



European Aviation Safety Agency

NOTICE OF PROPOSED AMENDMENT

NPA 2012-18 (B.I)

RMT.0153 & RMT.0154 (ATM.003(a)&(b))

**Licensing and medical certification
of air traffic controllers**

NPA 2012-18 (B.I)

**Draft cover Regulation &
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DRAFT COMMISSION REGULATION (EU) NO .../...**of ...****laying down technical requirements and administrative procedures
related to air traffic controllers' licences and certificates pursuant to
Regulation (EC) No 216/2008 of the European Parliament and of the
Council and repealing Regulation (EU) No 805/2011****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 216/2008 of the European Parliament and of the Council of 20 February 2008 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency, and repealing Council Directive 91/670/EEC, Regulation (EC) No 1592/2002 and Directive 2004/36/EC¹, and in particular Article 8c(10) thereof,

Whereas:

- (1) Regulation (EC) No 216/2008 aims at establishing and maintaining a high uniform level of civil aviation safety in Europe. That Regulation provides for the means of achieving that objective and other objectives in the field of civil aviation safety. The means include the preparation, adoption and uniform application of all necessary acts as well as ensuring the recognition, without additional requirements, of certificates and licences granted to personnel and organisations in accordance with that Regulation and its Implementing Rules.
- (2) The implementation of Regulation (EC) No 216/2008, as well as the single European sky II legislation² requires the establishment of detailed Implementing Rules, in particular concerning the licensing of air traffic controllers, in order to maintain a high uniform level of civil aviation safety in Europe, to achieve the highest standards of responsibility and competence, to improve the availability of air traffic controllers and to promote the mutual recognition of licences while pursuing the objective of an overall improvement in air traffic safety and competence of personnel.
- (3) Air traffic controllers as well as persons and organisations involved in their training, testing, checking or medical assessment have to comply with the relevant essential requirements set out in Annex Vb to Regulation (EC) No 216/2008. According to that Regulation air traffic controllers as well as persons and organisations involved in their training and medical certification should be certified or licensed once they have demonstrated compliance with the essential requirements.
- (4) The European licence has proved to be a successful tool for recognising the specific role which air traffic controllers play in the safe provision of air traffic control. The establishment of EU-wide competence standards has

¹ OJ L 79, 19.3.2008, p. 1.

² Regulation (EC) No 1070/2009 of the European Parliament and of the Council of 21 October 2009 amending Regulations (EC) No 549/2004, (EC) No 550/2004, (EC) No 551/2004 and (EC) No 552/2004 in order to improve the performance and sustainability of the European aviation system (OJ L 300, 14.11.2009, p. 34).

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reduced fragmentation in this field, contributing to more efficient organisation of work in the framework of growing regional collaboration between air navigation service providers. Therefore, maintaining and enhancing the common licensing scheme for air traffic controllers in the EU is an essential element of the European air traffic control system.

- (5) This Regulation aims at fulfilling the relevant essential requirements set out in Annex Vb to Regulation (EC) No 216/2008. While building on previous achievements and EU regulatory requirements this Regulation repeals and replaces Regulation (EU) No 805/2011.
- (6) The provision of air navigation services requires highly skilled personnel and specifically air traffic controllers whose competence is demonstrated by a licence which is issued when meeting the detailed requirements set out in this Regulation. The rating on a licence should indicate the type of air traffic service an air traffic controller is competent to provide. At the same time, the endorsements included on the licence reflect both the specific skills of the controller and the authorisation by the competent authorities to provide services for a particular sector or group of sectors. Authorities should be in a position to evaluate the competence of air traffic controllers when issuing licences or extending the validity of the endorsements. The competent authorities should also be in a position to suspend or revoke licences, ratings, endorsements or certificates in cases where the conditions for their issue are no longer met.
- (7) The particular characteristics of air traffic in the EU call for the introduction and effective application of common competence standards for air traffic controllers employed by air navigation service providers providing air traffic management and air navigation services (ATM/ANS) to the public.
- (8) Member States should however, as far as practicable, ensure that services provided or made available by military personnel to the public offer a level of safety that is at least equivalent to the level required by the essential requirements set out in Annex Vb to the Basic Regulation. Therefore, Member States may also decide to apply this Regulation to their military personnel providing services to the public referred to in Article 1(2)(c) of that Regulation.
- (9) In many incidents and accidents communication plays a significant role. Therefore, this Regulation lays down detailed language knowledge requirements for air traffic controllers. Those requirements are based on the requirements adopted by the International Civil Aviation Organization (ICAO) and provide a means of enforcing these internationally accepted standards. There is a need for observance of the principles of non-discrimination, transparency and proportionality in language requirements, so as to encourage free movement while ensuring safety. The acknowledgement of the importance of clear and effective communication in the European airspace leads to the introduction of a proportionate validity date for the highest language proficiency level in order to ensure that language skills are maintained in the interest of safety and mobility regardless of their daily use.
- (10) In order to enhance the confidence of the Member States in each other's air traffic controller's licensing systems, common rules for obtaining and maintaining licences are indispensable. It is therefore important, with a view to ensuring the highest level of safety, to introduce uniform requirements as regards training, qualifications, competence and access to the profession of air traffic controller. This should lead to the provision of safe, high-quality air traffic control services and contribute to the recognition of licences

throughout the EU, thereby increasing freedom of movement and improving the availability of air traffic controllers.

- (11) This Regulation aims at reflecting the state of the art, including best practices and scientific and technical progress, in the field of air traffic controller training as well as regarding their medical certification.
- (12) The minimum requirements for the training of air traffic controllers as contained in EUROCONTROL's Specification for the ATCO Common Core Content Initial Training set appropriate standards for initial training. In order to facilitate a truly uniform approach to initial training, which is the key element for ensuring air traffic controllers' mobility, those standards have now been transposed into EU law. Requirements have also been established for unit and continuation training, taking into account the applicable essential requirements. ICAO has developed standards also in areas where there are no common European training requirements. In the absence of European training requirements Member States may rely on such ICAO standards.
- (13) Medical requirements had been developed at the request of EUROCONTROL Member States as Guidance Material for the medical assessment of air traffic controllers. They have been amended where necessary and transposed into EU law in order to ensure that air traffic controllers benefit from the uniform application of such requirements throughout Europe.
- (14) The profession of air traffic controller is subject to technical innovations which call for such controllers' skills to be regularly updated. The necessary adaptations of this Regulation as well as the review and update of the means of compliance relevant to the training requirements to the technical developments and scientific progress should follow the appropriate procedure with scrutiny provided for in Article 5a of Council Decision 1999/468/EC³ and the Rulemaking Procedure of the European Aviation Safety Agency (hereafter referred to as the 'Agency') respectively.
- (15) Oversight capabilities of competent authorities have not been provided for in Regulation (EU) No 805/2011. This Regulation therefore includes the way of organising the safety responsibilities and accountabilities of Member States in a principled and structured manner facilitated by administration and management system of competent authorities and organisations acting on their behalf in line with the ICAO State Safety Programme. In accordance with Regulation (EC) No 216/2008, rules on an information network between Member States, the Commission and the Agency should also be included in Regulation (EU) No .../.... To ensure the consistent and sound oversight of the regulated persons and organisations across Europe, the competent authorities should be guaranteed sufficient independence and resources.
- (16) In order to ensure uniformity in the application of common air traffic controller licensing, medical certification and organisation certification requirements, common procedures should be followed by the competent authorities of the Member States and, where applicable, the Agency to assess compliance with these requirements; the Agency should develop Certification Specifications, Acceptable Means of Compliance and Guidance Material to facilitate the necessary regulatory uniformity. Competent authorities have a key role in achieving one of the main Union objectives as

³ OJ L 184, 17.7.1999, p. 23.

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regards the freedom of movement of goods, persons, and services. While building on the experience and best practices shared between the competent authorities, the Agency should develop Acceptable Means of Compliance and Guidance Material as necessary.

- (17) Authorities performing supervision and verification of compliance should be sufficiently independent of air navigation service providers and training providers. Authorities must also remain capable of performing their tasks efficiently. The competent authority designated for the purpose of this Regulation may be the same body or bodies nominated or established in accordance with Article 4 of Regulation (EC) No 549/2004 of the European Parliament and of the Council of 10 March 2004 laying down the framework for the creation of the single European sky⁴, as amended by Regulation (EC) No 1070/2009. The Agency should act as a competent authority for the purpose of this Regulation to issue and renew the certificates of air traffic controller training organisations located outside the territory of the Member States and, where relevant, their personnel.
- (18) Acknowledging the need to strengthen further the safety culture, especially by integrating reliable incident reporting and just culture in order to learn from incidents, this Regulation should not establish an automatic link between an incident and the suspension of a licence, rating or endorsement. Revocation of a licence should be considered as the last resort.
- (19) This Regulation should not lead to circumvention of existing national provisions governing the rights and obligations applicable to the employment relationship between an employer and applicant air traffic controllers.
- (20) The certification of training organisations should be considered as one of the decisive factors contributing to the quality of air traffic controller training and therefore contributing to the safe provision of air traffic control. In order to achieve these objectives, it is necessary to strengthen the requirements for training organisations. Moreover, training should be considered as a service similar to air navigation services, also subject to a certification process. This Regulation should make it possible to certify training by type of training, by package of training services or by package of training and air navigation services, without losing sight of the particular characteristics of the training.
- (21) This Regulation confirms long-standing case-law of the Court of Justice of the European Union in the field of mutual recognition of diplomas and freedom of movement of workers. The principle of proportionality, reasoned justifications for the imposition of compensation measures and the provision of appropriate appeal procedures constitute basic principles which need to become applicable to the air traffic management sector in a more visible manner. Member States should recognise licences and certificates issued in accordance with the requirements of this Regulation without additional conditions. Since this Regulation aims at ensuring the recognition of licences, it does not regulate the conditions concerning access to employment.
- (22) This Regulation may have an impact on the daily working practices of air traffic controllers. Social partners should be informed and consulted in an appropriate way on all measures having significant social implications. The Sectoral Dialogue Committee set up under Commission Decision 98/500/EC

⁴ OJ L 96, 31.3.2004, p. 10.

of 20 May 1998 on the establishment of Sectoral Dialogue Committees promoting the Dialogue between the social partners at European level⁵ should be consulted in an appropriate way on further implementing measures taken by the Commission.

- (23) The general conditions for obtaining a licence, insofar as they relate to age, medical requirements, educational requirements and initial training, should not affect the holders of existing licences. Licences and medical certificates issued by Member States in accordance with Directive 2006/23/EC and with Regulation (EU) No 805/2011 should be considered as having been issued in accordance with this Regulation in order to guarantee continuation of existing licence privileges and a smooth transition for all licence holders and for the competent authorities.
- (24) The measures provided for in this Regulation are based on the Opinion issued by the Agency in accordance with Articles 17(2)(b) and 19(1) of Regulation (EC) No 216/2008.
- (25) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 65 of Regulation (EC) No 216/2008,

HAS ADOPTED THIS REGULATION:

Article 1

Objective

The objective of this Regulation is to increase safety standards and to improve the operation of the air traffic control system within the EU through the issue of an air traffic controller licence based on common licensing requirements.

Article 2

Subject matter and scope

- 1. This Regulation lays down detailed rules for:
 - (a) the conditions for the issue, suspension and revocation of licences of air traffic controllers and student air traffic controllers, as well as of associated ratings and endorsements, and the privileges and responsibilities of the holders of such licences, ratings and endorsements;
 - (b) the conditions for the issue, limitation, suspension and revocation of medical certificates for air traffic controllers and student air traffic controllers, as well as the privileges and responsibilities of the holders of medical certificates;
 - (c) the certification of aero-medical examiners and aero-medical centres for air traffic controller;
 - (d) the certification of air traffic controller training organisations;
and the conditions of the validity, renewal, revalidation and use of such licences, ratings, endorsements and certificates.
- 2. This Regulation shall apply to:
 - (a) student air traffic controllers;

⁵ OJ L 225, 12.8.1998, p. 27.

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- (b) air traffic controllers exercising their functions within the scope of Regulation (EC) No 216/2008; and
 - (c) persons and organisations involved in the licensing, training, testing, checking or medical assessment of applicants in accordance with this Regulation.
- 3. Personnel referred to in paragraph 2 shall be qualified and licensed in accordance with the provisions of Annexes I and III to this Regulation.
 - 4. The medical certification of the personnel referred to in paragraph 2(a) and (b) shall comply with the technical requirements and administrative procedures laid down in Annexes III and IV to this Regulation.
 - 5. Organisations referred to in paragraph 2 shall comply with the technical requirements and administrative procedures laid down in Annexes I, II, III and IV to this Regulation and shall be certified.
 - 6. Air traffic control services within the scope of Regulation (EC) No 216/2008 shall only be provided by air traffic controllers licensed in accordance with this Regulation.
 - 7. Subject to Article 1(3) of Regulation (EC) No 216/2008, Member States shall, as far as practicable, ensure that services provided or made available by military personnel to the public referred to in Article 1(2)(c) of that Regulation offer a level of safety that is at least equivalent to the level required by the essential requirements as defined in Annex Vb to that Regulation.
 - 8. With the objective of achieving a harmonised level of safety within the European airspace, Member States may decide to apply this Regulation to their military personnel providing services to the public referred to in Article 1(2)(c) of Regulation (EC) No 216/2008.

