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1. Background

The Authority's responsibilities encompass the enforcement, supervision, and administration of designated Medical Examiners and individuals holding Medical Certificates in adherence to established policies, procedures, standards, and Regulations.

This advisory circular aims to maintain a fair approach for individuals found in violation while placing a priority on safety throughout the due process.

2. References

- 2.1 *The Civil Aviation (Personnel Licensing) Regulations, 2017 as amended*
- 2.2 *TCAA enforcement policy*
- 2.3 *ICAO Manual of Civil Aviation Medicine Doc 8984.*
- 2.4 *TCAA Aviation Medicine Protocols.*
- 2.5 *TCAA Aviation Medicine Procedure Manual.*

3. Sources Of Offence

Offenses outlined in this order can arise from, but are not restricted to, the following areas: -

- 3.1 Supervision and Oversight of AME
- 3.2 Audit of Medical Reports
- 3.3 Medical Assessment at AME premises
- 3.4 Issuance and re-issuance of Medical Certificate
- 3.5 Submission of Medical Reports to the Medical Assessor

4. Enforcement Processes

The following procedures should be adhered to in all offenses, with the specific details and characteristics of each offense subject to variation based on the circumstances.

4.1 Violence Specifically Addressed in the Guidance

If the committed offense has been comprehensively documented, including guidance outlining precise steps for achieving a resolution, those steps should be followed as instructed. However, if there is no specific mention of the offense anywhere, proceed with the subsequent steps.

4.2 Evidence of Inadvertent Offence

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If there is insufficient evidence to demonstrate that the offense was committed intentionally, suggesting it might have occurred unintentionally, then move on to the next step. However, if there are clear signs of deliberate action, legal action should be initiated promptly.

4.3 Violator has Constructive Attitude Towards Compliance

If there is substantial evidence indicating that the violator committed the offense while demonstrating an intent to adhere to standards, move on to the next stage. If there is no indication of any effort to conform to standards, then legal action should be pursued.

4.4 There Is Substantial Disregard for Safety

Contemplate taking legal action if there is evidence indicating a significant level of disregard for safety. If, on the other hand, the safety disregard is determined to be minimal, proceed with the subsequent step.

4.5 There Has Been a Trend of Non- Compliance

If a consistent pattern of behaviour or a sequence of actions suggesting non-compliance has been noticed in the case of a specific individual, proceed to initiate legal action. However, if such a pattern is absent, then move forward with the risk assessment for the specific offense.

5. Risk Assessment

This stage holds immense significance and should be handled with the highest level of caution, as its outcomes will influence the subsequent decision-making process.

After establishing that there are positive aspects evident in all prior assessments, proceed with a risk evaluation of the particular offense, classifying the results into three severity categories: low, moderate, and high. The classification at each level will dictate the ultimate course of action to be taken.

5.1 Low Risk

When low-risk outcomes are observed, the offender shall undergo in-depth counselling related to the committed offense and shall be guided through existing standards to facilitate their comprehension of the nature of the offense.

5.2 Moderate Risk

When dealing with offenses assessed as moderate risk, a warning letter specifying the offense shall be issued, while ensuring that the offender is provided with a comprehensive understanding of the nature of the offense committed.

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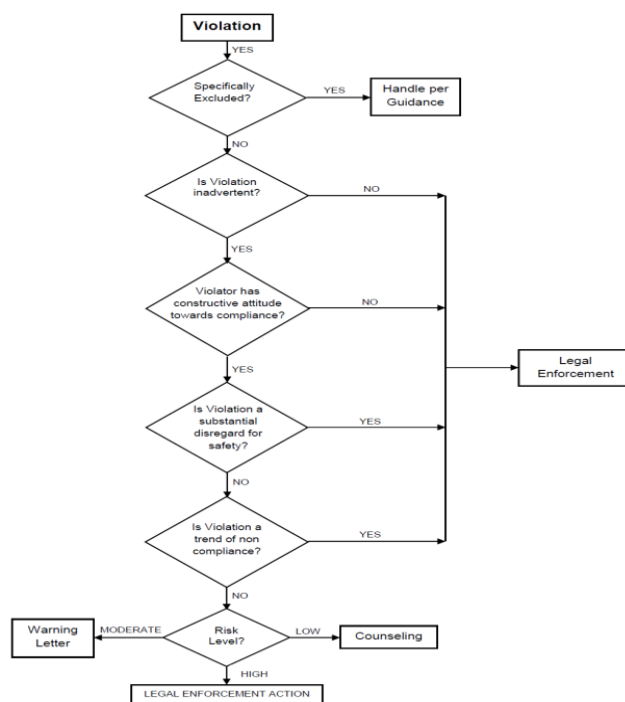
5.3 High Risk

In instances of high-risk offenses, immediate and suitable legal measures must be implemented to deter the wrongful behaviour, and offenders should be informed of the justifications behind these decisions.

6. Legal Action

All legal actions must be undertaken in collaboration with the legal department. The offense should be thoroughly documented, along with a comprehensive assessment of associated risks, to ensure that legal officers have clear guidance and a strong foundation for determining the suitable legal measures. This process should align with the procedures outlined in the existing enforcement manual.

The diagram below provides a visual representation of the step-by-step approach outlined above.



[Signature]

Director of Safety Regulation