

Date : 2022/02/20 التاريخ :

Ref : 2022/018/REG/41 الإشارة :

All KCASR Stakeholders and Users

Sub.: Regulatory Circular No. 2.
Revision Number 5 to Kuwait Civil Aviation Safety Regulations - KCASR 26 - ENFORCEMENT AND SANCTIONS.

Dear Sir,

Please find enclosed herewith the regulatory circular No. 2 regarding the issuance of **KCASR 26 - ENFORCEMENT AND SANCTIONS Rev. 5.** This is for your information and distribution to all concerned departments.

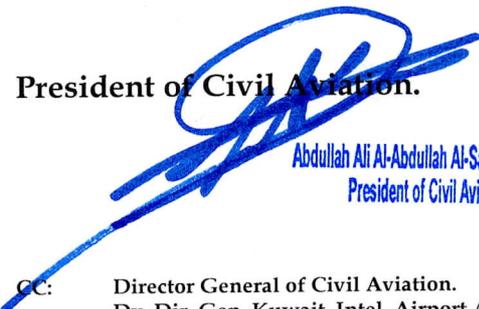
Up to date KCASR Parts are published on the DGCA/ASD website (<https://kcasr.dgca.gov.kw>).

If required, the DGCA/Aviation Safety Department personnel are available to answer your questions on the interpretation and intended implementation of the proposed amendments.

KCASR 26 - ENFORCEMENT AND SANCTIONS Rev. 5 will be in effect from 01/Mar/2022.

Yours Sincerely,

President of Civil Aviation.


Abdullah Ali Al-Abdullah Al-Salem Al-Sabah
President of Civil Aviation

CC: Director General of Civil Aviation.
Dy. Dir. Gen. Kuwait. Intel. Airport Affairs.
Dy. Dir. Gen. for Air Navigation Services Affairs.
Safety Management Coordination Center (SMCC).
Head of Technical Office.
Civil Aviation Security Department.
Aviation Safety Director.
Air Transport Director.
Inspection & oversight Superintendent.
Head of Standards & Aviation Safety Regulations Division.



www.dgca.gov.kw
E-mail: info@dgca.gov.kw

Date : 2022/02/20 التاريخ :

Ref : 2022/019/REG/41 الإشارة :

REGULATORY CIRCULAR (NO. 2)

Subject:

Notice of Amendment to Kuwait Civil Aviation Safety Regulations KCASR (issue 4).

Purpose:

The purpose of this Regulatory Circular No. 2 is to Amend KCASR 26 - ENFORCEMENT AND SANCTIONS (issue 4) .

This Regulatory Circular No. 2 is based on (NPA) No. 2022/ dated on 13/Jan/2022

Revisions:

This amendment will be included in revision (05) of KCASR 26 - ENFORCEMENT AND SANCTIONS.

Regulatory Requirements:

This amendment shall apply to the following Organizations approved by the Directorate General of Civil Aviation (DGCA) or authorized to operate within the State of Kuwait:

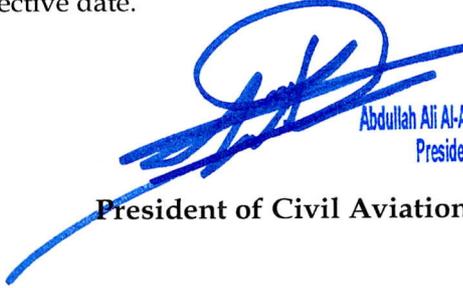
1. Approved Maintenance Organizations (AMO) Holders;
2. Air Navigation Service Providers;
3. Air Operator Certificate (AOC) & Private Operator Certificate (POC) Holders;
4. Airport Operators;
5. Ground Handling Service Providers;
6. Flying Training Organizations;
7. All users of KCASRs.

Effective Date:

This new revision will be in effect from 1 /Mar/2022.

Required Action:

All users of KCASR are required to comply with the provisions contained within this amendment from the effective date.


Abdullah Ali Al-Abdullah Al-Salem Al-Sabah
President of Civil Aviation

www.dgca.gov.kw
E-mail: info@dgca.gov.kw





الطيران المدني
Civil Aviation
دولة الكويت - State of Kuwait

Kuwait Civil Aviation Safety Regulations

KCASR 26 – ENFORCEMENT AND SANCTIONS



Contents

Amendment Record.....	4
26.1 Introduction.....	5
26.2 Error	5
26.3 Violations.....	6
26.4 Enforcement Objectives and Policy: General.....	6
26.5 Statutory Background.	7
26.6 Objectives.	7
26.7 Enforcement principles.....	8
26.8 Actions towards Violators: General.....	9
26.9 Administrative Action.....	9
26.10 Civil Action.....	10
26.11 RVSM Approval, Suspension, Revocation by the DGCA.....	10
26.12 Enforcement Sanction Guidance Tables.	10
Violations Committed by Key Personnel Authorised by Kuwait DGCA – ASD-Form 4 (Table 1)	11
Violations Committed by a Holder of an Air Operator Certificate (AOC) Issued by Kuwait DGCA (Table 2).....	12
➤ Violations Committed by a Holder of An AMO Holder Issued by Kuwait DGCA (Table 3).....	14
➤ Violations Committed by Personnel Holding a Licence, Certificate or Approval Issued by Kuwait DGCA.....	16
➤ Maintenance Personnel (Table 4).....	16
➤ Flight Deck/Cabin Crew Members (Attestation) (Table 5).....	18
➤ Violations Committed by Personnel Holding an Authorized Examiner Authority Issued by Kuwait DGCA (Table 6).....	20
➤ Air Traffic Controllers (Table 7).....	21
➤ Flight Operations Officer and Flight Dispatcher FOO/FD (Table 8).....	22

➤	Violations Concerning Safe Transportation of Dangerous Goods by Air (Table 9) ...	23
➤	Implementation of Safety Management Systems (SMS) (Table 10)	25
➤	Violations committed by a Holder of an Aerodrome Certificate	27
➤	(Table 11)	27
➤	Violations Committed by Air Navigation Services (Table 12).....	29
➤	Violations Committed by a Holder of a Ground Handling Certificate (GHO) Issued Kuwait DGCA.....	30
➤	(Table 13)	30
➤	Violations Committed by Authorised Aero-Medical Examiner (Table 14).....	31
	Violations Committed by a Holder of a Unmanned Aircraft Systems Operator Certificate (UOC) Issued by Kuwait DGCA (Table 15).....	32
➤	Violations Committed by a Holder of a Flying Club Approval (Light Sport Aircraft) Issued by Kuwait DGCA (Table 16).....	33
➤	AVSEC Violation committed by Stakeholders, entities and service providers approved by DGCA in State of Kuwait (Table 17).....	34
	Ground Handling Performance Sanctions	36
	Service Level Agreements Criteria and Penalties	37
	Penalties for Deficiencies & Breaches of Airside / Apron safety:	38



KCASR 26 – ENFORCEMENT AND SANCTIONS

26.1 Introduction.

The purpose of this regulation is to describe the authority, responsibilities, policies, guidelines, procedures, objectives, and legal aspects of the Directorate General of Civil Aviation's Compliance and Enforcement Rules. It is intended to be a guide in the exercise of discretion by the various Kuwait DGCA/ASD/CASeD personnel involved. It is recognized that this regulation does not cover every situation, and there will be cases where deviation is warranted. It is expected that Kuwait DGCA (ASD/CASeD) personnel will use their judgment and experience in each case to carry out the policies of Kuwait DGCA.

26.2 Error

An error is defined as “an action or inaction by an operational person that leads to deviations from organizational or the operational person's intentions or expectations”. In the context of an SMS, both Kuwait DGCA (ASD/CASeD) and the product or service provider understand and expect that humans will commit errors regardless of the level of technology used, the level of training or the existence of regulations, processes and procedures. An important goal then is to set and maintain defences to reduce the likelihood of errors and, just as importantly, reduce the consequences of errors when they do occur. To effectively accomplish this task, errors must be identified, reported and analysed so that appropriate remedial action can be taken. Errors can be divided into the two following categories:

- a) Slips and lapses are failures in the execution of the intended action. Slips are actions that do not go as planned, while lapses are memory failures. For example, operating the flap lever instead of the (intended) gear lever is a slip. Forgetting a checklist item is a lapse.
- b) Mistakes are failures in the plan of action. Even if execution of the plan were correct, it would not have been possible to achieve the intended outcome.

Safety and security strategies must be put into place to control or eliminate errors. The strategies to control errors leverage the basic defences within the aviation system. These include the following:

- a) Reduction strategies provide direct intervention to reduce or eliminate the factors contributing to the error. Examples of reduction strategies include improvement of ergonomic factors and reduction of environmental distractions.
- b) Capturing strategies assume the error will be made. The intent is to “capture” the error before any adverse consequences of the error are felt. Capturing strategies are different from reduction strategies in that they utilize checklists and other procedural interventions rather than directly eliminating the error.
- c) Tolerance strategies refer to the ability of a system to accept that an error will be made but without experiencing serious consequences. The incorporation of redundant systems or multiple inspection processes are examples of measures that increase system tolerance to errors.

Since the performance of personnel is generally influenced by organizational, regulatory and environmental factors, safety risk management must include consideration of organizational policies,



processes and procedures related to communication, scheduling of personnel, allocation of resources and budgeting constraints that may contribute to the incidence of errors.

26.3 Violations

A violation is defined as “a deliberate act of wilful misconduct or omission resulting in a deviation from established regulations, procedures, norms or practices”. Nonetheless, non-compliance is not necessarily the result of a violation because deviations from regulatory requirements or operating procedures may be the result of an error. To further complicate the issue, while violations are intentional acts, they are not always acting of malicious intent. Individuals may knowingly deviate from norms, in the belief that the violation facilitates mission achievement without creating adverse consequences. Violations of this nature are errors in judgement and may not automatically result in disciplinary measures depending on the policies in place. Violations of this type can be categorized as follows:

- a) Situational violations are committed in response to factors experienced in a specific context, such as time pressure or high workload.
- b) Routine violations become the normal way of doing business within a work group. Such violations are committed in response to situations in which compliance with established procedures makes task completion difficult. This may be due to practicality/workability issues, deficiencies in human technology interface design and other issues that cause persons to adopt “workaround” procedures, which eventually become routine. These deviations, referred to as “drift,” may continue without consequence, but over time they may become frequent and result in potentially severe consequences. In some cases, routine violations are well grounded and may result in the incorporation of the routine violation as an accepted procedure after a proper safety assessment has been conducted and it is shown that safety is not compromised.
- c) Organizationally induced violations may be considered as an extension of routine violations. This type of violation tends to occur when an organization attempts to meet increased output demands by ignoring or stretching its safety defenses and security implementation.

26.4 Enforcement Objectives and Policy: General.

The central mission of this regulation is to promote compliance with safety and security standards. To achieve this, Kuwait DGCA (ASD/CASeD) shall establish regulatory standards and requirements.

- (a) To ensure their effective implementation Kuwait DGCA must provide for the education and guidance needed by a certificate/License’s holders and the public. The importance of this step and the related (personal) organizational skills needed cannot be over-emphasized. In the absence of thorough understanding, compliance with safety and security regulations cannot be achieved.
- (b) Kuwait DGCA (ASD/CASeD) has a statutory obligation to ensure compliance with all regulations. This obligation is especially critical as it applies to the holder of Kuwait DGCA certificates, licenses or authorizations. All individuals must clearly understand the crucial role they play in achieving compliance.
- (c) While compliance can be compelled where necessary, civil aviation safety depends primarily on voluntary adherence to regulatory requirements.



