



Regular update of air traffic controller licensing rules (IRs and AMC & GM)

Enhanced mobility options and streamlined qualifications for air traffic controllers

RELATED NPA/CRD 2021-08(A) — RMT.0668

EXECUTIVE SUMMARY

The main objective of this Opinion is to maintain a high and uniform level of safety in the provision of air traffic services by ensuring continued alignment of the qualification scheme of air traffic controllers (ATCOs) with the recognised best practices in aviation. This Opinion aims especially at providing enhanced mobility options for instructors, assessors and student ATCOs, simplifying the rating and rating endorsement structure and updating the initial training requirements, together with a controlled mechanism for the conversion of national military ATCO licences into student ATCO licences issued in accordance with Commission Regulation (EU) 2015/340 ('ATCO Regulation').

Accordingly, this Opinion proposes less complicated provisions for the change of competent authority and for the exchange of licences for instructors, assessors, and student ATCOs. It proposes to reduce the number of ratings from six to five and the number of rating endorsements from nine to four. The proposed amendments concerning initial training are expected to result in a reduced number of training courses, in the removal of some subject objectives, in the modification of some topics and subtopics as well as in certain editorial improvements. Furthermore, the national conversion report established by each Member State will serve as a basis for the crediting of the training received by the ATCOs during their military service in the Member States.

Updating the initial training requirements taking into account new technological developments and operational changes are expected to ensure that a high level of safety will be maintained. Easing the licence administration for both air navigation service providers (ANSPs) and national competent authorities (NCAs) are expected to result in efficiency gains. Member States will be able to positively respond to conversion requests from military ATCOs that are interested in obtaining civil licences, while taking account of their prior training. This opportunity will also contribute to a more flexible use of the available ATCO resources and thus to a better air traffic capacity management across Europe. ANSPs and training organisations will benefit from the enhanced mobility and more flexible use of instructors and assessors, and the simplified processes will facilitate the mobility of ATCOs. NCAs are expected to benefit from the alignment of the authority requirements with those in Regulation (EU) 2017/373 ('ATM/ANS Regulation').

Domain:	Competence of personnel		
Related rules:	Commission Regulation (EU) 2015/340		
Affected stakeholders:	ATCO training organisations, ATM/ANS service providers, NCAs, ATCOs, aero-medical centres, aero-medical examiners		
Driver:	Efficiency/proportionality	Rulemaking group:	No
Impact assessment:	Light		

EASA rulemaking procedure milestones

Start Terms of Reference	Consultation	Proposal to the Commission Opinion	Adoption by Commission Implementing Rules	Decision Certification Specifications, Acceptable Means of Compliance, Guidance Material
10.8.2017	Advisory Body Consultation Draft Opinion/Decision (Subtask 1) 16.3.2020	1.9.2022	2023 Q/1	2023 Q/2
	Public Consultation NPA 2021-08 (Subtask 2) 24.6.2021			



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1. About this Opinion

1.1. How this Opinion was developed

The European Union Aviation Safety Agency (EASA) developed this Opinion in line with Regulation (EU) 2018/1139¹ ('Basic Regulation') and the Rulemaking Procedure².

This Rulemaking Task (RMT).0668 is included in Volume II of the European Plan for Aviation Safety (EPAS) 2022-2026³. The scope and timescales of the task were defined in the related Terms of Reference (ToR)⁴.

This Opinion groups Subtasks 1 and 2 of the said rulemaking task. The draft text relevant to Subtask 1 'Conversion of national military air traffic controller licences into student air traffic controller licences issued in accordance with Commission Regulation (EU) 2015/340' has been developed by EASA and has been consulted with the Advisory Bodies (ABs) in accordance with, at that time, Article 16 'Special rulemaking procedure: accelerated procedure' of MB Decision No 18-2015⁵. EASA had taken the decision to follow the procedure laid down in said Article as this regulatory proposal has a negligible impact and affects a limited group of stakeholders. Prior to the consultation with the ABs, EASA also presented the principles to the Member States at the ATM/ANS TeB meeting 2-2019 on 9 and 10 December 2019.

The comments received by 15 entities and organisations show substantial agreement with the aim of the proposal, especially with providing a harmonised implementation throughout the EU, which ensures that converted military ATCO licences are issued in accordance with the same safety standards as civil ones.

EASA developed the draft text of this Opinion resulting from Subtask 2 'Enhanced mobility options and streamlined qualifications for air traffic controllers' with the support of EUROCONTROL and a group of subject matter experts (ATCO focal points) nominated by the ABs. The experts nominated by ATM/ANS TeB and TEC members represented NCAs, ANSPs, training organisations, ATM professional organisations.

The development of this part of the Opinion was preceded by a survey to the ATM/ANS TeB and TEC members in June 2019 to gain knowledge on the current use of the ratings and rating endorsements in EASA Member States and to ask the opinion of the stakeholders on their future use. The survey, which was prepared in cooperation with EUROCONTROL, received 45 responses from NCAs, ANSPs,

¹ Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91 (OJ L 212, 22.8.2018, p. 1) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1535612134845&uri=CELEX:32018R1139>).

² EASA is bound to follow a structured rulemaking process as required by Article 115(1) of Regulation (EU) 2018/1139. Such a process has been adopted by the EASA Management Board (MB) and is referred to as the 'Rulemaking Procedure'. See [EASA MB Decision No 01-2022 on the Rulemaking Procedure, repealing MB Decision 18-2015 | EASA \(europa.eu\)](https://www.easa.europa.eu/downloads/134919/en)

³ <https://www.easa.europa.eu/downloads/134919/en>

⁴ See [ToR RMT.0668 - Regular update of the air traffic controller licencing rules \(implementing rules, acceptable means of compliance, guidance material\) | EASA \(europa.eu\)](https://www.easa.europa.eu/downloads/134919/en)

⁵ See MB Decision No 18-2015 of 15 December 2015 replacing Decision 01/2012 concerning the procedure to be applied by EASA for the issuing of opinions, certification specifications and guidance material (<http://www.easa.europa.eu/the-agency/management-board/decisions/easa-mb-decision-18-2015-rulemaking-procedure>).



training organisations and stakeholder organisations from 21 Member States. Based on the responses, and on individual consultations with Member States, EASA prepared a proposal on the new structure of ratings and rating endorsements.

A comprehensive review of the existing initial training content was performed upon EASA request with the assistance of the EUROCONTROL ATCO CCC Training Task Force, resulting in removal of the subject objectives and in the modification of some topics and subtopics.

The result of the work undertaken under Subtask 2 was publicly consulted through Notice of Proposed Amendment (NPA) 2021-08 from 24 June to 8 October 2021. The NPA was structured in seven files, titled from A to G: NPA 2021-08(A) included proposed amendments to the ATCO Regulation and associated AMC and GM, while NPAs 2021-08(B) to (G) included proposed amendments to the AMC and GM related to training requirements. In total, 233 comments were received on NPA 2021-08(A). Almost half of the comments on NPA 2021-08(A) were submitted by 15 NCAs, including one from a non-EU State. ANSPs and training organisations provided altogether 102 comments, resulting to around 44 percent of the total, but it must be noted that 35 of these comments were repetition of individual comments by a stakeholder grouping. The rest of the comments were received from social partners and one individual.

