) Notwithstanding regulation 21, the Authority may accept a training course for grant of a licence, rating or endorsement done at an Approved Training Organisation in another ICAO member State if the Authority is satisfied that the training curriculum or training programme of the ATO is acceptable and adequately covers all required areas and the trainers and examiners are suitably qualified and experienced.

(3) The Authority may accept any training course conducted through an ICAO Trainair Plus Programme in any ICAO member State.

(4) The applicant shall apply for and receive written approval from the Authority prior to receiving training or testing in a system administered by another Contracting State, and the Authority may attach any condition that it considers necessary.

(5) The Authority may accept 'factory training' (OEM)

conducted by a State of manufacture for the granting, renewal or re-issue of ratings.

Language proficiency.

25. (1) Pilots, remote pilots, flight engineers, air traffic controllers and aeronautical station operators shall demonstrate, to the Authority, the ability to speak and understand radiotelephony communications in the English language, which shall be the language used for radio telephony communications in Guyana.

(2) The airmen mentioned in subregulation (1) shall demonstrate the ability to speak and understand radiotelephony communications in the English language to at least the Operational Level (Level 4) with the aim to speak at the Expert Level (Level 6) as specified in the Requirements of the Authority in respect of Personnel Licensing.

(3) The language proficiency of airmen mentioned in subregulation (1) shall be formally evaluated, by the Authority, at intervals in accordance with an individual's demonstrated proficiency level as follows-

(a) those demonstrating language proficiency at the Operational Level (Level 4) shall be evaluated at intervals not greater than 3 years;

(b) those demonstrating language proficiency at the Extended Level (Level 5) shall be evaluated at intervals not greater than 6 years; and

(c) those demonstrating language proficiency at the Expert Level (Level 6), shall be exempted from further language evaluation.

(4) Formal evaluation is not required for applicants who demonstrate expert language proficiency, e.g. native and very proficient

non-native speakers of the English language with a dialect or accent intelligible to the international aeronautical community.

Surveillance.

26. The Authority shall establish an oversight and surveillance system to ensure continuing compliance of these Regulations.

Suspension or revocation of a licence, rating, authorisation or certificate.

27. If, in accordance with the Act and the applicable Regulations and Requirements of the Authority, the Director-General determines that the interests of safety require that a licence, rating, authorisation or certificate must be suspended, the Director-General may act as follows-

(a) where the Director-General discovers facts indicating either a lack of competency or lack of qualification, the Director-General may, require an applicant for or the holder of any licence, rating, authorisation, or validation certificate to retake all or part of the knowledge or practical tests required for any licence, rating, authorisation, or validation certificate at issue, renewal or re-issue, and the Director-General may suspend the validity of any such licence, rating, authorisation or validation certificate pending the results of such re-testing;

(b) a person whose licence, rating, authorisation, or certificate has been amended, modified, suspended or revoked shall be provided with a written notice and an opportunity to be heard in accordance with of these Regulations;

(c) after notifying the person involved, in writing, stating the reasons for such action, the Director-General may also suspend the validity of any licence, rating, authorisation or validation certificate in the following cases-

(i) during the investigation of an aircraft accident or serious incident;

(ii) in cases of proven misconduct, recklessness or excessive carelessness;

(iii) if the holder has acted in contradiction to his or her privileges; or

(iv) pending the investigation of a suspected violation of these Regulations or the Act;

(d) once the suspension is effective, the person involved shall immediately cease exercising the privileges of the affected licence, certificate, rating, or authorization;

(e) the person involved shall surrender to the Authority all licences or validation certificates in his or her possession that are subject to the suspension within 8 days of receiving the notification of the order. If the person fails to surrender the documents under suspension, the Director-General may revoke all such documents held by that person;

(f) when a suspension is limited to one or more ratings mentioned on the licence or validation certificate, the Director-General shall provide the person involved with a new licence or validation certificate omitting all ratings which are subject to the suspension;

(g) the Director-General may cancel a suspension in the following cases-

(i) if the person under suspension has taken and passed the knowledge or practical tests

required for any licence, rating, or authorisation at issue indicated in paragraph (a);

(ii) if the person under suspension has gained the required additional experience;

(iii) if the person under suspension has been exonerated of any wrongdoing at the conclusion of the investigation; or

(iv) if the licence, rating, authorisation or validation certificate of the person under suspension has been revoked;

(h) once the suspension has been cancelled, other than by revocation, the Authority will issue the person involved a new licence or validation certificate or cancel the applicable ratings on the existing licence or certificate.

Suspension of a medical certificate.

28. (1) In case of doubt concerning the medical fitness of the holder of a medical certificate the Director-General may determine that the person involved shall again repeat a complete or partial medical examination and may suspend the validity of that medical certificate until the repeat examination is completed with favourable results.

(2) The validity of a medical certificate may also be suspended in case of a temporary rejection on medical grounds.

(3) The person holding the medical certificate will be notified in writing of a suspension stating the reasons for that suspension.

(4) The person holding the suspended medical certificate shall surrender the medical certificate in his or her possession to the Authority

within 8 days after the date of receiving the notification.

