

# **CAR-129**

## **Civil Aviation Regulation**

### **Air Operations of Foreign Operators**

**Effective: 1<sup>st</sup> March 2023**

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**(President CAA Oman)**

**Corrigendum of Amendments**

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## Regulation on Air Operations of Foreign Operators

### The Oman Civil Aviation Authority

Pursuant to the General Provisions of Royal Decree No. (76/2019) issuing the Civil Aviation Law of The Sultanate of Oman (hereinafter referred to as 'the Civil Aviation Law') on the regulation of civil aviation in the State of Oman, Whereas:

- (a) The Civil Aviation Authority of Oman (herein after referred to as 'CAA') is the competent authority having exclusive jurisdiction over civil aviation and civil aerodromes in the State of Oman, and being empowered to prescribe and promulgate rules, regulations and orders for the discharge of its functions.
- (b) Operators and personnel involved in the operation of certain aircraft have to comply with the relevant provisions of the Civil Aviation Law.
- (c) It is necessary to establish technical requirements and administrative procedures to amplify and implement the provisions of the Civil Aviation Law to ensure the safe operation of aircraft.
- (d) The CAA, in addition to the oversight of authorisations that the CAA has issued, is required to conduct investigations, including ramp inspections, and shall take any measure, including the grounding of aircraft, to prevent the continuation of an infringement or non-compliance with the Civil Aviation Law and its Regulations.
- (e) In order to ensure smooth transition and a high level of civil aviation safety, implementing measures shall reflect the state of the art, including best practices, and scientific and technical progress in the field of air operations. Accordingly, technical requirements and administrative procedures agreed under the auspices of the International Civil Aviation Organisation (hereinafter 'ICAO'), as well as existing legislation pertaining to a specific national environment, shall be considered.
- (f) It is necessary to provide sufficient time for the aviation industry to adapt to the new regulatory changes and to recognise under certain conditions the validity of certificates issued before this Regulation applies.
- (g) Compliance with the measures provided by this Regulation satisfy the applicable standards and recommended practices of the Annexes of the Chicago Convention on International Civil Aviation of 1944 (Doc 7300), to include but not limited to Manual on the implementation of Article 83 bis of the Convention on International Civil Aviation (Doc 10059), Manual of Procedures for Operations Inspection, Certification and Continued Surveillance (Doc 8335),

### HAS PROMULGATED THIS REGULATION:

#### Article 1: Subject matter and scope

This Regulation lays down detailed rules for operators of aircraft registered in a foreign country and used by a foreign-country operator into, within or out of Oman engaged in commercial air transport operations, including conditions for issuing, maintaining, amending, limiting, suspending or revoking their authorisations, the privileges and responsibilities of the holders of authorisations as well as conditions under which operations shall be prohibited, limited or subject to certain conditions in the interest of safety.

#### Article 2: Abbreviations

AltMoC	Alternate Means of Compliance
AMC	Acceptable Means of Compliance
AOC	Air Operators Certificate
CAA	Civil Aviation Authority
CAD	Civil Aviation Directive
CAT	Commercial Air Transport
C of A	Certificate of Airworthiness
C of R	Certificate of Registration
EDTO	Extended Diversion Time Operations
EFOD	Electronic Filing of Differences
GM	Guidance Material
LVO	Low Visibility Operations
MNPS	Minimum Navigation Performance Specifications
OPSPECS	Operations Specifications
OTSB	Oman Transport Safety Bureau
PBN	Performance Based Navigation
RVSM	Reduced Vertical Separation Minima

**Article 3: Definitions**

For the purposes of this Regulation:

- (a) **‘alternative means of compliance (AltMoC)’** are those that propose an alternative to an existing Acceptable Means of Compliance or those that propose new means to establish compliance with this regulation for which no associated AMC have been adopted by the CAA;
- (b) **‘commercial air transport (CAT) operation’** means an aircraft operation to transport passengers, cargo or mail for remuneration or other valuable consideration;
- (c) **‘flight’** means a departure from a specified aerodrome towards a specified destination aerodrome;
- (d) **‘foreign country operator’** means any operator holding an air operator certificate not issued by Oman;
- (e) **‘State of Registry’** means the State on whose register the aircraft is entered.

*Note.— In the case of the registration of aircraft of an international operating agency on other than a national basis, the States constituting the agency are jointly and severally bound to assume the obligations which, under the Chicago Convention, attach to a State of Registry.*

- (f) **‘State of the Operator’** means the State in which the operator’s principal place of business is located or, if there is no such place of business, the operator’s permanent residence.

