



الهيئة العامة للطيران المدني
General Authority of Civil Aviation

GACA Circular No. R-18-2010

27 November 2010

TO ALL GACA CERTIFICATE AND LICENSE HOLDERS

SUBJECT: GACA APPEALS POLICY

1. INTRODUCTION

In accordance with the Civil Aviation Law of the Kingdom of Saudi Arabia (KSA) as approved by the Council of Ministers Resolution No. 185 dated 17/07/1426H and issued by the Royal Decree No. M/44 dated 18/07/1426H. (23/08/2005G), and based on the authority granted in Article 179 of the Civil Aviation Law, the following Appeals Policy is issued under the authority of the President of General Authority of Civil Aviation (GACA), as a duly delegated representative of the GACA Board of Directors, in accordance with Order No.T-41, dated 30/12/1429H (28/12/2008G).

An appeal to reconsider a decision or action made by GACA Safety and Economic Regulation personnel may be initiated by an affected party when they believe that the GACA decision was made incorrectly, unfairly or without the benefit of all available relevant information. The GACA is prepared to hear appeals, subject to certain limitations, in order to ensure that the rights of all affected parties are respected while GACA carries out its regulatory obligations.

2. AVAILABILITY OF APPEAL

An appeal may be made for any certification/approval denial or compliance enforcement action taken by GACA Safety and Economic Regulation personnel. This does not apply to the decisions made by the Board of Grievances as specified in Article 174 of the Civil Aviation Law.

3. SUBMISSION AND TIMELINESS OF APPEAL

An appellant who is the subject of a certification/approval denial or compliance enforcement action must submit appeals in writing to the Vice President, GACA Safety and Economic Regulation (GACA-S&ER) within 14 calendar days after receiving the certification/approval denial or compliance enforcement notice.

4. CONTENTS OF THE NOTICE OF APPEAL

In its notice of appeal the appellant who is the subject of certification/approval denial or compliance enforcement action must state its basis for the appeal. It may submit written material with the appeal, or request a meeting with appropriate GACA representative. At the meeting, the appellant may present a written or oral response to the GACA decision. If the appellant does not request a meeting with appropriate GACA representatives, the GACA will base its decision solely on the written material submitted with the notice of appeal.

5. REJECTION OF A NOTICE OF APPEAL

The Vice President, GACA-S&ER may reject outright any frivolous, repetitive, or dilatory appeals.



6. APPEAL PANEL

An appeal panel chosen by the Vice President, GACA-S&ER, will consider the appeal. The appeal panel will consist of at least two managers/directors and one technical specialist who was not involved in the certification/approval denial or compliance enforcement decision making.

7. MEETING WITH THE APPELLANT

- (1) Scheduling. The appeal panel may schedule meetings with the appellant within 15 calendar days of receipt of the notice of appeal.
- (2) Participants. The appellant and his representatives and the appeal panel may attend the meeting. If the appellant chooses to have legal counsel attend the meeting, the appeal panel may arrange to have legal counsel from the GACA attend.
- (3) Record. GACA will keep a record of the meeting and send a copy of the meeting record to the appellant within 15 days of the meeting. The appellant may send comments or proposed corrections.

8. APPEAL DECISION

The appeal panel will consider the evidence provided by the appellant and the GACA's records on the certification/approval denial or compliance enforcement decision. The appeal panel will document its deliberations and rationale for its recommendation within 45 days of the date of appeal. The Vice President, GACA-S&ER will make the final decision of the appeal with consideration of the recommendation of the appeal panel. GACA will notify the appellant (by registered mail) of the final decision within 15 days after the Vice President, GACA-S&ER makes his decision. The notice will contain the following:

- (1) The Decision. The decision may affirm, modify or reverse the initial action or decision made by GACA.
- (2) Reasons for Decision. The notice will state the justification for the decision, including a response to the arguments presented by the appellant. If the certification/approval denial or compliance enforcement decision is reversed or modified, the notice will state the effective date of the reversal, and any actions required on the appellant's part to resume or commence the performance of authorized functions.
- (3) Right to Further Appeal. The notice will state that the decision is final unless the appellant petitions the President of GACA in writing and he agrees to hear a further appeal.

This Circular is published at the GACA official website: <http://www.gaca.gov.sa>

Any inquiries or feedback concerning GACA Regulations shall be addressed to VP, GACA-S&ER, Fax No. +966-2-6855284.

President, General Authority of Civil Aviation,
Kingdom of Saudi Arabia,


Eng. Abdullah M. N. Rehaimi