



Civil Aviation Tribunal of Canada

2000-2001
Estimates

Part III – Report on Plans and Priorities

Canada

The Estimates Documents

Each year, the government prepares Estimates in support of its request to Parliament for authority to spend public monies. This request is formalized through the tabling of appropriation bills in Parliament. The Estimates, which are tabled in the House of Commons by the President of the Treasury Board, consist of three parts:

Part I – The Government Expenditure Plan provides an overview of federal spending and summarizes both the relationship of the key elements of the Main Estimates to the Expenditure Plan (as set out in the Budget).

Part II – The Main Estimates directly support the *Appropriation Act*. The Main Estimates identify the spending authorities (votes) and amounts to be included in subsequent appropriation bills. Parliament will be asked to approve these votes to enable the government to proceed with its spending plans. Parts I and II of the Estimates are tabled concurrently on or before 1 March.

Part III – Departmental Expenditure Plans which is divided into two components:

- (1) **Reports on Plans and Priorities (RPPs)** are individual expenditure plans for each department and agency (excluding Crown corporations). These reports provide increased levels of detail on a business line basis and contain information on objectives, initiatives and planned results, including links to related resource requirements over a three-year period. The RPPs also provide details on human resource requirements, major capital projects, grants and contributions, and net program costs. They are tabled in Parliament by the President of the Treasury Board on behalf of the ministers who preside over the departments and agencies identified in Schedules I, I.1 and II of the *Financial Administration Act*. These documents are to be tabled on or before 31 March and referred to committees, which then report back to the House of Commons pursuant to Standing Order 81(4).
- (2) **Departmental Performance Reports (DPRs)** are individual department and agency accounts of accomplishments achieved against planned performance expectations as set out in respective RPPs. These Performance Reports, which cover the most recently completed fiscal year, are tabled in Parliament in the fall by the President of the Treasury Board on behalf of the ministers who preside over the departments and agencies identified in Schedules I, I.1 and II of the *Financial Administration Act*.

The Estimates, along with the Minister of Finance's Budget, reflect the government's annual budget planning and resource allocation priorities. In combination with the subsequent reporting of financial results in the Public Accounts and of accomplishments achieved in Departmental Performance Reports, this material helps Parliament hold the government to account for the allocation and management of public funds.

© Her Majesty the Queen in Right of Canada, represented by the Minister of Public Works and Government Services, 2000

Available in Canada through your local bookseller or by mail from Canadian Government Publishing (PWGSC)
Ottawa, Canada K1A 0S9

Telephone: 1-800-635-7943
Internet site: <http://publications.pwgsc.gc.ca>

Catalogue No. BT31-2/2001-III-78

ISBN 0-660-61201-1

Civil Aviation Tribunal

2000–2001 Estimates

A Report on Plans and Priorities

Approved

The Honourable David Collenette, M.P.

Tables of Contents

Section I: Chairperson’s Message	1
Section II: Departmental Overview	3
A. Mandate, Roles and Responsibilities	3
B. Program Objective	4
C. External Factors Influencing the Agency	4
D. Departmental Planned Spending	4
Section III: Plans, Results and Resources	5
A. Net Planned Spending and Full Time Equivalents	5
B. Business Line Objective	5
C. Business Line Description	5
D. Key Results Commitments, Planned Results, Related Activities and Resources	6
Table 3.1: Organization Structure	7
Section IV: Horizontal Initiatives	9
Regulatory Initiatives	9
Future Plans	9
Sustainable Development Strategies	9
Section V: Financial Information	11
Table 5.1: Net Cost of Program for the Estimates Year	11
Section VI: Other Information	13
Table 6.1: Listing of Statutes and Regulations	13
Table 6.2: References	13
Index	14

Section I: Chairperson's Message

The Civil Aviation Tribunal, an independent quasi-judicial body possessing aeronautics expertise, is integral to the enforcement of aviation safety including airworthiness and aviation security measures in Canada. It fulfils the essential role of providing an independent review of ministerial enforcement and licensing actions taken against holders of Canadian aviation documents under the *Aeronautics Act*.

The Tribunal conducts itself in an open, impartial manner consistent with procedural fairness and the rules of natural justice. It adjudicates matters that have a serious impact on the livelihood and operations of the aviation community. Given its structure and process for conducting hearings, the Tribunal is readily accessible to that community.