*Note.— The responsibilities of the State of the Operator are summarized in Part I, Chapter 2 of Doc 8335.*

- (g) **‘surveillance’** means the states activities through which the State proactively verifies through inspections and audits that aviation licence, certificate, authorization or approval holders continue to meet the established requirements and function at the level of competency and safety required by the State.

**Article 4: Authorisations**

Foreign country operators shall only engage in commercial air transport operations within, into or out of Oman if they comply with the requirements of Annex I and hold an authorisation issued by the CAA in accordance with Annex II to this Regulation.

**Article 5: Entry into force**

- (a) This Regulation shall enter into force from date of publication and apply from the 1<sup>st</sup> of March 2023.
- (b) Notwithstanding the paragraph (a), Foreign Country Operators that are authorised to operate into Oman at the date of entry into force of the regulation may continue to operate into Oman provided that they comply with the scope and privileges defined in the authorisation for a period of 24 months or until the CAA has taken a decision in accordance with Annex I to this Regulation.
- (c) Foreign country operators that at the date of entry into force hold an authorisation shall submit a new application for an authorisation in accordance with Annex I to the CAA no later than 12 months after entry into force of this Regulation.
- (d) Upon receiving an application, the CAA shall assess the foreign country operator’s compliance with the applicable requirements. The assessment shall be completed no later than 24 months after entry into force of this Regulation.

**ANNEX I****CAR 129 - FOREIGN COUNTRY OPERATORS****SECTION I - General requirements****CAR 129.100 Scope**

This Annex (hereafter referred to as 'CAR 129') establishes requirements to be followed by a foreign country operator engaged in commercial air transport operations into, within or out of the territory of Oman.

**CAR 129.105 Means of compliance**

- (a) AltMoC to the AMC adopted by the CAA may be used by a foreign country operator to establish compliance with this regulation.
- (b) When a foreign country operator subject to an authorisation wishes to use an AltMoC to the AMC adopted by the CAA to establish compliance with this regulation, it shall, prior to implementing it, notify it to the CAA with a full description of the AltMoC. The description shall include any revisions to manuals or procedures that may be relevant, as well as an assessment demonstrating that the Regulations are met. The foreign country operator may implement these AltMoC subject to prior approval by the CAA and upon receipt of the notification as prescribed in CAD 129.105 in Annex II.

**AMC1 CAR 129.105(a) Means of compliance**

Demonstration of compliance

In order to demonstrate that the regulations are met, a risk assessment should be completed and documented by the operator. The result of this risk assessment should demonstrate that an equivalent level of safety to that established by the AMC adopted by the CAA is accomplished.

**GM1 CAR 129.105(a) Means of compliance**

Demonstration of compliance

AltMoC cannot be used to establish compliance with ICAO standards. CAR 129.105(a) refers to alternatives to the AMC adopted by the CAA, which detail how compliance with CAR 129 may be established.

**CAR 129.110 Mitigating measures**

- (a) When the State of operator or the State of registry have notified differences to ICAO standards that have been identified by the CAA in accordance with CAD 129.200(d) in Annex II, the foreign country operator may propose mitigating measures to establish compliance with CAR 129.
- (b) The foreign country operator shall demonstrate to the CAA that these measures ensure an equivalent level of safety to that achieved by the standard to which differences have been notified.

**GM1 CAR 129.110 Mitigating measures**

Notified differences to ICAO Standards

- (a) In case of notified differences to ICAO standards, the CAA will rely on the ICAO EFOD database.
- (b) If the operator can demonstrate that it operates in compliance with the ICAO standard, despite a difference to ICAO standards notified by the State of operator or the State of registry, the operator is not required to propose mitigating measures to establish compliance with CAR 129.

**CAR 129.115 Access**

- (a) The foreign country operator shall ensure that when its aircraft lands in Oman any person authorised by the CAA will be permitted to board such aircraft, at any time, with or without prior notice to:
  - 1) inspect the documents and manuals to be carried on board and to perform inspections to ensure compliance with CAR 129; or
  - 2) carry out a ramp inspection.
- (b) The foreign country operator shall ensure that any person authorised by the CAA is granted access to any of its facilities or documents related to its activities, including any subcontracted activities, to determine compliance with CAR 129.