- (d) The enforcement requirements described in this regulation are equally applicable to all activities regulated by Kuwait DGCA (ASD/CASeD). When violations occur, whether they involve the operation of a certificate/License's holders, the performance of aircraft maintenance, or the operation of aircraft, Kuwait DGCA/ASD personnel responsible for enforcing those regulations shall investigate, report, and address such matters for appropriate enforcement-action consistent with this regulation.
- (e) **A Certificate/License's Holders Compliance:** a certificate/License's holders have a statutory mandate to perform their services with the highest possible degree of safety and security. Achievement of that goal requires a concerted effort by Kuwait DGCA (ASD/CASeD) and a certificate/License's holders. Special efforts should be undertaken to keep the certificate/License's holders apprised of the methods by which Kuwait DGCA (ASD/CASeD) inspections are carried out and of any recurring incidence of non-compliance discovered in those inspections. The certificate/License's holders are encouraged, in turn, to utilize such information to evaluate their own systems, programmes and operations.
- (f) **Sanctions:** Enforcement sanctions should be applied as consistently as possible, but this should not imply blind adherence to a fixed penalty for every violation. While Kuwait DGCA (ASD/CASeD) directives providing guidance on sanctions must be observed, each case requires an individual determination of appropriate enforcement action. Kuwait DGCA (ASD/CASeD) Inspectors should feel free to recommend actions which, in their professional judgment, will appropriately serve the purposes of the Compliance and Enforcement Programme.

26.5 Statutory Background.

- (a) Ministerial Decision No. (18) of 1996 places a duty on Kuwait DGCA to prescribe reasonable rules, regulations, orders, and minimum standards in the public interest. Once a regulation is issued, it is expected there will be compliance with all requirements contained in the regulation. A violation of any regulation must be responded to with effective enforcement regulations.
- (b) The Decision also encourages the certificate/License's holder to do their utmost in preventing any deterioration in established safety procedures, recognizing the clear intent of the Decision that the highest degree of safety in air transportation is expected to be maintained at all times.

26.6 Objectives.

- (a) **Surveillance and Detection:** It is essential that violations and potential violations be discovered at the earliest possible time. Every alleged violation must be identified, reported, and processed in a timely and in an appropriate manner.
- (b) **Prompt Action:** Prompt action is essential to ensure a fair enforcement of the regulations. Unnecessary delays in an investigation cannot be tolerated. The responsibility to act promptly rests equally with each of the personnel involved in investigating the incident.
- (c) **Investigation:** In order for the enforcement actions to be objective and fair, there must be unbiased gathering of all facts, precise investigation, and accurate and prompt reporting.
- (d) **Enforcement Tools:** Statutory methods provided for enforcing the requirements of Kuwait DGCA (ASD/CASeD) Regulations include: amendment, suspension and revocation of licences/certificates.



Regulations governing the transportation of hazardous material by air are enforceable by means of civil and criminal penalties, orders directing compliance, and equitable judicial measures.

(e) **Enforcement Processing:** When violations occur, firm action must be taken and Kuwait DGCA (ASD/CASeD) must forcefully respond to violations. Firmness should be balanced with fairness.

(1) **Policy:** Compliance with the regulations is promoted through both administrative and formal legal actions. Administrative action (warning letters or letters of correction) is used to check potentially unsafe practices in situations where formal actions are unnecessary or inappropriate. Formal legal action is undertaken to-

- (i) Prevent future actions which would violate the regulations.
- (ii) Impose punitive sanctions, after the act, to deter violations, and
- (iii) Achieve remedial purposes, e.g., licences/certificate suspension pending demonstration of qualifications, or revocation for lack of certificate qualifications.
- (iv) The SSP/SMS policy shall not hinder the DGCA/ASD from dealing with events involving gross negligence and wilful deviations from the Regulations and approved procedures.
- (v) Collected SSP safety data should not be used or disclosed for purposes other than safety improvement.

(2) **Fairness.** It is essential that Kuwait DGCA (ASD/CASeD) Compliance and Enforcement Program be conducted in as fair a manner as possible. A vital part of this effort is to achieve uniformity and consistency of enforcement action throughout the system. Similar violations under similar circumstances should result in the same type of enforcement action and sanction.

However, it is recognized that the many factors which must be considered in choosing a sanction cannot be scientifically measured. The standards in this part leave some discretion to choose a sanction within established parameters, Kuwait DGCA (ASD/CASeD) personnel are expected to exercise their discretion in choosing sanctions which are consistent with the letter and spirit of Kuwait DGCA policy.

26.7 **Enforcement principles.**

In setting sanctions, the following basic principles apply-

- (a) The initial enforcement action should reflect Kuwait DGCA (ASD/CASeD)'s best assessment of a fair sanction for the violations alleged.
- (b) Significant enforcement actions shall be coordinated with the President of Civil Aviation or his delegate to ensure consistency of sanctions and national policy.
- (c) Kuwait DGCA (ASD/CASeD) considers the following violations the most serious violations that warrant the most severe sanctions:
 - (i) Falsification of records, logs, or documents;
 - (ii) Negligent, careless or reckless manner by licenced/authorized personnel,



- (iii) Denial / obstruction of access to premises, facilities, records, aircraft and aircraft equipment to the Kuwait DGCA (ASD/CASeD) authorized personnel;
- (d) Voluntary reporting of violations is a factor to be considered in assessing an appropriate sanction.
- (e) Except as otherwise specifically noted in this regulation or other written Kuwait DGCA policy, computation of proposed penalties is not done according to a strict mathematical formula, instead it involves judgment of where the case lies along a spectrum of seriousness. Many factors are considered, and the violation history of the respondent must be reviewed and compared with the current situation.
- (f) Certificate/License's holders must be held to the highest standard of safety and security performing their services with the highest possible degree of safety and security.
- (g) Certificate holders are expected to have the financial wherewithal to operate according to the established safety standards. Financial circumstances should not be accepted as an excuse or as mitigation for violating any Kuwait DGCA Regulations.
- (h) A so-called paper violations are very serious, since many of the surveillance systems on which both Kuwait DGCA (ASD/CASeD) and a certificate holder rely on order for monitoring compliance with safety standards, are based primarily upon complete and accurate record-keeping and reporting.
 - (1) Record-keeping requirements serve to ensure that actions required by the regulations are actually done.
 - (2) Noncompliance with record-keeping requirements also strikes at the very heart of Kuwait DGCA system of monitoring and ensuring compliance with safety standards. Without a record indicating compliance, Kuwait DGCA (ASD/CASeD) and the certificate holder have no means to be assured that compliance has in fact been achieved.

26.8 Actions towards Violators: General.

Action towards violators varies from administrative action to enforcement action.

26.9 Administrative Action.

If it is determined that a violation or an alleged violation of Kuwait DGCA Regulations or any of the other complementary instructions and notices does not require legal enforcement action, an appropriate official of Kuwait DGCA (ASD/CASeD) may take administrative action in disposition of the case. That action may consist of issuing the alleged violator-

- (a) A "Warning Notice" which recites available facts and information about the incident or condition and indicates that it may have been a violation, or
- (b) A "Letter of Correction" which confirms Kuwait DGCA decision in that matter and states the necessary corrective action the alleged violator has taken or agrees to take. The above actions may be given to-
 - (1) **Holder of Kuwait DGCA Licence/Certificate:** If a Kuwait DGCA licence/certificate holder improperly exercises the privileges of that certificate, the natural consequence of that act is to lose the privileges for a period of time commensurate with the violation.



- (2) **Non-Kuwait DGCA Licence/Certificate:** If the violator is a non-Kuwait DGCA licence/certificate holder, Kuwait DGCA may request a disciplinary or punitive action, to be taken by the employer or other authority, towards the violator.

26.10 Civil Action.

- (a) Kuwait DGCA(ASD/CASeD) is authorized to impose civil penalties on organizations and Individuals that violate any provision of the Civil Aviation law and Kuwait Civil Aviation Safety Regulations (KCASRs).
- (b) The severity of the civil penalty varies based on-
- (1) The nature and circumstances of the violation.
 - (2) The extent and gravity of the violation.
 - (3) The person's degree of culpability.
 - (4) The person's history of prior violations.
 - (5) Such other matters as justice may require.
- (c) The civil penalty towards Kuwait KCASR users are applied for the purpose of enhancing safety and security to reduce the number of violations. and should not at any time be considered as "the cost of doing business".
- (d) Consideration should be taken in applying penalties if the violator committed multiple violations of a single regulation or single violations of various regulations.
- (e) (i) A licence/certificate holder who commits a second violation within 12months, the penalty applied will be doubled.
- (ii) A licence/certificate holder who commits a third violation within 24 months from the first violation, the penalty applied will constitute the revocation of the licence/certificate.

26.11 RVSM Approval, Suspension, Revocation by the DGCA.

- (a) An operator that consistently experiences Height keeping Errors caused by malfunction of aircraft equipment or caused by operational errors will has his approval for RVSM operations suspended or revoked by the DGCA/ASD. If a problem is identified which is related to one specific aircraft type, then the RVSM approval may be suspended or revoked for that specific type only.
- (b) The Kuwait DGCA/ASD may consider suspending or revoking RVSM approval if the operator's responses to height keeping errors are not effective or timely. The Kuwait DGCA/ASD will consider the operator's past performance record in determining the action to be taken.

26.12 Enforcement Sanction Guidance Tables.

This section provides methods to assure consistency in the application of Civil Penalties (C.P.) for violations of Kuwait Civil Aviation Safety Regulations.



Sanction Guidance Tables

This table describes civil penalties (c.p.) as minimum, moderate or maximum for a single violation of a particular regulation.

Violations Committed by Key Personnel Authorised by Kuwait DGCA – ASD- Form 4 (Table 1)

**Minimum C.P. = 1000 K.D.
Moderate C.P. = 3000 K.D.
Maximum C.P. = 5000 K.D.**

Type of Violation		Sanction Per Violation
1.	Actions or Inactions, leading to violating Safety or Security regulations either personally or by other personal under his / her responsibility with his / her knowledge.	Revoke of (form 4) and Max C.P.
2.	Falsification of records or reports	Revoke of (form 4) and Max C.P.
3.	Denial / Obstruction of Authorized Inspectors access to facilities under their control.	Revoke of (form 4) and Mid C.P.
4.	Withholding information from Authorized Inspectors	Revoke of (form 4) and Min C.P.



**Violations Committed by a Holder of an Air Operator Certificate (AOC) Issued
by Kuwait DGCA (Table 2)**

Minimum C.P. = 1000 K.D.

Moderate C.P. = 3000 K.D.

Maximum C.P. = 5000 K.D.