The knowledge and experience in aeronautics possessed by Tribunal members enhances their independence by enabling them to understand and assess the validity of the reasons for enforcement and licensing actions. It also increases the confidence which Transport Canada and Canadian aviation document holders place in the decisions of the Tribunal.

It is important to take into account the gains in efficiency that have been achieved simply as a result of the Tribunal and the parties appearing before it adjusting to the aviation safety enforcement and licensing regime implemented in the 1986 *Aeronautics Act* amendments. Parties appearing before it, including Transport Canada and organizations representing Canadian aviation document holders, have now acquired levels of experience and judgment which contribute greatly to achieving efficiencies in the hearing process, procedurally fair results and legitimacy for the overall enforcement process. This applies to all types of hearings.

Faye Smith
Chairperson

MANAGEMENT REPRESENTATION

Report on Plans and Priorities 2000–2001

I submit, for tabling in Parliament, the 2000–2001 Report on Plans and Priorities (RPP) for the Civil Aviation Tribunal.

To the best of my knowledge the information:

- Accurately portrays the department's mandate, priorities, strategies and planned results of the organization.
- Is consistent with the disclosure principles contained in the *Guidelines for Preparing a Report on Plans and Priorities*.
- Is comprehensive and accurate.
- Is based on sound underlying departmental information and management systems.

I am satisfied as to the quality assurance processes and procedures used for the RPP's production.

Name: _____

Date: _____

Section II: Departmental Overview

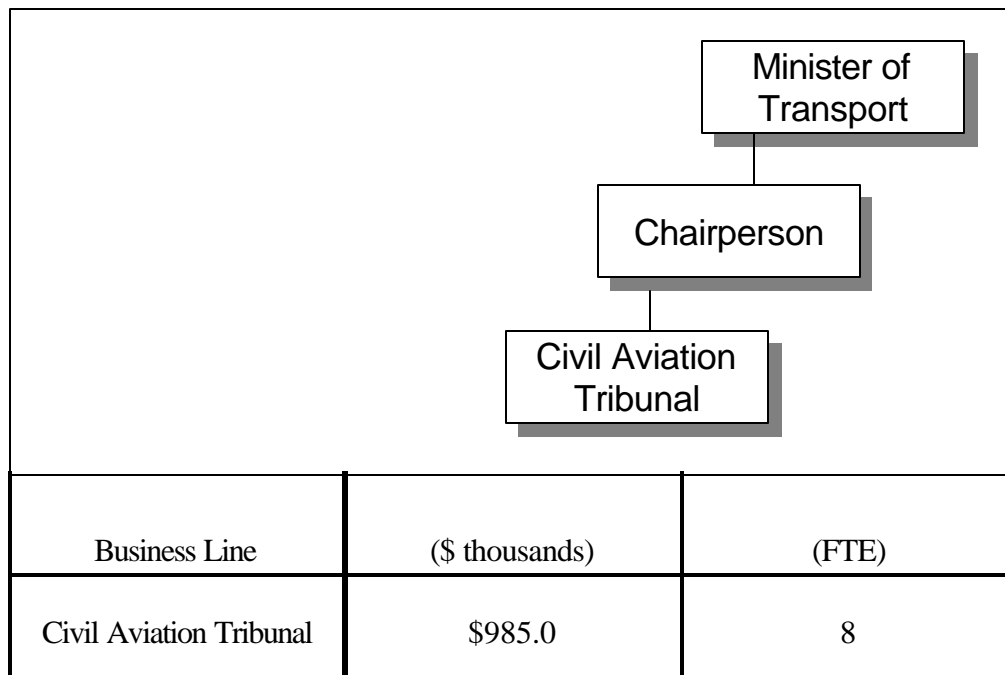
The Civil Aviation Tribunal is a quasi-judicial body established in accordance with the amended *Aeronautics Act* (Bill C-36) which received Royal Assent on June 28th, 1985 and was proclaimed by Order in Council on June 1st, 1986. The development of the legislation was prompted by recommendations resulting from the Inquiry into Aviation Safety in Canada, conducted by the Honourable Mr. Justice Charles L. Dubin.