**SECTION II - Air Operations****CAR 129.200 General requirements**

- (a) The foreign country operator shall comply with:
- 1) the applicable standards contained in the Annexes to the Convention on International Civil Aviation, in particular ICAO Annexes 1, 2, 6, 7, 8, 10, 18 and 19;
  - 2) the mitigating measures accepted by the CAA in accordance with CAD 129.200(d);
  - 3) the relevant requirements of CAR 129; and
  - 4) the applicable Oman rules of the air.
- (b) The foreign country operator shall ensure that an aircraft operated into, within or out of Oman is operated in accordance with:
- 1) its AOC and associated OPSPECS; and
  - 2) the authorisation issued in accordance with this Regulation and the scope and privileges defined in the specifications attached to it.
- (c) The foreign country operator shall ensure that an aircraft operated into, within or out of Oman has a (C of R) and (C of A) validated by:
- 1) the State of registry; or
  - 2) the State of the operator, provided that the State of the operator and the State of registry have entered into an agreement under Article 83bis of the Convention on International Civil Aviation that transfers the responsibility for the issue of the (C of A).
- (d) The foreign country operator shall, upon request, provide the CAA with any information relevant for verifying compliance with CAR 129.
- (e) Without prejudice to Oman CAR 13, the foreign country operator shall without undue delay report to the Oman Transport Safety Bureau (OTSB) any accident and incident as defined in ICAO Annex 13.

**AMC1 CAR 129.200(b) General requirements**

Difference between Operations Specifications and CAR 129 Authorisation

Whenever there is a difference between operations specifications associated to the Air Operator Certificate (AOC) and specification associated to the CAR 129 authorisation, the more limiting specification should apply.

**GM1 CAR 129.200(b) General requirements**

Special Authorisation

For certain operations a special authorisation is required. Special authorisations are those including, but not limited to, the carriage of dangerous goods, Low Visibility Operations (LVO), Reduced Vertical Separation Minima (RVSM), Extended Diversion Time Operations (EDTO), navigation specifications for Performance-Based Navigation operations (PBN), special approach authorisation and Minimum Navigation Performance Specifications (MNPS).

**GM1 CAR 129.200(c) General requirements**

Certificate of Airworthiness

Certificate of Airworthiness means a (C of A) issued in accordance with ICAO Annex 8.

**AMC1 CAR 129.200(e) General requirements**

Reporting of Accidents

The foreign country operator should report to the OTSB all accidents involving aircraft used under its AOC, intended to be flown into, within or out of Oman. See CAA CAR 13.

**CAR 129.205 Navigation, communication and surveillance equipment**

When undertaking operations within the airspace above Oman the foreign country operator shall equip its aircraft and operate such navigation, communication and surveillance equipment as required in that airspace.

**CAR 129.210 Documents, manuals and records to be carried**

The foreign country operator shall ensure that all documents, manuals and records that are required to be carried on board are valid and up-to-date.

**AMC1 CAR 129.210 Documents, manuals and records to be carried**

General

The documents, manuals and information may be available in a form other than on printed paper. Accessibility, usability and reliability should be assured.



**GM1 CAR 129.210 Documents, manuals and records to be carried**

## General

The foreign country operator is not required to carry the CAR 129 authorisation on board its aircraft.

**CAR 129.215 Production of documentation, manuals and records**

Within a reasonable time of being requested to do so by a person authorised by the CAA, the pilot-in-command or his designated person, of an aircraft that has landed in Oman shall produce to that person the documentation, manuals and records required to be carried on board.

**SECTION III - Authorisation of foreign country operators****CAR 129.300 Application for an authorisation**

- (a) Prior to engaging in CAT operations under CAR 129, the foreign country operator shall apply for and obtain an authorisation issued by the CAA.
- (b) An application for an authorisation shall be:
  - 1) submitted at least 90 days before the intended starting date of operation; and
  - 2) made in a form and manner established by the CAA.
- (c) Without prejudice to applicable bilateral agreements the applicant shall provide the CAA with any information needed to assess whether the intended operation will be conducted in accordance with the applicable requirements of CAR 129.200(a). Such information shall include:
  - 1) the duly completed application;
  - 2) the official name, business name, address, and mailing address of the applicant;
  - 3) a copy of the applicant's AOC and associated OPSPECS, or equivalent document, that attests the capability of the holder to conduct the intended operations, issued by the State of the operator;
  - 4) the applicant's current certificate of incorporation or business registration or similar document issued by the Registrar of Companies in the country of the principal place of business;
  - 5) the proposed start date, type and geographic areas of operation.
- (d) When necessary, the CAA may request any other additional relevant documentation, manuals, or specific approvals issued or approved by the State of the operator or State of registry.
- (e) For those aircraft not registered in the State of the operator the Operator shall provide:
  - 1) details of the lease agreement for each aircraft so operated; and
  - 2) if applicable, a copy of the agreement between the State of the operator and the State of registry pursuant to Article 83bis of the Convention on International Civil Aviation that covers the aircraft.

