

# **Acceptable Means of Compliance and Guidance Material to Part-DTO<sup>1</sup>**

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<sup>1</sup> Acceptable Means of Compliance and Guidance Material to Annex VIII (Part-DTO) to Commission Regulation (EU) No 1178/2011 of 3 November 2011 laying down technical requirements and administrative procedures related to civil aviation aircrew pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council.

### **GM1 DTO.GEN.110 Scope**

Point DTO.GEN.110 lists all the training activities that are regulated by Part-FCL and which can be conducted at a DTO. However, for some of the training activities mentioned, Part-FCL (points FCL.130.S, FCL.130.B, FCL.225.B(b), FCL.810(c)) does not require the involvement of a training organisation at all. In this regard, point DTO.GEN.110 does not constitute an obligation for these training activities to be undertaken at a DTO only.

### **GM1 DTO.GEN.115(a) Declaration**

#### **SUBMISSION OF THE DECLARATION**

The DTO should submit the declaration (Appendix 1 to Part-DTO), and any attachment(s) thereto, in a manner established by the competent authority.

### **GM2 DTO.GEN.115(a) Declaration**

#### **RESPONSIBILITY OF THE DTO FOR THE SUCCESSFUL SUBMISSION OF THE DECLARATION**

It is the responsibility of the DTO to successfully submit the declaration to the competent authority. If the DTO does not receive the acknowledgement of receipt of the declaration from the competent authority pursuant to point ARA.DTO.100 within a reasonable period of time following the submission of the declaration, the DTO should contact the competent authority to investigate whether or not the submission of the declaration has been successful.

### **AMC1 DTO.GEN.115(a)(2) Declaration**

#### **LIST OF AERODROMES AND OPERATING SITES OF THE DTO**

Except for DTOs that provide training for balloons, the list of aerodromes and operating sites on the declaration should contain at least those aerodromes and operating sites where the DTO, either permanently or temporarily (e.g. for training camps), conducts its training activities, where its training aircraft are based and where it has its facilities, as required by Part-DTO.

Aerodromes and operating sites that solely serve as destinations for cross-country training flights do not need to be listed on the declaration.

### **AMC1 DTO.GEN.115(a)(5) Declaration**

#### **LIST OF AIRCRAFT AND FLIGHT SIMULATION TRAINING DEVICES (FSTDs)**

- (a) The list on the declaration of aircraft used by the DTO should contain at least the models used for training (e.g. Cessna 152, Piper PA 28, Robinson R22, etc.). It is not necessary to list on the declaration each individual aircraft with its registration mark.
- (b) The list on the declaration of FSTDs used by the DTO should contain the references to the FTSD qualification certificates.

### **AMC1 DTO.GEN.115(c) Declaration**

#### **SUBMISSION OF TRAINING PROGRAMMES WITH THE DECLARATION**

Except for training programmes for examiner standardisation or refresher courses, a DTO may include in the declaration only a reference to a training programme if this training programme:

- (a) has already been verified for Part-FCL compliance by the competent authority; or
- (b) has been developed by the competent authority as a standard training programme, if applicable.

### **GM1 DTO.GEN.210(a)(1)(i) Personnel requirements**

#### **OCCURRENCE-REPORTING SYSTEM COMPLIANT WITH REGULATION (EU) No 376/2014**

The following list provides an overview of the main elements of the occurrence-reporting system that is compliant with Regulation (EU) No 376/2014 and provides references to the relevant articles of that Regulation.

- (a) Occurrence-reporting system that caters for both mandatory and voluntary reporting (cf. Articles 4 and 5).

Note 1: The mandatory reporting system established under Regulation (EU) No 376/2014 is also intended for the reporting of those additional items that qualify for mandatory reporting and are defined in the EASA implementing rules.

Note 2: The voluntary reporting system is intended to facilitate the collection of details of occurrences that may not be captured by the mandatory system and of other safety-related information which is perceived by the reporting organisation as an actual or potential hazard to aviation safety.

- (b) Designation of one or more persons to independently handle the collection, evaluation, processing, analysis and storage of details of occurrences with regard to data collection and hazard identification (cf. Article 6(1)).

Note 1: In agreement with their competent authority, small-sized organisations may make use of simplified mechanisms to ensure the collection, evaluation, processing, analysis and storage of details of occurrences, possibly by sharing those tasks with other similar organisations.

