# LIMITATION, SUSPENSION OR REVOCATION OF AN AOC

* 1. **Process concerned:** AOD, involved LV CAA Divisions (if applicable)
  2. **Process owner:** AOD
  3. **Purpose**

The purpose of the process is to manage limitation, suspension or revocation of an AOC.

* 1. **Scope**

Verify the organisation’s compliance criteria before the limitation, suspension or revocation of an AOC.

* 1. **Reference to requirements**
* ARO.GEN.330 Changes — organisations
* ARO.GEN.350 Findings and corrective actions — organisations
  1. **Work instructions**
     1. LV CAA has power under the Law on Aviation, EU regulations, and under the terms of the AOC to force a variation (in sense of limitation) of certificate, to suspend or revoke a certificate otherwise that in accordance with a request from the holder. Without prejudice to any additional enforcement measures, when the organisation implements changes requiring prior approval without having received LV CAA approval, the competent authority shall suspend, limit or revoke the organisation’s certificate.

Upon suspension or revocation the certificate shall be returned to the competent authority without delay.

* + 1. Making use of the rights assess the criteria in sense of limitation. Consider:

1. any irregular organisation’s procedures;
2. evidence of inadequate facilities or equipment;
3. indications that management control of the operation may be ineffective;
4. operator maintains inadequate control over activities based outside the territory of the Member State;
5. indications that the training provided is not achieving desired objectives.
   * 1. Making use of the rights assess the criteria for suspension of AOC. Consider:
6. reports showing serious safety deficiencies, or persistent failure by the carrier to address deficiencies identified by ramp inspections performed under the EC SAFA programme previously communicated to the carrier;
7. operating ban imposed on a carrier;
8. substantiated accident-related information or serious incident-related information indicating latent systemic safety deficiencies;
9. lack of transparency or adequate and timely communication on the part of a carrier in response to an enquiry by the civil aviation authority of a Member State regarding the safety aspect of its operation;
10. inappropriate or insufficient corrective action plan presented in response to an identified serious safety deficiency;
11. if the Management System, by being judged to have failed in its objectives, this is in itself a breach of the requirements which may call into question the validity of the AOC;
12. any conditions that may indicate a significant deterioration in the operator’s financial condition;
13. finding classified as Level 1 until successful corrective action has been taken by the organisation, including:
14. failure to give the competent authority access to the organisation’s facilities as defined in ORO.GEN.140 during normal operating hours and after two written requests;
15. obtaining or maintaining the validity of the organisation certificate by falsification of submitted documentary evidence;
16. evidence of malpractice or fraudulent use of the organisation certificate; and
17. the lack of an accountable manager;
18. in the case of level 2 findings, where an organisation fails to submit an acceptable corrective action plan, or to perform the corrective action within the time period accepted or extended by the competent authority, the finding shall be raised to a level 1 finding and action taken to prohibit or limit activities, and if appropriate, revoke the certificate or to limit or suspend it in whole or in part, depending upon the extent of the level 1 finding, until successful corrective action has been taken by the organisation;
19. the persons who continuously and effectively manage the operations are of bad repute or they have declared bankrupt.
    * 1. LV CAA will first suspend an issued AOC before any revocation, if no satisfying remedial action has been implemented during the period defined.
      2. **Decision making process**
20. If LV CAA is not satisfied, the operator must be informed in writing of the details which are causing LV CAA concern. LV CAA will require remedial action to be taken within a specified period.
21. In the event that an operator fails, in spite of warning and advice, to satisfy the LV CAA concern, a final written warning should, whenever possible, be given to the operator together with a firm date by which specified action to satisfy the LV CAA must be taken. It must be made clear that failure to satisfy the LV CAA may result in enforced variation or suspension of the AOC.
22. LV CAA may immediately vary or suspend any AOC which it has issued, when the organisation implements changes requiring prior approval without having received competent authority approval.
23. The recommendation to vary or suspend an AOC is made by Head of AOD to the Director of CAA. When a decision has been taken to suspend, or vary an AOC, the operator must be informed immediately by the quickest available means. In the event of full suspension of the AOC, the operator must be instructed that all commercial operations cannot legally continue or, if an enforced variation to the AOC is intended, those elements of the operation which are affected by the suspension cannot continue. This must be followed by a formal letter (signed by the Director of CAA) giving notice of suspension, or variation, restating the requirement to cease operations as applicable, and also setting out the conditions on which suspension may be lifted. LV CAA notifies operator about rights of appeal according to national regulations.
24. If it becomes apparent to LV CAA that all operations have ceased over a period in excess of 6 months, LV CAA should consider opening the warning process described above.
    1. **AOC Register**

Information on AOC suspension or revocation shall be entered in AOD database “AOC Register”.

* 1. **Cross division tasks**

Request involved LV CAA Divisions to perform cross division tasks using ATT 2.3 AOD internal management evaluation checklist and progress report, if required.

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