



Maldives Civil Aviation Authority
Republic of Maldives

Maldivian Civil Aviation Regulations

MCAR-149 Aviation Recreation Organisations

Issue 1, 5 October 2017

Foreword

Maldives Civil Aviation Authority, in exercise of the powers conferred on it under Articles 5 and 6 of the Maldives Civil Aviation Act 2/2012 has adopted this Regulation.

This Regulation shall be cited as MCAR-149 Aviation Recreation Organisations and shall come in to force on 5 October 2017.

Definitions of the terms and abbreviations used in this regulation, unless the context requires otherwise, are in MCAR-1 Definitions and Abbreviations.

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Subpart A – General

149.1 Applicability

This Regulation prescribes rules governing the certification and operation of aviation recreation organisations.

149.2 Definitions

“Accountable Manager” means a person appointed by the organisation who has the authority for ensuring that all activities can be financed and carried out in accordance with the applicable requirements.

149.3 Requirement for certificate

No aviation recreation organisation shall administer the issue of an aviation document that is required by the Maldivian Civil Aviation Regulations for the certification or rating of personnel, except in accordance with the provisions of an Aviation Recreation Organisation Certificate issued under this regulation.

149.5 Application for Certificate

Each applicant for the grant of an Aviation Recreation Organisation Certificate shall complete CAA Form 149-1 and submit it to the Civil Aviation Authority (“CAA”) with:

- (1) the exposition required by 149.65; and
- (2) appropriate application fee prescribed by applicable CAA regulations.

149.7 Issue of Certificate

An applicant is entitled to an Aviation Recreation Organisation Certificate if the CAA is satisfied that:

- (1) any nominated person or persons required by 149.51(a)(1), (2) and (3), are fit and proper persons;
- (2) the applicant meets the requirements of Subpart B; and

- (3) the granting of the Certificate is not contrary to the interests of aviation safety.

149.9 Privileges of Certificate holder

The holder of an Aviation Recreation Organisation Certificate may:

- (1) administer the issue of the personnel certificates and ratings that are specified on that certificate and for which a nominated person or persons hold a delegation; and
- (2) organise aviation events, in accordance with MCAR-2, where that privilege is specified on the certificate; and
- (3) exercise any other privileges required by MCAR to be exercised by a MCAR-149 organisation, where that privilege is specified on the certificate.

149.11 Duration of Certificate

- (a) An Aviation Recreation Organisation Certificate may be granted or renewed for a period of up to 2 years.
- (b) An Aviation Recreation Organisation Certificate remains in force until it expires or is suspended or revoked.
- (c) The holder of an Aviation Recreation Organisation Certificate that is revoked shall forthwith surrender the Certificate to the CAA.
- (d) The holder of an Aviation Recreation Organisation Certificate that is suspended shall forthwith produce the Certificate to the CAA for appropriate endorsement.

149.13 Renewal of Certificate

- (a) An application for the renewal of an Aviation Recreation Organisation Certificate shall be made on form CAA Form *149-1*.

- (b) The application shall be submitted to the CAA before the application renewal date specified on the Certificate or, if no such date is specified, not less than 30 days before the Certificate expires.

Subpart B – Certification Requirements

149.51 Personnel requirements

- (a) Each applicant for the grant of an Aviation Recreation Organisation Certificate shall engage, employ, or contract:
 - (1) a nominated person identified as the Accountable Manager who has the authority within the applicant's organisation to ensure that all activities undertaken by the organisation can be carried out in accordance with the requirements prescribed by this Regulation:
 - (2) a nominated person or persons who will hold any delegation from the Accountable Manager for the issue of personnel certificates and ratings:
 - (3) a nominated person or group of nominated persons who are responsible for ensuring that the applicant's organisation complies with the requirements of this Regulation. Such nominated person or persons shall be ultimately responsible to the Accountable Manager:
 - (4) sufficient personnel to carry out the activities listed in the applicant's exposition.

- (b) The applicant shall:
 - (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 exposition; and
 - (2) establish procedures for the exercise of any delegation held by a nominated person or persons; and
 - (3) provide personnel with responsibilities under this Regulation with written authorisation to fulfil those responsibilities.

149.53 Facility requirements

Each applicant for the grant of an Aviation Recreation Organisation Certificate shall ensure the provision of facilities and resources appropriate to the activities listed in the applicant's exposition.

149.55 Documentation

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

149.57 Records

- (a) Each applicant for the grant of an Aviation Recreation Organisation Certificate shall establish procedures to identify, collect, index, store, maintain, and dispose of the records that are necessary for the activities listed in the applicant's exposition.
- (b) The procedures shall ensure that:
 - (1) there is a record of each internal safety assessment and quality assurance action performed by the applicant's organisation in accordance with the procedures specified in 149.63; and
 - (2) there is a record for each person who conducts activities on behalf of the applicant's organisation. The record shall include details of their experience, qualifications, training, and competence assessments; and
 - (3) there is a record of each personnel certificate and rating issued by the organisation; and
 - (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.