Note 2: An existing internal safety-reporting scheme, which collects safety-relevant data, proposals and information, including data, proposals and information on potential safety issues that have not resulted in any occurrence, may serve as a basis for the mandatory and voluntary occurrence-reporting system. From this pool of safety relevant information and data collected internally, the organisation will determine whether a mandatory report is required or whether a voluntary report may be adequate.

- (c) Reporting details of occurrences collected under the mandatory scheme as soon as possible and in any event no later than 72 hours after becoming aware of the occurrence (cf. Article 4(8) & (9)).

Note 1: The reference to 'becoming aware of' an occurrence implies that a person in the organisation identifies the occurrence as falling into the category of a mandatory occurrence report — usually through being involved in the occurrence or witnessing it, but also on review or investigation of information reported to the organisation's safety reporting scheme. In the case of design or production organisations, the 72-hour period starts at the point when the unsafe condition is identified.

In the case of automated data collection systems, the 72-hour period starts when the person that is responsible for the analysis of the data detected the reportable occurrence.

Note 2: The 72-hour period does not apply to the reporting of details of occurrences which may involve an actual or potential aviation safety risk and safety-related information collected under the voluntary scheme. These are to be reported in a timely manner (cf. Article 5(5) & (6)).

- (d) Establishment of data quality checking processes to ensure that the information initially collected and the data stored in the database(s) are consistent (cf. Article 7(3)).

Note: It is understood that data quality checking processes should address four main areas:

- errors in data entry;
- completeness of data, specially referring to mandatory data;
- proper use of the ADREP<sup>2</sup> taxonomy;
- improve data consistency, notably between the information collected initially and the report stored in the database (cf. Article 7(3)).

- (e) Storage of occurrence reports that qualify for mandatory and voluntary reporting in one or more databases (cf. Article 6(5)) using standardised formats to facilitate information exchange and which are compatible with the ECCAIRS<sup>3</sup> software and ADREP taxonomy (cf. Article 7(4)).

Note: Organisations that are able to report through an ECCAIRS software compatible reporting system provided by their competent authority are deemed to be automatically compliant with the reporting system requirements in Article 7(4) and do not need to have their own ECCAIRS software compatible reporting system.

- (f) Application of the safety policy (cf. AMC1 DTO.GEN.210(a)(1)(ii)) to occurrences:

- (1) identification of the safety hazards that are associated with identified occurrences or groups of occurrences reported to the competent authority (cf. Article 13(1));
- (2) analysis of the related risks in terms of probability and severity of the outcome, as well as assessment of the risks in terms of tolerability;
- (3) based on the result of the risk assessment: determination of the need for mitigation action, as required for improving aviation safety (cf. Article 13(2)); and
- (4) monitoring the timely implementation and effectiveness of any mitigation action required (cf. Article 13(2)).

- (g) In addition to the actions required under paragraph (6) above, where the organisation identifies an actual or potential aviation safety risk as a result of the analysis of occurrences or group of occurrences:

- (1) transmission of the following information to the competent authority within 30 days from the date of notification of the occurrence to the authority (cf. Article 13(4)):
  - (i) the preliminary results of the risk assessment performed; and
  - (ii) any preliminary mitigation action to be taken.
- (2) where required, transmission of the final results of the risk analysis to the competent authority as soon as they are available and, in principle, no later than 3 months from the date of notification of the occurrence to the authority (cf. Article 13(4)).

<sup>2</sup> The ICAO Accident/Incident Data Reporting (ADREP) system.

<sup>3</sup> European Coordination Centre for Accident and Incident Reporting Systems.

Note: The legal obligation to provide the initial results of the analysis of the occurrence, follow-up reports and final results lies with the other organisation that issued the initial report. Where an organisation receives a copy of a report from another organisation that initially reported the occurrence to the competent authority, depending on its contribution to the actual or potential aviation safety risk underlying the occurrence, it may however be required to perform its own analysis of the issue reported and to provide a follow-up report to the competent authority.

- (h) Safety policy and just culture: Consultation of staff representatives to ensure mutual agreement on and adoption of the rules describing how ‘just culture’ principles are guaranteed and implemented within the organisation.

Note 1: The purpose of those rules is to ensure that employees and contracted personnel that report or are mentioned in occurrence reports, both mandatory or voluntary, are not subject to any prejudice by their employer or any other organisation for which the services are provided on the basis of the information supplied by the reporter (cf. Article 16(9)), unless an exception applies (cf. Article 16(10)).

