

# **Types of cases where one Agency Member may be assigned**

## **Authority**

Under section 13 of the *Canada Transportation Act* (CTA), the Chairperson has supervision over and direction of the work of members, including the apportionment of work among the members and the assignment of members to deal with any matter before the Agency.

## **Assignment of One Member**

In order to efficiently manage the resources and caseload of the Agency, and specifically to make the most effective use of the Agency's five Members, one Member will deal with specific types of cases involving administrative implementation of the CTA and little or no discretionary decision-making. The criteria for selecting the types of cases where one Member will be assigned are:

1. The proceeding involves only one party;
2. The proceeding does not raise any significant legal or precedent setting issues;
3. The proceeding involves an applicant that meets clearly defined requirements of the CTA.
4. The proceeding relates to a mandatory requirement of the CTA to take action.

In the event of staff uncertainty as to whether a one Member assignment applies or is appropriate, the case officer will request the assignment of a panel, by the Chairperson, in advance.

## **Types of cases covered**

1. Issuance of air licences and the reinstatement of licences when all market entry requirements of the CTA are met (section 61 and subsections 69(1), 73(1) and (2) of the CTA). This does not apply to licences where an applicant must meet financial requirements or where there are contentious issues related to the Canadian requirement to be addressed by Members.
2. Issuance of charter permits when all requirements are met and the addition of special licence conditions to allow Canadian or foreign originating fifth freedom charter operations where no objections are received.
3. Issuance of exemptions from the following provisions of the CTA and the ATR.
  - a. filing times for charter permits
  - b. subsection 64(1) of the ATR
  - c. certain entity charter requirements when operating executive aircraft
  - d. the ATR that conflict with the Government of Canada's policies on international charters (cargo and passengers).