

# **Acceptable Means of Compliance and Guidance Material for the certification and declaration of air traffic management/air navigation services systems and air traffic management/air navigation services constituents**

## **AMC & GM to the Articles of Commission Delegated Regulation (EU) 2023/1768**

Issue 1

26 October 2023<sup>1</sup>

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<sup>1</sup> For the date of entry into force of this Issue, kindly refer to ED Decision 2023/016/R at the [Official Publication](#) of EASA.

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## AMC1 Article 3(2) Competent authority; Article 6(1) Statement of compliance

### GENERAL

The competent authority for the oversight of a statement of compliance (SoC) issued by an organisation involved in the design or production of ATM/ANS equipment (DPO) approved in accordance with Commission Implementing Regulation (EU) 2023/1769 should be the competent authority responsible for the certification and oversight of the ATM/ANS provider requesting the DPO to issue the SoC on its behalf.

## GM1 Article 3(2) Competent authority; Article 6(1) Statement of compliance

### GENERAL

As part of the support during the oversight activities, the ATM/ANS provider may request the presence of a representative of the approved DPO.

## GM1 Article 4 Certification of ATM/ANS equipment; Article 5 Declaration of design compliance of the ATM/ANS equipment; Article 6 Statement of compliance

### SCOPE OF ATM/ANS EQUIPMENT SUBJECT TO CERTIFICATION, DECLARATION AND STATEMENT OF COMPLIANCE

The table below provides a pictorial representation of which means of conformity assessment applies for the various types of ATM/ANS equipment.

#	Point 3 of Annex VIII 'Essential requirements for ATM/ANS and air traffic controllers' to Regulation (EU) 2018/1139	Article 4 <u>Certification of ATM/ANS equipment</u>	Article 5 <u>Declaration of design compliance of the ATM/ANS equipment</u>	Article 6 <u>Statement of compliance</u>
	The <i>equipment should</i> include in particular <i>equipment</i> required to support the following functions and services:			
1.	airspace management ( <i>ASM</i> )			X
2.	air traffic flow management ( <i>ATFM</i> )			X

3.	air traffic services (ATS), in particular flight data processing systems, surveillance data processing systems and human-machine interface systems;			
	<i>3a. controller-pilot communications</i>	X		
	<i>3b. air traffic control (ATC) services when enabling the separation of aircraft or the prevention of collisions</i>	X		
	<i>3c. other ATS equipment not covered in points 3a and 3b</i>			X
4.	communications (COM) including ground-to-ground/space, air-to-ground and air-to-air/space communications			
	<i>4a. ground-to-ground communications</i>		X	
	<i>4b. air-to-ground communications (i.e. controller-pilot communication)</i>	X		
5.	navigation (NAV)		X	
6.	surveillance (SUR)		X	
7.	aeronautical Information services (AIS)			X
8.	meteorological services (MET)			X

## AMC1 Article 6 Statement of compliance

### REISSUE

(a) Having identified the need for a change (modification) to ATM/ANS equipment, the ATM/ANS provider or an approved DPO acting on its behalf should classify the change as minor unless one or more of the following apply, in which case the change is classified as major and a reissue of the SoC is required:

- (1) The change (modification) includes one of the following technological evolutions:
  - (i) new concept of operation;
  - (ii) new technologies in the ATM/ANS equipment;
  - (iii) new or modified functionalities to the ATM/ANS equipment software;

- (iv) changes in the ATM/ANS equipment hardware; or
  - (v) modified ATM/ANS equipment architecture.
- (2) The change (modification) introduces a new or modified means of compliance with the detailed specifications.
- (3) The change (modification) introduces a modification in the limitation(s) to or a deviation from the detailed specifications.
- (b) Minor changes should be processed according to the approved ATM/ANS equipment change management procedure ensuring that the change (modification) does not adversely affect the compliance with the detailed specifications. For minor changes, the ATM/ANS provider should:
- (1) record the change description and the justification for the change classification;
  - (2) update all related technical documents including the user manual;
  - (3) record continued compliance with the ATM/ANS equipment SoC.
- (c) For major changes, the ATM/ANS provider should apply Article 6 of this Regulation and reissue a SoC.
- (d) The procedure, which could be part of an integrated ATM/ANS provider's change management procedure, addressing the changes (modifications) to ATM/ANS equipment should also include the process for the reaction by the ATM/ANS provider to an unplanned (major) change (modification) that may arise with the need for urgent action. This is the case in which the ATM/ANS provider responds immediately to a safety, security or interoperability problem or when an emergency situation arises in which the ATM/ANS provider has to take immediate action (e.g. security patches) to ensure the safety, security or interoperability of its equipment in operation.

## AMC2 Article 6(1) Statement of compliance

### ISSUE

- (a) The SoC should contain the following information:
- a brief description, identification and scope of the ATM/ANS equipment;
  - the Regulation reference requiring the issue of the SoC<sup>2</sup>;
  - the name and address of the certified, in accordance with Regulation (EU) 2017/373, ATM/ANS provider, where the ATM/ANS equipment will be deployed or on its behalf, the trade name and full address of the DPO approved in accordance with Regulation (EU) 2023/1769 issuing the SoC;

<sup>2</sup> Note:

For ATM/ANS equipment subject to statement of compliance, Article 6 of Commission Delegated Regulation (EU) 2023/1768 should be indicated.

During the transition period (until 13 September 2028), for ATM/ANS equipment subject to certification and declaration in accordance with Articles 4 and 5 respectively, a reference to Article 7(3) of Commission Delegated Regulation (EU) 2023/1768 should be indicated.

- the reference to the detailed specifications adopted by EASA in accordance with Article 76(3) of Regulation (EU) 2018/1139, as far as applicable, for the intended use, and any deviations therefrom;
  - the reference to the procedure followed in order to declare compliance with the applicable ATM/ANS equipment detailed specifications;
  - deviations;
  - remarks;
  - limitations;
  - conditions;
  - date and version;
  - identification of the signatory.
- (b) The SoC should be accompanied by all documents that form the basis for the issuance of it and, when issued by an approved DPO, an EASA release form issued in accordance with DPO.OR.C.001(d) of Commission Implementing Regulation (EU) 2023/1769 by the same DPO.

## AMC3 Article 6(1) Statement of compliance

### ACTIVITIES

The ATM/ANS provider should verify the functionalities of the ATM/ANS equipment subject to conformity assessment in accordance with Commission Delegated Regulation (EU) 2023/1768 to ensure that it complies with the applicable detailed specifications in the context in which it is intended to operate within the functional system.

## AMC4 Article 6(1) Statement of compliance

### RECORD-KEEPING

- (a) In the context of ATM/ANS.OR.B.030 of Regulation (EU) 2017/373, a copy of the SoC should be kept by the ATM/ANS provider throughout the service life of the ATM/ANS equipment and should be provided to the competent authority concerned upon request.
- (b) The ATM/ANS provider should keep the records for a period of at least 3 years after the end of the service life of the ATM/ANS equipment unless otherwise specified by other applicable requirements.

## GM1 Article 6(1) Statement of compliance

### STANDARD FORM

SoC No [internal numbering]

Issue No [version of this SoC<sup>3</sup>]

1. Name and address of ATM/ANS provider
2. Description, identification and scope of the ATM/ANS equipment  
Note: It should include e.g. type, SW/HW version number and master drawing record, as applicable.
3. Regulation reference requiring the issue of the SoC
4. Specification reference, i.e. EASA detailed specification No.
5. Reference to the qualification test report to show compliance with the applicable detailed specifications and the procedure followed in order to be compliant
6. Service and instruction manual reference number
7. SoC with the applicable EASA detailed specification, as far as applicable for the intended use, and any deviations, remarks, limitations, conditions.
8. The declaration in this document is made under the authority of ..... (Name of ATM/ANS provider or approved DPO).

(approved DPO's name) cannot accept responsibility for equipment used outside the limiting conditions stated above without their agreement.

Date: ..... Signed.....(ATM/ANS provider's or approved DPO's authorised representative)

## GM2 Article 6(1) Statement of compliance

### RESPONSIBILITY WHEN PURCHASING ATM/ANS EQUIPMENT SUBJECT TO SoC

- (a) The procurement contract between the ATM/ANS provider and the manufacturer(s) should clearly define the ATM/ANS equipment to be purchased and the applicable detailed specifications.
- (b) The contract should address that the ATM/ANS equipment purchased from the manufacturer(s) is manufactured and verified and the ATM/ANS functions thereof have been tested for the intended use.

## GM3 Article 6(1) Statement of compliance

### DOCUMENTS

The documents that form the basis for the issuance of the SoC encompass, but are not limited to:

<sup>3</sup> A 'new' version is introduced in the case of major changes.

- (a) test results; and
- (b) descriptions of the test environment.

## AMC1 Article 6(2) Statement of compliance

### SoC ISSUED BY DPO

During the oversight activities on a SoC issued by an approved DPO, that DPO should support the ATM/ANS provider to the extent required.

## AMC1 Article 7(2) Transitional provisions

### RELEVANT INFORMATION

For the purpose of the evaluation referred to in Article 7(2), the competent authorities responsible for the certification and oversight of the ATM/ANS providers referred to in Article 4(1) of Implementing Regulation (EU) 2017/373 should provide the following information to EASA upon request:

**ATM/ANS provider's name:** the name of the ATM/ANS provider(s) that has deployed the ATM/ANS equipment subject to Articles 4 or 5 of this Regulation and has issued the declaration of verification (DoV) in accordance with Article 6 of Regulation (EC) No 552/2004.

**Company Name:** the name of the responsible DPO(s)<sup>4</sup> that has (have) issued the Declaration(s) of Compliance (DoC) or the Declaration(s) for Suitability for Use (DSU).

**Date:** the date on which the information was released.

**Description:** a brief description of the ATM/ANS equipment.

**Reference:** reference to the Community specifications, when available, and the references to the documents contained in the technical file.

**Additional information:** additional information, if any, that has been required and requested by the competent authority to oversee the DoV(s) confirming compliance.

### Limitations/Remarks:

- all the relevant temporary or definitive provisions to be complied with by the ATM/ANS equipment and in particular, where appropriate, any operating restrictions or conditions;
- if temporary: duration of validity of DoV.

**Authorised signature:** identification of the signatory empowered to enter into commitments on behalf of the manufacturer or of the manufacturer's authorised representative, where available.

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<sup>4</sup> DPO should be understood as the manufacturer or its authorised representative established within the Community.



## GM1 Article 7(2) Transitional provisions

### SUBMISSION OF INFORMATION

The relevant information may be provided in a form of the DoV for the ATM/ANS system(s), including its (their) technical file(s), issued by the ATM/ANS provider under the oversight of the competent authority.

## GM2 Article 7(2) Transitional provisions

### RELEVANT INFORMATION

For the purpose of the evaluation referred to in Article 7(2), the competent authorities responsible for the certification and oversight of the ATM/ANS providers referred to in Article 4(1) of Implementing Regulation (EU) 2017/373 may provide EASA with any certificate, approval, licence, authorisation, attestation, technical file or other document issued as a result of a process attesting compliance of the ATM/ANS equipment with the applicable essential requirements laid down in Regulation (EC) No 552/2004.

## AMC1 Article 7(3) Transitional provisions

### STATEMENT OF COMPLIANCE

- (a) In order to issue a SoC for ATM/ANS equipment that is subject to certification in accordance with Article 4 or a declaration in accordance with Article 5 of Regulation (EU) 2023/1768, the ATM/ANS providers or the organisations involved in the design or production of ATM/ANS equipment (DPOs) acting on their behalf, should demonstrate compliance of ATM/ANS equipment with:
- (1) the detailed specifications (DSs) set out in *Part 1 — General* of the Detailed Specifications and Acceptable Means of Compliance & Guidance Material for certification or declaration of design compliance of ATM/ANS ground equipment (DS-GE.CER/DEC); and
  - (2) the additional specific DS set out in *Part 2 — ATM/ANS equipment subject to certification* or *Part 3 — ATM/ANS equipment subject to declaration of design compliance* of (DS-GE.CER/DEC), if available.
- (b) The basis for the issue of a SoC should be the DSs that are applicable to the ATM/ANS equipment on the date of the issue of the SoC.