Note 2: Staff representatives may be nominated either by the trade union(s) or by the staff themselves.

- (i) Ensuring that employees and contracted personnel are regularly provided with information concerning the analysis of, and follow-up on, occurrences for which mitigation action is taken (cf. Article 13(3)), while ensuring that only disidentified information is disseminated.
- (j) Ensuring that personal details are made available to staff of their organisation, other than the persons designated in accordance with paragraph (2), only where absolutely necessary to investigate occurrences with a view to enhancing aviation safety.
- (k) Ensuring that reports addressed to the competent authority contain at least the information listed in Annex I to Regulation (EU) No 376/2014.

#### **AMC1 DTO.GEN.210(a)(1)(ii) Personnel requirements**

##### SAFETY POLICY

- (a) The safety policy should define, in relation to the DTO training programme, at least the means and methods used for:
- (1) hazard identification;
  - (2) risk assessment; and
  - (3) effectiveness of the mitigation measures (implementation and follow-up).
- (b) The safety policy should additionally include the procedures required for occurrence reporting pursuant to Regulation (EU) No 376/2014 (cf. GM1 DTO.GEN.210(a)).

#### **AMC1 DTO.GEN.210(a)(2) Personnel requirements**

##### QUALIFICATION AND EXPERIENCE OF THE HEAD OF TRAINING (HT)

- (a) The HT should, with regard to the size and the training scope of the DTO, possess sufficient managerial capabilities in order to discharge their responsibilities, and should:
- (1) in the case of a DTO that provides training in aircraft or FSTDs, hold an unrestricted instructor certificate in accordance with Part-FCL with instructional privileges that are relevant to the training provided by the DTO, including sufficient experience as necessary;

- (2) in the case of a DTO that provides theoretical knowledge training only, have appropriate experience in aviation and knowledge relevant to the training provided.
- (b) At a DTO that provides training courses for different aircraft categories, the HT should be assisted by one or more nominated deputy HTs qualified in accordance with paragraph (a) and with regard to the other category or categories of aircraft.

**GM1 DTO.GEN.210(a)(2) Personnel requirements**

SUFFICIENT EXPERIENCE OF THE HEAD OF TRAINING (HT)

‘Sufficient experience’, as per AMC2 DTO.GEN.210(a)(1) paragraph (a)(1), means that the HT should have gained the required experience as an instructor in order to have the capacity to administer the particular training activity of the DTO in question. The following factors should be taken into consideration for determining the experience required:

- (a) training scope of the DTO, including specific training courses (e.g. aerobatic rating, sailplane cloud flying rating, examiner courses for sailplanes and balloons);
- (b) location of the DTO training area (e.g. mountains, sea, congested airspace);
- (c) size of the DTO (volume of activity, number of training aerodromes and operating sites);
- (d) use of FSTDs;
- (e) training aircraft models used by the DTO.

**GM1 DTO.GEN.210(c) Personnel requirements**

CIRCUMSTANCES UNDER WHICH A PERSON CANNOT BE TRUSTED TO CARRY OUT THE TASKS OF A REPRESENTATIVE OR A HEAD OF TRAINING (HT) IN A MANNER WHICH SAFEGUARDS AND FURTHERS AVIATION SAFETY

Examples of objective indications that a person cannot be trusted to carry out the tasks of a representative or an HT in a manner which safeguards and furthers aviation safety.

If that person, within the last 5 years preceding their nomination as representative or HT, in a declaration in accordance with Part-DTO:

- (a) holds or has held a pilot licence and that licence and/or any associated ratings, certificates or authorisations have been subject to limitation, suspension or revocation;
- (b) has knowingly and deliberately been responsible for committing any non-compliance with the Basic Regulation and its implementing rules.

**AMC1 DTO.GEN.210(d);(e) Personnel requirements**

DTO INSTRUCTORS

In order to ensure and monitor that instructors maintain their required qualification, DTOs should permanently keep a list of all instructors, including information on their instructional privileges as well as on the validity periods of their licences, ratings and certificates, including their medical certificates.

**GM1 DTO.GEN.210(d);(e) Personnel requirements**

RESOURCES (INSTRUCTORS)

- (a) The ratio of all students to flight instructors should allow maintaining the quality and safety of the training provided.
- (b) Class numbers in ground subjects involving a high degree of supervision or practical work should not exceed 28 students.