(5) In cases in which the medical fitness of the person involved allows it, the Director-General may provide the person with a suspended medical certificate of a particular class with a new medical certificate of a lower class.

(6) A suspension may be lifted if the medical examination intended in subregulation (1) has been passed satisfactorily.

(7) If a suspension is lifted, the person involved shall receive a new medical certificate unless the medical certificate was revoked.

Reapplication after suspension.

29. Unless otherwise authorised by the Authority, a person whose licence or certificate has been suspended shall not apply for any licence or certificate during the period of suspension.

Revocation of Licences, Ratings, Authorisations or Certificates.

30. (1) The Director-General shall revoke a licence, rating, authorisation or certificate if the holder has lost the skills for exercising the privileges mentioned in the document or fails to meet the appropriate medical standards as shown by the results of a medical examination or a test.

(2) The Director-General shall revoke a licence, rating, authorisation or certificate if the holder of it has made a statement contrary to the truth in obtaining or maintaining that licence, rating, authorisation or certificate, or has provided incorrect data at a medical examination or test required for the issue, maintenance or renewal of the licence, rating, authorisation and certificate.

(3) A licence, rating, authorisation or certificate shall be revoked in case of proven misconduct, recklessness or excessive carelessness by the holder and the holder will be notified in writing of the revocation with the reasons.

(4) A person who has had a licence or certificate revoked shall be obliged to hand over to the Authority all the licences or certificates in his or her possession applicable to the revocation within 8 days after the date of receiving notification from the Authority.

(5) The person who has been denied the privilege to manipulate the controls of an aircraft by judgment of a court, shall be equally obliged to hand over to the Authority all licences and certificates in his or her possession within 8 days after he or she has taken cognisance of the judgment or after it can be reasonably assumed that he or she has taken cognisance of the judgment.

Reapplication after revocation.

31. Unless otherwise authorised by the Authority, a person whose licence or certificate has been revoked shall not apply for any licence or certificate for one year after the date of revocation.

Psychoactive substance testing and reporting.

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

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

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

(b) have his or her licence, certificate, rating, qualification, or authorisation issued under these Regulations suspended or

revoked.

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

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

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

(4) Any person subject to these Regulations who is convicted for the violation of any written law of Guyana relating to the growing, processing, manufacture, sale, disposition, possession, transportation, or importation of narcotic drugs, marijuana, or depressant or stimulant drugs or substances, may-

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

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

(5) The following are deemed to be psychoactive substances-

(a) alcohol;

(b) opioids;

(c) cannabinoids;

(d) sedatives and hypnotics;

(e) cocaine and other stimulants (except caffeine);

(f) hallucinogens; and

(g) volatile solvents.

PART III

MISCELLANEOUS

Reports of violations.

33. (1) Any person who knows of a violation of any of the provisions of these Regulations or the Requirements of the Authority shall report it to the Authority.

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

Formal Complaints.

34. Complaints submitted to the Authority under regulation 33 shall be submitted in a form and manner to be determined by the Authority and posted on the Guyana Civil Aviation Authority's website.

Administrative action.

35. (1) If the Authority determines that a violation or an alleged violation of any of these Regulations or the Guyana Civil Aviation Requirements is appropriate for administrative action, the Authority may take administrative action by one of the following –

(a) a warning notice, which recites available facts and information about the incident or condition and indicates that it may have been a violation; or

(b) a letter of correction, which confirms the Authority's decision

in the matter and states the necessary corrective action the alleged violator has taken or has agreed to take. If the agreed corrective action is not fully completed, formal licence or certificate action may be taken in accordance with regulation 27.

(2) An administrative action under this regulation does not constitute a formal adjudication of the matter.

Offences.

36. Any person who knowingly and willfully contravenes the provisions of these Regulations and any provisions of the Requirements of the Authority made in respect of these Regulations commits an offence and is liable on summary conviction to a fine not exceeding three million dollars and to imprisonment not exceeding two years, and to suspension or revocation of the aviation document.

Opportunity to be heard.

37. (1) Unless safety in air transport requires immediate action, prior to a final determination under regulations 28 and 30, the Authority will provide the person with an opportunity to be heard as to why the licence, rating, authorization, certificate, endorsement or validation shall not be amended, modified, suspended or revoked.

(2) Where it is proposed to refuse, revoke, suspend or vary a licence, rating, authorization, approval, endorsement or certificate otherwise than on the application of the holder, the Authority shall serve on the person concerned notice of the proposal together with the reasons for it and the person concerned may within fourteen days of the date of service of that notice request that the case be decided by the Board of the Authority and not by a person authorised on its behalf.

(3) The Board of the Authority shall sit with such technical assessors to advise it as the Board may appoint, but the Board shall not appoint as an assessor any person who participated in the decision or proposal or in giving or assessing the test or examination which is to be

the subject of the Board's decision and the Board shall issue a determination of the application within thirty days.

Made this 15th day of May, 2024.

Hon. Bishop Juan A. Edghill, M.P.
Minister of Public Works