Article 3
Definitions

For the purposes of this Regulation, the following definitions shall apply:

- 1. 'abnormal situation' means circumstances which are neither routinely nor commonly experienced and for which an air traffic controller has not developed automatic skills. These may include:
 - (a) circumstances arising from human error or violation of rules affecting the quality of service provided;
 - (b) serious weather or volcanic perturbations; and
 - (c) technical system failures or malfunctions;
- 2. 'acceptable means of compliance (AMC)' means non-binding standards adopted by the Agency to illustrate means to establish compliance with the Basic Regulation and its Implementing Rules;
- 3. 'air traffic control (ATC) unit' means a generic term meaning variously area control centre, approach control unit or aerodrome control tower;
- 4. 'alternative means of compliance' means an alternative to an existing AMC or a new means to establish compliance with Regulation (EC) No 216/2008 and its Implementing Rules for which no associated AMC have been adopted by the Agency;

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5. 'assessment' means an evaluation of the practical skills, including behaviour and the practical application of knowledge and understanding being demonstrated by the person undertaking training;
6. 'assessor endorsement' means the authorisation entered on and forming part of the licence, indicating the competence of the holder to assess student air traffic controller's and air traffic controller's practical skills;
7. 'critical incident stress' means the manifestation of unusual and/or extreme emotional, physical and behavioural reactions in an individual following an event or incident;
8. 'emergency situation' means a serious, unexpected and dangerous situation requiring immediate actions;
9. 'examination' means a formalised test that evaluates the depth of a person's knowledge and understanding;
10. 'ICAO location indicator' means the four-letter code group formulated in accordance with the rules prescribed by ICAO in its manual DOC 7910 in its latest updated version and assigned to the location of an aeronautical fixed station;
11. 'language proficiency endorsement' means the statement entered on and forming part of a licence, indicating the language proficiency of the holder;
12. 'licence' means a certificate, by whatever name it may be known, issued and endorsed in accordance with this Regulation and entitling its lawful holder to provide air traffic control services in accordance with the ratings and endorsements contained therein;
13. 'on-the-job training instructor (OJTI) endorsement' means the authorisation entered on and forming part of a licence, indicating the competence of the holder to give on-the-job training instruction and instruction on synthetic training devices;
14. 'part-task trainer (PTT)' means a synthetic training device to practise some operational functions independently from other functions which are not represented there, although they are necessarily associated to the first operational functions in the operational task;
15. 'performance objective' means a clear and unambiguous statement of the performance expected from the person undertaking training, the conditions under which the performance takes place and the standard which the person undertaking training should meet;
16. 'provisional inability' means a temporary state in which the licence holder is prevented from exercising the privileges of the licence when ratings and endorsements are valid;
17. 'psychoactive substance' means alcohol, opioids, cannabinoids, sedatives and hypnotics, cocaine, other psychostimulants, hallucinogens, and volatile solvents, whereas caffeine and tobacco are excluded;
18. 'rating endorsement' means the authorisation entered on and forming part of a licence, indicating the specific conditions, privileges or limitations pertaining to the relevant rating;
19. 'renewal' means the administrative act taken after a rating, endorsement or certificate has lapsed that renews the privileges of the rating, endorsement

or certificate for a further specified period subject to the fulfilment of specified requirements;

20. 'revalidation' means the administrative act taken within the period of validity of a rating, endorsement or certificate that allows the holder to continue to exercise the privileges of a rating, endorsement or certificate for a further specified period subject to the fulfilment of specified requirements;
21. 'sector' means a part of a control area and/or part of a flight information region/upper region;
22. 'simulator' means a synthetic training device that presents the important features of the real situation and reproduces the operational conditions under which the person undertaking training can practice real-time tasks directly;
23. 'synthetic training device instructor (STDI) endorsement' means the authorisation entered on and forming part of a licence, indicating the competence of the holder to give instruction on synthetic training devices;
24. 'synthetic training device' means any type of device by which operational conditions are simulated; these include simulators and part-task trainers;
25. 'training course' means theoretical and/or practical instruction developed within a structured framework and delivered within a defined period of time;
26. 'training organisation' means an organisation which has been certified by the competent authority to provide one or more types of training;
27. 'unit competence scheme' means an approved scheme indicating the method by which the ATC unit maintains the competence of its licence holders;
28. 'unit endorsement' means the authorisation entered on and forming part of a licence, indicating the ICAO location indicator and the sectors and/or working positions where the holder of the licence is competent to work.

Article 4

Competent authority

1. Member States shall nominate or establish one or more competent authority(ies) within their territory with allocated responsibilities for the certification and oversight of persons and organisations subject to this Regulation.
2. By way of derogation from paragraph 1 the competent authority nominated or established by a Member State for the purposes of Commission Regulation (EU) No 805/2011 shall be deemed to remain the competent authority for the purposes of this Regulation unless otherwise determined by the Member State concerned.
3. If a Member State nominates or establishes more than one competent authority, the areas of competence of each competent authority shall be clearly defined in terms of responsibilities and geographic limitation, where appropriate. Coordination shall be established between those entities to ensure effective oversight of all organisations and persons subject to this Regulation within their respective remits.
4. The competent authority(ies) shall be independent of air navigation service providers and training organisations. This independence shall be achieved through adequate separation, at least at functional level, between the

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competent authorities, air navigation service providers and training organisations. Member States shall ensure that competent authorities exercise their powers impartially and transparently.

5. Member States shall notify the Agency of the names and addresses of the competent authority(ies), as well as any changes thereof.
6. Member States — and concerning the Agency, the Commission — shall ensure that the competent authorities have the necessary capability to conduct the certification and oversight activities covered by their certification and oversight programmes, including sufficient resources to fulfil the requirements of Annex II (Part-ATCO.AR).

Article 5

Recognition of licences and certificates

1. Member States shall recognise air traffic controller and student air traffic controller licences, including their ratings, rating endorsements, OJTI, STDI and assessor endorsements, as well as language endorsements and associated medical certificates issued by other Member States in accordance with this Regulation.
2. In cases where a licence holder intends to exercise the privileges of the licence in a Member State other than that the licence was issued in, the procedure foreseen in ATCO.A.010(c) to (f) shall be followed.
3. In order to grant a unit endorsement for the purpose of paragraph 2 the competent authority designated by the Member State where the ATC unit in which the endorsement is to be exercised is located shall require the applicant to fulfil the particular conditions associated with this endorsement, specifying the ATC unit, sector or working position.
4. In order to fulfil the requirements for the unit endorsement mentioned in paragraph 3 the applicant shall undergo a unit endorsement course in accordance with ATCO.B.020 and ATCO.D.050.
5. When establishing the unit endorsement course mentioned in paragraph 4, the training organisation shall take due account of the acquired competencies and the experience of the applicant by assessing previous competence of the applicant.
6. The competent authority shall approve or reject the unit endorsement course referred to in paragraph 4, containing the proposed training for the applicant not later than six weeks after presentation of the evidence of the assessment of previous competence, and ensure that the principles of non-discrimination and proportionality are respected.
7. Certificates of air traffic controller training organisations, aero-medical examiners and aero-medical centres issued in accordance with this Regulation shall be mutually recognised.

Article 6

Means of compliance

1. The Agency shall develop Acceptable Means of Compliance (AMC) that may be used to establish compliance with Regulation (EC) No 216/2008 and its Implementing Rules. When AMC are complied with, the related requirements of the Implementing Rules are met.

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2. Alternative means of compliance to those adopted by the Agency may be used to establish compliance with Regulation (EC) No 216/2008 and its Implementing Rules.
3. The competent authority shall establish a system to consistently evaluate that all alternative means of compliance used by itself or by organisations and persons under its oversight allow the establishment of compliance with Regulation (EC) No 216/2008 and its Implementing Rules.
4. When an organisation wishes to use an alternative means of compliance to those adopted by the Agency to establish compliance with Regulation (EC) No 216/2008 and its Implementing Rules, it shall, prior to implementing it, provide the competent authority with a full description of the alternative means of compliance. The description shall include any revisions to manuals or procedures that may be relevant, as well as an assessment demonstrating compliance with Regulation (EC) No 216/2008 and its Implementing Rules.
5. The competent authority shall evaluate all alternative means of compliance proposed by an organisation by analysing the documentation provided and, if considered necessary, conducting an inspection of the organisation.

When the competent authority finds that the alternative means of compliance are in accordance with the Implementing Rules, it shall without undue delay:

- (a) notify the applicant that the alternative means of compliance may be implemented and, if applicable, amend the approval or certificate of the applicant accordingly;
 - (b) notify the Agency of their content, including copies of all relevant documentation; and
 - (c) inform other Member States about alternative means of compliance that were accepted.
6. Alternative means of compliance may only be implemented subject to prior approval by the competent authority and upon receipt of the notification of such approval.
 7. When the competent authority itself uses alternative means of compliance to achieve compliance with Regulation (EC) No 216/2008 and its Implementing Rules it shall:
 - (a) make them available to all organisations and persons under its oversight; and
 - (b) notify the Agency without undue delay.

The competent authority shall provide the Agency with a full description of the alternative means of compliance, including any revisions to procedures that may be relevant, as well as an assessment demonstrating that the Implementing Rules are met.

Article 7

Flexibility provisions

1. When applying Article 14(1) of Regulation (EC) No 216/2008, the notification sent by the Member State shall include at least:
 - (a) a description of the safety problem;

- (b) the affected requirements of this Regulation;
 - (c) the identification of the person or organisation concerned;
 - (d) the identification of the affected activity;
 - (e) the action required and its justification;
 - (f) the time limit for compliance with the action required; and
 - (g) its applicability date.
2. When applying Article 14(4) of Regulation (EC) No 216/2008, the notification sent by the Member State shall include at least:
- (a) the requirement from which the exemption is granted;
 - (b) the reason for granting the exemption;
 - (c) the identification of the person or organisation to which the exemption applies;
 - (d) the type of the activity concerned;
 - (e) the applicability date and the duration of the exemption;
 - (f) a reference to previous similar exemptions, if any; and
 - (g) evidence demonstrating that the level of safety is not adversely affected including, if applicable, a description of the related mitigation measures.
3. When applying Article 14(6) of Regulation (EC) No 216/2008, the notification sent by the Member State shall include at least:
- (a) the requirements from which the Member State intends to derogate;
 - (b) the reason for granting the derogation;
 - (c) the identification of the person or organisation to which the derogation applies;
 - (d) the conditions that the Member State has put in place to ensure that an equivalent level of protection is achieved; and
 - (e) evidence demonstrating that an equivalent level of protection is ensured.

Article 8

Transitional arrangements

1. Commission Regulation (EU) No 805/2011 laying down detailed rules for air traffic controllers' licences and certain certificates pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council shall be repealed from the date of application of this Regulation.
2. Notwithstanding paragraphs 5 and 6, licences, ratings and endorsements issued in accordance with the relevant provisions of national legislation based on Directive 2006/23/EC as well as in accordance with the provisions of Regulation (EU) No 805/2011 shall be deemed to be issued in accordance with this Regulation.
3. The Area Control Procedural (ACP) rating with the Oceanic Control (OCN) rating endorsement issued on the basis of national rules based on Article 31(1) of Regulation (EU) No 805/2011 shall be deemed to be issued in accordance with this Regulation.

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4. Member States shall replace the licences referred to above with licences complying with the format laid down in Appendix 1 to this Regulation by (date: 6 months following the application date set out in Article 9) at the latest.
5. In the case of air traffic controller licences issued in accordance with Regulation (EU) No 805/2011 bearing the Area Control Surveillance (ACS) or Approach Control Surveillance (APS) rating accompanied by the Radar (RAD) or Automatic Dependent Surveillance (ADS) endorsement (ACS-RAD, APS-RAD, ACS-ADS or APS-ADS), the privileges of the ACS or APS ratings shall be limited to the RAD or ADS rating endorsement. This limitation may be removed once appropriate conversion training has been accomplished taking into account the requirements of Part-ATCO, Subpart D.
6. The privileges of competence examiners and competence assessors for unit and continuation training approved by the competent authority according to Article 24 of Regulation (EU) No 805/2011 as well as examiners and assessors for initial training according to Article 20 of Regulation (EU) No 805/2011 shall be converted into the privileges of an assessor endorsement according to this Regulation, if appropriate, by (date: 6 months following the application date set out in Article 9) at the latest.
7. Medical certificates and certificates for training organisations, aero-medical examiners and aero-medical centres, as well as approvals of unit competence schemes and training plans issued in accordance with the relevant provisions of national legislation based on Directive 2006/23/EC as well as in accordance with the provisions of Regulation (EU) No 805/2011 shall be deemed to be issued in accordance with this Regulation.
8. Member States shall replace the air traffic controller training organisations' certificates referred to in paragraph 2 with certificates complying with the format laid down in Appendix 10 to this Regulation by (date: 6 months following the application date set out in Article 9) at the latest.
9. Member States shall replace the aero-medical examiners' certificates and the certificates for aero-medical centres referred to in paragraph 2 with certificates complying with the format laid down in Appendices 11 and 12 to this Regulation by (date: 6 months following the application date set out in Article 9) at the latest.
10. Air navigation service providers shall adapt their unit competence schemes to be compliant with the requirements of this Regulation by (date: 6 months following the application date set out in Article 9) at the latest.
11. Air traffic controller training organisations shall adapt their training plans to be compliant with the requirements of this Regulation by (date: 6 months following the application date set out in Article 9) at the latest.
12. Certificates of completion of training courses started prior to the application of this Regulation in accordance with Regulation (EU) No 805/2011 shall be accepted for the purpose of the issue of the relevant licences, ratings and endorsements in accordance with this Regulation provided that the training and the assessment have been completed by (date: 6 months following the application date set out in Article 9).

