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**GACAR PART 149 – AVIATION RECREATION ORGANIZATIONS**

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**SUBPART A – GENERAL**

**§ 149.1 Applicability.**

This part prescribes rules governing the certification and operation of Aviation Recreation Organizations that are established within the Kingdom of Saudi Arabia (KSA) for the purposes of promoting and supporting recreational aviation activities and special aviation events within the KSA.

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**SUBPART B - CERTIFICATION**

**§ 149.11 General.**

This subpart prescribes rules governing the certification of Aviation Recreation Organizations. The President may authorize relief from any of the prescribed requirements of this part if the President finds that given the scope of the Aviation Recreation Organizations operations, the Aviation Recreation Organization can effectively and safely perform the functions of the Aviation Recreation Organization without complying with the certain prescribed requirements. The President authorizes relief under this section after consideration of the size and scope of the operations of the Aviation Recreation Organization including whether the Aviation Recreation Organization operations are local, regional or national in scope. The President may terminate at any time any relief granted under this section.

**§ 149.13 Requirement for Certificate.**

No Aviation Recreation Organization may be established and operated in the KSA except in accordance with the provisions of an Aviation Recreation Organization certificate issued under this part.

**§ 149.15 Application for Certificate.**

Each applicant for an Aviation Recreation Organization certificate must apply in a manner acceptable to the President and include with the application—

- (a) The organization manual required by GACAR § 149.51; and
- (b) Evidence of payment of the applicable fees prescribed by the Implementing Regulations of the Civil Aviation Tariff Law.

**§ 149.17 Issue of Certificate.**

The President may issue an Aviation Recreation Organization certificate if the President is satisfied that—

- (a) The applicant meets the requirements of this part; and
- (b) The granting of the certificate is in the interests of aviation safety.

**§ 149.19 Privileges of Certificate Holder.**

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The holder of an Aviation Recreation Organization certificate may—

- (a) Promote and support recreational aviation activities and special aviation events within the KSA;
- (b) Organize and conduct special aviation events under GACAR § 91.431 where that privilege is specified on the certificate;
- (c) Administer the issue of permits required by the GACAR for the registration and licensing of ultralight vehicles, ultralight pilots, and model aircraft where that privilege is specified on the certificate, and for which a senior person or persons hold a designation from the President in accordance with GACAR Part 183; and
- (d) Exercise any other privileges specified by the President, where that privilege is specified on the certificate.

### **§ 149.21 Duration of Certificate.**

- (a) An Aviation Recreation Organization certificate may be granted or renewed for a period of up to 5 years.
- (b) An Aviation Recreation Organization certificate remains in force until it expires or is surrendered, suspended or revoked.
- (c) The holder of an Aviation Recreation Organization certificate that is revoked must immediately surrender the certificate to the President.

### **§ 149.23 Renewal of Certificate.**

- (a) An application for the renewal of an Aviation Recreation Organization certificate must be made in a manner acceptable to the President.
- (b) The application must be submitted to the President before the application renewal date specified on the certificate or, if no such date is specified, not less than 30 working days before the certificate expires.

### **§ 149.25 Inspections.**

Each Aviation Recreation Organization certificate holder must allow the President to make any

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inspections, at any time, in order to allow the President to determine compliance with this part.

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**SUBPART C – PERSONNEL & FACILITY REQUIREMENTS**

**§ 149.41 Personnel Requirements.**

(a) Each Aviation Recreation Organization must engage, employ, or contract—

(1) A senior person, identified as the accountable manager, who has the authority within the Aviation Recreation Organizations to ensure that all activities undertaken by the organization can be carried out in accordance with the requirements prescribed by this part.

(2) A senior person or persons who will hold any designation from the President for the issue of the permit that is required by the GACAR for the registration and licensing of ultralight vehicles, ultralight pilots and model aircraft.

(3) A senior person or group of senior persons who are responsible for ensuring that the Aviation Recreation Organization complies with the requirements of this part. Such nominated person or persons must be ultimately responsible to the accountable manager.

(4) Sufficient personnel to carry out the activities listed in the applicant’s manual.