**GM1 CAR 129.300(a) Application for an authorisation**

## Demonstration of intention to Operate

The intention to operate is sufficiently substantiated when an operator can demonstrate a credible intention to conduct commercial operations into within or out of Oman. The operator may substantiate its intention by submitting its planned schedule for CAT operations where this is possible or, by having aircraft available for intended flights in the case of unscheduled CAT operations, or Oman being a geographical part of the operations specifications, or a statement from senior management that operations to Oman are planned. However, other means of demonstrating a credible intention may be used.

**GM1 CAR 129.300(b) Application for an authorisation**

## Submission of Application for an Authorisation

The application is considered to be submitted when the complete set of information required under CAR 129.300(c) has been received.

**GM1 CAR 129.300(e)(1) Application for an authorisation**

## Lease-In of Aircraft not Registered in the State of the Operator

- (a) In the case of aircraft not registered in the State of the operator, the Operator should provide the following information on the lease agreement:
  - (1) the aircraft type, registration markings and serial number;
  - (2) the name and address of the registered owner;
  - (3) a copy of the valid certificate of airworthiness;
  - (4) a copy of the lease agreement or description of the lease provisions, except financial arrangements; and
  - (5) duration of the lease.

**GM1 CAR 129.300(e)(2) Application for an authorisation**

Documents for Aircraft not Registered in the State of the Operator

Any agreement on the transfer of certain functions and duties between the State of registry and the State of operator that relieves the State of registry of responsibility in respect of the functions and duties transferred, should be made available upon request.

**CAR 129.305 Non-scheduled Flights - one-off notification**

- (a) By way of derogation of CAR 129.300(a) a foreign country operator may perform air ambulance flights or a non-scheduled flight or a series of non-scheduled flights to overcome an unforeseen, immediate and urgent operational need without first obtaining an authorisation, provided that the operator:
- 1) notifies CAA prior to intended date of the first flight in a form and manner established by the CAA; and
  - 2) applies for an authorisation within 10 working days after the date of notification to the CAA pursuant to CAR 129.300.
- (b) The flight(s) specified in the notification prescribed in (a)(1) may be performed for a maximum period of six consecutive weeks after the date of notification or until the CAA has taken a decision on the application in accordance with CAD 129.
- (c) A notification may be filed only once every 24 months by an operator.

**CAR 129.310 Privileges of an authorisation holder**

The privileges of the operator shall be listed in the specifications to the authorisation and not exceed the privileges granted by the State of the operator.

**CAR 129.315 Changes**

- (a) Any change, other than those agreed under CAD 129.210(c), affecting the terms of an authorisation or associated specifications shall require prior authorisation by the CAA.
- (b) The application for prior authorisation by the CAA shall be submitted by the foreign country operator at least 30 days before the date of implementation of the intended change. The foreign country operator shall provide the CAA with the information referred to in CAR 129.300, restricted to the extent of the change. After submission of an application for a change, the foreign country operator shall operate under the conditions prescribed by the CAA pursuant to CAD 129.225(b).
- (c) All changes not requiring prior authorisation, as agreed in accordance with CAD 129.210(c), shall be notified to the CAA before the change takes place.

**GM1 CAR 129.315 Changes**

Changes Requiring Prior Approval

Typical examples of changes that require a prior approval and affect the CAR 129 authorisation or associated specification are listed below:

- (a) temporary or permanent cessation of operations;
- (b) the name of the operator;
- (c) the operator's principal place of business;
- (d) the operator's scope of activities, e.g. extensions of privileges granted or restrictions imposed in the operations specifications to the AOC;
- (e) enforcement measures imposed by a civil aviation authority, including limitations and suspension;
- (f) new type of aircraft - different ICAO type designator - included in the fleet;
- (g) any takeover, merger, consolidation or other structural change to the operator's organisation that could result in a change to the conditions and approvals as defined in the AOC or equivalent document.