Article 9

Entry into force and application

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

It shall apply from (18 months after publication).

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, ...

For the Commission

The President

...

ANNEX I

PART-ATCO

REQUIREMENTS FOR THE LICENSING OF AIR TRAFFIC CONTROLLERS

SUBPART A — General requirements

ATCO.A.001 Scope

This part establishes the requirements for the issue of air traffic controller licences and associated ratings and endorsements and the conditions of their validity and use.

ATCO.A.005 Competent authority

For the purpose of this part, the competent authority shall be the authority nominated or established by each Member State in order to assume the tasks assigned to such authority under this Regulation.

ATCO.A.010 Application for and issue of licences, ratings and endorsements

- (a) An application for the issue of licences, ratings and endorsements shall be submitted to the competent authority in accordance with the procedure established by that authority.
- (b) An application for the issue of further ratings or endorsements, for the revalidation or renewal of endorsements and for the reissue of the licence shall be submitted to the competent authority which issued the licence.
- (c) If the licence holder intends to exercise the privileges of the licence in a Member State other than that the licence was issued in, the licence holder shall exchange his/her licence for a licence issued in the Member State where the privileges are exercised, except where otherwise foreseen in agreements concluded amongst the Member States. For this purpose he/she shall request a change of the competent authority and the transfer of his/her records to the competent authority of the Member State where the privileges are exercised and shall submit an application referred to in paragraph (b) to that competent authority.
- (d) Within a functional airspace block or in the case of cross-border service provision the applicant shall apply to the competent authority designated by the agreement of the involved Member States.
- (e) The licence shall specify all relevant information related to the privileges that are granted by the licence and shall comply with the requirements of Appendix 1 to this Regulation.
- (f) The licence shall remain the property of the person to whom it is issued and who shall sign it.

ATCO.A.015 Provisional inability

- (a) The exercise of the privileges granted by a licence shall be dependent on the validity of the ratings, endorsements and of the medical certificate.
- (b) Licence holders shall not exercise the privileges of their licence when:
 - (1) being under the influence of psychoactive substances;

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- (2) unfit to perform their duties due to injury, fatigue, sickness, stress, including critical incident stress or other similar causes;
- (3) in doubt of being able to safely exercise the privileges of the licence.
- (c) Licence holders shall immediately notify the relevant air navigation service provider when they become aware of any of the circumstances described in (b).
- (d) Air navigation service providers may declare the provisional inability of the air traffic controller if his/her competence is in doubt.
- (e) Air navigation service providers shall develop and implement objective, transparent and non-discriminatory procedures enabling air traffic controllers to declare a provisional inability to exercise the privileges of their licence in accordance with paragraph (b), to manage the operational impact of provisional inability cases and inform the competent authority if the provisional inability has not been terminated according to these procedures.
- (f) The procedures referred to in paragraph (e) shall be included in the unit competence scheme according to ATCO.B.025(a)(16).

ATCO.A.020 Revocation and suspension of licences, ratings and endorsements

- (a) Licences, ratings and endorsements issued in accordance with this part may be suspended or revoked by the competent authority when the licence holder does not comply with the requirements of this part.
- (b) When the licence holder has his/her licence suspended or revoked, he/she shall immediately return the licence to the competent authority according to the administrative procedures established by that authority.

SUBPART B — LICENCES, RATINGS AND ENDORSEMENTS

ATCO.B.001 Student air traffic controller licence

- (a) Holders of a student air traffic controller licence shall be authorised to provide air traffic control services in accordance with the rating(s) and rating endorsement(s) contained in their licence under the supervision of an on-the-job-training instructor and to undertake training for an additional rating endorsement.
- (b) Applicants for the issue of a student air traffic controller licence shall:

OPTION A

- (1) be at least 18 years old;
- (2) have successfully completed approved initial training at a training organisation relevant to the rating, and if applicable, to the rating endorsement, as set out in Part-ATCO Subpart D, Section 2 of this part;
- (3) hold a valid medical certificate;
- (4) have demonstrated an adequate level of language proficiency in accordance with the requirements set out in ATCO.B.030.

OPTION B

- (1) be at least 18 years old;

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- (2) hold at least a diploma granting access to university or equivalent, or any other secondary education qualification, which enables them to complete air traffic controller training;
 - (3) have successfully completed approved initial training at a training organisation relevant to the rating, and if applicable, to the rating endorsement, as set out in Part-ATCO Subpart D, Section 2 of this part;
 - (4) hold a valid medical certificate;
 - (5) have demonstrated an adequate level of language proficiency in accordance with the requirements set out in ATCO.B.030.
- (c) The student air traffic controller licence shall contain the language endorsement(s) and at least one rating and, if applicable, one rating endorsement.
- (d) The holder of a student air traffic controller licence who has not exercised the privileges of that licence for a period of one year may only commence or continue unit training in that rating after assessment of previous competence as to whether he/she continues to satisfy the requirements relevant to that rating, and after satisfying any training requirements that result from this assessment.

ATCO.B.005 Air traffic controller licence

- (a) Holders of an air traffic controller licence shall be authorised to provide air traffic control services in accordance with the ratings and endorsements of their licence.
- (b) The privileges of an air traffic controller licence shall include the privileges of a student air traffic controller licence as set out in ATCO.B.001(a).
- (c) Applicants for the issue of an air traffic controller licence shall:
- (1) be at least 21 years old;
 - (2) hold a student air traffic controller licence;
 - (3) have completed an approved unit endorsement course and successfully passed the appropriate examinations and assessments in accordance with the requirements set out in Subpart D, Section 3, of this part;
 - (4) hold a valid medical certificate;
 - (5) have demonstrated an adequate level of language proficiency in accordance with the requirements set out in ATCO.B.030.
- (d) The air traffic controller licence shall be validated by the inclusion of one or more ratings and the relevant rating, unit and language proficiency endorsements for which training was successful.
- (e) When the air traffic controller licence is issued the student air traffic controller licence shall be returned to the competent authority.
- (f) By way of derogation from paragraph 3 of Article 2, persons employed by air navigation service providers providing air traffic services in the airspace of the territory to which the Treaty applies and having their principle place of operations and their registered office, if any, located outside the territory subject to the provisions of the Treaty, shall not be required to hold a licence issued in accordance with this Regulation, provided that they:

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- (1) hold a licence issued by a third country in accordance with Annex 1 to the Chicago Convention;
- (2) have demonstrated that they have received training and successfully passed examinations and assessments equivalent to those required by Part-ATCO, Subpart D.

The scope and the functions assigned to the person by the air navigation service provider shall not exceed the scope of work defined by the licence issued by the third country.

ATCO.B.010 Air traffic controller ratings

- (a) Licences shall contain one or more of the following ratings in order to indicate the type of service which the licence holder is authorised to provide:
 - (1) the Aerodrome Control Visual (ADV) rating, indicating that the holder of the licence is competent to provide an air traffic control service to aerodrome traffic at an aerodrome that has no published instrument approach or departure procedures;
 - (2) the Aerodrome Control Instrument (ADI) rating, indicating that the holder of the licence is competent to provide an air traffic control service to aerodrome traffic at an aerodrome that has published instrument approach or departure procedures and shall be accompanied by at least one of the rating endorsements described in ATCO.B.015(a);
 - (3) the Approach Control Procedural (APP) rating, indicating that the holder of the licence is competent to provide an air traffic control service to arriving, departing or transiting aircraft without the use of surveillance equipment;
 - (4) the Approach Control Surveillance (APS) rating, indicating that the holder of the licence is competent to provide an air traffic control service to arriving, departing or transiting aircraft with the use of surveillance equipment;
 - (5) the Area Control Procedural (ACP) rating, indicating that the holder of the licence is competent to provide an air traffic control service to aircraft without the use of surveillance equipment;
 - (6) the Area Control Surveillance (ACS) rating, indicating that the holder of the licence is competent to provide an air traffic control service to aircraft with the use of surveillance equipment.
- (b) The holder of a rating who has not exercised the privileges associated with that rating for a period of four immediately preceding consecutive years may only commence unit training in that rating after assessment of previous competence as to whether the person concerned continues to satisfy the conditions of that rating, and after satisfying any training requirements that result from this assessment.

ATCO.B.015 Rating endorsements

- (a) The Aerodrome Control Instrument (ADI) rating shall bear at least one of the following endorsements:

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- (1) the Tower Control (TWR) endorsement, indicating that the holder is competent to provide control services where aerodrome control is provided from one working position;
 - (2) the Ground Movement Control (GMC) endorsement, indicating that the holder of the licence is competent to provide ground movement control;
 - (3) the Ground Movement Surveillance (GMS) endorsement, granted in addition to the Ground Movement Control endorsement or Tower Control endorsement, indicating that the holder is competent to provide ground movement control with the help of aerodrome surface movement guidance systems;
 - (4) the Air Control (AIR) endorsement, indicating that the holder of the licence is competent to provide air control;
 - (5) the Aerodrome Radar Control (RAD) endorsement, granted in addition to the Air Control endorsement or Tower Control endorsement, indicating that the holder of the licence is competent to provide aerodrome control with the help of surveillance radar equipment.
- (b) The Approach Control Surveillance (APS) rating may bear one or more of the following endorsements:
- (1) the Precision Approach Radar (PAR) endorsement, indicating that the holder of the licence is competent to provide ground-controlled precision approaches with the use of precision approach radar equipment to aircraft on the final approach to the runway;
 - (2) the Surveillance Radar Approach (SRA) endorsement, indicating that the holder is competent to provide ground-controlled non-precision approaches with the use of surveillance equipment to aircraft on the final approach to the runway;
 - (3) the Terminal Control (TCL) endorsement, indicating that the holder is competent to provide air traffic control services with the use of any surveillance equipment to aircraft operating in a specified terminal area and/or adjacent sectors.
- (c) The Area Control Procedural (ACP) rating may bear the Oceanic Control (OCN) endorsement, indicating that the holder of the licence is competent to provide air traffic control services to aircraft operating in an Oceanic Control Area.
- (d) The Area Control Surveillance (ACS) rating may bear one of the following endorsements:
- (1) the Terminal Control (TCL) endorsement, indicating that the holder is competent to provide air traffic control services with the use of any surveillance equipment to aircraft operating in a specified terminal area and/or adjacent sectors;
 - (2) the Oceanic Control (OCN) endorsement, indicating that the holder is competent to provide air traffic control services to aircraft operating in an Oceanic Control Area.
- (e) The holder of a rating endorsement who has not exercised the privileges associated with that rating endorsement for a period of four immediately preceding consecutive years may only commence unit training in that rating endorsement after assessment of previous competence as to whether the

person concerned continues to satisfy the conditions of that rating endorsement, and after satisfying any training requirements that result from this assessment.

ATCO.B.020 Unit endorsements

- (a) The unit endorsement shall indicate that the licence holder is competent to provide air traffic control services for a specific sector, group of sectors or working positions under the responsibility of an air traffic services unit.
- (b) Applicants for a unit endorsement shall have successfully completed an approved unit endorsement course in accordance with the requirements set out in Part-ATCO, Subpart D, Section 3.
- (c) Unit endorsements shall be valid for a period defined in the approved unit competence scheme. This period shall not exceed three years and shall correlate to the frequency of the assessments.
- (d) The validity period of unit endorsements for initial issue and renewal shall be counted from the date on which the assessment has been successfully completed.
- (e) Unit endorsements shall be revalidated if:
 - (1) the applicant has been exercising the privileges of the licence for a minimum number of hours as defined in the approved unit competence scheme;
 - (2) the applicant has undertaken refresher training within the validity period of the unit endorsement according to the approved unit competence scheme; and
 - (3) the applicant's competence has been assessed in accordance with the approved unit competence scheme.
- (f) Unit endorsements shall be revalidated within the 90-day period immediately preceding its expiry date. In such case the validity period shall be counted from that expiry date.
- (g) If the unit endorsement is revalidated before the period provided for in paragraph (f), its validity period shall be counted from the date on which the requirements set out in the approved unit competence scheme have been met and an assessment has been completed.
- (h) If the validity of a unit endorsement expires, the licence holder shall comply with the requirements set out in the unit competence scheme in order to renew the endorsement.