EASA reviewed the comments received during the public consultation. The comments received and EASA's responses to them are presented in Comment-Response Document (CRD) 2021-08⁶, and they are also summarised in Section 2.4.

Besides of receiving supporting comments, the feedback received allowed EASA to identify subjects of the NPA proposal for which further consideration and, in certain cases, further elaboration or amendments were necessary. 44 of the comments were accepted, 40 were partially accepted, 22 not accepted, and the rest were noted.

As last step, according to Article 6(9) of the Rulemaking Procedure, the Agency sought the advice of the Member States' Advisory Body (MAB), established on the basis of Article 115(2) of the Basic Regulation, on the final text of this Opinion to detect any substantially divergent views of Member States. In addition, according to said Article, the European Defence Agency (EDA) was also consulted. EASA received 10 responses⁷, some of them kindly reinforcing their support to the proposal, some asking for further clarifications or pointing out some inconsistencies.

FR called for deferring the applicability date of the amendments from end 2023 to end 2024 arguing that more time is needed to implement the proposed changes related to ATCO training. ES suggested a 3-year transition period regarding the conversion of military ATCO licences.

Considering that the publication date is not known at this stage of the process, EASA suggests formulating the applicability date in a way that it provides a 1-year transition period for stakeholders to have sufficient time to prepare for the implementation. The requested 3-year transition regarding the military conversion is not supported by EASA. Such a long transition period would question the necessity of the concept as such. EASA suggests therefore to discuss this within the next stages of the process with the involvement of all Member States.

⁶ <http://easa.europa.eu/document-library/comment-response-documents>

⁷ EE, EL, ES, DE, FR, LU, PT, SE, EDA and EUROCONTROL.

DE and ES asked for further clarification on how the national conversion report shall be drawn up and why to share it with EASA. It is important to clarify that the national conversion report is not supposed to be individualised; it shall instead be generic enough to cover the existing national military qualifications and privileges and to demonstrate the gap between those and the requirements of the ATCO Regulation, so that it can serve as the basis and justify the individual decision on the further training needs. Individual experience shall be taken into consideration when designing the unit training course for the person in question following the issue of the student ATCO licence. Member States shall notify EASA of the national conversion report issued to facilitate effective standardisation, which is applied similarly in the case of military pilots.

ES and the European Defence Agency (EDA) requested further details on how the unit endorsement course may be tailored based on the previously acquired experience under the military ATC provision. This possibility already exists in ATCO.D.055(b)(7) and is now further reinforced via a new recital.

Moreover, EDA proposed to introduce a new recital allowing for national agreements between the civil and military authorities to control the flow of military ATCOs towards the civil sector. EASA does not agree with this proposal as, in accordance with Article 50(1)(c) of the EASA Basic Regulation, the rules and procedures for the conversion of national air traffic controller licences into EU air traffic controller licences must be laid down by means of Commission implementing acts rather than national agreements. The objective of the EASA proposal is to establish common rules governing such conversions. EASA also recalls that the application for the conversion of a military ATCO licence will always remain a decision of an individual licence holder. Military authorities and service providers possess also various other means to retain their trained and qualified staff via providing them with further career opportunities in the military organisations.

EE and EL urged the introduction of digital licences. In this regard, EASA is happy to announce that it will launch a new cross-domain rulemaking task to develop requirements for implementing an electronic personnel licence (EPL) in the EU regulatory framework in order to:

- enable issuance, display, validation and verification of an EU EPL on self-contained visual mobile electronic devices. The EPL will be an alternative to the paper licence. Nevertheless, the Member State national competent authorities will have an obligation to accept valid EPL issued by other Member States;
- ensure the security, confidentiality, data protection, integrity, authentication, and accessibility of the EPL;
- guarantee interoperability of the EPL between different issuing and verifying national competent authorities and other affected stakeholders (e.g. examiners for pilot licences);
- transpose the ICAO Annex 1 Standard and Recommended Practices (SARPs) related to the EPL (Amendment 178 to Annex 1) in the relevant EU Regulations (Regulation (EU) No 1178/2011⁸, ATCO Regulation and Regulation (EU) No 1321/2014⁹).

⁸ Commission Regulation (EU) No 1178/2011 of 3 November 2011 laying down technical requirements and administrative procedures related to civil aviation aircrew pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council (OJ L 311, 25.11.2011, p. 1) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1580469047429&uri=CELEX:32011R1178>).

⁹ Commission Regulation (EU) No 1321/2014 of 26 November 2014 on the continuing airworthiness of aircraft and aeronautical products, parts and appliances, and on the approval of organisations and personnel



The relevant ToR will soon be published in order to start the specific work on this subject.

DE proposed to modify ATCO.B.025(a) in a way that it refers to 'each air traffic services unit'. EASA however considers that the current text is explicit enough in referring to every unit to be covered by a unit competence scheme, and at the same time it allows a certain level of flexibility for the ANSPs to edit and organise the unit competence schemes the way it fits best their purposes, meaning in one or several documents.

Following the suggestion and request from ES regarding the adaptation to the new rating framework, EASA declares its readiness to assist the competent authorities with the practical implementation via the regular ATM/ANS.TeB meetings.

Some comments requested further explanation on technical details and suggested textual amendments to the proposed AMC and GM. EASA has responded individually to all commentators in order to provide the requested clarification and to facilitate the next iteration of the proposal.

EASA developed the *final* text of this Opinion and the draft Regulation based on the input of the ABs and the public consultation. The draft regulation is published on the Official Publication of EASA¹⁰.

The major milestones of this RMT are presented on the cover page.

1.2. The next steps

This Opinion contains the proposed amendments to the ATCO Regulation¹¹ and their potential impact. It is submitted to the European Commission, which will decide whether to amend the Regulation based on the opinion.

In order to support the understanding of the proposal EASA has published the related draft acceptable means of compliance (AMC) and guidance material (GM). EASA will further work on those and will publish the decision that amends the AMC and GM when the European Commission adopts the Regulation.

involved in these tasks (OJ L 362, 17.12.2014, p. 1) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32014R1321&qid=1661435536325>).

¹⁰ <http://easa.europa.eu/document-library/opinions>

¹¹ Commission Regulation (EU) 2015/340 of 20 February 2015 laying down technical requirements and administrative procedures relating to air traffic controllers' licences and certificates pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council, amending Commission Implementing Regulation (EU) No 923/2012 and repealing Commission Regulation (EU) No 805/2011 (OJ L 63, 6.3.2015, p. 1) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32015R0340&qid=1657730510698>).



2. In summary — why and what

2.1. Why we need to amend the rules — issue/rationale

2.1.1. Conversion of national military air traffic controller licences into student air traffic controller licences issued in accordance with the ATCO Regulation

The availability of ATCOs in the European Union (EU) has been identified as one of the factors that restricts the capacity of the European ATM system. Another identified factor that hampers scalability and sustainability of the European ATM system is the limited flexibility in the use of the available ATCO resources.

