

# GENERAL RULE MAKING

## JCAR- PART 11

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### SUBPART- A General

#### 11.1 Applicability.

This part applies to the issuance, amendment, and repeal of any regulation for airspace assignment and use under Jordan Civil Aviation Law as amended.

#### 11.3 Authority to issue, amend, or delete any rule or part of a rule.

(a) The Civil Aviation Regulatory Commission Council is given the authority by Jordan Civil Aviation Law No. (41) of 2007, article (12)(b) , to issue, amend, delete or change necessary regulations needed for the implementation.

#### 11.5-11.9 Reserved.

#### 11.11 Terms and Definitions

Official CARC records relating to rulemaking includes the following defined actions:

(a) Proposals: are written comments on an appropriate scope of the rules or on a specific topic, and it may or may not include the text of potential changes to a regulation.

(b) Notices of Proposed Rulemaking: are proposal of regulatory changes for public comments.

(c) Petition for exemption: is a request to the CARC by an individual or entity for relief

from the requirement of a current regulation.

(d) Petitions for rulemaking: is a request to the CARC by an individual or entity to adopt, amend or repeal a regulation.

#### **11.13 Reserved.**

#### **11.15 Direct final rule.**

Whenever the CARC anticipates that a proposed regulation is unlikely to result in adverse comment, it may choose to issue a direct final rule. The direct final rule will advise the public that no adverse or negative comments are anticipated, and that unless a written adverse or negative comment, or a written notice of intent to submit an adverse or negative comment is received within the comment period, the regulation will become effective on the date specified in the direct final rule. If written adverse or negative comment, or notice of intent to submit such a comment is received within the comment period, the direct final rule will be withdrawn before it becomes effective and a notice of proposed Rulemaking is issued.

#### **11.17 -11.19 Reserved.**

### **SUBPART-B Rule Making Procedures**

#### **11.21 Initiating rulemaking procedures.**

The CARC initiates rulemaking procedures upon its own motion. However, in doing so, the CARC considers the recommendations of other agencies in Jordan and the petitions of other interested persons.

#### **11.23 Petitions for rulemaking or exemptions.**

(a) Any individual or entity may petition the CARC to issue, amend, or repeal a rule, or for a temporary or permanent exemption from any rules issued by the CARC.

(b) Each petition filled under this section must:

- (1) In the case of a petition for exemption, unless good cause is shown in that petition, be submitted at least 120 days before the proposed effective date of the exemption;
- (2) Be submitted in duplicate to the CARC and clearly identifying name, mailing address and other means of contact such as telephone number, fax number, or email address.
- (3) Set forth the text or substance of the rule or amendment proposed, or of the rule or statute from which the exemption is sought, or specify the rule that the petitioner seeks to have repealed, as the case may be;
- (4) Explain the interests of the petitioner in the action requested including, in the case of a petition for an exemption, the nature and extent of the relief sought and a description of each aircraft or person to be covered by the exemption; and
- (5) Contain any information, views, or arguments available to the petitioner to support the action sought, the reasons why the granting of the request would be in the public interest and, if appropriate, in the case of an exemption, the reason why the exemption would not adversely affect safety or the action to be taken by the petitioner to provide a level of safety equal to that provided by the rule from which the exemption is sought.

## 11.25 Action on petitions for rule making or exemptions.

(a) General:

(1) Except for the publication and comment procedures provided in this section, no public hearing argument, or other formal proceedings are held directly on a petition filed under Sec 11.23 before its disposition by the CARC.

(2) Except in cases of emergency, written notice of proposed rule making will be distributed to affected aviation interests. A period of 30 days will normally be allowed for interested persons to submit comments to the CARC.

(3) Comments concerning rule making must be submitted in duplicate to the CARC.

(4) The CARC will consider all comments pertinent to proposed rule making when they are submitted in a prescribed manner and within established time limits.

(b) Exemption granted. If the CARC determines that a petition is in the public interest an exemption may be granted. The exemption will be in the form of a letter and will include:

(1) Name of petitioner.

(2) The citation to the rule or rules from which the petitioner requests relief.

(3) A brief description of the general nature of the relief granted.

(4) Disposition of the petition.

(c) Exemption denial. If the CARC determines that a petition for exemption cannot be justified, the CARC will provide the petitioner with written notification of that decision.

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