

Code of Practice for the Investigations and Enforcement Team

CAP 1422



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Foreword

The Civil Aviation Authority (CAA) was established by Parliament in 1972 as an independent specialist aviation regulator.

Its sole purpose is to protect the interests of the public and consumers. The CAA supports open reporting systems but such systems cannot always maintain a safe aviation environment and from time-to-time we have to take action to detect and respond to breaches of civil aviation requirements in order to ensure that the public and consumers can benefit from an aviation industry that is safe and sustainable.

The CAA also has a responsibility to those whom are regulated to be clear about when, how and why action will be taken so that they know what is expected from them and what will happen in response to a breach of rules or regulations.

This Code of Practice sets out the standards that those who come into contact with the CAA, through the Investigations and Enforcement Team, can expect.

Principles

The Civil Aviation Act 1982 sets out the objectives and functions of the CAA. Section 20(1A) of that Act provides the CAA with the power to prosecute criminal offences.

The CAA complies with the statutory Regulators' Code, and also adheres to the principles set out in the Enforcement Concordat. This notes that the primary function of the enforcement work is to protect the public, the environment and groups such as consumers and workers. Carrying out enforcement functions helps to promote a thriving national and local economy.

This Code of Practice, in conjunction with the CAA's Regulatory Enforcement Policy (CAP 1326), Safety and Airspace Regulation Enforcement Guidance (CAP 1074) and the CAA Complaints Policy, will ensure that we carry out our investigations into alleged breaches of the law with the highest standards of professionalism and integrity, and in an equitable, practical and consistent manner.

Reference should be made to CAP 1074, referred to above, in connection with other enforcement activity by the CAA which may or may not involve an Investigation Officer. A particular example is where we may take action to suspend, revoke, vary or limit a licence, certificate or approval. This is not an action which is taken to punish the holder, but rather to reduce the possible impact on the safety of the public. Where allegations or investigations reveal a continuing safety risk, holders may be the subject of such licensing action at the same time as being investigated by the Investigations and Enforcement Team.