149.59 Personnel certification

Each applicant for the grant of an Aviation Recreation Organisation Certificate for the issue of personnel certificates or ratings shall establish procedures for:

- (1) assessing the competency of persons, including holders of equivalent qualifications; and
- (2) issuing the certificates and ratings listed in the applicant's exposition; and
- (3) reviewing and maintaining the competency of persons holding certificates or ratings issued under delegated authority from the Accountable Manager.

149.61 Aviation events

Each applicant for the grant of an Aviation Recreation Organisation Certificate that approves them to organise aviation events shall establish procedures to ensure compliance with MCAR-2.

149.63 Internal safety assessment and quality assurance

- (a) Each applicant for the grant of an Aviation Recreation Organisation Certificate shall establish an internal safety assessment and quality assurance system to ensure compliance with, and the adequacy of, the procedures required by this Regulation.
- (b) The internal safety assessment and quality assurance system shall include:
 - (1) a safety policy and safety policy procedures that are relevant to the applicant's organisational goals and the expectations and needs of its members; and
 - (2) a procedure to ensure safety and quality indicators, including personnel and member feedback, are monitored to identify existing findings, or potential causes of findings, within the system; and
 - (3) a procedure for corrective action, to ensure existing findings that have been identified within the system are corrected; and

- (4) a procedure for preventive action, to ensure that potential causes of findings that have been identified within the system are remedied; and
 - (5) an internal audit programme to audit the applicant's organisation for conformity with its safety policy; and
 - (6) management review procedures to ensure the continuing suitability and effectiveness of the internal safety assessment and quality assurance system in satisfying the requirements of this Regulation.
- (c) The safety policy procedures shall ensure that the safety policy is understood, implemented, and maintained at all levels of the organisation.
- (d) The procedures for corrective action shall specify how:
 - (1) existing findings are corrected; and
 - (2) corrective action is followed up to ensure the action is effective; and
 - (3) procedures are amended as a result of corrective action; and
 - (4) management will review the effectiveness of any corrective action taken.
- (e) The procedure for preventive action shall specify how:
 - (1) potential findings are corrected; and
 - (2) preventive action is followed up to ensure the action is effective; and
 - (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 programme shall:
 - (1) specify the frequency and location of the audits taking into account the nature of the activity to be audited; and
 - (2) ensure audits are performed by trained auditing personnel who are independent of those having direct responsibility for the activity being audited; and

- (3) ensure the results of audits are reported to the personnel responsible for the activity being audited and the manager responsible for internal audits; and
 - (4) require preventive or corrective action to be taken by the personnel responsible for the activity being audited if findings 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 shall:
- (1) specify the frequency of management reviews of the safety assessment and quality assurance system, taking into account the need for the continuing effectiveness of the system; and
 - (2) identify the responsible manager who shall review the safety assessment and quality assurance system; and
 - (3) ensure that the results of the review are evaluated and recorded.
- (h) The nominated person who has the responsibility for internal safety assessment and quality assurance shall have direct access to the Accountable Manager on matters affecting quality and safety

149.65 Organisation exposition

- (a) An applicant for the grant of an Aviation Recreation Organisation Certificate shall provide the CAA with an exposition which shall contain, where applicable:
- (1) a statement signed by the Accountable Manager on behalf of the applicant's organisation confirming that the exposition and any included manuals:
 - (i) define the organisation and demonstrate its means and methods for ensuring ongoing compliance with this Regulation; and
 - (ii) will be enforced at all times; and
 - (2) the titles and names of the nominated person or persons required by 149.51(a)(1), (2), and (3); and

- (3) the duties and responsibilities of the nominated person or persons specified in 149.51(a)(1), (2), and (3), including matters for which they have responsibility to deal directly with the Accountable Manager or the CAA on behalf of the organisation; and
 - (4) an organisation chart showing lines of responsibility of the nominated persons specified in 149.51(a)(3) and extending to each location listed under paragraph (a)(6) of this rule; and
 - (5) a description of the activities to be conducted under the Certificate; and
 - (6) the principal locations at which each activity will be conducted; and
 - (7) a description of the facilities required by 149.53; and
 - (8) details of the procedures required by:
 - (i) 149.51(b)(1) regarding the competence of personnel; and
 - (ii) 149.51(b)(2) regarding the exercise of any delegation held by a nominated person or persons; and
 - (iii) 149.55(b) regarding the control and amendment of documentation; and
 - (iv) 149.57(a) regarding the identification, collection, indexing storage, maintenance, and disposal of records; and
 - (v) 149.59(a) regarding the assessment of personnel, the issue of certificates and ratings, and the review and maintenance of competency of certificate and rating holders; and
 - (vi) 149.61 regarding the organisation of aviation events; and
 - (vii) 149.63 regarding the internal safety assessment and quality assurance of the organisation; and
 - (9) procedures to control, amend, and distribute the exposition.
- (b) The applicant's exposition must be approved by the CAA.