**CAR 129.320 Continued validity**

- (a) The authorisation shall remain valid subject to:
- 1) the foreign country operator remaining in compliance with the relevant requirements of CAR 129. The provisions related to the handling of findings, as specified under CAR 129.325, shall also be taken into account;
  - 2) the validity of the AOC or equivalent document issued by the State of the operator and the related operations specifications, if applicable;
  - 3) the CAA being granted access to the foreign country operator as specified in CAR 129.115;
  - 4) the authorisation not being surrendered, suspended or revoked;
  - 5) the foreign country operator having carried out at least one flight every 12 months, into, within or out of Oman.
- (b) Upon surrender or revocation, the authorisation shall be returned to the CAA.

**AMC1 CAR 129.320 Continued validity**

## Re-submittance of Application

If an operator has not carried out a flight into within or out of Oman within the last 12 months, the operator should resubmit an application for a CAR 129 authorisation prior to recommencing operations to Oman.

**CAR 129.325 Findings**

After receipt of a notification of findings pursuant to CAD 129.230 raised by the CAA, the foreign country operator shall:

- (a) identify the root cause of the non-compliance;
- (b) establish a corrective action plan to address the root cause of the non-compliance within an acceptable time frame and submit it to the CAA;
- (c) demonstrate corrective action implementation to the satisfaction of the CAA within the period agreed with the CAA as defined in CAD 129.230(e)(1).

**AMC1 CAR 129.325 Findings**

## General

Operators should identify and review the root cause(s) of the non-compliances for each confirmed finding and should ensure that the corrective action(s) taken are adequate to correct the non-compliance and to prevent re-occurrence. A corrective action plan lists the action(s) to eliminate or mitigate the root cause(s) and to prevent recurrence of an existing detected non-compliance or other undesirable condition or situation. Proper determination of the root cause is crucial for defining effective corrective actions to prevent reoccurrence.

**ANNEX II****CAD 129 - Authority Requirements regarding the Authorisation of Foreign Country Operators****SECTION I - General****CAD 129.100 Scope**

This Annex II ('CAD 129') establishes administrative requirements to be followed by the CAA specifically regarding:

- (a) the issuance, maintenance, change, limitation, suspension or revocation of authorisations of foreign country operators engaging in commercial air transport operations; and
- (b) the monitoring of these operators.

**CAD 129.105 Alternative means of compliance**

The CAA shall evaluate all alternative means of compliance proposed by foreign country operators in accordance with CAR 129.105(b) by analysing the documentation provided and, if considered necessary, conducting an inspection of the foreign country operator. When the CAA finds that the AltMoC are in accordance with CAR 129 it shall without undue delay notify the applicant that the AltMoC may be implemented and, if applicable, amend the authorisation of the applicant accordingly.

**CAD 129.115 Record-keeping**

- (a) The CAA shall establish a system of record-keeping providing for adequate storage, accessibility and reliable traceability of:
  - 1) training, qualification and authorisation of its personnel;
  - 2) foreign country operator authorisations issued or notifications received;
  - 3) authorisation processes and continuing monitoring of authorised foreign country operators;
  - 4) findings, agreed corrective actions and date of action closure;
  - 5) enforcement measures taken, including fines requested by the CAA in accordance with CAR 12.
  - 6) the use of exemptions in accordance with CAR 10.
- (b) All records shall be kept for a minimum period of 5 years or as required by relevant CARs.

**SECTION II - Authorisation, monitoring and enforcement****CAD 129.200 Initial evaluation procedure — general**

- (a) Upon receiving an application for an authorisation in accordance with CAR 129.300, the CAA shall assess the foreign country operator's compliance with applicable requirements in CAR 129.
- (b) The initial assessment shall be completed within 30 days after receipt of the application or 30 days before the intended starting date of operation, whichever is the later. When the initial assessment requires a further assessment or an audit, the assessment period shall be extended for the duration of the further assessment or the audit, as appropriate.
- (c) The initial assessment shall be based on:
  - 1) documentation and data provided by the foreign country operator;
  - 2) relevant information on the safety performance of the foreign country operator, including ramp inspection reports, recognised industry standards, accidents records and enforcement measures taken by a foreign country;
  - 3) relevant information on the oversight capabilities of the State of the operator or State of registry, as applicable, including the outcome of audits carried out under international conventions or State safety assessment programmes.
- (d) The CAA shall identify those ICAO standards for which it may accept mitigating measures in case the State of the operator or the State of registry has notified a difference to ICAO. The CAA shall accept the mitigating measure when it is satisfied that these measures ensure an equivalent level of safety to that achieved by the standard to which differences have been notified.
- (e) When the CAA cannot establish a sufficient level of confidence in the foreign country operator and/or the State of the operator during the initial assessment, it shall:
  - 1) refuse the application when the outcome of the assessment indicates that further assessment will not result in the issue of an authorisation; or
  - 2) conduct further assessments to the extent necessary to establish that the intended operation will be conducted in compliance with the applicable requirements of CAR 129.

