



دملکي هوایي چلند اداره هوانوردی ملکی
CIVIL AVIATION AUTHORITY
Islamic Republic of Afghanistan
Civil Aviation Authority

Personnel Licensing Surveillance Manual

June 2019

Revision 0.1

Mohammad Qasim Wafayezada
Director General
Civil Aviation Authority

Approved:



[This page intentionally left blank.]

CHAPTER 14
TABLE OF CONTENTS

Chapter 14	Conduct Surveillance of Licensed Aviation Personnel.....	1
Section 14.1	Background	1
14.1.1	Objective:	1
14.1.2	General:	1
Section 14.2	Procedures	4
14.2.1	Pre-requisites Requirements:	4
14.2.2	References, Forms and Job Aids:	4
14.2.3	Procedures:	4
14.2.3	Task Outcomes:	6
14.2.4	Future Activities:	6
Section 14.3	Job Aids	7

[This page intentionally left blank.]

Chapter 14 Conduct Surveillance of Licensed Aviation Personnel

Section 14.1 Background

14.1.1 Objective:

The objective of this task is to determine if licenced aviation personnel continue to operate in a safe and competent manner within the privileges granted by their licences and/or associated ratings. This task is ongoing and provides the Licencing Authority, through the conduct of a variety of inspections, with a comprehensive evaluation of the continuing competency of licenced aviation personnel. Generally, competency is measured by the licence holder's compliance with regulatory requirements and safe operating practices in conformance with the knowledge and skill standards applicable to the type of licence, or the type of rating held.

14.1.2 General:

(a) A Continuing Surveillance Obligation.

1. Paragraph 1.2.5.1 of Annex 1 states that "a Contracting State, having issued a licence, shall ensure that the privileges granted by that licence, or by related ratings, are not exercised unless the holder *maintains competency* and meets the requirements for *recent experience* established by that State".
2. This requirement demands that contracting States establish a system for surveillance and supervision of licenced aviation personnel to ensure continued safe operation.

(b) Authority To Conduct Surveillance And Related Inspections.

1. This authority is normally discharged through a State's Civil Aviation Law.
2. Section 413 of the Model Civil Aviation Law provides an example of the Director's authority to establish a Flight Standards Inspectorate to assist in carrying out the responsibilities of the Director's office for certification and on-going inspections of aircraft, airmen and air operators.
3. Included in the inspectorate is the personnel licencing organisation (the Licencing Authority).
4. Inspectors from the licencing office conduct surveillance of licenced aviation personnel.

(c) Planning And Executing Surveillance Programmes To Assess The Continuing Competency Of Licenced Aviation Personnel. There are four phases involved in planning and executing surveillance. These phases are as follows:

1. Developing a Surveillance Plan. The development of a surveillance plan requires planning at the licencing office and individual inspector levels. A surveillance program may be based on a contracting State's obligation to conduct routine and ongoing surveillance of licenced aviation personnel or the need to conduct special emphasis surveillance as a result of certain events such as accidents, related incidents, related violations. When planning a surveillance program, CAA personnel should determine the program objectives, evaluate the resources available, and determine the specific types and numbers of inspections to be conducted in support of the program. This information along with other related information such as previous inspection reports, accident/incident information, compliance and enforcement information, and public complaints, should be used to determine the types of, and frequency of, inspections to be conducted during the surveillance program.
2. Accomplishing Surveillance Plan Inspections. Accurate and qualitative inspection reporting is an essential part of each inspection. High quality inspection reporting is necessary for the effective accomplishment of the third and fourth phases of a surveillance program. In the case of observed discrepancies or non-conformance, particular attention should be given to the identification of who or what was observed or evaluated, what specific function was being accomplished and by whom, when and where the discrepancy or non-conformance occurred and how and why it happened. Venues suitable for surveillance of licenced aviation personnel include, but are not limited to:
 - Aerodrome inspections
 - Air shows and aerobatic competitions
 - Aircraft accidents and incidents
 - Aircraft maintenance facilities
 - Approved training organisations
 - Flight deck en-route inspections
 - Free balloon flying events
 - Glider flying events
 - Ramp Inspections - General Aviation, Commercial Air Transport (Domestic & International)
 - Surveillance from ATC towers
3. Analyzing Surveillance Data. After inspection data has been collected, an evaluation of the information documented on the inspection report and related sources must be conducted. The purpose of the evaluation is to identify *areas of concern* such as the following:
 - Non-compliance with regulations or safe operating practices
 - Both positive and negative trends
 - Isolated deficiencies or incidents
 - Causes of non-compliance, trends, or isolated deficiencies

(d) Additional Useful Data. Information received by the licencing office from outside sources may also be useful for assessing the continuing competency of licenced aviation personnel.

1. In addition to data collected from its surveillance programme, the Licencing Authority may receive other data useful for assessing the continuing competency of licenced aviation personnel.
2. All reports received from:
 - The Air Traffic Service
 - The Military Service
 - Law enforcement Agencies, and
 - From the Public

... citing irregularities in the operation or maintenance of aircraft should be analyzed in detail by CAA inspectors.

3. Should *areas of concern* be identified in these reports, inspectors shall conduct a thorough investigation of the facts involved before deciding on the most effective course of action to be taken.

(e) Determining The Appropriate Course of Action. Inspectors must use good judgment before deciding on action to be taken based on data collected from surveillance or outside sources. Determining the appropriate course of action depends on the *circumstances involved*, which invariably must be *investigated* before any decision may be reached. In addition, inexperienced inspectors should confer with experienced inspectors and/or their supervisor during this process.