A. Mandate, Roles and Responsibilities

The mandate of the Civil Aviation Tribunal is provided in Part IV of the *Aeronautics Act*. The Tribunal's principal mandate is to hold review and appeal hearings at the request of interested parties with respect to certain administrative actions taken by the Minister of Transport.

The Minister's enforcement and licensing decisions may include the imposition of monetary penalties or the suspension, cancellation, or refusal to renew a Canadian aviation document on medical or other grounds. The individual or corporation affected is referred to as the document holder.

These decisions are reviewed through a two-level hearing process: review and appeal. All hearings are to be held expeditiously and informally, in accordance with the rules of fairness and natural justice. At the conclusion of a hearing, the Tribunal may confirm the Minister's decision, substitute its own decision, or refer the matter back to the Minister for reconsideration.



B. Program Objective

The objective of the Civil Aviation Tribunal is to provide the aviation community with the opportunity to have enforcement and licensing decisions of the Minister of Transport reviewed by an independent body.

C. External Factors Influencing the Agency

The Civil Aviation Tribunal reports to Parliament through the Minister of Transport. Its client is the aviation community, and it serves the Canadian flying public by contributing to a safe and efficient aviation enforcement and licensing system.

The Civil Aviation Tribunal represents the only forum for ensuring that Canadian aviation document holders have access to an independent assessment governed by considerations of natural justice. Its role does not overlap with, nor is it duplicated by, any other agency, board or commission. It is unique in the transportation sector in that its function is entirely adjudicative.

D. Departmental Planned Spending

Civil Aviation Tribunal

(thousands of dollars)	Forecast Spending 1999–2000*	Planned Spending 2000–2001	Planned Spending 2001–2002	Planned Spending 2002–2003
Budgetary Main Estimates (gross)	972.0	985.0	985.0	985.0
Non-Budgetary Main Estimates (gross)	—	—	—	—
Less: Respendable revenue	—	—	—	—
Total Main Estimates	972.0	985.0	985.0	985.0
Adjustments**	67.5	—	—	—
Net Planned Spending	1,039.5	985.0	985.0	985.0
Less: Non-respendable revenue	—	—	—	—
Plus: Cost of services received without charge	165.8	165.8	165.8	165.8
Net cost of Program	1,176.5	1,122.1	1,122.1	1,122.1
Full Time Equivalents	8	8	8	8

* Reflects best forecast of total net planned spending to the end of the fiscal year.

** Adjustments are to accommodate approvals obtained since the Annual Reference Level Update (ARLU) exercise and to include Budget initiatives.

Section III: Plans, Results and Resources

A. Net Planned Spending and Full Time Equivalents

Net Planned Spending (\$ thousands) and Full Time Equivalents (FTE)

Forecast Spending 1999–2000*	Planned Spending 2000–2001	Planned Spending 2001–2002	Planned Spending 2002–2003
\$1,039.5	\$985.0	\$985.0	\$985.0
8 FTE	8 FTE	8 FTE	8 FTE

* Reflects the best forecast of total net planned spending to the end of the fiscal year.

B. Business Line Objective

The objective of the program is to provide Canadian aviation document holders with the opportunity to have enforcement and licensing decisions of the Minister of Transport reviewed by an independent body.

C. Business Line Description

The Civil Aviation Tribunal's only business line is the provision of an independent aviation tribunal by providing Canadian aviation document holders with the opportunity to have a hearing.

D. Key Results Commitments, Planned Results, Related Activities and Resources

Key Results Commitments:	Planned Results:
independent review of enforcement and licensing decisions made by the Minister of Transport under the <i>Aeronautics Act</i>	<ul style="list-style-type: none"> • hearings that are held expeditiously, fairly and informally • Departmental Performance Report Sec III P.13. Effectiveness
resources: 1,0 m\$	<ul style="list-style-type: none"> • timely disposition of review and appeal hearings within service standards • Departmental Performance Report Sec III P.3. • Annual Report P.19 • Civil Aviation Tribunal Rules
	<ul style="list-style-type: none"> • hearings conducted in accordance with the rules of fairness and natural justice • Departmental Performance Report Sec II P.5.
	<ul style="list-style-type: none"> • the use of pre-hearing conferences to streamline and expedite the hearing process • Departmental Performance Report Sec III P.12
	<ul style="list-style-type: none"> • quality and consistency of decision making • Departmental Performance Report P.5.
	<ul style="list-style-type: none"> • a level of satisfaction by the aviation community • Departmental Performance Report Sec III Per. Accomplishments • Web Site: http://198.103.98.171 • Guide to Tribunal Hearings

Related Activities

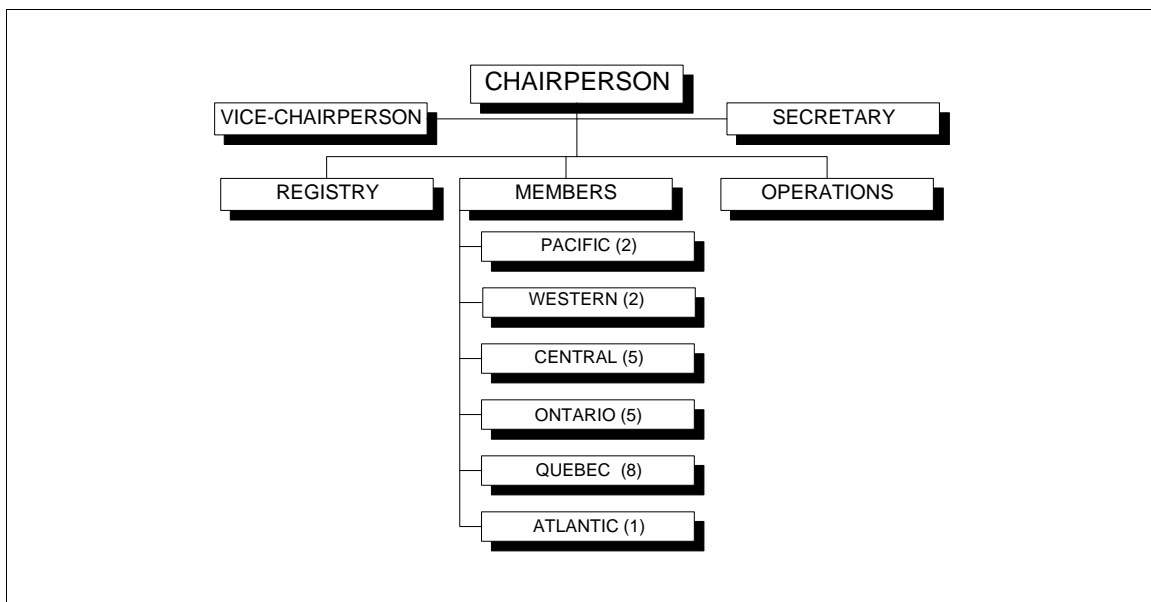
The Tribunal will continue to provide determinations quickly, allowing Transport Canada and Canadian aviation document holders to better understand the outcome of the matter and, where applicable, to make a more enlightened decision as to the exercise of their right to appeal. The average lapsed time between the conclusion of a review hearing and the issuance of a determination has been maintained at thirty-four days and forty-eight days for an appeal. This brings the hearing process to a timely conclusion for both parties appearing before the Tribunal.

Yearly seminars held by the Tribunal ensure a trained membership through updates and discussions of legislative changes. The interaction of members and role play scenarios assist the membership in achieving quality and consistency in making and in writing its decisions. The Tribunal conducts in-house training for all new members.

Pre-hearing conferences have been particularly effective in settling licence suspensions and cancellations on medical grounds without the necessity of a hearing. Instead of automatically assigning hearing dates, the Tribunal Registrars contact parties to schedule mutually agreed dates and locations. This avoids the expense of cancelling booked hearing rooms and travel arrangements when adjournments are sought to change an imposed hearing date. It also reduces the length of hearings and avoids last-minute adjournments necessitated by late disclosure.

Resources

Table 3.1: Organization Structure



The lower half of the organization chart displays the distribution of part-time members by region. All members report to the Chairperson.

The Civil Aviation Tribunal's Chairperson is also its Chief Executive Officer. The Chairperson is responsible for the direction and supervision of the work necessary to facilitate the functions of the Tribunal. The Chairperson, Vice-Chairperson and immediate staff account for eight full time equivalents. Twenty-three part-time members were in office at the end of 1999–2000. Members are drawn from across Canada and are appointed by Order in Council on the basis of their knowledge and expertise in aeronautics, including aviation medicine. The office of the Tribunal is located in the National Capital Region.