**CAD 129.210 Issue of an authorisation**

- (a) The CAA shall issue the authorisation, including the associated specifications, as established in Appendices 1 and 2, when:
- 1) it is satisfied that the foreign country operator holds a valid AOC or equivalent document and associated operations specifications issued by the State of the operator;
  - 2) it is satisfied that the foreign country operator is authorised by the State of the operator to conduct operations into the Oman;
  - 3) it is satisfied that the foreign country operator has established:
    - (i) compliance with the applicable requirements of CAR 129;
    - (ii) transparent, adequate and timely communication in response to a further assessment and/or an audit of the CAA, if applicable; and
    - (iii) a timely and successful corrective action submitted in response to identified non-compliance, if any.
  - 4) there is no evidence of major deficiencies in the ability of the State of the operator or the State of registry, as applicable, to certify and oversee the operator and/or aircraft in accordance with the applicable ICAO standards;
- (b) The authorisation shall be issued for an unlimited duration.  
The privileges and the scope of the activities that the foreign country operator is authorised to conduct shall be specified in the specifications attached to the authorisation.
- (c) The CAA shall agree with the foreign country operator the scope of changes to the foreign country operator not requiring prior authorisation.

**CAD 129.215 Monitoring**

- (a) The CAA shall assess continued compliance of foreign country operators it has authorised with the applicable requirements of CAR 129;
- (b) This assessment shall:
- 1) take into account safety relevant documentation and data provided by the foreign country operator;
  - 2) take into account relevant information on the safety performance of the foreign country operator, including ramp inspection reports, recognised industry standards, accidents records and enforcement measures taken by a foreign country;
  - 3) take into account relevant information on the oversight capabilities of the State of the operator or State of registry, as applicable, including the outcome of audits carried out under international conventions or State safety assessment programmes;
  - 4) take into account previous assessments or audits, if carried out; and
  - 5) provide the CAA with the evidence needed in case further action is required, including the measures foreseen by CAD 129.235.
- (c) The scope of monitoring defined in (a) and (b) shall be determined on the basis of the results of past authorisation and/or monitoring activities.
- (d) Where, based on available information, the safety performance of the foreign country operator and/or the oversight capabilities of the State of the operator are suspected to have decreased below the applicable standards contained in the Annexes to the Convention on International Civil Aviation, the CAA shall conduct further assessments to the extent necessary to establish that the intended operation will be conducted in compliance with the applicable requirements of CAR 129.
- (e) The CAA shall collect and process any safety information deemed relevant for monitoring.

**CAD 129.220 Monitoring programme**

- (a) The CAA shall establish and maintain a monitoring programme covering the activities required by CAD 129.215.
- (b) The monitoring programme shall be developed taking into account the results of past authorisation and/or monitoring activities.
- (c) The CAA shall perform a review of foreign country operators at intervals not exceeding 24 months. The interval may be reduced if there are indications that the safety performance of the foreign country operator and/ or the oversight capabilities of the State of the operator may have decreased below the applicable standards contained in the Annexes to the Convention on International Civil Aviation. The CAA may extend the interval to a maximum of 48 months if it has established that, during the previous monitoring period:
- 1) there are no indications that the overseeing authority of the State of the operator fails to perform effective oversight on operators under its oversight responsibility;
  - 2) the foreign country operator has continuously and timely reported changes referred to in CAR 129.315;
  - 3) no level 1 findings, referred to in CAD 129.230(b), have been issued; and
  - 4) all corrective actions have been implemented within the time period accepted or extended by the CAA as defined in CAD 129.230(e)(1).

- (d) The monitoring programme shall include records of the dates of monitoring activities, including meetings.