The ATCO Regulation lays down technical requirements and administrative procedures relating to air traffic controllers' licences and certificates, and, among other things, it lays down the knowledge and experience requirements for the profession, as well as the requirements for the mutual recognition of ATCO licences throughout the EU.

The possibility to credit the training of military ATCOs received during their military service for the purpose of obtaining an EU student ATCO licence is not foreseen in the ATCO Regulation. Contrary to this, in the aircrew domain, Article 10 'Credit for pilot licences obtained during military service' of Commission Regulation (EU) 1178/2011 laying down technical requirements and administrative procedures to civil aviation aircrew establishes a specific mechanism for the crediting of knowledge, experience and skills of military pilots for the purpose of obtaining an EU pilot licence.

Member States have proposed to EASA that a similar system should be established within the ATCO Regulation in order to enable military ATCOs to obtain credit for the training received during their military service for the purpose of demonstrating compliance with the training requirements that apply to civil ATCOs. Member States believe that the military ATCO training in Europe provides for a high level of safety that is comparable to the civil ATCO training according to the ATCO Regulation, and that it should be possible to take account of the national military ATCO training systems for the purpose of issuing EU ATCO licences. EASA agrees with this proposal and proposes provisions for this purpose.

Obtaining an EU student ATCO licence will enable applicants to further undertake a unit endorsement course, including on-the-job training, within a specific air traffic services unit for the purposes of the issuance of an EU ATCO licence.

EASA also agrees that introducing the possibility of crediting military ATCO training for the purpose of issuing an EU student ATCO licence could clearly contribute to a more flexible use of the available ATCO resources in Europe and thus effectively contribute to addressing the shortage of qualified civil ATCOs both at Member State and EU level.

In view of the above, this Opinion proposes that Member States establish conversion reports according to which prior training of military ATCOs may be credited for the purpose of issuing EU student ATCO licences. In order to achieve a harmonised approach within the EU, the main elements of such national conversion reports in terms of content and format will be specified in the ATCO Regulation and the related new AMC. Accomplishing additional training that arises as necessary from the conversion report would be less time intensive for the applicant than taking the entire initial ATCO training course. Introducing such a possibility would thus enable military ATCOs to be more swiftly



available to ANSPs, without any detriment for safety, as such process would ensure that affected ATCOs would be qualified substantially in compliance with the requirements of the ATCO Regulation.

This proposal is based on Article 50(1)(c) of the Basic Regulation, which empowers the European Commission to adopt implementing rules laying down detailed provisions concerning, among other things, rules and procedures for the conversion of national ATCO licences into the ATCO licences referred to in Article 49 of that Regulation, i.e. civil ATCO licences.

2.1.2. Enhanced mobility options and streamlined qualifications for air traffic controllers

With the aviation industry rapidly evolving, the ATCO Regulation needs to be updated to ensure that it is fit for purpose, cost-effective and is in line with the globally applicable standards and practices, as well as with the evolving related EU regulatory framework. The feedback from EASA's standardisation activities regarding the implementation of the requirements, as well as issues raised by the stakeholders, also call for enhancements to the regulatory framework.

Besides maintaining a high and uniform level of safety, EASA is committed to following the directions set out by the ATCO Regulation, namely, to improve the common licensing scheme for ATCOs working in the Union. Further improvements of the rating and rating endorsement system being judged by the stakeholders too complex or not suitable for the local situations were already highlighted in 2013 by the Opinion¹² leading to the said Regulation. The present proposed simplification is a thorough reconsideration of the system merging overlapping privileges and without losing specific qualifications. These changes have the potential to optimise training duration, without mandating any reduction.

The results of the rating survey (see Section 1.1) indicated a need for simplification of the system, especially when it comes to rating endorsements. This need for simplification is one of the main drivers for this amendment. ATCO training has been claimed to be cumbersome, costly and time-consuming partially also due to the fragmented qualification structure. The simplification of the rating and rating endorsement system will establish a lean system of qualifications and provide benefits to the ATCO training organisations as regards the time-intensity and cost-efficiency of the training, while ensuring an equivalent level of safety.

Following certain comments received from stakeholders, EASA wishes to highlight that in the training context it is natural that training organisations are addressed, despite of the fact that in many cases they are fully integrated within the ANSPs. Nonetheless, it is the training organisation that is responsible for development of the training plans and training courses.

No changes are proposed to the training requirements underlying the ratings and rating endorsements, only the administration of those qualifications is affected. Similarly, the required competencies for instructors, assessors or student ATCOs remain unchanged.

The categories of ATCO ratings in the ATCO Regulation are different in character compared to those established in International Civil Aviation Organization (ICAO) Annex 1, Section 4.5.1, as currently aerodrome control is divided into aerodrome control visual (ADV) and aerodrome control instrument (ADI) ratings. The proposed removal of the ADV rating and changing the name of the ADI rating into aerodrome control (ADC) will align the EU provisions with the respective ICAO SARPs. On the other hand, other means of compliance still apply for precision approach radar (PAR), as PAR remains a

¹² Opinion No 11-2013, see <https://www.easa.europa.eu/document-library/opinions/opinion-112013>.

rating endorsement in the European system whereas it is a rating in ICAO. ICAO does not use rating endorsements, which in the European system indicate the specific conditions, privileges or limitations pertaining to the relevant rating. This Opinion proposes to remove several of the current rating endorsements to simplify the European system and consequently to further align it with ICAO.

Parallel to this development, high-level policy documents, such as the Report of the Wise Persons Group¹³, also urged the revision of the current requirements governing ATCO licensing and in particular those related to training. They call for more harmonised European training standards as being one factor to allow more flexibility in the use of the ATCO resources. The proposed amendments create a less fragmented qualification system and thus enable the application of more harmonised European training standards. EASA considers that this is an important step towards allowing more flexibility as called for in the above Report.

Implementation feedback received from stakeholders has shown that the current ATCO licensing regulatory framework is administratively burdensome when it comes to short-term job relations; for example, in the case of freelance instructors and assessors working for different ATCO training organisations in different Member States. The proposed solution with this Opinion is to provide more flexibility concerning the exchange of the licence when exercising the licence privileges in a Member State other than the one that issued the licence. Enabling short-term job relations without exchanging the licence and the competent authority only concern instruction and assessment during initial training. Similar flexibility is proposed when the privileges of a student ATCO licence are exercised to allow unit training to be undertaken without the need to exchange the licence. Exchange of licence/issue of a new licence will only be required at the time when a new unit endorsement is issued.

Furthermore, it is considered beneficial to align the terminology of the licence exchange process with that of the other aviation domains, notably aircrew, in order to facilitate the work of the NCAs, since many of them have licensing departments dealing with licences of all aviation domains. In addition, the fact that the need to transfer medical files is not directly addressed in the current rule has led to some misunderstandings; provisions similar to those of Regulation (EU) No 1178/2011 (Aircrew Regulation) have therefore been introduced.

This proposal includes removal of the Aerodrome Control Visual (ADV) rating syllabus from the initial training content as a result of the removal of the ADV rating. It also contains changes of topics and subtopics in other initial training syllabi to ensure an adequate alignment with the development of related regulatory framework and operational aspects.