Subpart C – Operating Requirements

149.101 Continued compliance

Each holder of an Aviation Recreation Organisation Certificate shall:

- (1) hold at least one complete and current copy of their exposition at each principal location specified in their exposition; and
- (2) comply with all procedures detailed in the exposition; and
- (3) make each applicable part of their exposition available to personnel who require those parts to carry out their duties; and
- (4) continue to meet the standards and comply with the requirements of Subpart B; and
- (5) forthwith notify the CAA of any change of address for service, telephone number, or facsimile number and Email.

149.103 Changes to certificate holder's organisation

- (a) Each holder of an Aviation Recreation Organisation Certificate shall ensure that their organisation exposition is amended so as to remain a current description of the holder's organisation.
- (b) The certificate holder shall ensure that any amendments made to the holder's exposition meet the applicable requirements of this Regulations and comply with the amendment procedures contained in the holder's exposition.
- (c) The certificate holder shall provide the CAA with a copy of each amendment to the holder's exposition as soon as practicable after its incorporation into the exposition.
- (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 CAA is required:
 - (1) the Accountable Manager:
 - (2) the listed nominated persons:
 - (3) the holder or holders of any delegation made by the Accountable Manager:

- (4) the activities authorised by the certificate:
 - (5) the principal locations at which the activities may be carried out:
 - (6) the procedures for personnel assessment and certification:
 - (7) the procedures for organising aviation events.
- (e) Where a certificate holder is a society incorporated under an Act and an election by members of the Society results in a new Accountable Manager or listed nominated person, the holder shall notify the CAA of the change within 7 days of the election.
- (f) The CAA may prescribe conditions under which a certificate holder may operate during or following any of the changes specified in paragraph (d).
- (g) A certificate holder shall comply with any conditions prescribed under paragraph (f).
- (h) Where any of the changes referred to in this Regulations requires an amendment to the certificate, the certificate holder shall forward the certificate to the CAA as soon as practicable.
- (i) The certificate holder shall make such amendments to the holder's exposition as the CAA may consider necessary in the interests of aviation safety.

149.105 Safety inspections and audits

- (a) The holder of an Aviation Recreation Organisation Certificate may be required by the CAA, in writing, to undergo or carry out such inspections and audits of the holder's activities at their principal locations including facilities, documents, and records as the CAA considers necessary in the interests of civil aviation safety and security in accordance with the applicable CAA regulations.

- (b) The CAA may require the holder of an Aviation Recreation Organisation Certificate to provide such information as the CAA considers relevant to the inspection or audit.



APPLICATION FOR ISSUE, RENEWAL OR AMENDMENT OF AN AVIATION RECREATION ORGANISATION CERTIFICATE

Please complete in BLOCK CAPITALS using black or dark blue ink.

FALSE REPRESENTATION STATEMENT

It is an offence to make, with intent to deceive, any false representation for the purpose of procuring the grant, issue, renewal or variation of any certificate, licence, approval, permission or other document.

1. APPLICANT DETAILS To be completed by the Applicant

The certificate will be issued in this name.
 Legal name of organisation:
 Trading name: (if any):
 Registration No:
 Address for Service:
 TEL: _____ E-mail: _____
 Postal Address (If different.): _____
 TEL: _____ E-mail: _____

2. REASON FOR APPLICATION To be completed by the Applicant

Mark appropriate box
 Initial issue: Renewal: Amendment:

3. QUESTIONNAIRE To be completed by the Applicant

The following questions must be answered for initial issue and for renewal:

(a) Has the organisation been convicted for any transport safety offence in the last five years or is the organisation presently facing charges for a transport safety offence?	YES*	NO
(b) Has the organisation previously had an application for an aviation document rejected or has an aviation document held by the organisation been suspended or revoked?	YES*	NO

* If answering "Yes", please provide details on separate sheets.

4. PRIVILEGES APPLIED To be completed by the Applicant

Personnel Certification (149.59): Aviation Events (149.61): Other Privileges (149.9(3)):

5. BRIEF SUMMARY OF SCOPE OF WORK To be completed by the Applicant

Provide references to the Organizations' Exposition (Ref MCAR Part 149.65(a)(5)):

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6. LIST OF NOMINATED PERSONS AND THEIR AREAS OF RESPONSIBILITY To be completed by the Applicant

(Ref MCAR Part 149.51(a)(4))

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7. NUMBER OF PERSONS TO BE EMPLOYED	To be completed by the Applicant
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8. DECLARATION	To be completed by the Applicant
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This application is made for and on behalf of the organisation identified above. I certify that I am empowered by the organisation to ensure that all activities undertaken by the organisation can be financed and carried out to the standard required by the MCAA.

I declare that to the best of my knowledge and belief the statements made and the information supplied in this application and the attachments are complete and correct.

Name:		Signature:	
Appointment:		Date:	

Documents to be submitted	For CAA use
1. Copy of the CVs of the Nominated Persons	
2. Copy of the registration certificate with original	
3. Copy of the exposition	
<i>Following additional requirements shall be submitted in the case of loss of licence</i>	
11. A police report	
12. Copy of the Recreation Organisation Certificate (if available)	

CAA USE ONLY	
Date of Issue: Checked by: Loaded by: Signed by:	Remarks: