

CIVIL AVIATION TRIBUNAL

BETWEEN:

Minister of Transport, Applicant

- and -

Avionair Inc., Respondent

LEGISLATION:

Air Navigation Orders, Series VII, No. 3, s. 48(3)

Air Navigation Orders, Series VII, No. 3, s. 48(4)

Air Navigation Orders, Series VII, No. 3, s. 48(5)

Air Navigation Orders, Series VII, No. 3, s. 48(6)

Air Navigation Orders, Series VII, No. 3, s. 48(7)

**Review Determination
Zita Brunet**

Decision: September 14, 1989

**** Translation ****

Heard: Montréal, Quebec, August 24 and 25, 1989

The Department of Transport alleged that Avionair issued an assignment to a pilot who had not passed a pilot proficiency check (PPC). Avionair disputed the amount of the fine but did not deny the contravention. On behalf of Avionair, Mr. Pomerleau requested that the Tribunal reduce the fine to \$250 per day rather than \$250 per landing. Mr. Pomerleau argued that in the past, a PPC could be obtained within one week, but appointments must now be made up to a month in advance.

The Tribunal finds that there are no grounds for reducing the \$2,500 fine. Avionair is required to remit a cheque for \$2,500, payable to the order of the Receiver General for Canada, on or before November 12, 1989, to the Civil Aviation Tribunal, 344 Slater Street, Room 405, Ottawa, Ontario K1A 0N5.