Section IV: Horizontal Initiatives

Regulatory Initiatives

The level of enforcement is entirely controlled by Transport Canada but impacts on the Tribunal. The enforcement and licensing personnel at Transport Canada can, under the *Aeronautics Act*, suspend, cancel or refuse to renew a Canadian aviation document or impose a monetary penalty. The Tribunal is also affected by the department's rewrite of its aviation regulations. The *Canada Transportation Act* was amended and proclaimed on July 1, 1996 and the *Canadian Transportation Agency Designated Provisions Regulations* came in force on June 11, 1999.

Future Plans

The Civil Aviation Tribunal is an independent quasi-judicial tribunal that will act as a multi-modal review body for administrative enforcement actions taken under various federal transportation acts. Therefore, the Tribunal's mandate will enlarge.

Sustainable Development Strategies

Providing the aviation community with an independent review of enforcement and licensing decisions made by the Minister of Transport under the *Aeronautics Act* to:

- ensure a system within which hearings can be held expeditiously, fairly and informally
- review the manner in which applications are received and documented
- reduce response time to process review and appeal applications from the aviation community
- provide a trained membership to ensure quality and consistency of decision making
- promote and use pre-hearing conferences to reduce the length of hearings and reduce costs
- issue written reasons for all determinations
- bridge the gap on the number of cases that are normally carried to the next fiscal year
- maintenance of case records
- provide highest level of expertise

Section V: Financial Information

The following table is applicable to the Civil Aviation Tribunal:

Table 5.1: Net Cost of Program for the Estimates Year

Civil Aviation Tribunal (\$ thousands)	Total
Net Planned Spending	985.0
<i>Plus: Services Received without Charge</i>	
Accommodation provided by Public Works and Government Services Canada (PWGSC)	137.1
Contributions covering employers' share of employees' insurance premiums and expenditures paid by TBS	28.7
Workman's compensation coverage provided by Human Resources Canada	–
Salary and associated expenditures of legal services provided by Justice Canada	–
	165.8
<i>Less: Non-respendable Revenue</i>	–
2000–2001 Net Cost of Program	1,150.8

Section VI: Other Information

Table 6.1: Listing of Statutes and Regulations

Statutes and Regulations Currently in Force

<i>Aeronautics Act</i>	(R.S., c. A-2) as amended
<i>Canadian Transportation Agency Designated Provisions Regulations</i>	(SOR/99-244) June 11, 1999
<i>Civil Aviation Tribunal Rules</i>	(SOR/93-346) as amended

Table 6.2: References

Civil Aviation Tribunal	
<p>333 Laurier Avenue West Room 1201 Ottawa, Ontario K1A 0N5</p> <p>Telephone: (613) 990-6906 Fax: (613) 990-9153 e-mail: cattac@smtp.gc.ca Internet Web Site: http://198.103.98.171</p> <p>Faye Smith – Chairperson Allister Ogilvie – Vice-Chairperson Ana-Maria Blanchette – Secretary Monique Godmaire – Acting Deputy Registrar Jean Pierre Thibault – Executive Services Manager Mary Cannon – Acting Registrar (Ontario, Prairie & Northern and Pacific Regions) Susanne Forgues – Acting Registrar (Headquarters, Quebec and Atlantic Regions) Marie Desjardins – Administrative Assistant</p>	<p>Performance Report for the Period Ending March 31, 1999 Annual Report 1998–1999 Guide to Tribunal Hearings</p>

Index

Business Line Description	5
Business Line Objective	5
Chairperson’s Message	1
Departmental Overview	3
Departmental Planned Spending	4
External Factors Influencing the Agency	4
Financial Information	11
Future Plans	9
Horizontal Initiatives	9
Key Results Commitments	6
Listing of Statutes and Regulations	13
Management Representation	2
Mandate, Roles and Responsibilities	3
Net Cost of Program for the Estimates Year	11
Net Planned Spending and Full Time Equivalents	5
Organization Structure	7
Other Information	13
Planned Results	6
Plans, Results and Resources	5
Program Objective	4
References	13
Regulatory Initiatives	9
Related Activities	6
Report on Plans and Priorities 2000–2001	2
Resources	7
Statutes and Regulations Currently in Force	13
Sustainable Development Strategies	9