**CAD 129.225 Changes**

- (a) Upon receiving an application for a change that requires prior authorisation, the CAA shall apply the relevant procedure as described in CAD 129.200, restricted to the extent of the change.
- (b) The CAA shall prescribe the conditions under which the foreign country operator may operate within the scope of its authorisation during the change, unless the CAA determines that the authorisation needs to be suspended.
- (c) For changes not requiring prior authorisation, the CAA shall assess the information provided in the notification sent by the foreign country operator in accordance with CAR 129.315 to verify compliance with the applicable requirements. In case of any non-compliance, the CAA shall:
- 1) notify the foreign country operator about the non-compliance and request a revised proposal to achieve compliance; and
  - 2) in case of level 1 or level 2 findings, act in accordance with CAD 129.230 and CAD 129.235, as appropriate.

**CAD 129.230 Findings and corrective actions**

- (a) The CAA shall have a system to analyse findings for their safety significance.
- (b) A level 1 finding shall be issued by the CAA when any significant non-compliance is detected with the applicable requirements of this regulation, or with the terms of the authorisation that lowers safety or seriously affects or is hazardous to flight safety. The level 1 findings shall include, but are not limited to:
- 1) failure to give the CAA access to the foreign country operator's aircraft and facilities as defined in CAR 129.115(b) during normal operating hours and after a written request;
  - 2) implementing changes requiring prior authorisation without having received an authorisation as defined in CAD 129.210;
  - 3) obtaining or maintaining the validity of the authorisation by falsification of documentary evidence;
  - 4) evidence of malpractice or fraudulent use of the authorisation.
- (c) A level 2 finding shall be issued by the CAA when any non-compliance is detected with the applicable requirements of this regulation, or with the terms of the authorisation which could lower safety or hazard flight safety.
- (d) In the case of level 2 findings, the CAA shall:
- 1) grant the foreign country operator a corrective action implementation period appropriate to the nature of the finding. At the end of the period, and subject to the nature of the finding, the CAA may extend the period subject to a second satisfactory corrective action plan agreed by the CAA; and
  - 2) assess the corrective action and implementation plan proposed by the foreign country operator. If the assessment concludes that it contains root cause(s) analysis and course(s) of action to effectively eliminate or mitigate the root cause(s) to prevent recurrence of the non-compliance(s), the corrective action and implementation plan shall be accepted. Where a foreign country operator fails to submit an acceptable corrective action plan referred to in CAD 129.230(d)(1), or to perform the corrective action within the time period accepted or extended by the CAA, the finding shall be raised to a level 1 finding and action taken as laid down in CAD 129.235(a).
- (e) When a finding is detected during monitoring, the CAA shall communicate the finding to the foreign country operator in writing and request corrective action to eliminate or mitigate the root cause in order to prevent recurrence of the non-compliance(s) identified.
- (f) The CAA shall record and notify the State of the operator or the State of registry, as applicable, of all findings it has raised.

**CAD 129.235 Limitation, suspension and revocation of authorisations**

- (a) Without prejudice to any additional enforcement measures, the CAA shall take action to limit or suspend the authorisation in case of a level 1 finding, as applicable;
- (b) Verifiable evidence that the State of operator or State of registry, as applicable, is not capable to certify and oversee the operator and/or aircraft in accordance with the applicable ICAO standard. An authorisation shall be suspended for a period determined by CAA.
- (c) The limitation or suspension shall be lifted when the CAA is satisfied that successful corrective action has been taken by the foreign country operator and/or the State of the operator.
- (d) In considering the lifting of a suspension the CAA shall conduct an audit of the foreign country operator when the conditions in CAD 129.205(c) are met. In case the suspension is due to major deficiencies in the oversight of the applicant by the State of the operator or State of registry, as applicable, the audit may include an assessment with the aim to verify if these oversight deficiencies have been corrected.
- (e) The authorization shall be revoked as determined by CAA.