	Type of Violation	Sanction Per Violation
1	Operating in violation of the conditions forming part of the Operating Certificate	Max C. P.
2	Failure to obtain prior approval from Kuwait DGCAASD for appointment of Senior Management positions cited in the KCASR's	Max C. P.
3	Commencement of a flight following an accident or incident involving damage or suspected damage to an aircraft without approval	Max C. P.
4	Using an unqualified Flight Deck or Cabin Crewmember	Max C. P.
5	Denial/Obstruction of access to premises, facilities, records, aircraft and aircraft equipment to the Kuwait DGCA-ASD	Max C. P.
6	Withholding information from Kuwait DGCA-ASD	Max. C. P.
7	Carriage of explosives or Hazardous Materials without authorization of the Kuwait DGCA-ASD	Max C. P.
8	Allowing a Flight Deck or Cabin Crewmember to operate without holding a valid State of Kuwait aviation document or certificate	Max C. P. (Deck Crew) Mod C. P. (Cabin Crew)
9	Failure to provide adequate shelter to workshop and facilities	Mod C. P.
10	Failure to provide and maintain an adequate Dispatch/Flight Watch System	Mod C. P.
11	Failure to comply with approved policies, standard operating procedures (SOP). Normal, abnormal, supplementary, or special procedures and requirements	Mod C. P.
12	Failure to establish and maintain an approved Training Program	Mod C. P.



13	Failure to provide pilot training as per approved Training Program	Mod C. P.
14	Failure to provide proper Cabin Crewmember training	Mod C. P.
15	Failure to provide proper recurrent training to Flight Deck Crew and Cabin Crewmembers	Mod C. P.
16	Failure to maintain a record of training and flight checks for each Flight Deck Crewmember	Mod C. P.
17	Operating without the required number of Cabin Crewmembers	Mod C. P.
18	Violation of the Kuwait DGCA-ASD Safety and Standard Instructions	Mod C. P.
19	Failure to make available a seat on the flight deck for Kuwait DGCA-ASD Inspectors conducting en-route inspections	Mod C. P.
20	Allowing a Flight Deck Crewmember or Cabin Crewmember to operate when in violation of Flight Duty Time Limitation Regulations	Mod C. P. (Deck Crew) Min C. P. (Cabin Crew)
21	Using a Maintenance Engineer, Mechanic, Flight Deck or Cabin Crewmember with a known physical deficiency that affects his/her duty	Mod C. P.
22	Failure to forward an Occurrence Report to the Kuwait DGCA-ASD	Min C. P.
23	Failure to obtain a Kuwait DGCA-ASD approval for amendments to Operations Manual	Min C. P.
24	Failure to incorporate a Kuwait DGCA-ASD approved amendment into Operations Manual	Min C. P.
25	Failure to provide a copy of the appropriate manuals to each Flight Deck and Cabin Crewmembers for guidance of operations in execution of their duties	Min. C. P.
26	Failure to inform passengers of location and method of use of emergency equipment and exits	Min C. P.
27	Failure to ensure that passenger and crew carry-on baggage is properly stowed during take-off, landing and during any period of in-flight turbulence	Min C. P.
28	Operating without a valid RVSM approval for a particular aircraft.	Mod C. P.



➤ **Violations Committed by a Holder of An AMO Holder Issued by Kuwait
DGCA (Table 3)**

**Minimum C.P. = 1000 K.D.
Moderate C.P. = 3000 K.D.
Maximum C.P. = 5000 K.D.**

	Type of Violation	Sanction Per Violation
1	Carryout maintenance on an aircraft in a negligent, careless or reckless manner	Revoke Licence/Authority
2	Abuse or false representation of delegated authority/approval or has acted in any other way that would discredit the Kuwait DGCA-ASD	Revoke Licence/Authority
3	Release of Aircraft without required equipment or not as per the approved MEL	Max C. P.
4	Failure to comply with inspection and overhaul time limitations	Max C. P.
5	Failure to comply with airworthiness directive	Max C. P.
6	Operating an aircraft contrary to operations specifications	Max C. P.
7	Failure to comply with mandatory modification or repairs	Max C. P.
8	Operations of an un-airworthy aircraft	Max C. P.
9	Releasing aircraft to service without completing all relevant documentation and certifications	Max C. P.
10	a) Denial/Obstruction of Authorized Inspectors access to a maintenance or workshop site and/or facilities	Max C. P.
	b) Withholding information from Authorized Inspectors	Mod C. P.
11	Failure to provide adequate maintenance, repair and inspection or facilities and equipment	Mod C. P.
12	Training Program	
	a) Failure to have or maintain an approved Training program	Mod C. P.
	b) Failure to train personnel as per the Approved training program (initial and recurrent)	Mod C. P.



13	Failure to conduct an investigation or inquiry into an accident/incident within 7 days of the accident/incident	Mod C. P.
14	Maintenance Manuals/Documents	
	a) Failure to maintain a manual up-to date and current	Min C. P.
	b) Failure to provide adequate instructions and procedures in manual	Min C. P.
	c) Failure to distribute manual to concerned personnel	Min C. P.
15	Records and reports	
	a) Failure to make required entry in Aircraft/ Engine/ APU logs	Min C.P.
	b) Failure to keep maintenance records	
	c) Failure to maintain and make available engineers/ approved mechanics reports	
	d) Failure to maintain and make available Load manifest	
	e) Failure to make and submit accurate reliability reports	



➤ **Violations Committed by Personnel Holding a Licence, Certificate or Approval Issued by Kuwait DGCA**

**Minimum C.P. = 1000 K.D.
Moderate C.P. = 3000 K.D.
Maximum C.P. = 5000 K.D.**

➤ **Maintenance Personnel (Table 4)**

TYPE OF VIOLATION		SANCTION PER VIOLATION
1	Certification by unauthorized personnel	Revoke licence / approval
2	Falsification of records or reports	Revoke licence / approval and Max C.P.
3	Performing duty in a negligent, careless or reckless manner	Revoke Certificate
4	Kuwait DGCA-ASD Approved Instructors (for Ground Engineers) exercised poor judgment in assessing candidate's performance in relation to the standard	Revoke licence / approval
5	Consumption of alcohol within the previous twelve hours prior to duty	Revoke licence / approval and Min C.P.
6	Using the privileges of an Aircraft Maintenance Engineer's Licence/ Certificate Approval while under the influence of alcohol or psychoactive substances	Revoke licence / certificate and Mod C.P.
7	a) Denial/Obstruction of Authorized Inspectors access to a maintenance or workshop site and/or facilities	60-days licence suspension
	b) Withholding information from Authorized Inspectors	
8	Exceeding limitations of approval/ licence	30-day licence / approval suspension
9	Failure to properly perform maintenance	30-day licence suspension
10	Failure to make required inspections	30-day licence suspension
11	Making improper inspection	30-day licence suspension
12	Improperly releasing an aircraft to service	30-day licence suspension
Records and report		



13	Failure to make entries in aircraft Technical log	30-day licence suspension
14	Failure to make entries in job/task Cards	30-day licence suspension
15	Failure to sign off work or inspection performed	30-day licence suspension
16	Failure to complete and sign Maintenance release	30-day licence suspension
17	Releasing an aircraft without the required equipment or not as required by the approved MEL	30-day licence suspension
18	Acting as a Maintenance Engineer or Approved Mechanic with known physical deficiency that affects his/her duty.	30-day licence suspension
19	Violation of safety and security regulations, e.g use of cellular phone.	30-days licence suspension
20	Exercising the privileges of an Aircraft Maintenance Engineer without a valid Kuwait DGCA licence / certification	30-days licence suspension
21	Failure to comply with approved aircraft standard operating procedures (SOP). Normal, non-normal, supplementary, special procedures or requirements	30-days licence suspension
21	Failure to comply with Regulatory requirements for reporting an accident/incident or Occurrence Report	15-days licence suspension



➤ **Violations Committed by Personnel Holding A
Licence/Certificate Issued by Kuwait DGCA**

**Minimum C.P. = 1000 K.D.
Moderate C.P. = 3000 K.D.
Maximum C.P. = 5000 K.D.**

➤ **Flight Deck/Cabin Crew Members (Attestation) (Table 5)**

Type of Violation		Sanction Per Violation
1	Operating an aircraft in a negligent, careless or reckless manner	Revoke licence
2	Acting as flight/cabin crewmember while under the influence of alcohol or psychoactive substances	Revoke licence/certificate and Max C.P.
3	Consumption of alcohol within the previous twelve hours prior to duty	Revoke licence/certificate and Mod C.P.
4	Conviction by a Court of Law of the illegal carriage of restricted/controlled substance in an aircraft while operating	Revoke licence/certificate
5	Refusal to carry-out medical check when required by Kuwait DGCA-ASD	60-day licence suspension
6	Carriage of explosives or Hazardous Materials without authorization of the Kuwait DGCA-ASD	60-day licence suspension and Min C.P.
7	a) Denial/Obstruction of Authorized Inspectors access to flight deck or facilities	60-day licence suspension
	b) Withholding information from Authorized Inspectors	
8	Failures to produce an aviation document, certificate or records upon demand of DGCA/ASD.	30-day licence/certificate suspension
9	Failure to comply with special condition of medical certificate	30-day licence/certificate suspension
10	Acting as a Flight Deck or Cabin Crewmember with a known physical deficiency which affects his/her duty.	30-day licence/certificate suspension
11	Failure to comply with safety and security regulations, i.e. smoking, in-flight security procedures	30-day licence suspension
12	Failure to comply with approved aircraft standard operating procedures (SOP). Normal, non-normal, supplementary, special procedures or requirements	30-day licence suspension



13	Failure of Flight Deck Crew or Cabin Crewmember to comply with Pilot-In-Command instructions	30-day licence suspension
14	Operating without valid aircraft documentation	30-day licence/certificate suspension
15	Operating an un-airworthy aircraft	30-day licence suspension
16	Failure to check and acquire aircraft technical logs or flight documentation	30-day licence suspension
17	Failure to obtain an Air Traffic Control Clearance	30-day licence suspension
18	Failure to comply with an Air Traffic Control Clearance received and acknowledged	30-day licence suspension
19	Failure to advise Air Traffic Control of deviation from clearance	30-day licence suspension
20	Violation of Flight Duty Time Limitation Regulations	30-day licence suspension
21	Acting as a Flight Deck or Cabin Crewmember without a valid Kuwait DGCA licence/certificate or licence/certificate not in possession	30-day licence suspension (Deck Crew) 7-day certificate suspension (Cabin Crew)
22	Failure to comply with Regulatory requirements for reporting an accident/incident or Occurrence Report	15-day licence suspension
23	Failure of Cabin Crewmembers to comply with standard safety instructions	15-day certificate suspension



➤ **Violations Committed by Personnel Holding an Authorized Examiner
Authority Issued by Kuwait DGCA (Table 6)**

Type of Violation		Sanction Per Violation
1	False endorsement of licence or certificate	Revoke Authority
2	Performing duty in a negligent, careless or reckless manner	Revoke Certificate
3	Instruction in an aircraft for which he is not type rated	Revoke Authority
4	Abuse or false representation of delegated authority or has acted in any other way that would discredit the Kuwait DGCA-ASD	Revoke Authority
5	Places personal interest, or the interest of the company, ahead of the interest of the traveling public	Revoke Authority
6	Violation of any Rules, Regulations or Safety and Standard Instructions	Revoke Authority
7	Exercised poor judgment in assessing candidate's performance in relation to the standard	Revoke Authority
8	Kuwait DGCA-ASD Inspector determines during the course of a Flight Check, Test, or monitored inspection that the authorized Examiner does not meets Kuwait DGCA-ASD standards	Revoke Authority
9	Exercising the examiner authority while his/her licence is invalid	Suspend Authority