(b) The applicant must—

(1) Establish procedures to assess, and to maintain, the competence of those personnel who are responsible for carrying out the activities listed in the applicant’s manual;

(2) Establish procedures for the exercise of any designation held by a senior person or persons; and

(3) Provide personnel with responsibilities under this part with written authorization to fulfill those responsibilities.

**§ 149.43 Facility Requirements.**

Each Aviation Recreation Organization must ensure the provision of facilities and resources appropriate to the activities listed in the applicant’s manual.

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**SUBPART D — MANUAL REQUIREMENTS**

**§ 149.51 Organization Manual.**

(a) An Aviation Recreation Organization must provide the President with a manual which must contain, where applicable—

(1) A statement signed by the accountable manager on behalf of the applicant’s organization confirming that the manual and any included manuals—

(i) Define the organization and its mandate and demonstrate its means and methods for ensuring ongoing compliance with this part; and

(ii) Will be enforced at all times.

(2) The titles and names of the senior person or persons required by GACAR § 149.41(a)(1), (2), and (3);

(3) The duties and responsibilities of the senior person or persons specified in GACAR § 149.41(a)(1), (2), and (3), including matters for which they have responsibility to deal directly with the President on behalf of the organization;

(4) An organization chart showing lines of responsibility of the senior persons specified in GACAR § 149.41(a)(3) and extending to each location listed under paragraph (a)(6) of this rule;

(5) A description of the activities to be conducted under the certificate;

(6) The principal locations at which each activity will be conducted;

(7) A description of the facilities required by GACAR § 149.43;

(8) Details of the procedures required by—

(i) GACAR § 149.41(b)(1) regarding the competence of personnel;

(ii) GACAR § 149.41(b)(2) regarding the exercise of any designation held by a senior person or persons;



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- (iii) GACAR § 149.55(b) regarding the control and amendment of documentation;
- (iv) GACAR § 149.101(a) regarding the identification, collection, indexing storage, maintenance, and disposal of records;
- (v) GACAR § 149.73(a) regarding the assessment of personnel, the issue of permits, and the review and maintenance of competency of permits holders;
- (vi) GACAR § 149.75 regarding the organization and conduct of special aviation events;
- (vii) GACAR § 149.91 regarding the internal quality assurance of the organization;
- (viii) GACAR § 149.105 regarding periodic reporting to the President; and
- (ix) The AIB regulations for the notification of aviation accidents, ultralight accidents and serious incidents.

(9) Procedures to control, amend, and distribute the manual.

### **§ 149.53 Changes to Certificate Holder’s Organization.**

- (a) Each holder of an Aviation Recreation Organization certificate must ensure that their organization manual is amended so as to remain a current description of the holder’s organization.
- (b) The certificate holder must ensure that any amendments made to the holder’s manual meet the applicable requirements of this part and comply with the amendment procedures contained in the holder’s manual.
- (c) The certificate holder must provide the President with a copy of each amendment to the holder’s manual as soon as practicable after its incorporation into the manual.
- (d) Subject to paragraph (e), where a certificate holder proposes to make a change to any of the following, prior notification to and acceptance by the President is required:
  - (1) The accountable manager;
  - (2) The listed senior persons;

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- (3) The holder or holders of any designation made by the President;
  - (4) The activities authorized by the certificate;
  - (5) The principal locations at which the activities may be carried out;
  - (6) If applicable, the procedures for vehicle and personnel assessment and issuance or ultralight permits;
  - (7) If applicable, the procedures for the assessment and issuance or model aircraft registration permits; and
  - (8) The procedures for organizing special aviation events.
- (e) The President may prescribe conditions under which a certificate holder may operate during or following any of the changes specified in paragraph (d).
- (f) A certificate holder must comply with any conditions prescribed under paragraph (e).
- (h) Where any of the changes referred to in this rule requires an amendment to the certificate, the certificate holder must forward the certificate to the President as soon as practicable.
- (g) The certificate holder must make such amendments to the holder's manuals the President may consider necessary in the interests of aviation safety.