Since the ATCO Regulation and the related AMC and GM have become applicable, EASA has been collecting implementation feedback from various sources, in particular from its standardisation activities and from the EASA ABs. Following an evaluation of such feedback undertaken in cooperation with stakeholders' experts (see Section 1.1), several amendments of non-complex nature as well as editorial changes have been introduced to enhance the clarity of the rule and thus contribute to its harmonised interpretation and implementation at EU level.

¹³ <https://ec.europa.eu/transport/sites/transport/files/2019-04-report-of-the-wise-persons-group-on-the-future-of-the-single-european-sky.pdf>

2.1.3. Alignment with Regulation (EU) No 376/2014 on occurrence reporting

Regulation (EU) No 376/2014 on the reporting, analysis and follow-up of occurrences in civil aviation¹⁴ contains specific obligations for EASA, the Member States' NCAs, individuals and organisations. These obligations exist in parallel with the reporting obligations of EASA, established with the Basic Regulation and its delegated and implementing acts. The essential requirements laid down in the annexes to the Basic Regulation require organisations subject to that Regulation to establish occurrence-reporting systems as part of their management system. The requirements for occurrence reporting are further specified in the delegated and implementing acts adopted on the basis of the Basic Regulation. Unlike Regulation (EU) No 376/2014, the delegated and implementing acts adopted on the basis of the Basic Regulation apply to organisations established in third countries when approved by EASA.

Although the aforementioned regulations have the same purpose and broadly the same outcomes, there are key differences, overlaps and ambiguities that require resolution and eventual alignment. In particular, the link between occurrence-reporting requirements and safety management / management system requirements applicable to competent authorities and organisations respectively must be clarified. These potential issues can be addressed by updating the requirements in the ATCO Regulation in order to render them, as much as possible, consistent with Regulation (EU) No 376/2014. The basic principle remains that compliance with one regulation does not exempt organisations from compliance with the other regulation. However, this should not give rise to two parallel reporting systems, and the obligation to report can be discharged by using a single reporting channel.

The proposed amendments will provide clarity on the relevant authority and organisation requirements related to the implementation of mandatory and voluntary occurrence-reporting systems, the analysis and follow-up of occurrences or groups of occurrences, the implementation of the just culture principles, as well as the exchange of safety-significant information and the protection of the sources of information.

These requirements are closely linked to the implementation of management systems by ATCO training organisations and authorities.

The proposed amendments will support the affected organisations in implementing the requirements of Regulation (EU) No 376/2014 as part of their management system, rather than through the establishment of a separate system.

For any reportable events and conditions set out in the ATM/ANS Regulation that are currently not covered under Regulation (EU) No 376/2014 and its delegated and implementing acts, it is proposed that these organisations establish a system similar to the one for the implementation of Regulation (EU) No 376/2014 to capture the related reports.

¹⁴ Regulation (EU) No 376/2014 of the European Parliament and of the Council of 3 April 2014 on the reporting, analysis and follow-up of occurrences in civil aviation, amending Regulation (EU) No 996/2010 of the European Parliament and of the Council and repealing Directive 2003/42/EC of the European Parliament and of the Council and Commission Regulations (EC) No 1321/2007 and (EC) No 1330/2007 (OJ L 122, 24.4.2014, p. 18) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32014R0376&qid=1610986677249>).

2.2. What we want to achieve — objectives

The overall objectives of the EASA system are defined in Article 1 of the Basic Regulation. This proposal will contribute to the achievement of the overall objectives by addressing the issues outlined in Section 2.1.

The general objective of RMT.0668 is to ensure a high and uniform level of safety in air traffic management (ATM)/air navigation services (ANS), and more specifically in the provision of ATS, by ensuring continued alignment of the qualification scheme of ATCOs stipulated in the ATCO Regulation with the evolution of the related regulatory framework, the state of the art and the recognised best practices in aviation.

The specific objectives of this proposal are:

- to enable the conversion of national military ATCO licences into civil student ATCO licences issued in accordance with the ATCO Regulation through a crediting mechanism. This is expected to facilitate the flexible use of the available ATCO resources by enhancing employee mobility, providing equal opportunities (as in the pilot scheme), and helping to prevent civil ATCO shortage; and
- to simplify the system of ratings and rating endorsements, to facilitate the mobility of instructors, assessors and student ATCOs, and to update and streamline the initial training content to be in line with the latest developments.

Additionally, this proposal is aimed at aligning the ATCO Regulation with other EU regulations and with ICAO SARPs, as well as at correcting identified inconsistencies and improving the clarity of the rule.

2.3. How we want to achieve it — overview of the proposed amendments

2.3.1. Conversion of national military licences

The above objectives can be achieved by introducing the possibility of converting national military ATCO licences into civil student ATCO licences issued in accordance with the ATCO Regulation, based on a conversion report developed by the Member State, under which the training accomplished during military service could be credited.

For the purpose of the conversion, a new Article 8a is proposing that military ATCO licence holders should apply to the competent authority of the Member State where they have served their military service.

It is proposed that the training accomplished during military service should be given credit for the purpose of demonstration of compliance with the relevant requirements, which are laid down in Annex I (Part ATCO) to the ATCO Regulation, in accordance with the conversion report developed by the Member State.

This conversion report should address certain common elements, which are further detailed in an AMC. For the purpose of effective standardisation, and similarly to the case of military pilots, Member States shall notify EASA of the national conversion report issued. The report is not supposed to be individualised, but it shall be generic enough to cover the existing national military qualifications and privileges and to demonstrate the gap between those and the requirements of the ATCO Regulation, so that it can serve as the basis and justify the individual decision on the further training needs.

Individual experience shall be taken into consideration when designing the unit training course for the person in question following the issue of the student ATCO licence.

2.3.2. Simplification of the system of ratings and rating endorsements

In this proposed amendment the number of ratings is reduced from six to five and the number of rating endorsements from nine to four. This reduction is coupled with a thorough reconsideration of the system and of the fact that in the current system some privileges are ‘overlapping’. For example, the aerodrome control instrument rating (ADI) includes the privileges of the aerodrome control visual (ADV) rating, and the tower control (TWR) rating endorsement includes the privileges of the air control (AIR) and ground movement control (GMC) rating endorsements. Merging these continues the simplification of the system in a similar manner that was already started with the removal of some rating endorsements at the time of the publication of the current Regulation.

2.3.3. Air traffic controller ratings

To simplify the system of ratings in ATCO.B.010 and to further align with ICAO, the ADV rating is proposed to be removed. As stipulated in Article 8, no new ADV ratings will be issued, but the current holders of the rating can continue exercising the privileges of it. The removal of the ADV rating causes a change of name of the ADI rating into ADC rating. Consequently, in the context of ATCO Initial Training, the former rating course for ADV is removed as all subjects, topics, subtopics and objectives of the ADV training are included in the ADC rating course.

