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AIC

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PERSONNEL LICENSING REVIEW BOARD

Introduction

The Irish Aviation Authority has approved the establishment of a Personnel Licensing Review Board to review decisions made by the Safety Regulation Division of the Authority in accordance with the following provisions.

Terms of Reference

Where an application to the Safety Regulation Division for the grant or renewal of a licence, or for the grant, revalidation or renewal of a rating, authorisation or approval, provided for in the Irish Aviation Authority (Personnel Licensing) Order 2000 (S.I. 333 of 2000) (as amended), or other applicable regulation, is refused or granted in terms other than those requested or, where a licence, rating, authorisation or approval is varied, suspended or revoked, the applicant and the licence, rating, authorisation or approval holder, as the case may be, may apply for a review by the Personnel Licensing Review Board to determine whether proper procedures were applied in arriving at the decision to refuse the application as requested, or to vary, suspend or revoke a licence, rating, authorisation or approval, as the case may be.

Where an applicant has failed a knowledge examination, licence skill test or licence proficiency check, required by the Safety Regulation Division to be passed under the provisions of the Irish Aviation Authority (Personnel Licensing) Order, 2000 (S.I. 333 of 2000) (as amended), or other applicable regulation, the applicant may, without prejudice to the candidate's right to repeat the knowledge examination, test or check, (or, in the case of a written knowledge examination, the right to a recheck of the results), apply to the Irish Aviation Authority for a review by the Personnel Licensing Review Board to determine whether proper procedures were applied in the conduct of the test, check or knowledge examination.

Where an application for an approval required to be held under the provisions of the Irish Aviation Authority (Personnel Licensing) Order, 2000 (S.I. 333 of 2000) (as amended) is refused, or where an approval granted to an applicant is varied, suspended or revoked by the Authority, the applicant or holder, as the case may be, may apply to the Irish Aviation Authority for a review by the Personnel Licensing Review Board to determine whether proper procedures were applied in arriving at the decision to refuse an application for an approval, or to vary, suspend or revoke an approval granted.

Membership of the Personnel Licensing Review Board

Membership of the Review Board shall consist of;

Safety Regulation Director of the Irish Aviation Authority or nominated representative.

A member of the Board of the Irish Aviation Authority (chair person).

A nominee of the appropriate Aviation Organisation. (Appendix 1 to this AIC refers).

Licensing Standards

The licensing standards to be taken account of by the Review Board are those prescribed or otherwise promulgated by the Irish Aviation Authority at the time the licensing decision was made. The licensing procedures to be referred to by the Review Board are those applicable to the licensing or approval process concerned and applied by the relevant Department or Officer of the Authority in relation to the case of the person applying for the review.

Fees

A fee of €400 will be charged in all review cases. The fee will not include the cost of any specialised services that may be required, and which will have to be borne by each applicant.

Should the Review Board decide in favour of the applicant, then the applicant will be entitled to a refund of the above minimum fee in full.

Fees charged for a recheck or resit of an examination or for a repeat of a test, or check, or for the issue, reissue of an approval shall be in accordance with the appropriate schedule of the Irish Aviation Authority (Fees) Order.

Rules of Procedure for the Review of Licensing Decisions by the Personnel Licensing Review Board

The applicant must apply, in writing, on the prescribed form (available from the Personnel Licensing Office).

The application must be accompanied by the prescribed fee.

The application should be made within 14 days of receipt by the applicant of notice of refusal to grant a licence or rating, or notice to grant it in terms other than those requested, or notice of failure of a test, check or examination. The application must be submitted to the Personnel Licensing Office which will arrange for its transmission to the Review Board.

The Review Board will settle its own procedures for dealing with applications. The Board shall use its discretion in deciding whether to examine or hear the applicant or a representative of the Authority in person.

Where the Review Board deems it necessary to see or examine an applicant or a representative of the Authority in person it will:-

Notify the applicant and the Authority representative (s) of the time, date and place fixed for that purpose; and

Indicate additional information, if any, it requires in relation to the review.

The applicant and representative of the Authority must provide any information required by the Review Board.

Should the applicant, the representative of the Authority or any member of the Review Board become aware of any conflict of interest or potential conflict of interest, s/he will bring the matter to the attention of the Chairman of the Review Board at the earliest opportunity. The Chairman will investigate the matter and take whatever action is considered necessary to remove the source of the conflict before proceeding with the review.

The findings of the Review Board shall be made available simultaneously and in confidence, to:

The applicant for the review.

The Safety Regulation Division of the Irish Aviation Authority.

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APPENDIX 1 TO PARAGRAPH 3.1.3 OF AIC

PERSONNEL LICENSING REVIEW BOARD

List of appropriate Aviation Organisations

The following aviation organisations are considered appropriate bodies to provide nominees to the Review Board to consider cases coming before the Board:

- The Airline Pilots' Association.
- The Irish Aviation Council.
- The Aircraft Owners and Pilots Association of Ireland.
- The Irish Institute of Flight Instructors.
- The Irish Air Traffic Controllers Association.
- The Royal Aeronautical Society (incorporating the Aircraft Supervisors and Licensed Engineers Association).