(f) Conducting Investigations. The sole purpose of conducting an investigation is to develop the facts and to gather all the evidence relevant to the circumstances causing concern so that a determination may be made by the inspector on whether to pursue rehabilitation or legal enforcement action.

Section 14.2 Procedures

14.2.1 Pre-requisites Requirements:

(a) The investigative stage of the surveillance process requires the following:

1. Knowledge of the PEL (Personnel Licensing) system including ACAA requirements, policies and procedures
2. Knowledge of national civil aviation regulations as appropriate to the investigation
3. Qualifications as a ACAA Licensing inspector and examiner
4. Investigative skills
5. Organisational skills, and
6. General administrative skills.

14.2.2 References, Forms and Job Aids:

(a) References:

1. Civil Aviation Regulations
2. Aviation Law,

(b) Forms: None

(c) Job Aids:

1. General Aviation Ramp Inspection Checklist/Job-Aid

14.2.3 Procedures:

(a) The Role Of The Inspector. In an investigation, the inspector is the primary fact-and evidence-gatherer as well as the case-analyst. The disposition of the issue depends on the inspector's judgement, experience and aviation expertise.

1. Because the investigation should support either a recommendation for *rehabilitation* or a recommendation for *legal enforcement action*, it is incumbent upon the inspector to gather all relevant facts. However, the inspector should approach fact-finding with an attitude aimed at rehabilitating the licence holder, if at all possible, rather than with a presumption of punitive action.
2. In the interest of continued aviation safety and/or the success of a remedial training approach, the inspector's investigation must reveal all the evidence,

including any mitigating circumstances. The deliberate omission of mitigating circumstances, especially if they would justify the rehabilitative approach, is unprofessional and unacceptable. If the inspector can find sufficient facts that indicate that *remedial training* is appropriate and likely to be successful in returning the airman to compliance with competency or recency of experience standards, the inspector's choice is quite clear - opt to rehabilitate, not to punish.

3. When seeking to rehabilitate the holder of an aviation licence and associated ratings, inspectors should accept information from any source. Through later analysis of that information, inspectors may be able to develop supplementary data useful for support their recommendation.
4. In developing information provided by witnesses or from the licence holder, inspectors must exercise their best interpersonal and communication skills. Information is freely provided when both communicators establish a barrier-free exchange. Verbal communication skills as well as listening skills are very important to assure that no essential item of information is overlooked. When interviewing anyone--a witness and especially a licence holder that is not in non-compliance--it is important to remember that the goal of the interview is to obtain information through a free exchange *and not to interrogate*. General guidelines for active listening are as follows:
 - Stop talking
 - Empathize with the speaker
 - Ask questions
 - Be patient
 - Concentrate on what the speaker is saying
 - Show the other person that you want to listen and that you are listening
 - Put the other person at ease
 - Be aware of your emotions and prejudices
 - Control your anger
 - Eliminate distractions
 - Understand the speaker's main points
 - React to ideas, not to the person
 - Don't argue with the speaker
 - Listen for what is not said
 - Listen to how something is said
 - Don't antagonize the speaker
 - Avoid any premature classification of the speaker
 - Avoid rushing to conclusions.
5. During the course of an investigation, an inspector accumulates evidence from a variety of sources. With fact gathering during investigation, the evidence accumulated must be able to support either *rehabilitation* or *enforcement* action. For example:
 - Evidence collected showing that a pilot declared an emergency to ATC while approaching an airport for landing with an aircraft low fuel state indication is evidence of the pilot's good judgement and attitude. Such evidence is to be considered as appropriate justification for the

inspector to opt for rehabilitation rather than an assumption that the pilot is guilty of deliberate non-compliance.

- Evidence collected showing that a pilot with an expired medical certificate was observed operating an aircraft, or a student pilot was observed carrying a passenger or a person or organisation was observed operating unairworthy aircraft are all examples of evidence substantiating deliberate non-compliance with national aviation regulations. The appropriate course of action when deliberate non-compliance is substantiated through evidence would be legal enforcement action, not rehabilitation.

14.2.3 Task Outcomes:

Completion of this task results in a gathering of all the facts, evidence, and documents required for the inspector to effectively analyze the surveillance information causing concern and to determine the most appropriate course of action.

14.2.4 Future Activities:

- a) The inspector may recommend remedial training.
- b) The inspector may prepare an enforcement investigative report and recommend a civil penalty (sanction).

Section 14.3 Job Aids

14.3.1 Example General Aviation Ramp Inspection – Checklist/Job Aid

General Aviation Ramp Inspection – Checklist/Job Aid					
Pilot Name Address:		Inspection Location:		Date Of Inspection:	
		Inspector's Name:			
Aircraft Make And Model:				Registration Number:	
Licences, Ratings And Authorisations				Medical Certificate	
Name	Licence	Rating	Authorisation/s	Class	Date Issued
1.					
2.					
3.					
4.					
INSPECTION ITEMS:		S	U	REMARKS:	
Pilot Licences					
Recent experience requirements					
AIRCRAFT DOCUMENTS					
Registration Certificate					
Airworthiness Certificate					
Aircraft Journey Log					
Aircraft Radio Licence					
Aeroplane Technical Log					
Aeroplane Flight Manual					
ATC Flight Plan					
NOTAMS Briefing Documentation					
Mass an Balance Information					
Maps and Charts for Routes					
INSPECT AIRCRAFT					
Airworthiness Endorsements					
General condition					
Remarks:					
ACAA Licensing Office:			Inspector's Signature:		

[This page intentionally left blank.]