

PART B: Technical Assessment Form for Exemption Requests

Part B of the CAAT Exemption Application Form is designed to facilitate a thorough, multi-level review of the applicant's exemption request by the relevant departments. This section ensures that all aspects of the exemption are carefully evaluated to maintain the highest standards of safety/security, regulatory compliance, and public interest before final approval or denial by the Director.

PART B1 Inspector Technical Evaluation and Risk Assessment

Exemption Number:	CAAT-EXE-xxx(Department)-xx/202x
Applicant's Name/Organization:	
Regulation/Requirement for which Exemption is Sought:	
Department Responsible for Evaluation of Exemption:	
Department Manager:	
Head of Division:	
Inspector Assigned:	
Proposed Duration of Exemption:	Start Date: End Date:
Date of Technical Assessment:	

SECTION 1 – CHECKLIST AND EVALUATION OF EXEMPTION PACKAGE

NO.	Checklist	Y/N	Satisfactory/ Not Satisfactory
1.1	Has the applicant clearly specified the details of the exemption sought?		
1.2	Do the details include the reasons why the exemption is sought?		
1.3	Do the details include the duration of the exemption?		
1.4	Has the applicant clearly indicated the factors considered in making the request?		
1.5	Do the factors include public interest and safety factors considered?		
1.6	Has the applicant provided a risk assessment, analysis, or aeronautical studies?		
1.7	Has the applicant proposed alternative means of compliance with regulatory requirements including mitigation measures to ensure safety/security is not compromised?		
1.8	Has the applicant submitted all relevant documents to support the application?		
1.9	If certified, has the applicant provided the details of the certificate in force?		

NO.	Checklist	Y/N	Satisfactory/ Not Satisfactory
1.10	Is the application for exemption submitted as part of an application of a license/certificate/approval?		
1.11	Are there any known safety/security concerns and accidents/incidents that are yet to be addressed by the applicant?		
1.12	Has the applicant conducted and submitted a safety/security risk assessment for all the identified safety implications?		
1.13	Are the mitigation measures sufficient to maintain an equivalent level of safety/security?		
1.14	Does the proposed exemption comply with ICAO standards and recommended practices?		

SECTION 2 – TECHNICAL EVALUATION AND RISK ASSESSMENT			
NO.	Criteria	Y/N	Comments
2.1	Robust Rationale Evaluate whether the exemption is supported by a strong rationale under Section 15/14 of the Act as per the following criteria:		
	(1) Has substantial compliance been achieved, making further compliance unnecessary?		
	(2) Are the proposed actions more effective than actual compliance with the requirement?		
	(3) Is the requirement unreasonable or inappropriate in this specific case?		
	(4) Would enforcing compliance increase risks to aviation safety/security without the exemption?		
2.2	Public Interest Evaluation		
	(1) Is granting the exemption in the public interest?		
	(2) Does the exemption provide overall benefits to public safety, operational efficiency, or economic factors?		
2.3	Safety and Security Risk Assessment		
	(1) Has the applicant provided a proper safety/security risk assessment or aeronautical study?		

NO.	Criteria	Y/N	Comments		
	(2) Was the risk assessment conducted using an acceptable methodology?				
	(3) If an alternate methodology was used, is it reviewed and acceptable?				
	(4) Are the applicant's proposed mitigation measures sufficient to achieve equivalent safety?				
	(5) Are any additional or modified conditions required to achieve equivalent safety/security?				
2.4	ICAO Standards and Recommended Practices (SARPs) Compliance				
	(1) Would granting the exemption contravene ICAO SARPs?				
	(2) If (1) Yes, has CAAT initiated the inter-departmental review (SMO and NCMC)?				
	(3) Is the exemption classified as a significant difference requiring ICAO notification?				
	(4) Has a cost-benefit analysis been performed to justify the exemption?				
	(5) Are additional conditions required for operations outside Thailand airspace?				
2.5	Risk Assessment Matrix				
	Risk Factor	Risk Probability (1/2/3/4/5)	Risk Severity (A/B/C/D/E)	Mitigation Measures	Post-Mitigation Risk Level
	1. Operational Risk				
	2. Safety and Security Risk				
	3. Non-Compliance with ICAO Standards				
	4. Impact on Public Interest				

Risk Probability	Risk Severity				
	Catastrophic A	Hazardous B	Major C	Minor D	Negligible E
Frequent (5)	5A	5B	5C	5D	5E
Occasional (4)	4A	4B	4C	4D	4E
Remote (3)	3A	3B	3C	3D	3E
Improbable (2)	2A	2B	2C	2D	2D
Extremely Improbable (1)	1A	1B	1C	1D	1D

Note: For the Security Risk Assessment, refer to the matrix and methodology outlined in the CAAT Aviation Risk Assessment Handbook of Thailand.

2.6 Hazards Associated With Granting Exemption		
Description of Hazards	Consequences	Conditions/Mitigation Measures for Exemption

SECTION 3 – LEGAL CONSIDERATION (*evaluate by inspector*)

Legal Considerations	Y/N	Specify if Yes
If granted, will this exemption infringe on any other CAAT regulatory requirements?		
If granted, will this exemption infringe on the provisions of any other laws of Thailand?		
Are there any other legal implications relative to this application?		