ATCO.B.025 Unit competence scheme

- (a) Unit competence schemes shall be established by the air navigation service provider and include at least the following elements:
 - (1) validity of the unit endorsement in accordance with ATCO.B.020(c);
 - (2) the maximum continuous period when the privileges of a unit endorsement are not exercised during its validity. This period shall not exceed 90 days;
 - (3) requirements for maintaining competence, including the minimum number of hours for exercising the privileges of the unit endorsement throughout an immediately preceding period, which shall not exceed 12 months.

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The minimum number of hours may be reduced for on-the-job training instructors exercising the privileges of the OJTI endorsement in an operational position; however, the minimum number of hours for working alone to maintain operational competence shall not be less than 50 % of the number specified according to this paragraph;

- (4) processes and intervals not exceeding three years for assessing competence;
 - (5) processes for the examination of theoretical knowledge and understanding necessary to exercise privileges of the ratings and endorsements;
 - (6) processes for the assessment of practical skills;
 - (7) processes and frequency to identify the topics and subtopics, objectives and training methods of refresher training;
 - (8) the minimum duration and frequency of the refresher training;
 - (9) processes to identify the topics and subtopics, objectives and training methods of conversion training;
 - (10) where applicable, processes for the examination of theoretical knowledge and/or the assessment of practical skills acquired during refresher and conversion training, including pass marks for examinations;
 - (11) processes in case of failure of an examination or assessment, including the appeal processes;
 - (12) training personnel qualifications, roles and responsibilities;
 - (13) procedure to ensure that practical instructors have practised instructional techniques in the procedures in which it is intended to provide instruction in accordance with ATCO.C.010(b) and ATCO.C.030(b);
 - (14) the minimum number of hours to work as OJTI, as well as the minimum number of assessments for an assessor to perform in order to revalidate the relevant endorsements;
 - (15) procedures for the renewal of the unit endorsement, as well as procedures for the cases where the licence holder does not meet the requirements set out in subparagraphs (2) and (3);
 - (16) processes to declare and terminate, as well as procedures to manage the cases of provisional inability to exercise the privileges of a licence in accordance with ATCO.A.015(e);
 - (17) identification of records to be kept specific to continuation training and assessments;
 - (18) process and reasons for reviewing and amending the unit competence scheme and its submission to the competent authority. The review of the unit competence scheme shall take place at least once every three years.
- (b) In order to comply with the requirement set out in paragraph (a)(3) air navigation service providers shall keep records of the hours that each licence holder exercises the privileges of his/her unit endorsement worked in the sectors, group of sectors or in the working positions in the ATC unit

and shall provide that data to the competent authorities and to the licence holder upon request.

- (c) When establishing the procedures referred to in paragraph (a)(15) air navigation service providers shall ensure that mechanisms are applied to guarantee fair treatment of licence holders where the validity of their endorsements cannot be extended.

ATCO.B.030 Language proficiency endorsement

- (a) Air traffic controllers and student air traffic controllers shall not exercise the privileges of their licences and ratings unless they have a language proficiency endorsement in English and, if applicable, in the language(s) imposed by the Member State for reasons of safety at the ATC unit of the unit endorsement as published in the Aeronautical Information Publications. The language proficiency endorsement shall indicate the language(s), the level(s) of proficiency and the validity date(s).
- (b) The applicant for any language proficiency endorsement shall demonstrate, in accordance with Appendix 2 to this Regulation, at least an operational level (level four) of language proficiency both in the use of phraseology and plain language.

To do so, the applicant shall:

- (1) communicate effectively in voice only (telephone/radiotelephone) and in face-to-face situations;
 - (2) communicate on common, concrete and work-related topics with accuracy and clarity;
 - (3) use appropriate communicative strategies to exchange messages and to recognise and resolve misunderstandings in a general or work-related context;
 - (4) handle successfully and with relative ease the linguistic challenges presented by a complication or unexpected turn of events that occurs within the context of a routine work situation or communicative task with which they are otherwise familiar; and
 - (5) use a dialect or accent which is intelligible to the aeronautical community.
- (c) The language proficiency level shall be determined in accordance with the rating scale set out in Appendix 2 to this Regulation.
- (d) Notwithstanding paragraph (b), extended level (level five) of the language proficiency rating scale set out in Appendix 2 to this Regulation may be required by the air navigation service provider, where the operational circumstances of the particular rating or endorsement warrant a higher level for imperative reasons of safety. Such a requirement shall be non-discriminatory, proportionate, transparent, and objectively justified by the air navigation service provider wishing to apply the higher level of proficiency and shall be approved by the competent authority.
- (e) Language proficiency shall be demonstrated by a certificate attesting the result of the assessment.

ATCO.B.035 Validity of language proficiency endorsement

- (a) The validity of the language proficiency endorsement shall be:

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- (1) three years from the date of assessment if the level demonstrated is operational level (level four) in accordance with Appendix 2 to this Regulation; or
 - (2) six years from the date of assessment if the level demonstrated is extended level (level five) in accordance with Appendix 2 to this Regulation; or
 - (3) nine years from the date of assessment if the level demonstrated is expert level (level six) in accordance with Appendix 2 to this Regulation.
- (b) Language proficiency endorsements shall be revalidated within 90 days immediately preceding their expiry date. In such case, the validity period shall be counted from that expiry date.
 - (c) If the language proficiency endorsement is revalidated before the period provided for in paragraph (b), its validity period shall be counted from the date on which the assessment was successfully completed.
 - (d) When the validity of a language proficiency endorsement expires, the licence holder shall successfully complete a language proficiency assessment in order to revalidate or renew the endorsement.

ATCO.B.040 Assessment of language proficiency

The demonstration of language proficiency shall be done through a method of assessment established by the competent authority, which shall contain:

- (a) the process by which an assessment is done;
- (b) the requirements for organisations conducting assessments;
- (c) the qualification of the assessors; and
- (d) the appeals procedure.

SUBPART C — REQUIREMENTS FOR INSTRUCTORS AND ASSESSORS

SECTION 1 INSTRUCTORS

ATCO.C.001 Theoretical instructors

- (a) Theoretical instruction shall only be carried out by appropriately qualified instructors.
- (b) A theoretical instructor is appropriately qualified if he/she:
 - (1) holds or has held an air traffic controller licence with a unit endorsement in the relevant rating and/or holds a professional qualification appropriate to the subject being taught, and
 - (2) has demonstrated instructional skills to the training organisation.

ATCO.C.005 Practical instructors

A person shall only carry out practical instruction when he/she holds an on-the-job training instructor (OJTI) endorsement or a synthetic training device instructor (STDI) endorsement.

ATCO.C.010 On-the-job training instructor (OJTI) privileges

- (a) Holders of an OJTI endorsement are authorised to provide practical training and supervision on operational working positions where a valid unit endorsement is held and on synthetic training devices in the relevant ratings held, as well as to assess practical skills during initial training, provided that the OJTI has successfully completed approved assessor training.
- (b) Holders of an OJTI endorsement shall only exercise the privileges of the endorsement if they have:
 - (1) at least two years' experience in the rating they will instruct in; and
 - (2) an immediately preceding period of at least six months experience in the corresponding valid unit endorsement; and
 - (3) practised instructional skills in those procedures in which it is intended to provide instruction.
- (c) The period of two years referred to in paragraph (b)(1) can be shortened to not less than one year by the competent authority in duly justified cases when requested by the training organisation.

ATCO.C.015 Application for on-the-job training instructor endorsement

Applicants for the issue of an OJTI endorsement shall:

- (a) hold an air traffic controller licence with a valid unit endorsement;
- (b) have exercised the privileges of an air traffic controller licence for an immediately preceding period of at least two years. This period can be shortened to not less than one year by the competent authority in duly justified cases when requested by the training organisation;
- (c) have successfully completed an approved practical instructional techniques course during which the required knowledge and pedagogical skills are taught and assessed using theoretical and practical methods within the year preceding the application.

ATCO.C.020 Validity of on-the-job training instructor endorsement

- (a) The OJTI endorsement shall be valid for a period of three years.
- (b) It may be revalidated by:
 - (1) receiving approved refresher training on practical instructional skills during the validity period of the OJTI endorsement; and
 - (2) either successfully passing a practical instructor competence assessment; or
 - (3) exercising the privileges of the OJTI endorsement for a minimum amount of time as defined in the unit competence scheme.

If the successful practical instructor competence assessment referred to in paragraph (b)(2) takes place within the first two years of the validity, the validity of the OJTI endorsement is extended for a period of three years starting from the assessment date.

- (c) If the OJTI endorsement has expired, it may be renewed by:
 - (1) receiving approved refresher training on practical instructional skills; and

- (2) successfully passing a practical instructor competence assessment, within the year preceding the application.
- (d) In the case of first issue and renewal the period of validity shall be counted from the date of issue.

ATCO.C.025 Temporary OJTI authorisation

- (a) When compliance with the requirements provided for in ATCO.C.010(b) is not possible, the competent authority may issue a temporary OJTI authorisation based on a safety risk assessment presented by the air navigation service provider.
- (b) Applicants for the issue of the temporary OJTI authorisation referred to in paragraph (a) shall be holders of a valid OJTI endorsement issued in accordance with ATCO.C.015 and have exercised its privileges for at least one year within the last three years.
- (c) The temporary OJTI authorisation referred to in paragraph (a) shall be limited to the instruction necessary for the introduction of the ATC service and its validity shall not exceed one year or the expiration of the validity of the OJTI endorsement issued in accordance with ATCO.C.015, whichever occurs sooner.

ATCO.C.030 Synthetic training device instructor (STDI) privileges

- (a) Holders of an STDI endorsement are authorised to provide practical training on simulators and part-task trainers during all types of training other than pre-OJT and OJT in the validated ratings, as well as to assess practical skills during initial training, provided that the STDI has successfully completed approved assessor training.
- (b) Notwithstanding paragraph (a), for the purpose of basic training any rating held is appropriate.
- (c) Holders of an STDI endorsement shall only exercise the privileges of the endorsement if they have:
 - (1) at least two years' experience in the rating they will instruct in; and
 - (2) practised instructional techniques in those procedures in which it is intended to provide instruction.
- (d) Exercising the privileges of the STDI endorsement in any rating is considered as exercising the privileges of that rating for the purpose of (c)(1).

ATCO.C.035 Application for synthetic training device instructor endorsement

Applicants for the issue of an STDI endorsement shall:

- (a) have exercised the privileges of an air traffic controller licence in any rating for at least two years;
- (b) fulfil all the requirements determined by an assessment of previous competence, if the privileges of the rating have not been exercised within the preceding four years;
- (c) have successfully completed an approved practical instructional techniques course during which the required knowledge and pedagogical skills are taught and assessed using theoretical and practical methods within the year preceding the application.

ATCO.C.040 Validity of synthetic training device instructor endorsement

- (a) The STDI endorsement shall be valid for a period of three years.
- (b) It may be revalidated by:
 - (1) receiving approved refresher training on practical instructional skills and current operational practices during the validity period of the STDI endorsement; and
 - (2) either successfully passing a practical instructor competence assessment; or
 - (3) exercising the privileges of the STDI endorsement for a minimum amount of time as defined by the training organisation according to ATCO.OR.C.010.

If the successful practical instructor competence assessment referred to in paragraph (b)(2) takes place within the first two years of the validity, the validity of the STDI endorsement is extended for a period of three years starting from the assessment date.

- (c) If the STDI endorsement has expired, it may be renewed by:
 - (1) receiving approved refresher training on practical instructional skills and current operational practices; and
 - (2) successfully passing a practical instructor competence assessment within the year preceding the application.
- (d) If the validity of the STDI endorsement expired for more than four years without exercising the privileges of the rating, the applicant shall:
 - (1) fulfil all the requirements determined by an assessment of previous competence in the relevant rating(s); and
 - (2) have passed an approved practical instructional techniques course during which the required knowledge and pedagogical skills are taught and assessed using theoretical and practical methods.
- (e) In the case of first issue and renewal the period of validity shall be counted from the date of issue.

SECTION 2 ASSESSORS

ATCO.C.045 Assessor privileges

- (a) A person shall only carry out assessments of practical skills with the exception of assessment of practical skills during initial training, when he/she holds an assessor endorsement.
- (b) Holders of an assessor endorsement are authorised to assess the practical skills:
 - (1) of the student air traffic controllers for the issue of a unit endorsement and rating endorsements, if applicable, and
 - (2) of air traffic controllers for the issue of a unit endorsement and rating endorsements, if applicable, as well as for revalidation and renewal of a unit endorsement.
- (c) The privileges of the holder of an assessor endorsement may be extended to the assessment of practical instructors or other assessors when

compliance with the requirements of ATCO.C.065 and ATCO.C.070 is ensured.