**Appendix 1 – “Authorisation Form” Template**

<b>Types of Operation:</b> Commercial Air Transport	
<b>Authorisation(1)</b>	<b>Operator Name</b>
	<b>DBA Trading name (2)</b>
	<b>State of the Operator (3)</b>
	<b>AOC or equivalent document number</b>
This authorisation confirms that _____(4) has complied with the requirements of CAR 129 and is entitled to perform commercial air transport operations into, within or out of the territory of Oman in accordance with the conditions defined in the specifications in their latest version	
An operating permit may be required in addition to this authorisation (5).	
This authorisation is valid whilst the authorised operator remains in compliance with CAR 129.	
Subject to compliance with the foregoing condition this authorisation will remain valid unless the authorisation or the air operator certificate issued by the state of the operator has been surrendered, suspended or revoked.	
<b>Date of issue (6)</b>	<b>Name and signature (7)</b>
	<b>Title (8)</b>
(1) Authorisation reference as issued by the CAA; (2) Operator trading name, if different, insert 'DBA' (doing business as) before the trading name. (3) Insert the name of the State of the operator; (4) Operators registered name; (5) Operating permits relating to traffic rights may be required in accordance with the bilateral agreement in place between Oman and the state of operator; (6) Issue date of the authorisation (DD-MM-YYYY); (7) Name and signature of CAA representative; (8) Title of CAA representative.	
Application for “Authorisation” with related “Specification” (Appendix 2) must be sent to <a href="mailto:CAR129@caa.gov.om">CAR129@caa.gov.om</a> .	

## Appendix 2 – “Specification Form” Template

<b>Specification Associated to CAR 129 Authorisation</b> (subject to the approved conditions in the AOC and associated OPSPECS)				
<b>CAA:</b> Civil Aviation Authority of Oman				
<b>Authorisation No.</b> (1) .....			<b>Issuance Date of OPSPECS</b> (2).....	
<b>Operator Name</b> (3).....			<b>Specifications</b> .....	
<b>Trading Name</b> (4).....				
<b>Signature</b> .....				
<b>Aircraft model</b> (5) ..... Note: Authorised registration marks are recorded by the CAA				
<b>Types of operation:</b> Commercial air transportation				
<input type="checkbox"/> <b>Passengers</b> <input type="checkbox"/> <b>Cargo</b> <input type="checkbox"/> <b>Other</b> (6)				
<b>Special limitations</b> (7)				
<b>Special Authorisation</b>	<b>Yes</b>	<b>No</b>	<b>Specification</b> (8)	
<b>Dangerous Goods</b>	<input type="checkbox"/>	<input type="checkbox"/>		
<b>Low visibility operations</b>	<input type="checkbox"/>	<input type="checkbox"/>		
<b>Take-off</b>			<b>RVR</b> (9).....m	
<b>Approach and landing</b>			<b>CAT</b> (10).....	
			<b>DH</b> .....ft	<b>RVR</b> ...m
<b>RVSM</b> (11) <input type="checkbox"/> N/A	<input type="checkbox"/>	<input type="checkbox"/>		
<b>ETOPS</b> (12) <input type="checkbox"/> N/A	<input type="checkbox"/>	<input type="checkbox"/>	<b>Maximum diversion time</b> (13) ..... mins	
<b>Navigation specifications for PBN operations</b>	<input type="checkbox"/>	<input type="checkbox"/>		
<b>Other</b> (14)	<input type="checkbox"/>	<input type="checkbox"/>		
(1) Insertion of associated operators' authorisation number. (2) Issuance date of the operations specification (DD/MM/YYYY). (3) Operator's registered name; (4) Operator's trading name, if different. (5) Insert the commercial aviation safety team (CAST/ICAO) designation of the aircraft make/model and series or master series, if a series has been designated. The CAST/ICAO taxonomy is available at: <a href="http://www.intlaviationstandards.org/">http://www.intlaviationstandards.org/</a> . (6) Other type of transportation to be specified (e.g. emergency medical service). (7) List the applicable special limitations (e.g. VFR only, day only). (8) List in this column the most permissive criteria for each approval or the approval type (with approval criteria). (9) Insert the minimum take-off RVR in metres. One line per approval may be used if different approvals are granted. (10) Insert the appropriate precision approach category (CAT II, CAT IIIA, CAT IIIB). Insert the minimum RVR in metres and decision height in feet. One line is used per listed approach category. (11) 'not applicable' (N/A) may be checked only if the aircraft maximum ceiling is below FL290. (12) Extended range operations (ETOPS) currently applies only to twin engine aircraft therefore the 'not applicable' (N/A) box may be ticked of the aircraft has more than two engines. (13) The threshold distance (in nm) may be listed as well as the engine type. (14) Other authorisations or data can be entered here, using one line (or one multi-line block) per authorisation (e.g. special approach authorisation, MNPS, approved navigation performance). Attached "Specification" with application for "Authorisation" (Appendix 1) must be sent to <a href="mailto:CAR129@caa.gov.om">CAR129@caa.gov.om</a> .				