**➤ Violations Committed by Personnel Holding A
License/Certificate Issued by Kuwait DGCA**

➤ Air Traffic Controllers (Table 7)

Type of Violation		Sanction Per Violation
1	Performing duty while under the influence of alcohol or psychoactive substances.	Revoke Authority
2	Performing duty in a negligent, careless or reckless manner	Revoke Certificate
3	Consumption of alcohol within the previous twelve hours prior to duty.	Revoke Authority
4	Falsification of records or reports.	Revoke Authority
5	a) Denial/Obstruction of Authorized Inspectors access to ATC facilities	60-day licence suspension
	b) Withholding information from Authorized Inspectors	
6	Exceeding the limitations of his/her license.	30-day licence suspension
7	Failures to produce an aviation document, license or records upon demand of DGCA/ASD.	30-day licence suspension
8	Failure to comply with special condition of medical certificate.	30-day licence suspension
9	Acting as Air Traffic Controller with a known physical deficiency which affects his/her duty.	30-day licence suspension
10	Failure to comply with safety and security regulations.	30-day licence suspension
11	Failure to comply with approved standard operating procedures (SOP).	30-day licence suspension
12	Operating without valid Kuwait DGCA license.	30-day licence suspension
13	Failure to report critical information of Safety or Security nature.	30-day licence suspension
14	Failure to comply with regulatory requirements for reporting an accident/incident or occurrence.	15-day licence suspension



**➤ Violations Committed by Personnel Holding A
License/Certificate Issued by Kuwait DGCA**

**Minimum C.P. = 500 KD
Moderate C.P. = 1500 KD
Maximum C.P. = 2500 KD**

➤ Flight Operations Officer and Flight Dispatcher FOO/FD (Table 8)

Type of Violation		Sanction Per Violation
1	Performing duty in a negligent, careless or reckless manner	Revoke licence/Certificate
2	Performing duty while under the influence of alcohol or psychoactive substances.	Revoke licence/Certificate and Max C.P.
3	Consumption of alcohol within the previous twelve hours prior to duty.	Revoke licence/Certificate and Mod C.P.
4	Falsification of records or reports.	Revoke licence/Certificate and Max C.P.
5	Withholding information from Authorized Inspectors	60-day licence/certificate suspension
6	Exceeding the limitations of his/her license.	60-day licence/certificate suspension and Min C.P.
7	Failures to produce an aviation document, license or records upon demand of DGCA/ASD Inspectors.	60-day licence/certificate suspension
8	Acting as FOO / FD with a known physical deficiency which affects his/her duty.	30-day licence/certificate suspension
9	Failure to comply with safety regulation	30-day licence/certificate suspension
10	Operating without valid Kuwait DGCA license / certificate	30-day licence/certificate suspension
11	Failure to report critical information of Safety or Security nature.	30-day licence/certificate suspension
12	Failure to comply with regulatory requirements for reporting an accident/incident or occurrence.	15-day licence/certificate suspension



➤ **Violations Concerning Safe Transportation of Dangerous Goods by Air**
(Table 9)

A. Holders of Air Operator Certificate (AOC) Issued by Kuwait DGCA

Type of Violation		Sanction Per Violation
1	For the first time	Warning Letter
2	Second time	Suspension approval to transport Dangerous Goods by air for three (3) months
3	Third time	Suspension of approval to transport Dangerous Goods by air for six (6) months.
4	Fourth time	Suspend/Revoke Approval to transport Dangerous Goods by air.

B. Holders of Air Operator Certificate (AOC) Issued by a Contracting State Other than Kuwait DGCA (See Note below)

1	For the first time	Warning Letter
2	Second time	Suspension approval to transport Dangerous Goods by air for three (3) months
3	Third time	Suspension of approval to transport Dangerous Goods by air for six (6) months.
4	Fourth time	Suspend/Revoke Approval to transport Dangerous Goods by air.

Note: Violations committed by the holder of a foreign Air Operator Certificate will be reported to the State of Registry of the Aircraft and International Civil Aviation Organization.

Type of Violation		Sanction Per Violation
C. Ground Handling Agencies		
1	For the first time	Warning Letter
2	Second time	Suspension of approval to transport Dangerous Goods to Kuwait for three (3) months.
3	Third time	Suspension of approval to transport Dangerous Goods to Kuwait for six (6) months.
4	Fourth time	Suspend/Revoke Approval to transport Dangerous Goods to Kuwait.



D. Freight Forwarders

1	For the first time	Warning Letter
2	Second time	Suspension acceptance certificate approval to transport Dangerous Goods to Kuwait for three (3) months
3	Third time	Suspension of acceptance certificate approval to transport Dangerous Goods to Kuwait for six (6) months.
4	Fourth time	Suspend/Revoke acceptance certificate approval to transport Dangerous Goods to Kuwait.

E. Training Organizations

1	For the first time	Warning Letter
2	Second time	Suspend/Revoke approval to conduct DGR Training.

F. DGR Training Instructors

1	For the first time	Warning Letter
2	Second time	Suspend/Revoke approval to conduct DGR Training.



➤ **Violations Committed by Organizations Holding an Approval Issued by Kuwait DGCA Concerning the**

➤ **Implementation of Safety Management Systems (SMS)** (Table 10)

Minimum C.P. = 1000 K.D.

Moderate C.P. = 3000 K.D.

Maximum C.P. = 5000 K.D.

Type of Violation		Sanction Per Violation
1	Failure to implement KCASR 19 "Safety Management System".	Max C. P.
2	Noncompliance with KCASR 19 "SMS" requirement which lowers the safety standard and seriously affects the flight safety.	Mod C. P.
3	Noncompliance with KCASR 19 "SMS" requirements which could lower the safety standard and possibly negatively affects the flight safety.	Min C. P.



Violations committed by a Holder of an Aerodrome Certificate

The President of Kuwait DGCA may, (as he sees fit)

- a) Provisionally suspend or vary certificate, licence, approval, permission, exemption, authorization or other document issued, granted or having effect under Kuwait DGCA technical regulations relating to Aerodrome Certification (KCASR 14), pending enquiry into or consideration of the case and to impose Sanctions/Restrictions to the Aerodrome operator. The President of Kuwait DGCA may, on sufficient grounds being shown to his satisfaction after due enquiry, revoke, suspend or vary any such certificate, licence, approval, permission, exemption, authorization or other document,
- b) Require the holder or any person having the possession or custody of any certificate, licence, approval, permission, exemption or other document which has been revoked, suspended or varied under these regulations to surrender it to the President of Kuwait DGAC within a reasonable time after being required to do so by the President of Kuwait DGCA.

The breach of any condition subject to which any certificate, licence, approval, permission, exemption or other document, other than a licence issued in respect of an aerodrome, has been granted or issued, or which has effect under these regulations shall, in the absence of provision to the contrary in the document, render the document invalid during the continuance of the breach.



➤ **Violations committed by a Holder of an Aerodrome Certificate**

Issued by Kuwait DGCA

➤ (Table 11)

(This Table describes the Civil Penalties (C.P.) as Minimum, Moderate or Maximum for violations of Kuwait DGCA regulations on Aerodrome, KCASR Part 14)

Minimum C.P. = 1000 KD

Moderate C.P. = 3000 KD

Maximum C.P. = 5000 KD

Type of violation		Sanction per Violation
1	Operating in violation of the conditions forming part of the Aerodrome Certificate	Min C.P.
2	Violation of Kuwait DGCA/ASD Aerodrome regulations, KCASR Part 14, Aerodrome Safety and Standard Instructions.	Mod C.P.
3	Failure to implement KCASR requirements regarding “Safety Management System” implementation.	Max C.P.
4	Using unqualified personnel	Mod C.P.
5	Allowing personnel to operate in the aerodrome without holding a valid State of Kuwait aviation document or certificate.	Min C.P.
6	Falsification of records or reports	Max C.P.
7	Denial/Obstruction of Authorized inspectors’ access to an aerodrome site, facilities or records	Max C.P.
8	Failure to comply with approved policies, standards, Kuwait DGCA regulation, procedures, requirements, and Aerodrome manual procedures.	Max C.P.
9	Noncompliance with Kuwait DGCA/ASD KCASR 14 regulation that might affect the safety standards and hazards the Apron / Airside safety.	Mod C.P.
10	Noncompliance with Kuwait DGCA/ASD KCASR 14 Regulations that could affect the safety standards and hazards the Apron / Airside safety.	Max C.P.
11	Noncompliance with Kuwait DGCA/ASD KCASR Part 14 requirements that might affect the safety standards, and hazards seriously the safety management system.	Mod C.P.
12	Noncompliance with Kuwait DGCA/ASD KCASR Part 14 requirements which could lower the safety standards, and possibly hazards the safety management system.	Max C.P.



13	Failure to conduct required inspections / Audits	Mod C.P.
14	Failure to provide proper recurrent training to the aerodrome personnel	Min C.P.
15	Failure to maintain a record of training for each aerodrome operations involved personnel	Min C.P.
16	Failure to forward an occurrence report to Kuwait DGCA/ASD	Min C.P.
17	Failure to obtain a Kuwait DGCA/ASD approval for amendments to the Aerodrome Operations Manual	Min C.P.



**Violations committed by an Air Navigation Services (ANS) personnel or holder
of an ANS Licence issued by Kuwait DGCA**

➤ **Violations Committed by Air Navigation Services (Table 12)**

**Minimum C.P.= 1000 KD
Moderate C.P.= 3000 KD
Maximum C.P.= 5000 KD**

Type of violation		Sanction per Violation
1	Operating in violation of the conditions forming part of the Kuwait DGCA/ASD regulations related to ANS	Max C.P.
2	Using unqualified personnel	Max C.P.
3	Denial/Obstruction of access to premises, facilities, records to Kuwait DGCA/ASD	Max C.P.
4	Withholding information from Kuwait DGCA/ASD	Max C.P.
5	Allowing personnel to operate in the ANS services without holding a valid State of Kuwait aviation document or certificate.	Max C.P.
6	Falsification of records or reports	Max C.P.
7	Denial/Obstruction of Authorized inspectors' access to an ANS site or facilities.	Max C.P.
8	Failure to comply with approved policies, standards, Kuwait DGCA regulation, procedures, requirements, ANS manual procedures.	Mod C.P.
9	Failure to make required inspections	Mod C.P.
10	Failure to provide proper recurrent training to the ANS personnel	Mod C.P.
11	Failure to maintain a record of training for each ANS involved personnel	Mod C.P.
12	Operating without the required number of ANS personnel	Max C.P.
13	Violation of Kuwait DGCA/ASD ANS Safety and Standard Instructions	Max C.P.
14	Allowing an ANS personnel to operate when in violation of Flight Duty Time limitation regulations.	Max C.P.
15	Using an ANS personnel with a known physical deficiency that affects his/her duty.	Max C.P.
16	Failure to forward an occurrence report to Kuwait DGCA/ASD	Mod C.P.