2.3.4. Air traffic controller rating endorsements

Several rating endorsements are proposed to be removed from ATCO.B.015. For aerodrome control, this concerns the removal of AIR and GMC rating endorsements, which were not appropriately used in practice. The rating survey and the results of the standardisation inspections have revealed that there is a very limited number of ADI rating holders whose privileges are limited to only AIR or GMC. This has led to situations where AIR and GMC rating endorsements are used without any actual need for them. Those rating endorsements, and consequently also the tower control (TWR) rating endorsement, are therefore proposed to be removed and the privileges to be included in the ADC rating privileges. The possible limitation in the exercise of the privileges of the ADC rating to AIR or GMC is proposed to be indicated in the unit endorsement.

Also, the ground movement surveillance (GMS) rating endorsement attached to the former ADI rating, and the terminal control (TCL) rating endorsement, attached to either the approach control surveillance (APS) or the area control surveillance (ACS) rating, are proposed to be removed. The main driver for this change is that the standardisation feedback has shown that the use of these rating endorsements is specific to the unit or piece of equipment and it does therefore not make sense to have them as mutually recognised rating endorsements. If there is a need to specifically indicate the competence of the licence holder to provide ground movement surveillance or terminal control, this can be done by the inclusion of the privileges in the unit endorsement.

The name of the aerodrome radar (RAD) rating endorsement is proposed to be changed to ‘aerodrome control surveillance’ (SUR) in order not to restrict the naming to one surveillance means only.



2.3.5. Facilitation of the mobility of instructors, assessors and student air traffic controllers

ATCOs are currently required to exchange their licence if they are to exercise the privileges of the licence in a Member State for which the competent authority is not the one that issued their licence. This causes unnecessary administrative burden in cases of freelance instructors and assessors working for different initial training organisations. The same applies for student ATCOs and ATCOs undergoing unit training, for whom the step of exchanging the licence before the issue of a new unit endorsement does not bring any added value.

It is therefore proposed that the requirement in ATCO.A.010 to exchange the licence/to change competent authority is limited to cases where the licence holder is exercising the privileges of a unit endorsement, i.e. exchange is not required when only synthetic training device instructor or assessor privileges, or privileges of a student ATCO licence, are exercised. The NCAs are expected to exchange information with each other on possible non-compliances related to ATCOs exercising the privileges of the licence in a Member State other than the one that issued the licence. Administrative procedures for NCAs on how to carry out the change of competent authority and licence exchange are proposed in the new ATCO.AR.D.003.

2.3.6. Update of the initial training requirements

At the time of publication of the initial issue of the AMC and GM to the ATCO Regulation (in 2015), EASA was already aware of the need for continuous maintenance of the ATCO initial training requirements. For this purpose, EASA and EUROCONTROL agreed to establish a close partnership to ensure the timely update of said training requirements.

Up to now, this maintenance has been accomplished in two phases. With the first phase in 2019 EASA introduced amendments only to AMC and GM via an ED Decision¹⁵. A second phase is included in this Opinion, and results in more substantial changes that require amendment of topics and subtopics at implementing rule level, in addition to amendments to the related AMC.

Thus, the proposed amendments to initial training requirements in Appendices 2-6 to Annex I concern removal of the subject objectives, modification of topics and subtopics, where necessary, and editorial changes. The related AMC include also objective relocation, objective corpus or/and content change, merging/branching of objectives, introduction of new objective(s) and removal of any obsolete/unnecessary objective(s).

2.3.7. Alignment with other EU regulations and ICAO SARPs, correction of errors and improved clarity

In general, the need for and the approach to the alignment of the implementing rules and AMC and GM with ICAO SARPs is explained in Section 2.1.

Amendments are proposed to the requirements for NCAs (Part ATCO.AR) and for ATCO training organisations (Part ATCO.OR) to align those with similar provisions in the ATM/ANS Regulation and the related AMC and GM. These include, for example, provisions relating to change management (ATCO.OR.B.015) and finding classification (ATCO.AR.E.015). Furthermore, the implementation feedback received from the EASA ABs, and the outcome of the standardisation inspections have led to the improvement of the text on the mutual exchange of the necessary information with other NCAs

¹⁵ <https://www.easa.europa.eu/document-library/agency-decisions/ed-decision-2019023r>

concerned to address the ‘relevant findings’ instead of ‘all findings’, which was the initial intent of the provision in ATCO.AR.B.001.

Besides, EASA has received several queries from the NCAs on the recognition of approval of method of assessment of language proficiency (ATCO.B.040), which have led to following the approach already taken in the Aircrew Regulation. This will clarify the intent of the rule, being that a certificate demonstrating the language proficiency of the applicant should be mutually recognised if the method of assessment is approved by any (other) competent authority.

Lastly, the proposal also includes some corrections of erroneous text and references, as well as other editorial changes in order to indicate the intention of the rule more clearly.

2.3.8. Alignment with Regulation (EU) No 376/2014 on occurrence reporting

The proposed amendments will in particular address the following issues:

- Regulation (EU) No 376/2014 does not apply to organisations that are not established in an EU Member State. It is therefore necessary to further specify the requirements for those organisations in the implementing act applicable to ATCO training organisations so that they meet the intent of Regulation (EU) No 376/2014;
- The ATCO Regulation lays down a number of reporting requirements in terms of reportable events and conditions and of reporting channels between organisations, which are not addressed in Regulation (EU) No 376/2014. It is necessary to clarify how these relate to the requirements laid down in Regulation (EU) No 376/2014.

2.4. What are the stakeholders’ views — outcome of the consultation

2.4.1. Conversion of national military licences

Some commentators expressed their worries that the proposal in Article 8a could adversely affect the adequate staffing levels of the European military forces. They also draw the attention to the fact that the training, experience and knowledge of the military applicants may differ widely, e.g. coming from different sections of the military (e.g. army / navy / aviation / ground with light aviation), but also the type of air traffic control service provided (aerodrome versus en route).

Staff representatives noted that the root cause of the problem is the ratio between available ATCOs and the traffic demand and that delays would always occur due to the physical infrastructure’s natural capacity. They called the COVID-19 crisis as a proof that once the traffic decreases, ATCO availability is no longer a problem. Nevertheless, other commentators called for the amendment in order to prepare for the future challenges with regard to the current demographic structure of the ATCO population.

Whilst the possibility of converting military licences to civil licences has been supported by most commentators, some questioned the need to convert existing qualification and knowledge into the student licence. The submission of the national conversion report to EASA has also been seen as superfluous by one commentator; this is however to contribute to successful standardisation.

EASA recalls that the process to convert a military ATCO licence into a civil EU ATCO licence is triggered by an individual initiative which involves the applicant and the competent authority. Upon application for conversion, the competent authority will assess the initial training experience of the applicant



versus the initial training content set out in the ATCO Regulation based on the national conversion report. This is why the entry into the civil system shall be based on the student licence.

In case of full equivalence, a student ATCO licence can be issued (subject to compliance with medical fitness and language proficiency requirements). In such case, the individual has joined the civil scheme as student ATCO and may exercise the related privileges, including undertaking unit training. The unit endorsement course the applicant has to successfully complete may be tailored based on the previously acquired experience under the military ATC provision, as is already the case for civil applicants undertaking unit training. As already set out in ATCO.D.055(b)(7), the unit training plan shall contain a process for adapting the unit endorsement course(s) to take due account of the acquired ratings and/or rating endorsements and experience of applicants.