**AMC1 DTO.GEN.215 Facility requirements**

- (a) The facilities of a DTO should comprise:
  - (1) flight planning facilities providing access to at least:
    - (i) appropriate and current aviation maps and charts;
    - (ii) current aeronautical information service (AIS) information;
    - (iii) current meteorological information;
    - (iv) communications to air traffic control (ATC) (if applicable);
    - (v) any other flight-safety-related material;
  - (2) adequate briefing facilities of sufficient size and number;
  - (3) suitable office(s) to allow flight instructors to write reports on students, complete records and other related documentation, as appropriate;
  - (4) suitable rest areas for instructors and students, where appropriate to the training task;
  - (5) in the case of DTOs that provide training for BPL or LAPL(B) only, the flight operations accommodation listed in (a)(1) to (a)(4) may be replaced by other suitable facilities when operating outside aerodromes.
- (b) The following facilities for theoretical knowledge instruction should be available:
  - (1) adequate classroom accommodation for the current student population;
  - (2) suitable demonstration equipment to support the theoretical knowledge instruction;
  - (3) suitable office(s) for the instructional personnel.

**AMC1 DTO.GEN.220 Record-keeping**

Training records should be kept in a paper or electronic version by the DTO where the candidate is undertaking their training.

**AMC1 DTO.GEN.230 DTO training programme**

- (a) The DTO training programme should include at least the following information:
- (1) the aim of the course;
  - (2) crediting of previous experience and pre-entry requirements (including appropriate procedures for students that wish to complete their training after having started at a different training organisation);
  - (3) a list of all air and FSTD exercises to be taught, including a description of the objective of each exercise;
  - (4) a syllabus summary;
  - (5) structure and content of the theoretical knowledge instruction;
  - (6) structure of the entire course and integration of theoretical knowledge instruction, FSTD and flight training;
  - (7) student progress checks for theoretical knowledge and flight training, as appropriate.
- (b) When developing the training programme for a type rating course, in addition to complying with the mandatory training elements included in the operational suitability data (OSD), as established in accordance with Regulation (EU) No 748/2012<sup>4</sup>, the DTO should also follow any further recommendations (i.e. acceptable means of compliance (AMC)) contained therein.

**AMC1 DTO.GEN.240 Training aircraft and FSTDs**

- (a) The number of training aircraft may be affected by:
- (1) the availability of FSTDs; and
  - (2) the number of aerodromes and operating sites of the DTO (cf. AMC1 DTO.GEN.115(a)(2)).
- (b) Each training aircraft should be:
- (1) equipped as required in the training specifications concerning the exercise for which it is used;
  - (2) except in the case of balloons or single-seat aircraft, fitted with primary flight controls that are instantly accessible by both the student and the instructor (for example, dual flight controls or a centre control stick); swing-over flight controls should not be used.
- (c) The fleet should include, as appropriate to the training courses:
- (1) in the case of aeroplanes and sailplanes, aircraft suitable for demonstrating stalling and spin avoidance;
  - (2) in the case of helicopters, helicopters suitable for autorotation demonstration;
  - (3) FSTDs; each FSTD should be equipped as required in the training specifications concerning the course for which it is used.
- (d) One single aircraft that has all the required characteristics of a training aircraft mentioned in (b) and (c) above may be sufficient.

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<sup>4</sup> Commission Regulation (EU) No 748/2012 of 3 August 2012 laying down implementing rules for the airworthiness and environmental certification of aircraft and related products, parts and appliances, as well as for the certification of design and production organisations (OJ L 224, 21.8.2012, p. 1), as amended.

**GM1 DTO.GEN.240 Training aircraft and FSTDs**

The DTO is required to use an adequate fleet of training aircraft. However, a DTO is not required to own the aircraft used. In any case, the DTO has the responsibility to use airworthy and appropriately equipped, certified and insured aircraft and FSTDs, as relevant to the particular training exercise.