➤ **Violations Committed by a Holder of a Ground Handling Certificate (GHO)
Issued Kuwait DGCA**

➤ **(Table 13)**

(This Table describes the Civil Penalties (C.P.) as Minimum, Moderate or Maximum for violations of Kuwait DGCA regulations (GHO), KCASR 14-Vol (III)

Minimum C.P.= 1000 KD

Moderate C.P.= 3000 KD

Maximum C.P.= 5000 KD

Type of violation		Sanction per Violation
1	Operating in violation of the conditions forming part of the Ground Handling Certificate	Min C.P.
2	Violation of Kuwait DGCA/ASD Ground Handling, KCASR 14 (Vol III), Aerodrome Safety and Standard Instructions or Airports approved (ADM)	Max C.P.
3	Failure to implement KCASR requirements regarding ‘Safety Management System’ implementation.	Max C.P.
4	Utilizing unqualified personnel	Mod C.P.
5	Allowing personnel to operate in the aerodrome without holding a valid State of Kuwait aviation document or certificate.	Min C.P.
6	Falsification of records or reports	Max C.P.
7	Denial/Obstruction of Authorized inspectors’ access to Ground Handling premises, facilities or records.	Max C.P.
8	Noncompliance with Kuwait DGCA/ASD KCASR 14 (Vol III) regulation that might affect the safety standards and hazards the Airside / Apron safety .	Mod C.P.
9	Noncompliance with Kuwait DGCA/ASD KCASR 14 (Vol III) regulations that could affect the safety standards and hazards the Airside / Apron safety .	Max C.P.
10	Noncompliance with Kuwait DGCA/ASD KCASR 14 (Vol III) requirements which could lower the safety standards and hazards the Safety Management System.	Mod C.P.
11	Failure to conduct required inspections / audits	Mod C.P.
12	Failure to provide proper recurrent training to the Ground handling personnel	Min C.P.
13	Failure to maintain a record of training for each Ground handling operations involved personnel	Min C.P.
14	Failure to forward an occurrence report to Kuwait DGCA/ASD	Min C.P.
15	Failure to obtain a Kuwait DGCA/ASD approval for amendments to the Ground Handling Manual	Min C.P.



**➤ Violations Committed by Personnel Holding a
License/Certificate Issued by Kuwait DGCA**

**Minimum C.P.= 500 KD
Moderate C.P.= 1500 KD
Maximum C.P.= 2500 KD**

**➤ Violations Committed by Authorised Aero-Medical Examiner
(Table 14)**

Type of Violation		Sanction Per Violation
1	Performing duty while under the influence of alcohol or psychoactive substances.	Revoke Certificate and Max C.P.
2	Performing duty in a negligent, careless or reckless manner	Revoke Certificate
3	Falsification of records or reports.	Revoke Certificate and Max C.P.
4	Denial / obstruction of access to premises, facilities, records, equipment to Kuwait DGCA / ASD Authorised Inspector.	Revoke Certificate
5	Exceeding the Scope of privilege of his/her Certificate	30-day Certificate suspension and Min C.P.
6	Failures to process accurate and properly filled forms, reports and certificates.	Warning notice
7	Exercising poor judgment in assessing candidate's performance in relation to regulatory standards.	Warning Notice and 30-day certificate suspension
8	Violations of rules, regulations or safety standards or instructions	30-day certificate suspension
9	Exercising the Examiner Authority without valid Kuwait DGCA Certificate	Warning Notice and Mod C.P.
10	False endorsement of license or certificate.	30-day certificate suspension
11	Abuse or false representation of delegated authority or has acted in any other way that would discredit Kuwait DGCA / ASD	30-day certificate suspension
12	Failure to comply with regulatory requirements for reporting an accident / incident or occurrence.	15-day licence suspension



**Violations Committed by a Holder of a Unmanned Aircraft Systems Operator
Certificate (UOC) Issued by Kuwait DGCA (Table 15)**

**Minimum C.P. = 1000K.D.
Moderate C.P. = 3000 K.D.
Maximum C.P. =5000 K.D.**

	Type of Violation	Sanction Per Violation
1	Operating in violation of the conditions forming part of the Approval Certificate or operating beyond the scope of the UOC terms of approval.	Max C.P. /Revoke approval
2	Failure to obtain prior approval from Kuwait DGCA/ASD for changes of the approval.	Max C. P./ 30 days approval suspension
3	Commencement of a flight following an accident or incident involving damage or suspected damage to an UAS without prior permission from Kuwait DGCA/ASD.	Max C. P./ Revoke approval
4	Failure to immediately notify DGCA in case of any accident/incident	Max C. P./ 30 days approval suspension
5	Denial/Obstruction of access to premises, facilities, records, aircraft and aircraft equipment to the Kuwait DGCA-ASD	Max C. P./ Revoke approval
6	Withholding information from Kuwait DGCA-ASD	Max. C. P.
7	Carriage of dangerous goods without prior written permission from Kuwait DGCA	Max C. P./ Revoke approval
8	Allowing personnel to operate without holding a valid UAS pilot licence	Max C. P./ 30 days approval suspension
9	Failure to provide adequate shelter to workshop and facilities	Mod C. P.
10	conducting flights in dangerous, restricted or prohibited areas unless permitted by the appropriate ATS unit(s) and Kuwait DGCA/ASD.	Mod C.P./ 30 days approval suspension
12	Dropping of objects or equipping aircraft with camera or any other image capturing or filming devices without prior written permission from Kuwait DGCA/ASD.	Mod C. P.
	Failure to land the UAS to give way to any aircraft that might be in the vicinity.	Mod C.P./ 30 days approval suspension
13	Failure to establish and maintain a safety and communication training program for all crew members	Mod C. P.



➤ Violations Committed by a Holder of a Flying Club Approval (Light Sport Aircraft) Issued by Kuwait DGCA (Table 16)

**Minimum C.P. = 1000 K.D.
Moderate C.P.= 3000 K.D.
Maximum C.P. = 5000 K.D.**

	Type of Violation	Sanction Per Violation
1	Operating in violation of the conditions forming part of the Approval Certificate	Max C.P. /Revoke approval
2	Failure to obtain prior approval from Kuwait DGCA/ASD for appointment of key post holders cited in the KCASR's	Max C. P./ 30 days approval suspension
3	Commencement of a flight following an accident or incident involving damage or suspected damage to an aircraft without approval	Max C. P./ Revoke approval
4	Failure to immediately notify DGCA/ASD in case of any accident/incident	Max C. P./ 30 days approval suspension
5	Denial/Obstruction of access to premises, facilities, records, aircraft and aircraft equipment to the Kuwait DGCA-ASD	Max C. P.
6	Withholding information from Kuwait DGCA-ASD	Max. C. P.
7	Carriage of explosives or hazardous materials	Max C. P./ Revoke approval
8	Allowing a pilot to operate without holding a valid licence and valid medical certificate.	Max C. P./ 30 days approval suspension
9	Failure to provide adequate shelter to workshop and facilities	Mod C. P.
10	conducting flights in dangerous, restricted or prohibited areas unless permitted by the appropriate ATS unit(s) and Kuwait DGCA/ASD	Mod C.P./ 30 days approval suspension
11	conducting parachute jumps in dangerous, restricted or prohibited areas unless permitted by the appropriate ATS unit(s) and Kuwait DGCA/ASD	Mod C.P./ 30 days approval suspension
12	Dropping of objects or equipping aircraft with camera or any other image capturing or filming devices without prior written permission of Kuwait DGCA/ASD	Mod C. P.
13	Failure to establish and maintain an approved training program.	Mod C. P.



➤ **AVSEC Violation committed by Stakeholders, entities and service providers approved by DGCA in State of Kuwait (Table 17)**

(This table describes the Civil Penalties (C.P.) as Minimum, Moderate or Maximum for violations of Kuwait DGCA regulations on Aviation Security, KCASR -17.

Minimum C.P. =1000 KD

Moderate C.P. = 3000 KD

Maximum C.P.= 5000 KD

Type of Violation		Sanction Per Violation
1	Failure to comply with KCASR-17 “Aviation Security” requirements, National Civil Aviation Security Program, (NCASP), National Civil Aviation Security Quality Control Program (NCASQCP), National Civil Aviation Security Training Program (NCASTP). KCASR-9, “Facilitation” and National Air Transport Facilitation Program (NATFP).	Max. C.P
2	Commencement of Flight following an Act of Unlawful Interference, without taking appropriate security measures in accordance With NCASP policies and company procedures.	Max. C.P
3	Failure to obtain a Kuwait DGCA/CASeD approval for amendments to AVSEC Programs.	Min C.P
4	Utilizing uncertified AVSEC Personnel or company and Training Centre not approved by DGCA.	Min C.P
5	Entering the Security restricted area at KIA without the appropriate or valid ID permit.	Min C.P
6	Failure to incorporate a KUWAIT DGCA/CASeD approved amendments into AVSEC Programs.	Min C.P
7	Abuse or false representation of delegated certificate /Approval or has acted in any other way that would discredit the Kuwait DGCA/CASeD.	Revoke Certificate/Approval and Mod C.P
8	Denial/obstruction of certified National AVSEC Inspectors/Auditors access to Facilities.	Max. C.P
9	Withholding information or records/reports National AVSEC Inspectors/Auditors.	Max. C.P
10	Falsification of records or report.	Revoke Certificate/Approval and Max. C.P

Type of Violation		Sanction Per Violation
11	Places Personal interest, or the interest of the company, ahead of the interest of the travelling public.	Revoke Certificate/Approval and Max. C.P
12	Exercising the AVSEC Certification authority while his/her certificate is invalid	Suspend Certification and Max. C.P

Note: Violation committed by the holder of foreign Air Operator Certificate will be reported to the State of Registry of the aircraft and ICAO.



Ground Handling Performance Sanctions

The following Sanctions shall be in forced by Aerodrome / Airport Operator.

Services Related

N0	SERVICES	CRITERIA	PENALTIES
1	Preparation and submission of Air Traffic Service (ATS) Flight Plan,	1 lateness or failure per 100 Flights	500KD
2	Preparation of Mass and Balance documentation including, computation if specifically authorized,	1 lateness or failure per 100 Flights	500KD
3	Aircraft fueling,	1 lateness or spilling or failure per 100 Flights	1000KD for lateness 2000KD for spilling
4	Flight dispatch and flight watch including EDTO/ETOPS and AWO,	1 lateness or failure per 100 Flights	500KD
5	Aircraft parking and marshalling,	1 lateness or incident or failure per 100 Flights	1000KD for lateness 2000KD for incident
6	Obtaining over flight clearances and landing permissions,	1 lateness or failure per 100 Flights	500KD
7	Ground equipment (GPU, ACU, ASU... etc.)	1 lateness or failure per 100 Flights	500KD



Service Level Agreements Criteria and Penalties

1.0 ON-TIME DEPARTURES

Description	Delays	Targets	Penalties
Delays in Scheduled On-time departure	Delays > 3 mins	2 per 100 departures	1000KD
	Delays > 15 minutes	1 per 100 departures	1000KD

2.0 PASSENGER HANDLING

2.1 Check-in

No	Description of Items	Target	Penalties
1	Flight closing	ETD- 30 mins	100KD

2.2 Arrival

No	Description of Items	Target	Penalties
1	Maximum delay for deployment of Pax Steps/Boarding bridges	3 mins	200KD
2	Maximum turnaround time for round trip of Apron Bus	13 minutes	200KD

3.0 BAGGAGE HANDLING

No	Description of Items	Target	Penalties
1	1st Bag on the belt for First/Business Class passengers	10 minutes	500KD
2	Last Bag on the belt (Bridge/Remote stand)	30-40 minutes	500KD

4.0 CARGO HANDLING

No	Description of Items	Target	Penalties
1	Receipt of Cargo at Warehouse after arrival	30 mins	200KD
2	Receipt of Mail at Warehouse after arrival	30 mins	200KD
3	Cargo delivery for Aircraft loading	ETA -1hour { 1.30}	500KD
4	Mail delivery for Aircraft loading	ETA -1hour (1.30)	500KD

5.0 RAMP HANDLING

No	Description of Items	Target	Penalties
1	Chock-on	AA+ 1min	200KD
2	Positioning of Pushback and Tow Bar	ETD - 15min	200KD

6.0 SAFETY & QUALITY

No	Description of Items	Target	Penalties
1	AROR accidents	0.6 per 1million	5000KD
2	NAROR accidents	1/1000	5000KD
3	Loading discrepancy	0	2000KD

7.0 SECURITY

No	Description of Items	Target	Penalties
1	Red Bag	0	1000KD
2	INAD	0	1000KD
3	Sec. Fines/Penalties	0	1000KD

In addition to the previous tables, the following shall apply:

Penalties for Deficiencies & Breaches of Airside / Apron safety:

- a) Ministerial Order NO 23/2004 and its amendments for Ground Handling Operations conducted by an AOC holder certified by Kuwait DGCA.
- b) Table (A) below for Ground Handling Operations conducted by a Ground Handling Organization Certified by Kuwait DGCA.