### **§ 149.55 Documentation.**

- (a) Each Aviation Recreation Organization must hold copies of all relevant equipment manuals, technical standards and practices, technical bulletins and instructions, regulations, and any other document that is necessary to establish procedures for the activities listed in the applicant's manual. This documentation must include Human Factors material relevant to management and organizations.
- (b) The Aviation Recreation Organization must establish a procedure to control and amend all applicable documents required by paragraph (a).

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**SUBPART E — OPERATING REQUIREMENTS**

**§ 149.71 Continued Compliance.**

Each holder of an Aviation Recreation Organization certificate must—

- (a) Hold at least one complete and current copy of their manual at each principal location specified in their manual;
- (b) Comply with all procedures detailed in the manual;
- (c) Make each applicable part of their manual available to personnel who require those parts to carry out their duties;
- (d) Continue to meet the standards and comply with the requirements of this part; and
- (e) Notify the President of any change of address for service, telephone number, or facsimile number.

**§ 149.73 Ultralight Permits.**

Each Aviation Recreation Organization that will issue aviation documents that are required by the GACAR for the registration and licensing of ultralight vehicles and ultralight pilots must establish procedures for—

- (a) Assessing the eligibility of vehicles and the competency of persons, including holders of equivalent qualifications; and
- (b) Issuing the permits listed in the applicant’s manual; and
- (c) Reviewing and maintaining the competency of persons holding permits issued under authority designated from the President.

**§ 149.75 Special Aviation Events.**

Each Aviation Recreation Organization that will organize and conduct special aviation events under GACAR § 91.431 must establish procedures to ensure compliance with all applicable requirements of GACAR Part 91 and that all pilot’s engaging in aerobatic maneuvers at special aviation events hold a Statement of Aerobatic Competency issued by the President or other

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persons acceptable to the President.

### **§ 149.77 Model Aircraft Permits.**

Each Aviation Recreation Organization that will issue aviation documents that are required by the GACAR for the registration of model aircraft must establish procedures for—

- (a) Assessing the eligibility of model aircraft and their owners; and
- (b) Issuing the model aircraft registration permits.

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**SUBPART F — QUALITY ASSURANCE**

**§ 149.91 Quality Assurance.**

- (a) Each Aviation Recreation Organization must establish a quality assurance system to ensure compliance with, and the adequacy of, the procedures required by this part.
- (b) The quality assurance system must include—
- (1) A safety policy and safety policy procedures that are relevant to the applicant's organizational goals and the expectations and needs of its members;
  - (2) A procedure to ensure quality indicators, including personnel and member feedback, are monitored to identify existing problems, or potential causes of problems, within the system;
  - (3) A procedure for corrective action, to ensure existing problems that have been identified within the system are corrected;
  - (4) A procedure for preventive action, to ensure that potential causes of problems that have been identified within the system are remedied;
  - (5) An internal audit program to audit the applicant's organization for conformity with its safety policy; and
  - (6) Management review procedures to ensure the continuing suitability and effectiveness of the internal quality assurance system in satisfying the requirements of this part.
- (c) The safety policy procedures must ensure that the safety policy is understood, implemented, and maintained at all levels of the organization.
- (d) The procedures for corrective action must specify how—
- (1) Existing problems are corrected;
  - (2) Corrective action is followed up to ensure the action is effective;
  - (3) Procedures are amended as a result of corrective action; and

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- (4) Management will review the effectiveness of any corrective action taken.
- (e) The procedure for preventive action must specify how—
- (1) Potential problems are corrected;
  - (2) Preventive action is followed up to ensure the action is effective;
  - (3) Procedures are amended as a result of preventive action; and
  - (4) Management will review the effectiveness of any preventive action taken.
- (f) The internal audit program must—
- (1) Specify the frequency and location of the audits taking into account the nature of the activity to be audited;
  - (2) Ensure audits are performed by trained auditing personnel who are independent of those having direct responsibility for the activity being audited;
  - (3) Ensure the results of audits are reported to the personnel responsible for the activity being audited and the manager responsible for internal audits;
  - (4) Require preventive or corrective action to be taken by the personnel responsible for the activity being audited if problems are found by the audit; and
  - (5) Ensure there are follow up audits to review the effectiveness of any preventive or corrective action taken.
- (g) The procedure for management review must—
- (1) Specify the frequency of management reviews of the quality assurance system, taking into account the need for the continuing effectiveness of the system;
  - (2) Identify the responsible manager who must review the quality assurance system; and
  - (3) Ensure that the results of the review are evaluated and recorded.