In case of identified gaps, the applicant shall undertake and successfully complete an integrative course, which has to be provided by an EU-certified training organisation.

In response to other comments suggesting a more holistic approach and application of the same principles and methodology to the crediting and/or converting of other types of national and international licences, EASA recalls that this legal act is proposed within the limits of the implementing powers set out by the Basic Regulation. It is however its intention, with a future regulatory activity under RMT.0668, to apply the same methodology to the conversion of non-EU ATCO licences, building on the corresponding empowerment and following the appropriate procedure set out in Article 68 of the Basic Regulation.

Some stakeholders have also proposed to enable military ATCOs to act as synthetic training device instructors or assessors in initial training in the civil environment in order to take advantage of the military experience with live traffic situations without having obtained a civil unit endorsement. EASA considers that such possibility would not be compliant with the essential requirements applicable to ATCOs and set out in 4.7.2. of Annex VIII to the Basic Regulation, namely to meet the experience requirements appropriate to the instruction being given and to have practised instructional techniques in those procedures in which it is intended to provide instruction.

Individual organisations proposed to expand the relevant provisions of Part ATCO.AR to complement the tasks of the NCAs with the issue of a national conversion report, as well as the establishment of the necessary procedures for the conversion of the national military ATCO licence into student ATCO licence. These comments have not been accepted, for the reason of providing more flexibility and allowing the establishment of the national conversion report not only by the competent authority but also by other bodies of the Member States.

EASA also draws the attention of the commentators to the fact that the consultation procedure involved both the European Defence Agency and the social partners, as well as other relevant stakeholders.

2.4.2. Cover Regulation, air traffic controller ratings and rating endorsements

NPA 2021-08 proposed the removal of paragraphs 2 and 3 of Article 3, on the application of the ATCO Regulation by the Member States to their military personnel providing services to the public. The paragraphs were not considered necessary because the understanding was that the content was already reflected in a higher-level Regulation (Basic Regulation). The consultation however revealed



that the former practice of Member States applying the ATCO Regulation to their military personnel providing services to the public would become unjustifiable, and the proposal is therefore withdrawn.

The NPA contained a question to stakeholders asking whether they considered it still to be necessary and possible, by the time of the applicability of the amendment, to recognise licences issued in accordance with the relevant provisions of national legislation based on Directive 2006/23/EC and licences, ratings and endorsements issued in accordance with Regulation (EU) No 805/2011, or if paragraph 1 of Article 7 could be deleted. Five of the six respondents to this question indicated that there could still be cases where this paragraph would be used and recommended not to delete it. One respondent considered that the paragraph could be removed. Because of the indication on the continued need for this transitional provision and to guarantee the rights of ATCOs holding licences issued in accordance with the superseded provisions, the proposal is to keep Article 7(1) as it stands.

The removal of the ADV rating, with the provision in Article 8 according to which holders of ADV who do not hold an ADI rating shall continue to be authorised to provide air traffic control service to aerodrome traffic at an aerodrome that has no published instrument approach or departure procedures, was largely supported by the commentators of the NPA. One commentator expressed concerns about the fact that additional training would be needed for ADI privileges for candidates who only hold an ADV rating. This is however the situation being faced today, so there is no change in this respect.

There were several questions raised by the commentators on the administration of the removed or converted privileges in the licence. The provisions in Article 8 have therefore been clarified, and instructions in Appendix 1 to Annex II 'Format for licence' have been added. The related GM is proposed to be amended accordingly.

The results of the survey conducted by EASA on the use of ratings and rating endorsements (see Section 2.1) and the individual consultation with parties concerned showed that there are still some Member States currently using the ACP rating. To confirm this, a question to stakeholders was addressed in NPA 2021-08 on whether the ACP rating would still be needed in 2023 and beyond, and whether the ACP training course could be reduced to a procedural add-on module to the ACS course. The answers to the question showed that some stakeholders providing procedural area control and wanted to keep the rating as well as the related course unchanged. No changes are therefore proposed for the ACP rating or the training for it.

Similarly, EASA asked the stakeholders about the future need for the precision radar approach (PAR) rating endorsement. One of the respondents informed that PAR services are provided in their State and was asking to keep the rating endorsement. Two other respondents were also in favour of keeping it pointing to the fact that ICAO maintains such a rating. EASA expects precision radar approach provision to 'fade out' naturally in the future but is not proposing to delete the rating endorsement for the moment for the reasons given above.

In addition, to align with similar provisions for (student) ATCO licences, there was a proposal to amend the provision related to the assessment of previous competence of rating holders to be performed by initial training organisations only. Based on the comments received affirming that the unit training organisations also have the knowledge and practice about the ratings and that the current flexibility should be kept, the proposal was withdrawn.



There were very few comments on the removal of the Air Control (AIR), Ground Control (GMC) and Tower control (TWR) rating endorsements. Those that commented supported the removal, except for one commentator whose concern was that including AIR and GMC endorsements in the ADC rating might end up creating confusion on the privileges applicable, more administrative burden, and development costs. For the sake of clarity, EASA is proposing to indicate the possible limitation of the privileges to air control or ground control in the unit endorsement in ATCO.B.020. It is recognised that this may require a software change in the licensing system of the few NCAs concerned.

NPA 2021-08 proposed ‘merging’ of the former Ground Movement Surveillance (GMS) and Aerodrome Radar (RAD) rating endorsements into one aerodrome surveillance rating endorsement. Many of the comments did not show support for this solution, stating, for example, that using surveillance systems to support the ATCOs’ tasks is substantially different when applied at ground level or for airborne traffic.

Based on the received comments, the proposal to merge GMS and RAD is withdrawn. Instead, GMS is proposed to be removed as rating endorsement, and the privileges to become part of the unit endorsement privileges. It needs to be pointed out that the tasks that the aerodrome surface movement guidance systems are used for are in accordance with ATS.TR.245 in Annex IV ‘Part-ATS’ to the ATM/ANS Regulation for monitoring and information purposes only, whereas the remaining rating endorsements include privileges related to separation or vectoring of aircraft. One of the main drivers for the simplification of the rating endorsement system has been that there is no harmonised training for rating endorsements and that the use of some of them, including GMS, has been unit-specific. It does therefore not make sense to have them as mutually recognised rating endorsements. Training for provision of ground movement control with the help of aerodrome surface movement guidance systems is proposed to be included in the unit endorsement course.

There were no comments opposing the proposed change of name of the former Aerodrome Radar Control (RAD) rating endorsement into Aerodrome Control Surveillance (SUR).

As for the Surveillance Radar Approach (SRA) rating endorsement, with NPA 2021-08 EASA proposed to apply the same approach as ICAO, whereby the privileges to provide surveillance radar approach would be included in the privileges of the Approach Control Surveillance (APS) rating for those ATCOs who have completed the specific training for SRA. This model was found confusing by many of the commentators and the proposal is therefore withdrawn, which means that the SRA rating endorsement is proposed to be maintained, and some training requirements, in accordance with the ICAO requirements, to be introduced in a related AMC.