Table (A):

No.	Penalties for Deficiencies & Breaches	Fine (KD)
1	Exceeding the allowed speed in the airport area (30 Km/h)	20
2	No parking	20
3	Pulling trolleys and carts more than the allowed number (4 trolleys)	20
4	Driving a vehicle without fire extinguisher	20
5	Driving a vehicle without yellow flasher	20
6	Driving a vehicle without phosphoric par on the supports	10
7	Driving a vehicle without "No Smoking" poster	10
8	Breaking the red sign	100



9	Not giving a priority to the aircraft traffic	100
10	Interrupting the aircraft taxiways without permission from the control tower.	100
11	Driving backward carrying heavy equipment without a guide	20
12	Not abiding by the ground lines significance	20
13	Carrying passengers more than the allowed number	20
14	Carrying equipment or cargo not properly fixed	50
15	Using the alarming signs and sounds without need and causing disturbance	20
16	Driving a vehicle without enough lights	20
17	Driving unclean vehicle that affects the vision and public safety	20
18	Driving a mechanically unfit vehicle	20
19	Driving a vehicle producing smokes and fumes that affect the public health	5
20	Driving a vehicle affected by accident without having a copy of the accident report	20
21	Driving a vehicle without obtaining the license necessary for driving	50
22	Using a vehicle or equipment for purposes not intended thereby	50
23	Passing behind the aircraft when in operation	50
24	Passing below the aircraft wings	50
25	Smoking in the airport area	50
26	Not wearing a phosphoric jacket during work in the airport area	20
27	Not wearing an ear protector during work near aircraft	20
28	Executing the welding works or works producing sparks without having a fire extinguisher on the site	100
29	Working on the site without providing the necessary barriers and guiding signs	50
30	Causing oil spills from the equipment, vehicles, or aircraft engine without taking the set procedures.	Determined according to damage, not less than 100
31	Working in the airport area without obtaining the necessary license	20
32	Not wearing the (certified) uniform during work in the airport	20
33	Entering the restricted area outside the official work hours	20



34	Causing damage to the public properties in the airport	Determined according to damage
35	Throwing the wastes in the airport (lack of cleanness)	20
36	Delay in paying any due amount	100 per each day
37	Not abiding by the maintenance works (without the value of maintenance works)	50 per each day in case of no maintenance: maintenance value+ 15%

END

Affected Pages from Last Update

#	Page	Reference Section/Article	Proposed Alternative
1.	4	[H1] Amendment Record	[TABLE] Amendment No Date of Issue Remarks 1 March 2018 NSRA 2018-103 Implemented and Part Rename 2 September 2018 Reg. Circular 2018-27 (DGCA Requirements) NPA 2018-34 3 April 2019 NPA 2019-01 - Addition of "Violation" and "Error" definitions 4 July 2019 Based on NPA 2019-15 GHO and FOO/FD Sanction Tables 5 Feb 2022 Addition of table 13 and 17 and revision of other tables
2.	5	[H1] 26.1 Introduction.	The purpose This regulation is to describes the authority, responsibilities, policies, guidelines, procedures, objectives, and legal aspects of the Directorate General of Civil Aviation's Compliance and Enforcement Rules. It is intended to be a guide in the exercise of discretion by the various Kuwait DGCA/ASD/ CAsED personnel involved. It is recognized that this regulation does not cover every situation, and there will be cases where deviation is warranted. It is expected that Kuwait DGCA (ASD/CAsED) personnel will use their judgment and experience in each case to carry out the policies of Kuwait DGCA.
3.	5	[H1] 26.2 Error	An error is defined as "an action or inaction by an operational person that leads to deviations from organizational or the operational person's intentions or expectations". In the context of an SMS, both Kuwait DGCA (ASD/CAsED) and the product or service provider understand and expect that humans will commit errors regardless of the level of technology used, the level of training or the existence of regulations, processes and procedures. An important goal then is to set and maintain defences to reduce the likelihood of errors and, just as importantly, reduce the consequences of errors when they do occur. To effectively accomplish this task, errors must be identified, reported and analysed so that appropriate remedial action can be taken. Errors can be divided into the two following categories:
4.	5	[H1] 26.2 Error (b)	Safety and security strategies must be put into place to control or eliminate errors. The strategies to control errors leverage the basic defences within the aviation system. These include the following:
5.	6	[H1] 26.3 Violations (c)	Organizationally induced violations may be considered as an extension of routine violations. This type of violation tends to occur when an organization attempts to meet increased output demands by ignoring or stretching its safety defenses and security implementation .
6.	6	[H1] 26.4 Enforcement Objectives and Policy: General.	The central mission of this regulation is to promote compliance with safety and security standards. To achieve this, Kuwait DGCA (ASD/CAsED) shall establish regulatory standards and requirements.
7.	6	[H1] 26.4 Enforcement Objectives and Policy: General. (a)	To ensure their effective implementation Kuwait DGCA must provide for the education and guidance needed by a Air Operator certificate/License's holders and the public. The importance of this step and the related (personal) organizational skills needed cannot be over-emphasized. In the absence of thorough understanding, compliance with safety and security regulations cannot be achieved.

#	Page	Reference Section/Article	Proposed Alternative
8.	6	[H1] 26.4 Enforce ment Objectives and Policy: General. (b)	Kuwait DGCA/ ASD (ASD/CASeD) has a statutory obligation to ensure compliance with all regulations. This obligation is especially critical as it applies to the holder of Kuwait DGCA certificates, licenses or authorizations. All individuals must clearly understand the crucial role they play in achieving compliance.
9.	7	[H1] 26.4 Enforce ment Objectives and Policy: General. (d)	The enforcement requirements described in this regulation are equally applicable to all activities regulated by Kuwait DGCA (ASD/CASeD). When violations occur, whether they involve the operation of a certificate/License's holders an Air Operator , the performance of aircraft maintenance, or the operation of aircraft, Kuwait DGCA/ASD personnel responsible for enforcing those regulations shall investigate, report, and address such matters for appropriate enforcement-action consistent with this regulation.
10	7	[H1] 26.4 Enforce ment Objectives and Policy: General. (e)	A Certificate/License's Holders Air Operator Compliance: a certificate/License's holders Air Operator has have a statutory mandate to perform their services with the highest possible degree of safety <u>and security</u> . Achievement of that goal requires a concerted effort by Kuwait DGCA (ASD/CASeD) and the a certificate/License's holders air operators . Special efforts should be undertaken to keep the certificate/License's holders air operators apprised of the methods by which Kuwait DGCA/ ASD (ASD/CASeD) inspections are carried out and of any recurring incidence of non-compliance discovered in those inspections. the certificate/License's holders Air operators are encouraged, in turn, to utilize such information to evaluate their own systems, programmes and operations.
11	7	[H1] 26.4 Enforce ment Objectives and Policy: General. (f)	Sanctions: Enforcement sanctions should be applied as consistently as possible, but this should not imply blind adherence to a fixed penalty for every violation. While Kuwait DGCA/ ASD (ASD/CASeD) directives providing guidance on sanctions must be observed, each case requires an individual determination of appropriate enforcement action. Kuwait DGCA/ ASD (ASD/CASeD) Inspectors should feel free to recommend actions which, in their professional judgment, will appropriately serve the purposes of the Compliance and Enforcement Programme.
12	7	[H1] 26.5 Statutory Background. (a)	Ministerial Decision No. (318) of 1986-1996 places a duty on Kuwait DGCA to prescribe reasonable rules, regulations, orders, and minimum standards in the public interest. Once a regulation is issued, it is expected there will be compliance with all requirements contained in the regulation. A violation of any regulation must be responded to with effective enforcement regulations.
13	7	[H1] 26.5 Statutory Background. (b)	The Decision also encourages the certificate/License's holder Air Operators to do their utmost in preventing any deterioration in established safety procedures, recognizing the clear intent of the Decision that the highest degree of safety in air transportation is expected to be maintained at all times.
14	7	[H1] 26.6 Objectiv es. (d)	Enforcement Tools: Statutory methods provided for enforcing the requirements of Kuwait DGCA (ASD/CASeD) Regulations include: amendment, suspension and revocation of licences/certificates. Regulations governing the transportation of hazardous material by air are enforceable by means of civil and criminal penalties, orders directing compliance, and equitable judicial measures.
15	8	[H1] 26.6 Objectiv es. (e)	Enforcement Processing: When violations occur, firm action must be taken and Kuwait DGCA (ASD/CASeD) must forcefully respond to violations. Firmness should be balanced with fairness.
16	8	[H1] 26.6 Objectiv es. (iii)	Achieve remedial purposes, e.g., licences/certificate suspension pending demonstration of qualifications, or revocation for lack of certificate qualifications.
17	8	[H1] 26.6 Objectiv es. (iv)	The SSP/SMS policy shall not hinder the DGCA/ASD from dealing with events involving gross negligence and wilful deviations from the Regulations and approved procedures.

#	Page	Reference Section/Article	Proposed Alternative
18	8	[H1] 26.6 Objectives. (2)	Fairness. It is essential that Kuwait DGCA (ASD/CASeD) Compliance and Enforcement Program be conducted in as fair a manner as possible. A vital part of this effort is to achieve uniformity and consistency of enforcement action throughout the system. Similar violations under similar circumstances should result in the same type of enforcement action and sanction.
19	8	[H1] 26.6 Objectives. (2)	However, it is recognized that the many factors which must be considered in choosing a sanction cannot be scientifically measured. The standards in this part leave some discretion to choose a sanction within established parameters, Kuwait DGCA (ASD/CASeD) personnel are expected to exercise their discretion in choosing sanctions which are consistent with the letter and spirit of Kuwait DGCA policy.
20	8	[H1] 26.7 Enforcement principles. (a)	The initial enforcement action should reflect Kuwait DGCA (ASD/CASeD) 's best assessment of a fair sanction for the violations alleged.
21	8	[H1] 26.7 Enforcement principles. (c)	Kuwait DGCA (ASD/CASeD) considers the following violations the most serious violations that warrant the most severe sanctions:
22	9	[H1] 26.7 Enforcement principles. (iii)	Denial / obstruction of access to premises, facilities, records, aircraft and aircraft equipment to the Kuwait DGCA ASD (ASD/CASeD) authorized personnel;
23	9	[H1] 26.7 Enforcement principles. (f)	Certificate/License's holders Air operators must be held to the highest standard of safety and security and perform performing their services with the highest possible degree of safety and security .
24	9	[H1] 26.7 Enforcement principles. (g)	Certificate holders Air operators are expected to have the financial wherewithal to operate according to the established safety standards. Financial circumstances should not be accepted as an excuse or as mitigation for violating any Kuwait DGCA Regulations.
25	9	[H1] 26.7 Enforcement principles. (h)	A So so-called paper violations are very serious, since many of the surveillance systems on which both Kuwait DGCA (ASD/CASeD) and a certificate holder Air Operator rely on order for monitoring compliance with safety standards, are based primarily upon complete and accurate record-keeping and reporting.
26	9	[H1] 26.7 Enforcement principles. (2)	Noncompliance with record-keeping requirements also strikes at the very heart of Kuwait DGCA system of monitoring and ensuring compliance with safety standards. Without a record indicating compliance, Kuwait DGCA (ASD/CASeD) and the certificate holder an Air Operator have no means to be assured that compliance has in fact been achieved.
27	9	[H1] 26.9 Administrative Action.	If it is determined that a violation or an alleged violation of Kuwait DGCA Regulations or any of the other complementary instructions and notices does not require legal enforcement action, an appropriate official of Kuwait DGCA (ASD/CASeD) may take administrative action in disposition of the case. That action may consist of issuing the alleged violator-
28	10	[H1] 26.10 Civil Action. (a)	Kuwait DGCA (ASD/CASeD) ASD is authorized to impose civil penalties on organizations and Individuals that violate any provision of the Civil Aviation law and Kuwait Civil Aviation Safety Regulations (KCASRs).
29	10	[H1] 26.11 RVSM Approval, Suspension, Revocation by the DGCA. (a)	An operator that consistently experiences Height keeping Errors caused by malfunction of aircraft equipment or caused by operational errors will has his approval for RVSM operations suspended or revoked by the DGCA ASD . If a problem is identified which is related to one specific aircraft type, then the RVSM approval may be suspended or revoked for that specific type only.
30	10	[H1] 26.11 RVSM	The Kuwait DGCA ASD may consider suspending or revoking RVSM approval if the operator's responses to height keeping errors are not effective or timely. The Kuwait

#	Page	Reference Section/Article	Proposed Alternative
		Approval, Suspension, Revocation by the DGCA. (b)	DGCA/ASD will consider the operator's past performance record in determining the action to be taken.
31	11	[H1] 26.12 Enforce ment Sanction Guidance Tables.	Sanction Guidance Tables
32	11	[H1] 26.12 Enforce ment Sanction Guidance Tables.	This table describes civil penalties (c.p.) as minimum, moderate or maximum for a single violation of a particular regulation.
33	11	[H1] 26.12 Enforce ment Sanction Guidance Tables.	[TABLE] Violations Committed by Key Personnel Authorised by Kuwait DGCA – ASD-Form 4 (Table 1) Minimum C.P. = 1000 K.D. Moderate C.P. = 3000 K.D. Maximum C.P. = 5000 K.D. Type of Violation Sanction Per Violation Actions or Inactions, leading to violating Safety or Security regulations either personally or by other personal under his / her responsibility with his / her knowledge. Revoke of (form 4) and Max C.P. Falsification of records or reports Revoke of (form 4) and Max C.P. Denial / Obstruction of Authorized Inspectors access to facilities under their control. Revoke of (form 4) and Mid C.P. Withholding information from Authorized Inspectors Revoke of (form 4) and Min C.P.
34	14	[H1] 26.12 Enforce ment Sanction Guidance Tables.	[TABLE] Violations Committed by a Holder of An Air Operator Certificate and/or AMO Holder Issued by The State of Kuwait DGCA (Table 23) Minimum C.P. = 1000 K.D. Moderate C.P. = 3000 K.D. Maximum C.P. = 5000 K.D. Type of Violation Sanction Per Violation 1 Carryout maintenance on an aircraft in a negligent, careless or reckless manner Revoke Licence/Authority 2 Abuse or false representation of delegated authority/approval or has acted in any other way that would discredit the Kuwait DGCA-ASD Revoke Licence/Authority 3 Release of Aircraft without required equipment or not as per the approved MEL Max C. P. 4 Failure to comply with inspection and overhaul time limitations Max C. P. 5 Failure to comply with airworthiness directive Max C. P. 6 Operating an aircraft contrary to operations specifications Max C. P. 7 Failure to comply with mandatory modification or repairs Max C. P. 8

#	Page	Reference Section/Article	Proposed Alternative
			<p>Operations of an un-airworthy aircraft Max C. P. 9</p> <p>Releasing aircraft to service without completing all relevant documentation and certifications Max C. P. 10</p> <p>a) Denial/Obstruction of Authorized Inspectors access to a maintenance or workshop site and/or facilities Max C. P.</p> <p>b) Withholding information from Authorized Inspectors Mod C. P. 11</p> <p>Failure to provide adequate maintenance, repair and inspection or facilities and equipment Mod C. P. 12</p> <p>Training Program Failure to have or maintain an approved Training program Mod C. P.</p> <p>Failure to train personnel as per the Approved training program (initial and recurrent) Mod C. P. 13</p> <p>Failure to conduct an investigation or inquiry into an accident/incident within 7 days of the accident/incident Mod C. P. 14</p> <p>Maintenance Manuals/Documents a) Failure to maintain a manual up-to date and current Min C. P.</p> <p>b) Failure to provide adequate instructions and procedures in manual Min C. P.</p> <p>c) Failure to distribute manual to concerned personnel Min C. P.</p> <p>15</p> <p>Records and reports Failure to make required entry in Aircraft/ Engine/ APU logs Failure to keep maintenance records Failure to maintain and make available engineers/ approved mechanics reports Failure to maintain and make available Load manifest Failure to make and submit accurate reliability reports Min C.P.</p>
35	16	[H1] 26.12 Enforce ment Sanction Guidance Tables.	<p>[TABLE] Violations Committed by Personnel Holding a Licence, Certificate or Approval Issued by The State of Kuwait DGCA Minimum C.P. = 1000 K.D. Moderate C.P. = 3000 K.D. Maximum C.P. = 5000 K.D. Maintenance Personnel (Table 34) TYPE OF VIOLATION SANCTION PER VIOLATION 1 Certification by unauthorized personnel Revoke licence / approval 2 Falsification of records or reports Revoke licence / approval and Max C.P. 3 Preforming duty in a negligent, carless or reckless manner Revoke Certificate 34</p>

#	Page	Reference Section/Article	Proposed Alternative
			<p>Kuwait DGCA-ASD Approved Instructors (for Ground Engineers) exercised poor judgment in assessing candidate’s performance in relation to the standard Revoke licence / approval</p> <p>4<u>5</u></p> <p>Consumption of alcohol within the previous twelve hours prior to duty Revoke licence / approval and Min C.P.</p> <p>5<u>6</u></p> <p>Using the privileges of an Aircraft Maintenance Engineer’s Licence/ Certificate Approval while under the influence of alcohol or psychoactive substances Revoke licence /certificate and Mod C.P.</p> <p>6<u>7</u></p> <p>a) Denial/Obstruction of Authorized Inspectors access to a maintenance or workshop site and/or facilities 60-days licence suspension</p> <p>b) Withholding information from Authorized Inspectors</p> <p>7<u>8</u></p> <p>Exceeding limitations of approval/ licence 30-day licence / approval suspension</p> <p>8<u>9</u></p> <p>Failure to properly perform maintenance 30-day licence suspension</p> <p>9<u>10</u></p> <p>Failure to make required inspections 30-day licence suspension</p> <p>10<u>11</u></p> <p>Making improper inspection 30-day licence suspension</p> <p>11<u>12</u></p> <p>Improperly releasing an aircraft to service 30-day licence suspension</p> <p>Records and report</p> <p>12<u>13</u></p> <p>Failure to make entries in aircraft Technical log 30-day licence suspension</p> <p>13<u>14</u></p> <p>Failure to make entries in job/task Cards 30-day licence suspension</p> <p>14<u>15</u></p> <p>Failure to sign off work or inspection performed 30-day licence suspension</p> <p>15<u>16</u></p> <p>Failure to complete and sign Maintenance release 30-day licence suspension</p> <p>16<u>17</u></p> <p>Releasing an aircraft without the required equipment or not as required by the approved MEL 30-day licence suspension</p> <p>17<u>18</u></p> <p>Acting as a Maintenance Engineer or Approved Mechanic with known physical deficiency that affects his/her duty. 30-day licence suspension</p> <p>18<u>19</u></p> <p>Violation of safety and security regulations, e.g use of cellular phone. 30-days licence suspension</p> <p>19<u>20</u></p> <p>Exercising the privileges of an Aircraft Maintenance Engineer without a valid Kuwait DGCA licence / certification 30-days licence suspension</p> <p>20<u>21</u></p>

#	Page	Reference Section/Article	Proposed Alternative
			<p>Failure to comply with approved aircraft standard operating procedures (SOP). Normal, non-normal, supplementary, special procedures or requirements 30-days licence suspension 21 Failure to comply with Regulatory requirements for reporting an accident/incident or Occurrence Report 15-days licence suspension</p>
36	18	<p>[H1] 26.12 Enforce ment Sanction Guidance Tables.</p>	<p>[TABLE] Violations Committed by Personnel Holding A Licence/Certificate Issued by The State of Kuwait DGCA Minimum C.P. = 1000 K.D. Moderate C.P. = 3000 K.D. Maximum C.P. = 5000 K.D. Flight Deck/Cabin Crew Members (Attestation) (Table 45) Type of Violation Sanction Per Violation</p> <ol style="list-style-type: none"> 1 Operating an aircraft in a negligent, careless or reckless manner Revoke licence 2 Acting as flight/cabin crewmember while under the influence of alcohol or psychoactive substances Revoke licence/certificate and Max C.P. 3 Consumption of alcohol within the previous twelve hours prior to duty Revoke licence/certificate and Mod C.P. 4 Conviction by a Court of Law of the illegal carriage of restricted/controlled substance in an aircraft while operating Revoke licence/certificate 5 Refusal to carry-out medical check when required by Kuwait DGCA-ASD 60-day licence suspension 6 Carriage of explosives or Hazardous Materials without authorization of the Kuwait DGCA-ASD 60-day licence suspension and Min C.P. 7 a) Denial/Obstruction of Authorized Inspectors access to flight deck or facilities 60-day licence suspension b) Withholding information from Authorized Inspectors 8 Failures to produce an aviation document, certificate or records upon demand of DGCA/ASD. 30-day licence/certificate suspension 9 Failure to comply with special condition of medical certificate 30-day licence/certificate suspension 10 Acting as a Flight Deck or Cabin Crewmember with a known physical deficiency which affects his/her duty. 30-day licence/certificate suspension 11 Failure to comply with safety and security regulations, i.e. smoking, in-flight security procedures 30-day licence suspension 12 Failure to comply with approved aircraft standard operating procedures (SOP). Normal, non-normal, supplementary, special procedures or requirements 30-day licence suspension 13

#	Page	Reference Section/Article	Proposed Alternative
			<p>Failure of Flight Deck Crew or Cabin Crewmember to comply with Pilot-In-Command instructions 30-day licence suspension 14</p> <p>Operating without valid aircraft documentation 30-day licence/certificate suspension 15</p> <p>Operating an un-airworthy aircraft 30-day licence suspension 16</p> <p>Failure to check and acquire aircraft technical logs or flight documentation 30-day licence suspension 17</p> <p>Failure to obtain an Air Traffic Control Clearance 30-day licence suspension 18</p> <p>Failure to comply with an Air Traffic Control Clearance received and acknowledged 30-day licence suspension 19</p> <p>Failure to advise Air Traffic Control of deviation from clearance 30-day licence suspension 20</p> <p>Violation of Flight Duty Time Limitation Regulations 30-day licence suspension 21</p> <p>Acting as a Flight Deck or Cabin Crewmember without a valid Kuwait DGCA licence/certificate or licence/certificate not in possession 30-day licence suspension (Deck Crew) 7-day certificate suspension (Cabin Crew) 22</p> <p>Failure to comply with Regulatory requirements for reporting an accident/incident or Occurrence Report 15-day licence suspension 23</p> <p>Failure of Cabin Crewmembers to comply with standard safety instructions 15-day certificate suspension</p>
37	21	[H1] 26.12 Enforce ment Sanction Guidance Tables.	<p>[TABLE] Violations Committed by Personnel Holding A License/Certificate Issued by The State of Kuwait DGCA Air Traffic Controllers (Table 67) Type of Violation Sanction Per Violation</p> <p>1 Performing duty while under the influence of alcohol or psychoactive substances. Revoke Authority 2 Preforming duty in a negligent, carless or reckless manner Revoke Certificate 23</p> <p>Consumption of alcohol within the previous twelve hours prior to duty. Revoke Authority 34 Falsification of records or reports. Revoke Authority 45 a) Denial/Obstruction of Authorized Inspectors access to ATC facilities 60-day licence suspension b) Withholding information from Authorized Inspectors 56 Exceeding the limitations of his/her license.</p>

#	Page	Reference Section/Article	Proposed Alternative
			<p>30-day licence suspension 67 Failures to produce an aviation document, license or records upon demand of DGCA/ASD. 30-day licence suspension 78 Failure to comply with special condition of medical certificate. 30-day licence suspension 89 Acting as Air Traffic Controller with a known physical deficiency which affects his/her duty. 30-day licence suspension 910 Failure to comply with safety and security regulations. 30-day licence suspension 1011 Failure to comply with approved standard operating procedures (SOP). 30-day licence suspension 1112 Operating without valid Kuwait DGCA license. 30-day licence suspension 1213 Failure to report critical information of Safety or Security nature. 30-day licence suspension 1314 Failure to comply with regulatory requirements for reporting an accident/incident or occurrence. 15-day licence suspension</p>
38	25	[H1] 26.12 Enforce ment Sanction Guidance Tables.	<p>[TABLE] Violations Committed by Organizations Holding an Approval Issued by The State of Kuwait DGCA Concerning the Implementation of Safety Management Systems (SMS) (Table 910) Minimum C.P. = 1000 K.D. Moderate C.P. = 3000 K.D. Maximum C.P. = 5000 K.D. Type of Violation Sanction Per Violation 1 Failure to implement KCASR 19 "Safety Management System". Max C. P. 2 Noncompliance with KCASR 19 "SMS" requirement which lowers the safety standard and seriously affects the flight safety. Mod C. P. 3 Noncompliance with KCASR 19 "SMS" requirements which could lower the safety standard and possibly negatively affects the flight safety. Min C. P.</p>
39	27	[H1] 26.12 Enforce ment Sanction Guidance Tables. (b)	<p>[TABLE] Violations committed by a Holder of an Aerodrome Certificate Issued by Kuwait DGCA (Table 1011) (This Table describes the Civil Penalties (C.P.) as Minimum, Moderate or Maximum for violations of Kuwait DGCA regulations on Aerodrome, KCASR Part 14) Minimum C.P. = 2501000 KD Moderate C.P. = 5003000 KD Maximum C.P. = 10005000 KD Type of violation Sanction per Violation 1 Operating in violation of the conditions forming part of the Aerodrome Certificate</p>

#	Page	Reference Section/Article	Proposed Alternative
			<p>Min C.P. 2 Violation of Kuwait DGCA/ASD Aerodrome regulations, KCASR Part 14, Aerodrome Safety and Standard Instructions.</p> <p>Mod C.P. 3 Failure to implement KCASR requirements regarding “Safety Management System” implementation.</p> <p>Max C.P. 4 Using unqualified personnel</p> <p>Mod C.P. 5 Allowing personnel to operate in the aerodrome without holding a valid State of Kuwait aviation document or certificate.</p> <p>Min C.P. 6 Falsification of records or reports</p> <p>Max C.P. 7 Denial/Obstruction of Authorized inspectors’ access to an aerodrome site, facilities or records</p> <p>Max C.P. 8 Failure to comply with approved policies, standards, Kuwait DGCA regulation, procedures, requirements, and Aerodrome manual procedures.</p> <p>Max C.P. 9 Noncompliance with Kuwait DGCA/ASD KCASR 14 regulation that might affect the safety standards and hazards the Apron / Airside safety.</p> <p>Mod C.P. 10 Noncompliance with Kuwait DGCA/ASD KCASR 14 Regulations that could affect the safety standards and hazards the Apron / Airside safety.</p> <p>Max C.P. 11 Noncompliance with Kuwait DGCA/ASD KCASR Part 14 requirements that might affect the safety standards, and hazards seriously the safety management system.</p> <p>Mod C.P. 12 Noncompliance with Kuwait DGCA/ASD KCASR Part 14 requirements which could lower the safety standards, and possibly hazards the safety management system.</p> <p>Max C.P. 13 Failure to conduct required inspections / Audits</p> <p>Mod C.P. 14 Failure to provide proper recurrent training to the aerodrome personnel</p> <p>Min C.P. 15 Failure to maintain a record of training for each aerodrome operations involved personnel</p> <p>Min C.P. 16 Failure to forward an occurrence report to Kuwait DGCA/ASD</p> <p>Min C.P. 17 Failure to obtain a Kuwait DGCA/ASD approval for amendments to the Aerodrome Operations Manual</p> <p>Min C.P.</p>
40	29	[H1] 26.12 Enforce	Violations committed by an Air Navigation Services (ANS) personnel or holder of an ANS Licence issued by Kuwait DGCA

#	Page	Reference Section/Article	Proposed Alternative
		ment Sanction Guidance Tables. (b)	
41	29	[H1] 26.12 Enforce ment Sanction Guidance Tables. (b)	<p>[TABLE] Violations Committed by Air Navigation Services (Table 4412)</p> <p>Minimum C.P.= 250-1000 KD Moderate C.P.= 500-3000 KD Maximum C.P.= 1000-5000 KD</p> <p>Type of violation Sanction per Violation</p> <p>1 Operating in violation of the conditions forming part of the Kuwait DGCA/ASD regulations related to ANS Max C.P.</p> <p>2 Using unqualified personnel Max C.P.</p> <p>3 Denial/Obstruction of access to premises, facilities, records to Kuwait DGCA/ASD Max C.P.</p> <p>4 Withholding information from Kuwait DGCA/ASD Max C.P.</p> <p>5 Allowing personnel to operate in the ANS services without holding a valid State of Kuwait aviation document or certificate. Max C.P.</p> <p>6 Falsification of records or reports Max C.P.</p> <p>7 Denial/Obstruction of Authorized inspectors' access to an ANS site or facilities. Max C.P.</p> <p>8 Failure to comply with approved policies, standards, Kuwait DGCA regulation, procedures, requirements, ANS manual procedures. Mod C.P.</p> <p>9 Failure to make required inspections Mod C.P.</p> <p>10 Failure to provide proper recurrent training to the ANS personnel Mod C.P.</p> <p>11 Failure to maintain a record of training for each ANS involved personnel Mod C.P.</p> <p>12 Operating without the required number of ANS personnel Max C.P.</p> <p>13 Violation of Kuwait DGCA/ASD ANS Safety and Standard Instructions Max C.P.</p> <p>14 Allowing an ANS personnel to operate when in violation of Flight Duty Time limitation regulations. Max C.P.</p> <p>15 Using an ANS personnel with a known physical deficiency that affects his/her duty. Max C.P.</p> <p>16 Failure to forward an occurrence report to Kuwait DGCA/ASD Mod C.P.</p>

#	Page	Reference Section/Article	Proposed Alternative
42	30	[H1] 26.12 Enforce ment Sanction Guidance Tables. (b)	<p>[TABLE] Violations Committed by a Holder of a Ground Handling Certificate (GHO) Issued Kuwait DGCA (Table 4213)</p> <p>(This Table describes the Civil Penalties (C.P.) as Minimum, Moderate or Maximum for violations of Kuwait DGCA regulations (GHO), KCASR 14-Vol (III))</p> <p>Minimum C.P.= 500-1000 KD Moderate C.P.= 1500-3000 KD Maximum C.P.= 2500-5000 KD</p> <p>Type of violation Sanction per Violation</p> <p>1 Operating in violation of the conditions forming part of the Ground Handling Certificate Min C.P.</p> <p>2 Violation of Kuwait DGCA/ASD Ground Handling, KCASR 14 (Vol III), Aerodrome Safety and Standard Instructions or Airports approved (ADM) Max C.P.</p> <p>3 Failure to implement KCASR requirements regarding ‘Safety Management System” implementation. Max C.P.</p> <p>4 Utilizing unqualified personnel Mod C.P.</p> <p>5 Allowing personnel to operate in the aerodrome without holding a valid State of Kuwait aviation document or certificate. Min C.P.</p> <p>6 Falsification of records or reports Max C.P.</p> <p>7 Denial/Obstruction of Authorized inspectors’ access to Ground Handling premises, facilities or records. Max C.P.</p> <p>8 Noncompliance with Kuwait DGCA/ASD KCASR 14 (Vol III) regulation that might affect the safety standards and hazards the Airside / Apron safety. Mod C.P.</p> <p>9 Noncompliance with Kuwait DGCA/ASD KCASR 14 (Vol III) regulations that could affect the safety standards and hazards the Airside / Apron safety. Max C.P.</p> <p>10 Noncompliance with Kuwait DGCA/ASD KCASR 14 (Vol III) requirements which could lower the safety standards and hazards the Safety Management System. Mod C.P.</p> <p>11 Failure to conduct required inspections / audits Mod C.P.</p> <p>12 Failure to provide proper recurrent training to the Ground handling personnel Min C.P.</p> <p>13 Failure to maintain a record of training for each Ground handling operations involved personnel Min C.P.</p> <p>14 Failure to forward an occurrence report to Kuwait DGCA/ASD Min C.P.</p> <p>15 Failure to obtain a Kuwait DGCA/ASD approval for amendments to the Ground Handling Manual</p>

#	Page	Reference Section/Article	Proposed Alternative
			Min C.P.
43	35	[H1] 26.12 Enforce ment Sanction Guidance Tables. (b)	Note: Violation committed by the holder of foreign Air Operator Certificate will be reported to the State of Registry of the aircraft and ICAO.