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(h) The senior person who has the responsibility for internal quality assurance must have direct access to the accountable manager on matters affecting safety.

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**SUBPART G – RECORDS AND REPORTS**

**§ 149.101 Records.**

(a) Each Aviation Recreation Organization must establish procedures to identify, collect, index, store, maintain, and dispose of the records that are necessary for the activities listed in the Aviation Recreation Organizations manual.

(b) The procedures must ensure that—

(1) There is a record of each internal quality assurance action performed by the Aviation Recreation Organizations in accordance with the procedures specified in GACAR§ 149.91;

(2) There is a record for each person who conducts activities on behalf of the Aviation Recreation Organization. The record must include details of their experience, qualifications, training, and competence assessments;

(3) There is a record of each aviation document that is required by the GACAR for the registration and licensing of ultralight vehicles, ultralight pilots and model aircraft and that is issued by the Aviation Recreation Organization;

(4) All records are legible; and

(5) All records are retained for a period of at least 3 years from the date of the last entry made on that record except the aviation documents issued under (3) which must be retained indefinitely.

**§ 149.103 Electronic Recordkeeping.**

(a) No Aviation Recreation Organization may use an electronic signature for records requiring a certifying statement unless the electronic signature system is approved by the President.

(b) No certificate holder may use an electronic recordkeeping system for any record required by this part unless the electronic recordkeeping system complies with paragraphs (c) through (e) of this section.

(c) ***Storage and Retrieval.*** A computer hardware and software system must have the capability to store and retrieve the records. The system must be capable of producing paper copies of the viewed



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information at the request of a GACA or Saudi Arabian Aviation Investigation Bureau (SAAIB) authorized representative.

(d) **Security.** Any electronic recordkeeping system must—

- (1) Ensure that records are retained for the retention periods prescribed in this part.
- (2) Protect confidential information.
- (3) Ensure that the information is not altered in an unauthorized way.
- (4) Have a corresponding policy and management structure to support the computer hardware and computer software that delivers the information.

(e) **Procedures.** Before employing an electronic recordkeeping system, an Aviation Recreation Organization must incorporate electronic recordkeeping procedures into its manual to include the following:

- (1) Procedures for making required records available to authorized AIB personnel and GACA inspectors. If the computer hardware and software system is not compatible with the GACA and AIB systems, the certificate holder must provide an employee or representative to assist in accessing the necessary computerized information.
- (2) Procedures for reviewing the computerized personal identification codes system to ensure that the system will not permit password duplication.
- (3) Procedures for auditing the computer system every 60 days to ensure the integrity of the system. A record of the audit must be completed and retained on file as part of the operator's record retention requirements.
- (4) Audit procedures to ensure the integrity of each computerized workstation unless the workstations are server based and contain no inherent attributes that enable or disable access.
- (5) Procedures describing how the Aviation Recreation Organization will ensure that the electronic records are transmitted in accordance with the appropriate regulatory requirements.
- (6) A description of the training procedure and requirements necessary to authorize access to the computer hardware and software system.

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(7) For electronic recordkeeping systems employing digital or electronic signatures, guidelines for authorized representatives of the Aviation Recreation Organization to use electronic signatures and to have access to the appropriate records.

### **§ 149.105 Periodic Reporting.**

(a) Each Aviation Recreation Organization must provide annual reports to the President that include the following information:

- (1) A name and address of each person issued an ultralight pilot permit or ultralight flight instructor permit;
- (2) The make, model, registration marks and owner's name contact information for each ultralight that has been issued an ultralight registration permit;
- (3) The make, model, registration marks and owner's name contact information for each model aircraft that has been issued a model aircraft registration permit;
- (4) The date, location and type of each special aviation event sponsored; and
- (5) Any other report that the President prescribes.

(b) Each report required under this section must be prepared in a format acceptable to the President.