- (d) Holders of an assessor endorsement shall only exercise the privileges of the endorsement:
 - (1) in their current unit endorsement(s), provided that they have at least an immediately preceding period of one year's experience in that unit endorsement; and
 - (2) if they have at least two years' experience in the rating and rating endorsement(s) they will assess in.
- (e) When assessing practical skills during unit endorsement courses or for the renewal of the unit endorsement the assessor shall have an on-the-job training instructor endorsement, or an OJTI with a current unit endorsement shall be present to ensure safety.
- (f) In order to ascertain independence from the training process the competent authority may, upon request of the training organisation, authorise an assessor holding the same rating, and if applicable rating endorsement(s), from a different ATC unit with a valid unit endorsement.
- (g) The competent authority may authorise assessors not fulfilling the requirements of paragraph (d) to exercise the privilege of the assessor endorsement in ATC units having less than three assessors. They shall however hold a rating and rating endorsement relevant to the assessment.

ATCO.C.050 Limitation of privileges in case of vested interests

Assessors shall not conduct:

- (a) competence assessment of applicants for the issue or renewal of a unit endorsement to whom they have provided more than 50 % of the on-the-job training required for the unit endorsement for which competence assessment is being taken;
- (b) competence assessments whenever their objectivity may be affected.

ATCO.C.055 Application for assessor endorsement

Applicants for the issue of an assessor endorsement shall:

- (a) hold an air traffic controller licence with a valid unit endorsement;
- (b) have exercised the privileges of an air traffic controller licence for an immediately preceding period of at least two years;
- (c) have successfully completed an approved assessor course within the last two years during which the required knowledge and skills are taught; and
- (d) have been assessed using theoretical and practical methods within the year preceding the application.

ATCO.C.060 Validity of assessor endorsement

- (a) The assessor endorsement shall be valid for a period of three years.
- (b) It may be revalidated by:
 - (1) receiving approved refresher training on assessment skills during the validity period of the assessor endorsement; and
 - (2) either successfully passing an assessor competence assessment; or

- (3) exercising the privileges of the assessor endorsement for a minimum number of assessments as defined in the unit competence scheme.

If the successful assessor competence assessment takes place within the first two years of the validity, the validity is extended for three years starting from the assessment date.

- (c) If the assessor endorsement has expired, it may be renewed by:
 - (1) receiving approved refresher training on assessor skills; and
 - (2) successfully passing an assessor competence assessment;
 within the year preceding the application.
- (d) In the case of first issue and renewal the period of validity shall be counted from the date of issue.

SECTION 3

ASSESSMENT OF PRACTICAL INSTRUCTORS AND ASSESSORS

ATCO.C.065 Assessment of practical instructors

- (a) A person assessing the competence of an OJTI or applicant OJTI shall hold or have held an OJTI endorsement and have exercised the privilege of the endorsement for at least three years.
- (b) A person assessing the competence of an STDI or applicant STDI shall hold or have held an OJTI or STDI endorsement and have exercised the privilege of the endorsement for at least three years.
- (c) The person referred to in paragraphs (a) and (b) shall also have successfully completed approved assessor training.

ATCO.C.070 Assessment of assessors

A person assessing the competence of an assessor or applicant assessor shall hold or have held an assessor endorsement and have exercised the privilege of that endorsement for at least three years.

SECTION 4

INSTRUCTORS AND ASSESSORS OF THIRD-COUNTRY TRAINING ORGANISATIONS

ATCO.C.075 Instructors and assessors of third-country training organisations

- (a) By way of derogation from paragraph 3 of Article 2, in the case of practical instruction and assessments provided by a training organisation located outside the territory of the Member States, the competent authority may grant instructor or assessor privileges to applicants holding an air traffic controller licence issued by a third country in accordance with Annex 1 to the Chicago Convention, provided that the applicant:
 - (1) holds at least an equivalent licence, rating and endorsement to the one for which he/she is authorised to instruct or assess;
 - (2) complies with the requirements established in Part-ATCO, Subpart C;
 - (3) demonstrates to the competent authority an adequate level of knowledge of European aviation safety rules to be able to exercise the instructor or assessor privileges in accordance with this Regulation.

- (b) The privileges referred to in paragraph (a) shall be granted by the issue of a certificate and be limited to provide instruction and assessment:
 - (1) for training organisations located outside the territory of the Member States;
 - (2) to persons undertaking training who have sufficient knowledge of the language in which instruction is given.

SUBPART D — AIR TRAFFIC CONTROLLER TRAINING

SECTION 1 GENERAL REQUIREMENTS

ATCO.D.001 Objectives of air traffic controller training

Air traffic controller training shall cover the entirety of theoretical courses, practical exercises, including simulation, and on-the-job training required in order to acquire and maintain the skills to deliver safe, orderly and expeditious air traffic control services.

ATCO.D.005 Types of air traffic controller training

- (a) Air traffic controller training shall consist of:
 - (1) initial training, leading to the grant of a student air traffic controller licence, providing:
 - (i) 'basic training': theoretical and practical training designed to impart fundamental knowledge and practical skills related to basic operational procedures;
 - (ii) 'rating training': theoretical and practical training designed to impart knowledge and practical skills related to a specific rating and, when relevant, to rating endorsement;
 - (2) unit training, leading to the issue of an air traffic controller licence, validation of rating(s) or rating endorsement(s) and/or the issue or renewal of a unit endorsement. It is composed of the following phases:
 - (i) transitional training phase, designed primarily to impart knowledge and understanding of site specific operational procedures and task specific aspects; and
 - (ii) on-the-job training phase, which is the final phase of unit training during which previously acquired job-related routines and skills are integrated in practice under the supervision of a qualified on-the-job training instructor in a live traffic situation.
 - (iii) At least for unit endorsement(s) that require the handling of complex and dense traffic situations and in addition to points (i) and (ii), a pre-on-the-job training phase is required designed to enhance the development of previously acquired routines and skills to an exceptionally high level of achievement.
 - (3) continuation training, designed to maintain the validity of the endorsements of the licence, consisting of:
 - (i) refresher training;
 - (ii) conversion training, when relevant; and

- (iii) where appropriate, language proficiency training.
- (b) Air traffic controllers may undertake further training for the purpose of obtaining and maintaining an OJTI, STDI or assessor endorsement as specified in Section 5 of this Subpart.

SECTION 2 INITIAL TRAINING REQUIREMENTS

ATCO.D.010 Composition of Initial training

- (a) Initial training, intended for an applicant for a student air traffic controller licence, shall consist of:
 - (1) basic training, comprising all the subjects, subject objectives, topics and subtopics contained within Appendix 3 to this Regulation; and
 - (2) rating training, comprising the subjects, subject objectives, topic and subtopics of at least one of the following:
 - (i) Aerodrome Control Visual Rating — ADV defined in Appendix 4 to this Regulation;
 - (ii) Aerodrome Control Instrument Rating for Tower — ADI (TWR) defined in Appendix 5 to this Regulation;
 - (iii) Approach Control Procedural Rating — APP defined in Appendix 6 to this Regulation;
 - (iv) Area Control Procedural Rating — ACP defined in Appendix 7 to this Regulation;
 - (v) Approach Control Surveillance Rating — APS defined in Appendix 8 to this Regulation;
 - (vi) Area Control Surveillance Rating — ACS defined in Appendix 9 to this Regulation.
- (b) Training intended for an additional rating shall consist of the subjects, subject objectives, topics and subtopics applicable to at least one of the ratings established in paragraph (a)(2).
- (c) Training intended for an additional rating endorsement other than ATCO.B.015(a)(1) shall consist of subjects, subject objectives, topics and subtopics developed by the training organisation and approved as part of the training course.
- (d) Basic and/or rating training may be complemented with subjects, subject objectives, topics and subtopics that are additional or specific to the FAB or national environment.

ATCO.D.015 Basic training examinations and assessment

- (a) Basic training courses shall include theoretical examination(s) and assessment(s) of practical skills.
- (b) A pass in theoretical examination(s) shall be awarded to an applicant achieving a minimum of 75 % of the marks allocated to that examination.
- (c) Assessment(s) of practical skills shall include evaluation of the following performance objectives:
 - (1) checking and using the working position equipment;

- (2) developing and maintaining situational awareness by monitoring traffic and identifying aircraft when applicable;
 - (3) monitoring and updating flight data display(s);
 - (4) maintaining a continuous listening watch on the appropriate frequency;
 - (5) issuing appropriate clearances, instructions and information to traffic;
 - (6) using approved phraseology;
 - (7) communicating effectively;
 - (8) applying separation;
 - (9) applying coordination as necessary;
 - (10) applying the prescribed procedures for the simulated airspace.
- (d) Assessment(s) of performance objectives shall be conducted on a part-task trainer or a simulator.
- (e) A pass in practical skills assessment(s) shall be awarded to an applicant who consistently demonstrates the required performance as listed in paragraph (c) and displays the behaviour required for safe operations within the air traffic control service.

ATCO.D.020 Rating training examinations and assessment

- (a) Rating training courses shall include theoretical examination(s) and assessment(s) of practical skills.
- (b) A pass in theoretical examination(s) shall be awarded to an applicant achieving a minimum of 75 % of the marks allocated to that examination.
- (c) Assessment(s) of practical skills shall be based on the rating training performance objectives described in ATCO.D.025.
- (d) Assessment(s) of practical skills shall be conducted on a simulator.
- (e) A pass in practical skills assessment(s) shall be awarded to an applicant who consistently demonstrates the required performance described in ATCO.D.025, and displays the behaviour required for safe operations within the air traffic control service.

ATCO.D.025 Rating training performance objectives

- (a) Rating training performance objectives and performance objective tasks shall be defined for each rating training course.
- (b) Rating training performance objectives shall require an applicant to:
 - (1) demonstrate the ability to manage air traffic in a manner that ensures safe, orderly and expeditious services; and
 - (2) handle complex and dense traffic situations.
- (c) In addition to paragraph (b), rating training performance objectives for the Aerodrome Control Visual and Aerodrome Control Instrument Rating shall ensure that applicants:
 - (1) manage the workload and provide air traffic services within a defined aerodrome area of responsibility; and
 - (2) apply aerodrome control techniques and operational procedures to aerodrome traffic.

- (d) In addition to paragraph (b), rating training performance for the Approach Control Procedural Rating shall ensure that applicants:
 - (1) manage the workload and provide air traffic services within a defined approach control area of responsibility; and
 - (2) apply procedural approach control, planning techniques and operational procedures to arriving, holding, departing and transiting traffic.
- (e) In addition to paragraph (b), rating training performance objectives for Approach Control Surveillance Rating shall ensure that applicants:
 - (1) manage the workload and provide air traffic services within a defined approach control area of responsibility; and
 - (2) apply approach surveillance control, planning techniques and operational procedures to arriving, holding, departing and transiting traffic.
- (f) In addition to paragraph (b), rating training performance objectives for Area Control Procedural Rating shall ensure that applicants:
 - (1) manage the workload and provide air traffic services within a defined area control area of responsibility; and
 - (2) apply procedural area control, planning techniques and operational procedures to area traffic.
- (g) In addition to paragraph (b), rating training performance objectives for Area Control Surveillance Rating shall ensure that applicants:
 - (1) manage the workload and provide air traffic services within a defined area control area of responsibility; and
 - (2) apply area surveillance control, planning techniques and operational procedures to area traffic.

ATCO.D.030 Basic and rating training courses

- (a) Basic and rating training shall be provided as separate or integrated courses.
- (b) Basic and rating training courses or an integrated initial training course shall be developed and provided by approved training organisations and approved by the competent authority.
- (c) The training organisation that combines the subjects and/or topics and/or subtopics of two or more initial training types to form an integrated course shall provide a clear distinction between the examinations and assessments for:
 - (1) basic training; and
 - (2) each rating training.
- (d) The completion of initial training shall be demonstrated by a certificate.
- (e) Upon request, a certificate of completion of the basic training shall be issued by the training organisation only if all subjects, topics and subtopics contained within Appendix 3 to this Regulation have been completed and the applicant has successfully passed the associated examinations and assessments.

- (f) Assessments of practical skills during initial training may be conducted by STDIs and OJTIs who have successfully completed approved assessor training.

ATCO.D.035 Availability of examination and assessment results

- (a) The training organisation shall make available to the applicant his/her results of examinations and assessments.
- (b) Upon the applicant's request the training organisation shall issue a certificate with his/her result of examinations and assessments.

ATCO.D.040 Initial training plan

Training organisations shall establish an initial training plan, which shall contain at least:

- (a) the composition of the initial training course provided according to ATCO.D.010;
- (b) the structure of the initial training provided according to ATCO.D.030(b);
- (c) the process for the conduct of the initial training course(s);
- (d) the training methods;
- (e) minimum and maximum duration of the initial training course(s);
- (f) with regard to ATCO.D.010(b) process for adapting the initial training course(s) to take due account of a successfully completed basic training course;
- (g) processes for examinations and assessments according to ATCO.D.015 and ATCO.D.020, as well as performance objectives according to ATCO.D.025;
- (h) training personnel qualifications, roles and responsibilities;
- (i) process for early termination of training;
- (j) the appeal process;
- (k) identification of records to be kept specific to initial training;
- (l) process and reasons for reviewing and amending the initial training plan and its submission to the competent authority. The review of the initial training plan shall take place at least once every three years.

