

CENAC BACKGROUNDER

Enforcement Program and Assessment of Penalties

Objective

To provide information about the GTAA Enforcement Program and the assessment of penalties by the GTAA and Transport Canada for violations of the noise abatement and noise operating procedures.

Enforcement Program Overview

The GTAA Enforcement Office investigates potential violations of noise abatement procedures (NAPs), restricted hours operations, including the Night Flight Restriction Program (NFRP) and maintenance engine run-ups.

Investigations conducted by the Enforcement Office result primarily from ongoing tracking and monitoring carried out by the Noise Office and occasionally from registered public complaints.

Violations

There are two types of investigations that may be conducted by the GTAA Enforcement Office: those against the Noise Abatement Procedures, and those during Restricted Hours Operations.

1. Violations of the Noise Abatement Procedures

The GTAA's Noise Enforcement Office takes preventive actions and recommends assessment of penalties for potential violations of the Noise Management Program, such as not respecting noise abatement procedures, restricted hours operations, and maintenance engine run-ups.

If the GTAA believes that a violation has occurred, the details of the case are forwarded to Civil Aviation at Transport Canada. Transport Canada has the sole authority for determining financial penalties. Transport Canada publishes the names of all airlines/corporations that have violated the Aeronautics Act and the Canadian Aviation Regulations (CARs).

The names of offending airlines/corporations, along with a summary of their offences and the resulting sanctions, can be found on the Transport Canada website. CENAC played a leadership role in encouraging Transport Canada to publish names.

2. Violations of Restricted Hours Operations

In addition to any penalties imposed by Transport Canada, violators of the Night Flight Restriction Program – those flights that operate during the restricted hours (12:30 a.m. to 06:30 a.m) without the necessary permissions - may also be subject to a monetary penalty equivalent to 16 times the landing fee to be paid to the GTAA.

Typically, the GTAA uses an operator's first violation as a warning and an opportunity to educate the pilot/operator so that violations are minimized. This practice has worked well to ensure that operators get the necessary permissions before they operate in the night time hours.