SECTION 4 – TECHNICAL EVALUATION SUMMARY

Based on the assessment above, provide a clear summary of the evaluation:

3.1 Key Findings:

3.2 Terms/Conditions/Limitation for Granting the Exemption (*if applicable*):

3.3 Recommended Modifications (*if any*):

SECTION 5 – RECOMMENDATION TO THE DIRECTOR

Decision Recommendation	Tick One	Comments
Grant Exemption (with/without terms/ conditions/limitations) <input type="checkbox"/> Permanent <input type="checkbox"/> Temporary :Period of exemptions: _____Days/Months Start Date: _____ End Date: _____	<input type="checkbox"/>	
Deny Exemption	<input type="checkbox"/>	
Inspector(s) Name: _____ Position: _____ Signature: _____ Date: _____		

PART B2 Managerial Review and Director's Decision

SECTION 1 – HEAD OF DIVISION REVIEW		
Criteria	Y/N	Comments
Has the inspector thoroughly evaluated the exemption request?	<input type="checkbox"/> YES <input type="checkbox"/> NO	
Is the exemption request is reasonable and the alternative measures sufficiently mitigate the risks?	<input type="checkbox"/> YES <input type="checkbox"/> NO	
Does the exemption align with CAAT's safety, security, and regulatory objectives?	<input type="checkbox"/> YES <input type="checkbox"/> NO	
Head of Division's Recommendation: <input type="checkbox"/> Recommendation: <input type="checkbox"/> Grant Exemption <input type="checkbox"/> Deny Exemption <input type="checkbox"/> Comments:		
Head of Division's Name: _____ Signature: _____ Date: _____		

SECTION 2 –DEPARTMENT MANAGER REVIEW		
Criteria	Y/N	Comments
Has the Division provided adequate evaluation and recommendation?	<input type="checkbox"/> YES <input type="checkbox"/> NO	
Are the risks and mitigation measures acceptable from a departmental perspective?	<input type="checkbox"/> YES <input type="checkbox"/> NO	
Are the oversight measures clearly unreasonable or inappropriate in this specific case?	<input type="checkbox"/> YES <input type="checkbox"/> NO	
Does granting the exemption not compromise civil aviation safety/ security, or public interest?	<input type="checkbox"/> YES <input type="checkbox"/> NO	
Is the justification provided well-supported and meets regulatory and operational requirements.	<input type="checkbox"/> YES <input type="checkbox"/> NO	
Are the scope and duration of the exemption appropriate and justified?	<input type="checkbox"/> YES <input type="checkbox"/> NO	

Department Manager's Recommendation:

- Recommendation: Grant Exemption Deny Exemption
 Comments:

Department Manager's Name: _____

Signature: _____

Date: _____

SECTION 3 – LEGAL DEPARTMENT REVIEW

Criteria	Y/N	Comments
Will the exemption infringe on any other CAAT regulatory requirements?	<input type="checkbox"/> YES <input type="checkbox"/> NO	
Will the exemption contravene any provisions of other Thai laws?	<input type="checkbox"/> YES <input type="checkbox"/> NO	
Are there any other legal implications related to the exemption?	<input type="checkbox"/> YES <input type="checkbox"/> NO	
Is the exemption supported by a strong rationale under Section 15/14 of the Act?	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> Section 15/14 (1) Substantial compliance has been achieved, making further compliance unnecessary <input type="checkbox"/> Section 15/14 (2) The proposed actions are more effective than actual compliance with the requirement <input type="checkbox"/> Section 15/14 (3) The requirement is unreasonable or inappropriate in this specific case. <input type="checkbox"/> Section 15/14 (4) Enforcing compliance would increase risks to aviation safety/security without the exemption.

Legal Department Manager's Recommendation:

- Recommendation: Grant Exemption Deny Exemption
 Comments:

LEG Department Manager's Name: _____

Signature: _____

Date: _____

SECTION 4 – DIRECTOR GENERAL’S DECISION		
Criteria	Y/N	Comments
Has the application been reviewed using appropriate risk management tools?	<input type="checkbox"/> YES <input type="checkbox"/> NO	
Are the risk assessments and proposed mitigation measures adequate?	<input type="checkbox"/> YES <input type="checkbox"/> NO	
Are there any public interest considerations supporting the exemption?	<input type="checkbox"/> YES <input type="checkbox"/> NO	
<p>Decision on Granting of Exemption</p> <p> <input type="checkbox"/> Decision <input type="checkbox"/> Approved with Terms/Conditions/Limitations <input type="checkbox"/> Approved <input type="checkbox"/> Denied </p> <p> <input type="checkbox"/> Comments or Terms/Conditions/Limitations for Approval: _____ _____ _____ </p> <p> <input type="checkbox"/> Justified Duration for Approval: <input type="checkbox"/> Permanent <input type="checkbox"/> Temporary :Period of exemptions: _____ Days/Months Start Date: _____ End Date: _____ </p> <p> Director General's Name: _____ Signature: _____ Date: _____ </p>		

Attachment

Instructions for Completing Part B: Technical Assessment Form

For Inspectors: Technical Evaluation and Risk Assessment

Inspectors are responsible for conducting a detailed technical assessment to determine if the exemption request meets regulatory, safety, and operational standards.

1. General Information (Part B1, Section 1)

- 1.1. Verify the **exemption number**, applicant details, relevant regulation, responsible department, and proposed duration of the exemption.
- 1.2. Record the date of the technical assessment and confirm the details of assigned inspectors.

2. Checklist and Evaluation (Part B1, Section 1)

- 2.1. Review the application package to ensure all required information is included.
- 2.2. Confirm if the exemption request specifies:
 - 2.2.1. Details of the exemption and reasons for non-compliance.
 - 2.2.2. Supporting documents like risk assessments, safety studies, and alternative compliance measures.
 - 2.2.3. ICAO compliance and known safety/security concerns.

3. Technical Evaluation (Part B1, Section 2)

- 3.1. **Robust Rationale:** Assess whether the rationale meets one or more conditions:
 - 3.1.1. Substantial compliance has been achieved.
 - 3.1.2. Proposed actions are more effective than compliance.
 - 3.1.3. Requirements are unreasonable/inappropriate for the specific case.
 - 3.1.4. Enforcing compliance could increase aviation safety risks.
- 3.2. **Public Interest:** Determine if granting the exemption benefits public safety, operational efficiency, or economic factors.
- 3.3. **Safety and Security:** Validate the risk assessments and mitigation measures proposed by the applicant.
- 3.4. **ICAO Compliance:** Confirm if the exemption aligns with ICAO SARPs or requires inter-departmental review for significant differences.

4. Risk Assessment Matrix (Part B1, Section 2.5)

- 4.1. Rate each risk factor (e.g., operational, safety/security, ICAO compliance, public interest) using the probability and severity scale.
- 4.2. Evaluate post-mitigation risk levels to ensure safety and security standards are maintained.

5. Hazard Analysis (Part B1, Section 2.6)

- 5.1. Identify and document hazards associated with granting the exemption, their consequences, and the mitigation measures required to control risks.

6. Summary and Recommendation (Part B1, Section 4)

- 6.1. Provide a concise summary of key findings, terms/conditions for granting the exemption, and any modifications required.
- 6.2. Indicate whether the exemption should be granted (with or without conditions) or denied.

For Head of Division: Review and Recommendation

The Head of Division performs a managerial review to ensure the inspector's evaluation is

comprehensive and aligns with CAAT's objectives.

1. Review Criteria (Part B2, Section 1)

- 1.1. Verify that the inspector has thoroughly evaluated the request and that the rationale and alternative measures are sufficient.
- 1.2. Confirm the exemption aligns with CAAT's safety, security, and regulatory objectives.

2. Recommendation

- 2.1. Provide comments on whether the exemption should be granted or denied.
- 2.2. Record findings and sign the form to document the division's recommendation.

For Technical Department Manager: Comprehensive Review

The Technical Department Manager conducts a higher-level review to ensure the exemption aligns with departmental and organizational goals.

1. Review Criteria (Part B2, Section 2)

- 1.1. Confirm that the Division has conducted an adequate evaluation and provided a clear recommendation.
- 1.2. Assess whether the risks and mitigation measures are acceptable from a departmental perspective.
- 1.3. Evaluate the scope, duration, and justification for the exemption.

2. Recommendation

- 2.1. Provide comments and recommendations, specifying whether the exemption should be granted or denied.
- 2.2. Document findings and sign the form for further review by the Legal Department.

For Legal Department: Legal Review

The Legal Department ensures the exemption complies with Thai laws, ICAO standards, and CAAT regulations.

1. Legal Considerations (Part B2, Section 3)

- 1.1. Assess whether the exemption infringes on other CAAT regulatory requirements or Thai laws.
- 1.2. Determine if granting the exemption would create legal implications or set an undesirable precedent.
- 1.3. Verify if the rationale meets one of the conditions under Section 15/14 of the Act.

2. Recommendation

- 2.1. Specify whether the exemption is supported by legal rationale and meets all compliance requirements.
- 2.2. Recommend approval or denial, highlighting any additional legal conditions or limitations.

For Director General: Final Decision

The Director General reviews all findings and recommendations to make the final decision on the exemption request.

1. Review Criteria (Part B2, Section 4)

- 1.1. Confirm the application has been reviewed using appropriate risk management tools.
- 1.2. Ensure risk assessments and proposed mitigation measures are adequate.
- 1.3. Consider public interest factors supporting the exemption.

2. Decision

- 2.1. Approve or deny the exemption request, specifying terms, conditions, or limitations for approval.
- 2.2. Record the duration of the exemption (temporary or permanent).
- 2.3. Document the final decision with comments and sign the form.

General Notes

1. All reviewers must provide detailed comments and ensure transparency in the review process.
2. Recommendations must be based on thorough analysis and align with CAAT's safety, regulatory, and operational standards.
3. Any missing or insufficient information should be highlighted and addressed before the exemption is granted.

This structured approach ensures that exemptions are processed efficiently while maintaining the highest levels of aviation safety/security and compliance.