**SECTION 3
UNIT TRAINING REQUIREMENTS**

ATCO.D.045 Composition of unit training

- (a) Unit training shall consist of approved training course(s) for each unit endorsement established at the ATC unit as defined in the unit training plan.
- (b) The unit endorsement course(s) shall be developed and provided by approved training organisations and approved by the competent authority according to ATCO.D.060.
- (c) Unit training shall include training in:
- (1) operational procedures;
 - (2) task specific aspects;
 - (3) abnormal and emergency situations; and

- (4) human factors.

ATCO.D.050 Prerequisites of unit training

Unit training may only be commenced by persons, who are holders of:

- (a) a student air traffic controller licence with the appropriate rating and, where applicable, rating endorsement; or
- (b) an air traffic controller licence with the appropriate rating and, where applicable, rating endorsement.

ATCO.D.055 Unit training plan

- (a) Training organisations shall establish a unit training plan for each ATC unit.
- (b) The unit training plan shall contain at least:
 - (1) ratings and endorsements for which the training is conducted;
 - (2) the structure of the unit training;
 - (3) unit endorsement course(s) according to ATCO.D.060;
 - (4) the process for the conduct of a unit endorsement course;
 - (5) the training methods;
 - (6) minimum and maximum duration of the unit endorsement course(s);
 - (7) process for adapting the unit endorsement course(s) to take due account of the acquired ratings and/or rating endorsements and experience of applicants, when relevant;
 - (8) processes for demonstrating theoretical knowledge and understanding according to ATCO.D.065, including the number, frequency and type of as well as pass marks for examinations;
 - (9) processes for the assessment of practical skills according to ATCO.D.070, including the number and frequency of assessments;
 - (10) training personnel qualifications, roles and responsibilities;
 - (11) process for early termination of training;
 - (12) the appeal process;
 - (13) identification of records to be kept specific to the unit training;
 - (14) a list of identified abnormal and emergency situations specific for each unit endorsement;
 - (15) process and reasons for reviewing and amending the unit training plan and its submission to the competent authority. The review of the unit training plan shall take place at least once every three years.

ATCO.D.060 Unit endorsement course

- (a) A unit endorsement course shall be the combination of the relevant unit training phases for the issue or renewal of a unit endorsement in the licence. Each course shall contain:
 - (1) a transitional training phase;
 - (2) an on-the-job training phase.

A pre-on-the-job training phase shall be included, if required, according to ATCO.D.005(a)(2).

- (b) The unit training phases referred to in paragraph (a) shall be provided as separate or integrated courses.
- (c) Unit endorsement courses shall define the syllabus and the performance objectives and shall be conducted in accordance with the unit training plan.
- (d) Unit endorsement courses that include training for rating endorsement(s) according to ATCO.B.015 shall be supplemented with additional training that allows for the acquisition of the concerned rating endorsement skills.
- (e) Training intended for an additional rating endorsement other than ATCO.B.015(a)(1) shall consist of subjects, subject objectives, topics and subtopics developed by the training organisation and approved as part of the training course.
- (f) Unit endorsement courses shall be adapted to include elements of initial training that are specific to the FAB or national environment when the applicant holds a licence that was issued in a Member State other than that the ATC unit is located in.

ATCO.D.065 Demonstration of theoretical knowledge and understanding

Theoretical knowledge and understanding shall be demonstrated by examinations.

ATCO.D.070 Assessments of practical skills during unit endorsement courses

- (a) The assessment of the applicant's practical skills shall be conducted in the operational environment under normal operational conditions at least once at the end of on-the-job training.
- (b) When the unit endorsement course contains a pre-on-the-job training phase, the applicant's skills shall be assessed on a synthetic training device at least at the end of this phase.
- (c) Notwithstanding paragraph (a), a synthetic training device may be used during a unit endorsement assessment to demonstrate the application of trained procedures not encountered in the operational environment during the assessment.

SECTION 4 CONTINUATION TRAINING REQUIREMENTS

ATCO.D.075 Continuation training

Continuation training shall consist of refresher and conversion training courses as well as language training according to ATCO.D.005 and shall be provided according to the processes defined in the unit competence scheme according to ATCO.B.025.

ATCO.D.080 Refresher training

- (a) Refresher training course(s) shall be developed and provided by training organisations and approved by the competent authority.
- (b) Refresher training shall be designed to review, reinforce or enhance the existing knowledge and skills of air traffic controllers to provide a safe, orderly and expeditious flow of air traffic and shall contain at least:
 - (1) standard practices and procedures;

- (2) abnormal and emergency situations training, using phraseology and radio communication effectively; and
- (3) human factors training.
- (c) Training organisations shall develop a syllabus for the refresher training course. Where a subject refreshes skills of air traffic controllers, the training organisation shall also develop performance objectives.

ATCO.D.085 Conversion training

- (a) Conversion training course(s) shall be developed and provided by training organisations and approved by the competent authority.
- (b) Conversion training shall be designed to provide knowledge and skills appropriate to a change in the operational environment and shall be provided by training organisations when the safety assessment of the change concludes the need for such training.
- (c) Training organisations shall:
 - (1) determine the appropriate training method and duration for the course, taking into account the nature and the extent of the change;
 - (2) determine the examination and/or assessment methods for the conversion training; and
 - (3) conduct the training before the implementation of the change.

ATCO.D.090 Language training

Where appropriate, air navigation service providers shall make available language training to maintain the required level of language proficiency of air traffic controllers.

**SECTION 5
TRAINING OF INSTRUCTORS AND ASSESSORS**

ATCO.D.095 Training of practical instructors

- (a) Training organisations providing training of practical instructors shall develop and provide:
 - (1) practical instructional techniques course for OJTI and STDI, including an assessment;
 - (2) refresher training course on practical instructional skills;
 - (3) method(s) for assessing the competence of practical instructors.
- (b) The training courses and assessment methods referred to in paragraph (a) shall be approved by the competent authority.

ATCO.D.100 Training of assessors

- (a) Training organisations providing training of assessors shall develop and provide:
 - (1) an assessor training course, including an assessment;
 - (2) refresher training course on assessment skills;
 - (3) method(s) for assessing the competence of assessors.
- (b) The training courses and the assessment method referred to in paragraph (a) shall be approved by the competent authority.

ANNEX II

PART-ATCO.AR

REQUIREMENTS FOR COMPETENT AUTHORITIES

SUBPART A — GENERAL REQUIREMENTS

ATCO.AR.A.001 Scope

This part establishes the administrative requirements applicable to the competent authority with responsibility for the issue, maintenance, suspension or revocation of licences, ratings, endorsements and certificates for air traffic controllers and certification and oversight of training organisations and aero-medical centres.

ATCO.AR.A.005 Personnel

Personnel authorised by the competent authority to carry out certification and/or oversight tasks shall be empowered to perform as a minimum the following acts:

- (a) examine documents, including licences, certificates, records, data, procedures and any other material relevant to the execution of the required task;
- (b) take copies of or extracts from such records, data, procedures and other material;
- (c) ask for an oral explanation on-site and/or request written explanation;
- (d) enter relevant premises, operating sites or means of transport;
- (e) perform audits and inspections, including unannounced inspections;
- (f) take enforcement measures as appropriate.

ATCO.AR.A.010 Tasks of the competent authorities

- (a) The tasks of the competent authorities shall include:
 - (1) the issue, suspension and revocation of licences, ratings, endorsements and of medical certificates;
 - (2) the issue of temporary OJTI authorisations according to ATCO.C.025;
 - (3) the revalidation and renewal of endorsements and the revalidation, renewal and limitation of medical certificates;
 - (4) the issue, revalidation, renewal, suspension, revocation, limitation and change of aero-medical examiner certificates;
 - (5) the issue, renewal, suspension, revocation and limitation of training organisation certificates and of the certificates of aero-medical centres;
 - (6) the approval of training courses, plans and unit competence schemes, as well as assessment methods;
 - (7) the establishment of the assessment method for the demonstration of language proficiency according to ATCO.B.040;
 - (8) the approval of the need for the extended level (level five) language proficiency in accordance with ATCO.B.030(d);
 - (9) the monitoring of training organisations, including their approved training courses, plans and unit competence schemes;

- (10) the approval of the procedures related to decrease in medical fitness in accordance with ATCO.MED.A.020.
 - (11) the establishment of appropriate appeal procedures and notification mechanisms;
 - (12) facilitating the recognition and exchange of licences, including the transfer of the records of air traffic controllers according to ATCO.A.010(c);
 - (13) facilitating the recognition of training organisation certificates and course approvals.
- (b) Upon requests for a transfer of an ATCO licence from one Member State to another Member State according to ATCO.A.010(c), the competent authority issuing the new licence shall include ratings, endorsements, licence endorsements and all valid unit endorsements in the licence.

ATCO.AR.A.015 Information to the Agency

- (a) The competent authority shall without undue delay notify the Agency in case of any significant problems with the implementation of Regulation (EC) No 216/2008 and this Regulation.
- (b) The competent authority shall provide the Agency with safety-significant information stemming from the occurrence reports it has received.

SUBPART B — MANAGEMENT

ATCO.AR.B.001 Management system

- (a) The competent authority shall establish and maintain a management system, including as a minimum:
 - (1) documented policies and procedures to describe its organisation, means and methods to achieve compliance with this Regulation and Regulation (EC) No 216/2008. The procedures shall be kept up to date and serve as the basic working documents within that competent authority for all related tasks;
 - (2) a sufficient number of personnel to perform its tasks and discharge its responsibilities. Such personnel shall be qualified to perform their allocated tasks and have the necessary knowledge and experience in the domain, initial and recurrent training to ensure ongoing competence. A system shall be in place to plan the availability of personnel, in order to ensure the proper completion of all tasks;
 - (3) adequate facilities and office accommodation to perform the allocated tasks;
 - (4) a function to monitor compliance of the management system with the relevant requirements and adequacy of the procedures, including the establishment of an internal audit process and a safety risk management process. Compliance monitoring shall include a feedback system of audit findings to the senior management of the competent authority to ensure implementation of corrective actions as necessary; and

- (5) a person or group of persons, ultimately responsible to the senior management of the competent authority for the compliance monitoring function.
- (b) The competent authority shall, for each field of activity, appoint one or more persons with the overall responsibility for the management of the relevant task(s).
- (c) The competent authority shall establish procedures for the participation in the exchange of all necessary information and assistance to other competent authorities concerned, including information exchange on all findings raised and follow-up actions taken as a result of oversight of persons and organisations exercising activities in the territory of a Member State, but certified by the competent authority of another Member State.
- (d) A copy of the procedures related to the management system and their amendments shall be made available to the Agency for the purpose of standardisation.

ATCO.AR.B.005 Allocation of tasks to qualified entities

- (a) Tasks related to the certification or oversight of persons or organisations subject to Regulation (EC) No 216/2008 and its Implementing Rules shall only be allocated to qualified entities. When allocating tasks, the competent authority shall ensure that it has:
 - (1) a system in place to initially and continuously assess that the qualified entity complies with Annex V to Regulation (EC) No 216/2008.
This system and the results of the assessments shall be documented;
 - (2) established a documented agreement with a qualified entity, approved by both parties at the appropriate management level, which clearly defines:
 - (i) the tasks to be performed;
 - (ii) the declarations, reports and records to be provided;
 - (iii) the technical conditions to be met in performing such tasks;
 - (iv) the related liability coverage; and
 - (v) the protection given to information acquired in carrying out such tasks.
- (b) The competent authority shall ensure that the internal audit process and a safety risk management process required by ATCO.AR.B.001(a)(4) cover all certification or oversight tasks performed on its behalf.

ATCO.AR.B.010 Changes in the management system

- (a) The competent authority shall have a system in place to identify changes that affect its capability to perform its tasks and discharge its responsibilities as defined in this Regulation in order to take action as appropriate to ensure the management system remains adequate and effective.
- (b) The competent authority shall update its management system relating to any change to this Regulation in a timely manner to ensure effective implementation.

- (c) The competent authority shall notify the Agency of changes affecting its capability to perform its tasks and discharge its responsibilities as defined in this Regulation.

ATCO.AR.B.015 Record-keeping

- (a) Competent authorities shall ensure that a database is maintained listing the competencies of all licence and certificate holders under their responsibility.
- (b) The competent authority shall establish a system of record-keeping providing for adequate storage, accessibility and reliable traceability of:
- (1) the management system's documented policies and procedures;
 - (2) training, qualification and authorisation of its personnel;
 - (3) the use of qualified entities;
 - (4) certification processes and continuing oversight of certified organisations;
 - (5) details of courses provided by training organisations;
 - (6) processes for the issue of licences, ratings, endorsements and certificates, and for the continuing oversight of the holders of those licences, ratings, endorsements and certificates;
 - (7) continuing oversight of persons and organisations exercising activities within the territory of the Member State, but certified by the competent authority of another Member State, as agreed between these authorities;
 - (8) findings, corrective actions and date of action closure;
 - (9) enforcement measures taken;
 - (10) safety information and follow-up measures; and
 - (11) the use of flexibility provisions in accordance with Article 14 of Regulation (EC) No 216/2008.
- (c) Records shall be kept for a minimum period of five years and with regard to the licence holders at least during their life time, subject to the applicable data protection law.

SUBPART C — OVERSIGHT AND ENFORCEMENT

ATCO.AR.C.001 Oversight

- (a) The competent authority shall verify:
- (1) compliance with requirements applicable to organisations or persons prior to the issue of an organisation certificate or personnel licence, certificate, rating, or endorsement, as applicable;
 - (2) the continued compliance with the applicable requirements and the conditions attached to the training organisation's certificate, as well as the applicable requirements for training courses, plans and schemes it has approved and requirements applicable to personnel;
 - (3) implementation of appropriate safety measures mandated by the competent authority.

- (b) This verification shall:
- (1) be supported by documentation specifically intended to provide guidance to personnel responsible for safety oversight in order to perform their functions;
 - (2) provide persons and organisations concerned with the results of safety oversight activity;
 - (3) be based on audits and inspections, including unannounced inspections; and
 - (4) provide the competent authority with the evidence needed in case further action is required, including the measures foreseen in ATCO.AR.C.010 and ATCO.AR.E.010.
- (c) The scope of oversight shall be determined on the basis of the scope and results of past oversight activities and safety priorities.
- (d) Without prejudice to the competencies of the Member States, the scope and results of oversight of activities performed in the territory of a Member State by persons or organisations established or residing in another Member State shall be determined on the basis of the safety priorities, as well as past oversight activities.
- (e) Where the activity of a person or organisation involves more than one Member State, the competent authority responsible for the oversight according to paragraphs (a) to (c) may agree to specific alternative oversight arrangements with the other competent authority(ies). Any person or organisation subject to such agreement shall be informed of its existence and of its scope.

ATCO.AR.C.005 Oversight programme

- (a) The competent authority shall establish and maintain an oversight programme covering the oversight activities required by ATCO.AR.C.001.
- (b) For organisations certified by the competent authority the oversight programme shall be developed taking into account the specific nature of the organisation, the complexity of its activities and past certification and/or oversight activities. It shall include within each oversight planning cycle:
- (1) audits and inspections, if needed, including unannounced inspections as appropriate; and
 - (2) meetings convened between the management of the training organisation and the competent authority to ensure that both remain informed of significant issues.
- (c) For organisations certified by the competent authority an oversight planning cycle not exceeding 24 months shall be applied.

The oversight planning cycle may be reduced if there is evidence that the safety performance of the organisation has decreased.

The oversight planning cycle may be extended to a maximum of 36 months if the competent authority has established that during the previous 24 months:

- (1) the organisation has demonstrated an effective identification of aviation safety hazards and management of associated risks; and

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- (2) the organisation has continuously demonstrated under ATCO.OR.B.020 that it has full control over all changes; and
- (3) no level 1 findings have been issued; and
- (4) all corrective actions have been implemented within the time period accepted or extended by the competent authority as defined in ATCO.AR.E.010.

The oversight planning cycle may be further extended to a maximum of 48 months if, in addition to the above, the organisation has established, and the competent authority has approved, an effective continuous reporting system to the competent authority on the safety performance and regulatory compliance of the organisation itself.

- (d) The oversight programme for training organisations shall include the monitoring of training standards including the sampling of training delivery if appropriate.

ATCO.AR.C.010 Findings and enforcement measures for personnel

- (a) If during oversight or by any other means evidence is found by the competent authority responsible for the oversight in accordance with ATCO.AR.C.001 that shows non-compliance with the applicable requirements by a person holding a licence or medical certificate issued in accordance with this Regulation, the competent authority shall raise a finding, record it and communicate it in writing to the licence or certificate holder and the employing organisation, if applicable.
- (b) When the competent authority that raised the finding is the competent authority responsible for the issuing of the licence or certificate:
 - (1) it may suspend or revoke the licence, rating, endorsement or limit, suspend or revoke the medical certificate as applicable, when a safety issue has been identified; and
 - (2) it shall take any further enforcement measures necessary to prevent the continuation of the non-compliance.
- (c) When the competent authority that raised the finding is not the competent authority responsible for the issuing of the licence, it shall inform the competent authority that issued the licence or certificate and, where applicable, the person or organisation that issued the medical certificate. In this case, the competent authority that issued the licence or certificate shall take action in accordance with paragraph (b) and inform the competent authority that raised the finding.

SUBPART D — ISSUE, REVALIDATION, RENEWAL, SUSPENSION AND REVOCATION OF LICENCES, RATINGS AND ENDORSEMENTS

ATCO.AR.D.001 Procedure for the issue, revalidation and renewal of licences, ratings and endorsements

- (a) The competent authority shall establish procedures for the application for and the issuing of licences, ratings and endorsements, as well as the revalidation and renewal of endorsements. These procedures may include the authorisation for assessors to revalidate and renew unit endorsements in which case assessors shall submit all records, reports and any other information to the competent authority as defined in such procedures.

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- (b) Upon receipt of an application and, if relevant, any supporting documents, the competent authority shall verify the application for completeness and ensure that the information provided meets the relevant requirements of this Regulation.
- (c) When satisfied that the applicant meets the relevant requirements of this Regulation, the competent authority shall issue, revalidate or renew the relevant licence, rating(s) and endorsement(s) using the format for licences in Appendix 1 to this Regulation.

ATCO.AR.D.005 Reissue of an ATCO licence

- (a) The competent authority shall reissue an air traffic controller licence if necessary for administrative reasons and when paragraph XIIb of the licence is completed and no further spaces remain.
- (b) The date of the first issue of the ratings, rating endorsements and licence endorsements shall be transferred to the new licence.

ATCO.AR.D.010 Suspension and revocation of licences, ratings and endorsements

- (a) For the purpose of ATCO.A.020 the competent authority shall establish administrative procedures for the suspension and revocation of licences, ratings and endorsements.
- (b) The competent authority may suspend the licence in the case of provisional inability not being terminated according to the procedures referred to in ATCO.A.015(e).
- (c) The competent authority shall suspend or revoke a licence, rating or endorsement in accordance with ATCO.AR.C.010 in, but not limited to, the following circumstances:
 - (1) exercising the privileges of the licence when the licence holder no longer complies with the applicable requirements of this Regulation;
 - (2) obtaining a student air traffic controller or an air traffic controller licence, rating, endorsement or certificate by falsification of submitted documentary evidence;
 - (3) falsification of the licence or certificate records;
 - (4) exercising the privileges of the licence, rating(s) or endorsement(s) when adversely affected by psychoactive substances;
 - (5) evidence of malpractice or fraudulent use of the licence; or
 - (6) unacceptable behaviour of the instructor or assessor while performing their duties or responsibilities.
- (d) In cases of suspension or revocation of licences, ratings and endorsements, the competent authority shall inform the licence holder in writing of this decision and of their right of appeal in accordance with the procedures in accordance with ATCO.AR.A.010(a)(11).
- (e) The competent authority shall also suspend or revoke a licence, rating or endorsement upon written request of the licence holder.

- (f) Examinations and assessments conducted by an assessor, during suspension or after the revocation of his/her assessor endorsement, will be invalid.

SUBPART E — CERTIFICATION PROCEDURE FOR AIR TRAFFIC CONTROLLER TRAINING ORGANISATIONS

ATCO.AR.E.001 Application and certification procedure for training organisations

- (a) Upon receiving an application for the issue of a training organisation certificate, the competent authority shall verify the compliance of training organisations with the applicable requirements.
- (b) Competent authorities shall issue certificates when the applicant training organisation fulfils the requirements laid down in Annex III (Part-ATCO.OR).
- (c) The certificate may be issued for each type of training or in combination with other air navigation services, whereby the type(s) of training and the type(s) of air navigation service(s) shall be certified as a package of services.
- (d) The certificate shall follow the format set out in Appendix 1 to this Regulation.
- (e) To enable an organisation to implement changes without prior competent authority's approval in accordance with ATCO.OR.B.020 and ATCO.AR.E.005(c), the competent authority shall approve the procedure submitted by the training organisation defining the scope of such changes and describing how such changes will be managed and notified.

ATCO.AR.E.005 Changes to organisations

- (a) Upon receiving an application for a change that requires prior approval, the competent authority shall verify the training organisation's compliance with the applicable requirements before the issue of the approval.

The competent authority shall approve the conditions under which the organisation may operate during the change, unless the competent authority determines that the change cannot be implemented.

When satisfied that the training organisation complies with the applicable requirements, the competent authority shall approve the change.

- (b) Without prejudice to any additional enforcement measures, when the organisation implements changes requiring prior approval without having received the competent authority's approval as defined in paragraph (a), the competent authority shall take immediate and adequate action.
- (c) For changes not requiring prior approval, the competent authority shall approve a procedure developed by the training organisation in accordance with ATCO.OR.B.020 defining the scope of such changes and its management and notification mechanism. In the continuing oversight process the competent authority shall assess the information provided in the notification sent to verify compliance with the applicable requirements.

ATCO.AR.E.010 Findings and corrective actions

- (a) The competent authority shall have a system to analyse findings for their safety significance.

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- (b) A level 1 finding shall be issued by the competent authority when any significant non-compliance is detected with the applicable requirements of Regulation (EC) No 216/2008 and this Regulation, with the training organisation's procedures and manuals, with the type(s) of training and/or service(s) provided or certificate which lowers or seriously endangers safety and/or results in a significant degradation of the quality of the training provided.

A level 1 finding shall include, but not be limited to:

- (1) failure to give the competent authority access to the training organisation's facilities as defined in ATCO.OR.B.030 during normal operating hours and after two written requests;
 - (2) obtaining or maintaining the validity of the training organisation certificate by falsification of submitted documentary evidence;
 - (3) evidence of malpractice or fraudulent use of the training organisation certificate; and
 - (4) the lack of an accountable manager.
- (c) A level 2 finding shall be issued by the competent authority when any non-compliance is detected with the applicable requirements of Regulation (EC) No 216/2008 and this Regulation, with the training organisation's procedures and manuals, with the type(s) of training and/or service(s) provided or certificate which may lower or endanger safety and/or may result in a degradation of the quality of the training provided.
- (d) When a finding is detected during oversight or by any other means, the competent authority shall, without prejudice to any additional action required by Regulation (EC) No 216/2008 and this Regulation, communicate the finding to the training organisation in writing and request corrective action to address the non-compliance(s) identified.
- (1) In the case of level 1 findings the competent authority shall take immediate and appropriate action to prohibit or limit activities, and if appropriate, it shall take action to revoke the certificate or to limit or suspend it in whole or in part, depending upon the extent of the finding, until successful corrective action has been taken by the training organisation.
 - (2) In the case of level 2 findings, the competent authority shall:
 - (i) grant the training organisation a corrective action implementation period included in an action plan appropriate to the nature of the finding that in any case initially shall not exceed 90 days. At the end of this period, and subject to the nature of the finding, the competent authority may extend the 90-day period subject to a satisfactory corrective action plan agreed by the competent authority; and
 - (ii) assess the corrective action and implementation plan proposed by the training organisation and, if the assessment concludes that they are sufficient to address the non-compliance(s), accept these.
 - (3) Where a training organisation fails to submit an acceptable corrective action plan, or to perform the corrective action within the time period accepted or extended by the competent authority, the finding shall be

raised to a level 1 finding, and action shall be taken as laid down in (d)(1) above.

- (e) The competent authority shall record all findings it has raised and where applicable, the enforcement measures it has applied, as well as all corrective actions and date of action closure for findings.

SUBPART F — SPECIFIC REQUIREMENTS RELATING TO AERO-MEDICAL CERTIFICATION

SECTION I GENERAL REQUIREMENTS

ATCO.AR.F.005 Aero-medical centres and aero-medical certification

By way of derogation from Subparts A, B and C, with regard to aero-medical centres (AeMCs) and aero-medical certification, the competent authority shall apply the following provisions of Annex VI to Commission Regulation (EU) No 290/2012 (the Aircrew Regulation)⁶, with the exclusion of all references to general medical practitioners (GMPs):

- Subpart ARA.GEN;
- Subpart ARA.AeMC;
- ARA.MED.120 Medical assessors;
- ARA.MED.125 Referral to the licensing authority;
- ARA.MED.150 Record keeping;
- ARA.MED.200 Procedure for the issue, revalidation, renewal or change of an AME certificate;
- ARA.MED.245 Continuing oversight;
- ARA.MED.250 Limitation, suspension or revocation of an AME certificate;
- ARA.MED.255 Enforcement measures;
- ARA.MED.315 Review of examination reports; and
- ARA.MED.325 Secondary review procedure.

SECTION II DOCUMENTATION

ATCO.AR.F.010 Medical certificate

The medical certificate shall conform to the following specifications:

- (a) Content
- (1) State where the ATCO licence has been issued or applied for (I);
 - (2) Class of medical certificate (II);
 - (3) Certificate number commencing with the UN country code of the State where the ATCO licence has been issued or applied for and followed by a code of numbers and/or letters in Arabic numerals and Latin script (III);
 - (4) Name of holder (IV);

⁶ OJ L 100, 5.4.2012, p. 1.

- (5) Nationality of holder (VI);
 - (6) Date of birth of holder (XIV);
 - (7) Signature of holder (VII);
 - (8) Limitation(s) (XIII);
 - (9) Expiry date of the class 3 medical certificate (IX);
 - (10) Date of examination;
 - (11) Date of last electrocardiogram;
 - (12) Date of last audiogram;
 - (13) Date of issue and signature of AME or medical assessor that issued the medical certificate (X);
 - (14) Seal or stamp.
- (b) Material: The paper or other material used shall prevent or readily show any alterations or erasures. Any entries or deletions to the form shall be clearly authorised by the competent authority.
- (c) Language: Medical certificates shall be written in the national language(s) and in English and such language as the competent authority deems appropriate.
- (d) All dates on the medical certificate shall be written in a dd/mm/yyyy format.

ATCO.AR.F.015 AME certificate

When satisfied that the AME is in compliance with the applicable requirements, the competent authority shall issue, revalidate, renew or change the AME certificate using the form as established in Appendix 11 to this Regulation.

ATCO.AR.F.020 AeMC certificate

When satisfied that the AeMC is in compliance with the applicable requirements, the competent authority shall issue or change the AeMC certificate, using the form as established in Appendix 12 to this Regulation.

ATCO.AR.F.025 Aero-medical forms

The competent authority shall provide AMEs and AeMCs with the forms to be used for:

- (a) the application form for a medical certificate; and
- (b) the examination report form for class 3 applicants.

ANNEX III**PART-ATCO.OR****REQUIREMENTS FOR AIR TRAFFIC CONTROLLER TRAINING
ORGANISATIONS AND AERO-MEDICAL CENTRES****SUBPART A — GENERAL REQUIREMENTS****ATCO.OR.A.001 Scope**

- (a) This part establishes the requirements applicable to air traffic controller training organisations and aero-medical centres in order to obtain and maintain a certificate in accordance with Regulation (EC) No 216/2008 and this Regulation.
- (b) Air navigation service providers providing training to air traffic controllers according to Annex I, Part-ATCO, Subpart D, shall comply with the requirements applicable to air traffic controller training organisations set out in this Regulation and shall obtain and maintain a certificate in accordance with Regulation (EC) No 216/2008 and this Regulation.

**SUBPART B — GENERAL REQUIREMENTS FOR AIR TRAFFIC CONTROLLER
TRAINING ORGANISATIONS****ATCO.OR.B.005 Competent authority**

For the purpose of this part, the competent authority shall be:

- (a) the authority nominated or established by the Member State as their national supervisory authority where the applicant has his/her principal place of operation or its registered office, if any, unless otherwise provided in bilateral or multilateral agreements between Member States or competent authorities;
- (b) the Agency if the applicant has his/her principal place of operation or its registered office, if any, outside the territory of the Member States.

ATCO.OR.B.010 Application for a training organisation certificate

- (a) Applications for a training organisation certificate or an amendment to an existing certificate shall be submitted to the competent authority in due time to allow the competent authority to evaluate the application. The application shall be submitted in accordance with the procedure established by that authority.
- (b) Applicants for an initial certificate shall demonstrate to the competent authority how they will comply with the requirements established in Regulation (EC) No 216/2008 and this Regulation.
- (c) Training organisations shall demonstrate that they are adequately staffed and equipped and operate in an environment suitable for the provision of the training necessary to obtain student air traffic controller licences and to obtain or maintain air traffic controller licences.
- (d) An application for a training organisation certificate or an amendment of an existing certificate shall include the following information:
 - (1) the applicant's name and address;

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- (2) the address(es) of the place(s) of operation (including, where relevant, the list of ATC units) if different from the applicant's address in (a) above;
- (3) the names, telephone, fax numbers and e-mail addresses of:
 - (i) the accountable manager;
 - (ii) the head of the training organisation, if different from (i) above;
 - (iii) the person(s) nominated by the training organisation as the focal point(s) for communication with the competent authority;
- (4) date of intended commencement of activity or change;
- (5) a list of training courses and/or service(s) provided;
- (6) the declaration of compliance with the applicable requirements shall be signed by the accountable manager, stating the training organisation's compliance with the requirements at all times;
- (7) the management system processes; and
- (8) the date of application.

ATCO.OR.B.015 Terms of approval and privileges of a training organisation certificate

- (a) Training organisations shall comply with the scope and privileges defined in the terms of approval attached to the organisation's certificate.
- (b) The privileges to provide unit, refresher and conversion training shall only be granted to the training organisation if it also has the privilege to provide air traffic control service or has concluded a specific arrangement with an ATC provider.

ATCO.OR.B.020 Changes to the training organisation

- (a) Changes to the organisation that affect the certificate or the terms of approval of the training organisation or any relevant element of the training organisation's management systems shall require prior approval of the competent authority.
- (b) Training organisations shall agree with their competent authority on the changes that require prior approval in addition to those specified in paragraph (a).
- (c) For any changes requiring prior approval in accordance with paragraphs (a) and (b), the training organisation shall apply for and obtain an approval issued by the competent authority. The application shall be submitted before any such change takes place, in order to enable the competent authority to determine continued compliance with this Regulation and to amend, if necessary, the training organisation certificate and related terms of approval attached to it.

Training organisations shall provide the competent authority with all relevant documentation.

The change shall only be implemented upon receipt of formal approval by the competent authority in accordance with ATCO.AR.E.005.

Training organisations shall operate under the conditions prescribed by the competent authority during such changes, as applicable.

- (d) Changes to the elements referred to in paragraph (a) due to unforeseen circumstances shall be notified to the competent authority without delay in order to obtain approval as necessary.
- (e) All changes not requiring prior approval shall be managed and notified to the competent authority as defined in the procedure approved by the competent authority in accordance with ATCO.AR.E.005.
- (f) Training organisations shall notify the competent authority when they cease their activities.

ATCO.OR.B.025 Continued validity

- (a) A training organisation's certification shall remain valid subject to the certificate not being surrendered or revoked and subject to the training organisation remaining in compliance with the requirements of Regulation (EC) 216/2008 and this Regulation, taking into account the provisions related to the handling of findings in accordance with ATCO.OR.B.035.
- (b) The certificate shall be returned to the competent authority without delay upon its revocation or the cease of all activities.

ATCO.OR.B.030 Access to training organisations facilities and data

Training organisations and applicants for training organisation certificates shall grant access to any person authorised by the competent authority to the relevant premises in order to examine the required records, data, procedures and any other material pertinent to the execution of the tasks of the competent authority.

ATCO.OR.B.035 Findings

After receipt of notification of findings issued by the competent authority in accordance with ATCO.AR.E.010, the training organisation shall:

- (a) identify the root cause of the finding;
- (b) define a corrective action plan; and
- (c) demonstrate the corrective action implementation to the satisfaction of the competent authority within the period agreed with that authority as defined in ATCO.AR.E.010.

ATCO.OR.B.040 Immediate reaction to a safety problem

The training organisation shall implement any safety measures mandated by the competent authority in accordance with ATCO.AR.C.001(a)(3) for the training organisation activities.

ATCO.OR.B.045 Occurrence reporting

- (a) Training organisations providing on-the-job training shall report to the competent authority, and to any other organisation required by the State of the operator to be informed, any accident, serious incident and occurrence as defined in Regulation (EU) No 996/2010 and Directive 2003/42/EC.
- (b) Reports shall be made as soon as practicable, but in any case within 72 hours of the training organisation identifying the condition to which the report relates, unless exceptional circumstances prevent this.
- (c) Where relevant, training organisations shall produce a follow-up report to provide details of actions it intends to take to prevent similar occurrences in the future, as soon as these actions have been identified.

- (d) Without prejudice to Regulation (EU) No 996/2010 and Directive 2003/42/EC, the reports referred in paragraph (a) to (c) shall be made in a form and manner established by the competent authority and contain all pertinent information about the condition known to the training organisation.

SUBPART C — MANAGEMENT OF AIR TRAFFIC CONTROLLER TRAINING ORGANISATIONS

ATCO.OR.C.001 Management system of training organisations

Training organisations shall establish, implement and maintain a management system that includes:

- (a) clearly defined lines of responsibility and accountability throughout the organisation, including direct safety accountability of the accountable manager;
- (b) a description of the overall principles of the organisation with regard to safety, referred to as the safety policy;
- (c) the identification of aviation safety hazards entailed by the activities of the training organisation, their evaluation and the management of associated risks, including actions to mitigate the risk and verify their effectiveness;
- (d) maintaining personnel trained and competent to perform their tasks;
- (e) documentation of all management system key processes, including a process for making personnel aware of their responsibilities and the procedure for amending this documentation;
- (f) a function to monitor compliance of the organisation with the relevant requirements. Compliance monitoring shall include a feedback system of findings to the accountable manager to ensure effective implementation of corrective actions as necessary.

ATCO.OR.C.005 Contracted activities

- (a) Training organisations shall ensure that when contracting or purchasing any parts of their activities, the contracted or purchased activity or part of activity conform to the applicable requirements.
- (b) When a training organisation contracts any part of its activity to an organisation that is not itself certified in accordance with this Regulation to carry out such activity, the contracted organisation shall work under the approval of the contracting training organisation. The contracting training organisation shall ensure that the competent authority is given access to the contracted organisation to determine continued compliance with the applicable requirements.

ATCO.OR.C.010 Personnel requirements

- (a) Training organisations shall appoint an accountable manager who has the responsibility to demonstrate that sufficient funding is available to conduct the training according to this Regulation and that the activities have sufficient insurance cover in accordance with the nature of the training provided and all activities can be carried out in accordance with this Regulation.

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- (b) A person or persons shall be nominated by the training organisation with the responsibility for training. Such person or persons shall be ultimately responsible to the accountable manager.
- (c) Training organisations shall have sufficient qualified personnel for the planned tasks and activities to be performed in accordance with the applicable requirements.
- (d) Training organisations shall maintain a record of theoretical instructors with their relevant professional qualifications, instructional techniques assessment and subjects they are entitled to teach.
- (e) Training organisations shall establish a procedure to maintain competence of the theoretical instructors.
- (f) Training organisations shall define the minimum number of hours to work as STDI in order to revalidate the STDI endorsement.
- (g) Training organisations shall maintain a record of persons qualified for assessing practical instructors' competence in accordance with ATCO.C.065 with their relevant endorsements.
- (h) Training organisations shall maintain a record of persons qualified for assessing assessors' competence in accordance with ATCO.C.070 with their relevant endorsements.

ATCO.OR.C.015 Facilities

- (a) Training organisations shall have facilities allowing the performance and management of all planned tasks and activities in accordance with this Regulation.
- (b) If practical training takes place at an operational position with live air traffic, the instructor shall have exactly the same information as the person undertaking OJT and means to intervene immediately when circumstances require so.
- (c) The training organisation shall ensure that the synthetic training devices comply with the applicable specifications and requirements appropriate to the task.

ATCO.OR.C.020 Record-keeping

- (a) Training organisations shall retain detailed records of persons undertaking or having undertaken training to show that all requirements of the training courses have been met.
- (b) Training organisations shall establish and maintain a system for recording the professional qualifications, instructional techniques assessments and subjects entitled to teach of instructors and assessors, where appropriate.
- (c) The records required by (a) and (b) shall be retained for a minimum period of five years:
 - (1) after the person undertaking training has completed the course; and
 - (2) after the instructor or assessor ceases to perform a function for the training organisation, as applicable.
- (d) The archiving process including the format of the records shall be specified in the training organisation's management system.
- (e) Records shall be stored in a secure manner.

SUBPART D — REQUIREMENTS FOR TRAINING COURSES AND TRAINING PLANS

ATCO.OR.D.001 Requirements for training courses, training plans and unit competence schemes

Training organisations shall develop training plans and training courses, including subjects, subject objectives, topics and subtopics for additional rating endorsements in accordance with the requirements laid down in Annex I (Part-ATCO) which shall be approved by the competent authority.

SUBPART E — REQUIREMENTS FOR AERO-MEDICAL CENTRES

ATCO.OR.E.001 Aero-medical centres

Aero-medical centres (AeMCs) shall apply the provisions of Subparts ORA.GEN and ORA.AeMC of Annex VII to Commission Regulation (EU) No 290/2012 (the Aircrew Regulation)⁷, with:

- (a) all references to class 1 to be replaced with class 3; and
- (b) all references to Part-MED to be replaced with Part-ATCO.MED.

⁷ OJ L 100, 5.4.2012, p. 1.