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## ANNEX III

### PART ATCO.OR

#### REQUIREMENTS FOR AIR TRAFFIC CONTROLLER TRAINING ORGANISATIONS AND AERO-MEDICAL CENTRES

##### SUBPART **GENERAL REQUIREMENTS**

###### A

##### **ATCO.OR.Scop01**

This Part, set out in this Annex, 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.

##### SUBPART **REQUIREMENTS FOR AIR TRAFFIC CONTROLLER TRAINING ORGANISATIONS**

###### B

##### **ATCO.OR.Ppl01 Application for a training organisation certificate**

- (a) Applications for a training organisation 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 in this Regulation.
- (c) An application for a training organisation certificate shall include the following information:
  - (1) the applicant's name and address;
  - (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 point (a);
  - (3) the names and contact details of:
    - (i) the accountable manager;
    - (ii) the head of the training organisation, if different from point (i);
    - (iii) the person(s) nominated by the training organisation as the focal point(s) for communication with the competent authority;
  - (4) date of intended start of activity or change;
  - (5) a list of types of training to be provided and at least one training course from each type of training that is intended to be 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

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(8) the date of application.

#### **ATCO.OR.B.015 of compliance**

- (a) Alternative means of compliance to the AMC adopted by the Agency may be used by an organisation to establish compliance with Regulation (EC) No 216/2008 and with this Regulation.
- (b) When an organisation wishes to use an alternative means of compliance, 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.
- (c) The organisation may implement these alternative means of compliance subject to prior approval by the competent authority and upon receipt of the notification as prescribed in ATCO.AR.A.015(d).

#### **ATCO.OR.B.010 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) In order to ensure that the applicable requirements in Subpart D of Annex I (Part ATCO) are fulfilled, the privilege to provide unit and continuation training shall only be granted to training organisations which:
  - (1) hold a certificate for the provision of the air traffic control service; or
  - (2) have concluded a specific agreement with the ATC provider.

#### **ATCO.OR.B.015 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 by 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 point (a).
- (c) For any changes requiring prior approval in accordance with points (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.010.

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

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- (d) Changes to the elements referred to in point (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.010.
- (f) Training organisations shall notify the competent authority when they cease their activities.

#### **ATCO.OR.B.010** ~~ATCO.OR.B.010~~ **Valid 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.030.
- (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** ~~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 or acting on behalf of 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.030** ~~ATCO.OR.B.030~~ **Findings**

After receipt of notification of findings issued by the competent authority in accordance with ATCO.AR.E.015, 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.015.

#### **ATCO.OR.B.035** ~~ATCO.OR.B.035~~ **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.040** ~~ATCO.OR.B.040~~ **Incidence 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 of the European Parliament and of the Council<sup>(1)</sup> and Regulation (EU) No 376/2014, resulting from their training activity.
- (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.

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- (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 Regulation (EU) No 376/2014, the reports referred to in points (a), (b) and (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.ORG.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;
- (g) the management system shall be proportionate to the size of the organisation and its activities, taking into account the hazards and associated risks inherent in those activities.

### **ATCO.ORG.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 terms of approval contained in the certificate issued to 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.ORG.010 Personnel requirements**

- (a) Training organisations shall appoint an accountable manager.

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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, adequate knowledge and experience and their demonstration, 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 ensure that practical instructors and assessors successfully complete refresher training in order to revalidate the respective endorsement.
- (g) Training organisations shall maintain a record of persons qualified for assessing practical instructors' competence and assessors' competence, in accordance with ATCO.C.045, with their relevant endorsements.

#### **ATCO.OR.C.015 and equipment**

- (a) Training organisations shall have facilities allowing the performance and management of all planned tasks and activities in accordance with this Regulation.
- (b) The training organisation shall ensure that the synthetic training devices comply with the applicable specifications and requirements appropriate to the task.
- (c) During on-the-job training instruction, the training organisation shall ensure that the instructor has exactly the same information as the person undertaking OJT and the means to intervene immediately.

#### **ATCO.OR.C.020 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 and instructional techniques assessments of instructors and assessors, as well as the subjects they are entitled to teach, where appropriate.
- (c) The records required in points (a) and (b) shall be retained for a minimum period of five years subject to the applicable national data protection law:
  - (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.

#### **ATCO.OR.G.025 and insurances**

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Training organisations shall 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.

#### **SUBPART ~~REQUIREMENTS FOR TRAINING COURSES AND TRAINING PLANS~~** D

##### **ATCO.OR.D.001 ~~Requirements for training courses and training plans~~**

Training organisations shall develop:

- (a) training plans and training courses associated to the type(s) of training provided in accordance with the requirements set out in Annex I (Part ATCO), Subpart D;
- (b) subjects, subject objectives, topics and subtopics for rating endorsements in accordance with the requirements laid down in Annex I (Part ATCO);
- (c) methods of assessments in accordance with ATCO.D.090(a)(3) and ATCO.D.095(a)(3).

##### **ATCO.OR.D.005 ~~Rating and assessment results and certificates~~**

- (a) The training organisation shall make available to the applicant his/her results of examinations and assessments and, upon applicant's request, issue a certificate with his/her result of examinations and assessments.
- (b) Upon successful completion of initial training, or of rating training for the issue of an additional rating, the training organisation shall issue a certificate.
- (c) A certificate of completion of the basic training shall only be issued upon request of the applicant if all subjects, topics and subtopics contained in Appendix 2 of Annex I have been completed and the applicant has successfully passed the associated examinations and assessments.

#### **SUBPART ~~REQUIREMENTS FOR AERO-MEDICAL CENTRES~~** E

##### **ATCO.OR.E.001 ~~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<sup>(2)</sup>, 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.

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- (1) Regulation (EU) No 996/2010 of the European Parliament and of the Council of 20 October 2010 on the investigation and prevention of accidents and incidents in civil aviation and repealing Directive 94/56/EC ([OJ L 295, 12.11.2010, p. 35](#)).
- (2) Commission Regulation (EU) No 290/2012 of 30 March 2012 amending Regulation (EU) No 1178/2011 laying down technical requirements and administrative procedures related to civil aviation aircrew pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council ([OJ L 100, 5.4.2012, p. 1](#)).

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