Many of the commentators welcomed the proposed integration of the Terminal Control (TCL) rating endorsement in the APS or Area Control Surveillance (ACS) rating. Some comments highlighted however the importance of ensuring that the training of the ATCOs is not reduced by the removal of the rating endorsement. This led to the review of the initial training requirements for the APS and ACS ratings and the conclusion that training for ‘terminal control’ at a general level can be considered to be included in the APS course, whereas holders of the ACS rating providing ‘terminal control’ may require additional training on some APS training objectives. Based on this conclusion, the suggestion in Article 8 on the removal of TCL as rating endorsement is proposed to be amended such that the privileges of TCL rating endorsement become part of the privileges of the unit endorsement associated with the APS or the ACS rating. In addition, AMC and GM will be provided indicating that training for provision of air traffic control services with the use of any surveillance equipment to aircraft operating



in a specified terminal area and/or adjacent sectors should be included in the unit endorsement course, and that in case of ACS rating holders, this training should include objectives of initial training for the APS rating related to terminal control.

2.4.3. Change of competent authority

The proposed amendments related to the exchange of licence/change of competent authority were generally well-received. Two specific comments indicated that it was not clear why provisions on change of competent authority were included both in PART ATCO and in PART ATCO.AR with the same title. To clarify that the provisions in PART ATCO concern the air traffic controllers, the title of ATCO.A.010 has been amended to 'Application for change of competent authority', whereas the title for the provisions concerning the competent authority procedures on change of competent authority and licence exchange in ATCO.AR.D.003 remains 'Change of competent authority'.

Based on the comments, clarification was also needed on when the change of competent authority is required. The wording has therefore been amended to clearly indicate that the change of competent authority is required when unit endorsement privileges are exercised in a Member State that is not the one that issued the licence, whereas this change will not be needed when instructor or assessor privileges are exercised in a synthetic training device environment or when student ATCO privileges are exercised.

One of the comments was related to the transfer of medical files. The commentator requested, due to confidentiality and data protection obligations, that only the medical certificate should be handed over to the receiving authority without the obligation to transfer all the medical records. This comment was however not accepted as medical confidentiality is required at all times in accordance with the existing provisions in ATCO.MED.A.015.

In addition, there was one comment pointing out that there are still references in the NPA to the requirement for exchange of the licence whereas this concept has been replaced by change of competent authority. The comment was partially accepted. The terminology has been aligned where suitable, taking into consideration that the exchange of the licence is an action that follows the change of competent authority.

2.4.4. Provisional inability

To avoid any conflict with PART ATCO.MED, one comment proposed to explain in the Regulation, when a medical certificate is not required. This was accepted, and the provisions have been amended such that ATCO.A.015 now states that a medical certificate is not required when exercising instructor or assessor privileges in a synthetic training device environment. ATCO.MED.A.030 has been amended in the same manner. All other comments relating to provisional inability addressed the associated GM.

2.4.5. Student ATCO licence, ATCO licence, prerequisites of unit training

NPA 2021-08 proposed two main changes related to the student ATCO licence in ATCO.B.001. The first one is the new timeline introduced for the application of the student ATCO licence, which requires the initial training to be completed within the 12 months preceding the application. No comments were received on this proposal, which is maintained.

Secondly, the purpose of the proposed amendments related to the assessment of previous competence and to the prerequisites of unit training, were to clarify that a (student) ATCO licence is



required for the on-the-job training phase, and not necessarily for the transitional and pre-on-the-job phases of unit training. This allows a person who has successfully completed the initial training to start unit training (transitional and pre-on-the-job training) while waiting for the licence to be issued, as the privileges of a student ATCO licence are only exercised when providing air traffic control services in live traffic under the supervision of an on-the-job training instructor. It also clarifies the reference point related to the assessment of previous competence.

The received comments indicated that the purpose was not clear without reading the rationale for the change provided in the explanatory note in the NPA. EASA is of the opinion that the issue should be clear when reading the provisions on (student) ATCO licence and assessment of previous competence in ATCO.B.001 together with the amended provisions on the prerequisites of unit training in ATCO.D.050. However, to further clarify, new GM will be introduced.

Regarding the requirement to start exercising the privileges of the student ATCO licence within 1 year from the date of its issue, one NCA commented that they cannot start on-the-job training in the rating within 1 year after the issue because their ATCOs are provided with training in all ratings. There is however no change proposed in regard the timeline; the change is the reference to on-the-job training instead of unit training. 1 year was considered an appropriate time period by the group of experts taking into account that the erosion of skills is likely to happen within a fairly short period of time as no routine has yet been accumulated by the students.

In addition, two commentators suggested to amend the provision related to the assessment of previous competence of ATCO licence holders (ATCO.B.005(e)) such that reference would be made to 'a' rating, instead of 'any' rating to make it clear, that the aim is that assessment of previous competence is needed when the ATCO has not exercised the privileges of the rating in which he or she is going to start on-the-job training. This proposal was accepted.

2.4.6. Unit endorsements, unit competence scheme

One comment addressed the issue of a unit endorsement in connection with the issue of a temporary OJTI authorisation suggesting changing the wording in ATCO.B.020 so that the issue of the unit endorsement should follow the issue of the temporary OJTI authorisation. This suggestion was partially accepted. It is foreseen that the issue of both the unit endorsement and the temporary OJTI authorisation could take place simultaneously but the text has been modified to indicate that the temporary OJTI authorisation must be for the same unit as the unit endorsement that is issued.

The proposed amendment of ATCO.B.025 giving the possibility to substitute the required minimum number of hours with a minimum number of approaches seemed to give the impression that a minimum number of approaches could be used instead of hours also in case of, for example, an approach control rating. The provision has been therefore amended to indicate that this only concerns the duties of precision approach radar and surveillance radar approach and the previous GM has been now deleted.

2.4.7. Establishment of unit endorsements for remote aerodrome air traffic services provision

Stakeholders' comments asked for clarifications on the ATCOs' unit endorsement privileges when providing remote services in multiple mode of operation. EASA considers that this issue affects a wider stakeholder community than that being traditionally interested in ATCO licensing.



Therefore and to transparently involve more stakeholders into the exchange on the establishment of unit endorsements for remote aerodrome air traffic services, EASA submitted a set of questions to stakeholders in NPA 2022-02 'Remote aerodrome air traffic services'¹⁶ — developed in the context of RMT.0624.

The same questions will be included also in the NPA, resulting from Subtask 4 of RMT.0668, on further harmonising training standards, and enabling virtual and online training that is to be published in the course of 2022. The feedback received from the public consultation of both NPAs will be assessed and the related conclusions will be included in the Opinion resulting from Subtask 4 of RMT.0668.

2.4.8. Assessment of language proficiency

One NCA commented on the proposed amendment clarifying the mutual recognition of the method of language proficiency assessment. The comment stated that it is difficult to identify whether an ATCO language certificate issued in a different Member State is legitimate in the absence of a common European list of approved language assessment bodies. This comment was not accepted considering that no such list exists for the certified training organisations either and that the competent authority receiving the application for a language endorsement will in any case have to exchange information with the competent authority that approved the assessment method to ensure that a language certificate issued in another Member State is valid.