**AMC1 DTO.GEN.250 Aerodromes and operating sites**

## GENERAL

- (a) Except in the case of balloons, the base aerodrome or operating site and any other aerodromes or operating sites at which flight training is being conducted should have at least the following facilities:
  - (1) at least one runway or final approach and take-off area (FATO) that allows training aircraft to make a normal take-off or landing within the performance limits of all the aircraft used for the training flights at that aerodrome or operating site;
  - (2) a wind direction indicator that is visible at ground level from the ends of each runway or at the appropriate holding points;
  - (3) adequate runway electrical lighting, if used for night training;
  - (4) an air traffic service (ATS), except for uncontrolled aerodromes or operating sites where the training requirements may be satisfied safely by another acceptable means of communication.
- (b) In addition to (a), for helicopters, training sites should be available for:
  - (1) confined area operation training;
  - (2) simulated engine-off autorotation; and
  - (3) sloping ground operation.
- (c) In the case of balloons, the take-off sites used by the DTO should allow a normal take-off and clearing of all obstacles in the take-off flight path by at least 50 ft.
- (d) By way of derogation from paragraphs (a) to (c) above, for training that needs to take place in a specific environment (training for mountain rating, training on seaplanes), the training sites used should have the characteristics and facilities that are necessary to ensure a safe conduct of the training.

**AMC1 DTO.GEN.250(b) Aerodromes and operating sites**

## SUFFICIENT RESOURCES OF A DTO THAT PROVIDES TRAINING FOR AEROPLANES OR HELICOPTERS AT MORE THAN ONE AERODROME OR OPERATING SITE

- (a) Deputy heads of training should meet the same qualification requirements as set out in AMC1 DTO.GEN.210(a)(2) for the head of training (HT).
- (b) The DTO should have the necessary number of instructors (point DTO.GEN.210(d) and (e)) as well as the necessary number of training aircraft (point DTO.GEN.240) in place to ensure proper training at all aerodromes and operating sites.
- (c) At each aerodrome or operating site of the DTO, the DTO should have in place the facilities (point DTO.GEN.215) as appropriate for the type of training carried out at each aerodrome or operating site.

**AMC1 DTO.GEN.270(a) Annual internal review and annual activity report****ANNUAL INTERNAL REVIEW**

The annual internal review should consist of a comprehensive assessment whether the DTO effectively carries out the tasks and responsibilities pursuant to point DTO.GEN.210. Specific emphasis should be given to the following:

- (a) availability of sufficient resources;
- (b) conduct of training in accordance with the requirements of Part-FCL and Part-DTO, with the DTO training programme(s) and with the DTO's safety policy;
- (c) random checks of training records and course completion certificates issued by the DTO;
- (d) assessment of the training programme(s) for its (their) adequacy and currency;
- (e) training aircraft including their documents and maintenance records;
- (f) aerodromes and operating sites, including associated facilities;
- (g) evaluation of both adequacy and effectiveness of the follow-up, corrective and, as applicable, remedial action taken after non-compliances that have been detected internally or that have been subject to findings as per point DTO.GEN.150;
- (h) assessment of the safety policy including its means and methods as defined in AMC1 DTO.GEN.210 for its adequacy and currency;
- (i) assessment of the effectiveness of the implementation of the mitigation measures, as foreseen in the DTO's safety policy.

**AMC1 DTO.GEN.270(b) Annual internal review and annual activity report****ANNUAL ACTIVITY REPORT**

- (a) With regard to the past calendar year, the annual activity report should contain at least lists of:
  - (1) all training courses and refresher trainings actually provided;
  - (2) names of all flight, synthetic flight and theoretical knowledge instructors involved in the provision of training, including, in the case of DTOs for aeroplanes, helicopters and sailplanes, information on the aerodromes and operating sites of the DTO where it has mainly been providing training;
  - (3) number of students per training course;
  - (4) all training aircraft and FSTDs used, including registration marks and FSTD qualification letter codes (as applicable), including, with regard to each aircraft, information on:
    - (i) the training courses for which the aircraft has been used; and
    - (ii) the aerodromes of the DTO where the aircraft has been mainly used;
  - (5) all occurrences, accidents and incidents that occurred during the training courses; and
  - (6) any other information that is deemed relevant by the DTO.

**AMC1 DTO.GEN.270(c) Annual internal review and annual activity report**

**SUBMISSION OF ANNUAL INTERNAL REVIEW AND ANNUAL ACTIVITY REPORT TO THE COMPETENT AUTHORITY**

The annual internal review and the annual activity report for each past calendar year should be submitted to the competent authority within a time frame agreed between the DTO and the competent authority.

**GM1 DTO.GEN.270(c) Annual internal review and annual activity report**

**SUBMISSION OF ANNUAL INTERNAL REVIEW AND ANNUAL ACTIVITY REPORT TO THE COMPETENT AUTHORITY**

It is recommended that the competent authority and the DTO agree on the regular time frames; for example, to agree that the annual internal review and annual activity report for the past calendar year should be submitted during the first quarter of each year.