Another NCA raised concerns about the acceptability of the approval of the assessment method by another competent authority, also saying that this opens the door for ATCOs to go to the language assessment body which has the easiest assessment. As the proposed amendment aligns the ATCO Regulation with an existing provision of the Aircrew Regulation, those concerns will be channeled into the follow-up of the Best Intervention Strategy (BIS) on 'Language Proficiency Assessment and Oversight'.

2.4.9. Requirements for instructors and assessors

There were several comments on instructors and assessors that did not relate directly to the proposed amendments but were rather new amendment proposals. These will be considered in the future work of RMT.0668, which deals specifically with instructors and assessors. All other comments related to the amendment proposals on instructors and assessors were of editorial nature.

2.4.10. Air traffic controller training

Very few comments were received on the amendment proposals related to initial and unit training. One of them proposed the establishment of a maximum number of hours per day in training. This proposal was not accepted as it was considered that establishing a maximum number of hours per day in training would create a too rigid environment at European level, which is not in line with the aim of the regulatory framework. Other comments, related to an amended AMC on training for surveillance radar approach duties, proposed a broader use of synthetic training devices in ATCO training. Addressing these issues will be part of the future work of RMT.0668.

¹⁶ <https://www.easa.europa.eu/document-library/notices-of-proposed-amendment/npa-2022-02-and-mpa-2022-02-b>

2.4.11. Requirements for competent authorities

An NCA suggested the addition of facilitation of the mutual recognition of the approval of the assessment method for the demonstration of language proficiency in the list of competent authority tasks. This was accepted and the text in ATCO.A.010 has been modified accordingly.

Another comment leading to a change was about the use of the word ‘manifestation’ in the proposed amendment of ATCO.AR.A.020 (a) without a definition for ‘manifestation’ being provided. The text has been amended avoiding the use of the non-defined word.

Relating to definitions, one comment asked the words ‘revocation’ and ‘suspension’ to be defined in the Regulation. EASA is however of the opinion that the commented provision ATCO.AR.D.005 ‘Revocation and suspension of licences, ratings and endorsements’ provides enough details on the actions in the subject to be performed.

In addition, not related to the received comments, the provisions on exchange of information between competent authorities in ATCO.AR.B.001(c) have been modified to align with the ATM/ANS Regulation and to address cases, where more than one competent authority are nominated within a Member State.

2.4.12. Requirements for air traffic controller training organisations

Regarding the amended provision on findings, a commentator pointed out that the wording of the proposed text in ATCO.OR.B.030(b) was not in line with the mirroring text in the authority requirements, as ‘approval’ of corrective plan was used instead of ‘acceptance’ used in the authority requirements. During the rule development, a significant number of stakeholders requested EASA to align as much as possible the provisions related to ATCO training organisations with the existing ones relevant to ATM/ANS providers unless there is a sector-specific reason for them to be different. However, in this case, the rationale has been acknowledged and the proposal has been accepted.

2.4.13. Alignment with Regulation (EU) No 376/2014 on occurrence reporting

Stemming from RMT.0681, NPA 2016-09 received some comments that were related to the ATCO Regulation. These mainly aimed at better scoping of the provisions and/or were of editorial nature, which has facilitated improving the clarity of the final text.

2.5. What are the expected benefits and drawbacks of the proposed amendments

It is important that personnel employed by ATM/ANS providers, such as ATCOs, are appropriately qualified, trained and licensed to perform their duties. The implementing acts adopted under the EASA Basic Regulation and concerning the responsibilities of the Member States will lay down further detailed harmonised rules for such personnel to ensure the necessary level of safety when providing air traffic control services.

Some Member States have indicated the need for additional ATCOs for each year of the RP3 (2020–2024). Enabling the conversion of military ATCO licences into civil student ATCO licences issued in accordance with the ATCO Regulation shall offer one means to address ATCO shortage. It will facilitate the flexible use of the available ATCO resources by enhancing employee mobility, providing opportunities equal to those of pilots in this respect, and contributing to the prevention of civil ATCO shortage.

It is important to highlight that this draft Opinion does not intend to impose any obligation on the Member States to move military ATCOs into the civil sector. The possibility for applying for the conversion of an ATCO military licence into a civil student ATCO licence is entirely based on a free-market environment and it is up to the applicant's personal decision. In this context, the recruitment process of the ANSPs should be open and transparent, i.e. any EU citizen that meets the eligibility criteria set by the ANSP is allowed to go through the selection procedure aiming at evaluating the eligibility and suitability of the potential candidate for the specific position. Furthermore, the comments also indicate that the ATCO training organisations are lacking experienced instructors given the current ATCO shortage. Consequently, the ATCOs benefiting from the conversion of military ATCO licences into civil student ATCO licences could also cover the needs of the ATCO training organisations.

Regarding the alignment with Regulation (EU) No 376/2014, the proposed amendments are expected to increase legal certainty by clarifying the occurrence-reporting requirements within the scope of the Basic Regulation, and support the implementation of effective occurrence-reporting systems, as part of the organisation's management system, by the ATCO training organisations concerned.

Overall, no major impacts and/or controversial items have been identified throughout the preparation of the proposal. Therefore, and in accordance with the proportionality principle, instead of a detailed regulatory impact assessment, an analysis of the main benefits and drawbacks has been included in the proposal. Apart from the comments submitted by ATCEUC and its member organisations, the consultation confirms this assessment and a great extent of support to the proposal as a whole, as well as to its individual elements.



3. How we monitor the proposed amendments

EASA will monitor the implementation of the resulting EU regulation through regular standardisation activities. In addition, the monitoring of the implementation of the resulting amendments would be carried out through regular feedback received from the EASA ABs. These inputs will facilitate the assessment of how efficiently the adopted implementing measures have been or are currently applied.

Cologne, 1 September 2022

For the European Union Aviation Safety Agency

The Executive Director

Patrick KY



4. References

4.1. Affected EU regulations

Commission Regulation (EU) 2015/340 of 20 February 2015 laying down technical requirements and administrative procedures relating to air traffic controllers' licences and certificates pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council, amending Commission Implementing Regulation (EU) No 923/2012 and repealing Commission Regulation (EU) No 805/2011 (OJ L 63, 6.3.2015, p. 1)

4.2. Related EASA decisions

Executive Director Decision 2015/010/R of the Executive Director of the Agency of 13 March 2015 adopting Acceptable Means of Compliance and Guidance Material to Commission Regulation (EU) 2015/340

4.3. Other references

- Annex 1 'Personnel Licensing' to the Convention on International Civil Aviation (Chicago Convention)
- Regulation (EU) 2017/373 laying down common requirements for providers of air traffic management/air navigation services and other air traffic management network functions and their oversight
- Regulation (EU) No 376/2014 on the reporting, analysis and follow-up of occurrences in civil aviation



5. Related document

CRD 2021-08 'Enhanced mobility options and streamlined qualifications for air traffic controllers'

