

## II

*(Non-legislative acts)*

## REGULATIONS

**COMMISSION IMPLEMENTING REGULATION (EU) 2023/893****of 21 April 2023****amending Regulation (EU) 2015/340 laying down technical requirements and administrative procedures relating to air traffic controllers' licences and certificates**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91 <sup>(1)</sup>, and in particular Article 50, Article 53, Article 62(14) and (15) and Article 72(5) thereof,

Whereas:

- (1) Commission Regulation (EU) 2015/340 <sup>(2)</sup> lays down the technical requirements and administrative procedures relating to air traffic controllers' licences and certificates.
- (2) The limited flexibility and availability of air traffic controller resources in the Union restrict the capacity of the European Air Traffic Management ('ATM') system. Therefore, adaptations to the regulatory framework concerning the licensing and qualification of air traffic controllers are needed.
- (3) With the aviation industry rapidly evolving, Regulation (EU) 2015/340 needs to be updated to ensure that it is fit for purpose, cost-effective and in line with the globally applicable standards and practices. It is important to establish a lean system of qualifications without any overlaps. The update of the initial training syllabi should ensure an adequate alignment to the regulatory framework and operational needs.
- (4) The European Union Aviation Safety Agency ('the Agency') considers that military air traffic controller trainings currently provided in the Member States could provide for a high level of safety and are comparable to the civil air traffic controller training requirements laid down in Regulation (EU) 2015/340. Therefore, national military air traffic controller trainings should be taken into account for the issuing of Union air traffic controller licences.

<sup>(1)</sup> OJ L 212, 22.8.2018, p. 1.

<sup>(2)</sup> Commission Regulation (EU) 2015/340 of 20 February 2015 laying down technical requirements and administrative procedures relating to air traffic controllers' licences and certificates pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council, amending Commission Implementing Regulation (EU) No 923/2012 and repealing Commission Regulation (EU) No 805/2011 (OJ L 63, 6.3.2015, p. 1).

- (5) Upon application for a conversion of a national military air traffic controller licence, a student air traffic controller licence can be issued provided that the military initial training experience of the applicant meets the initial training requirements set out in Regulation (EU) 2015/340 based on the national conversion report and after the completion of any additional training resulting from the gap analysis contained in that report.
- (6) For the purpose of that conversion, national certificates attesting compliance with the applicable national military requirements should be considered equivalent to national military air traffic controller licences.
- (7) Previously acquired experience under the military air traffic control provision should be taken into account when establishing the unit endorsement course for the applicant in accordance with point ATCO.D.055 (b)(7) of Annex I.
- (8) National competent authorities and the military authorities of the Member States should cooperate towards ensuring the efficient implementation of the conversion of national military air traffic controller licences into student air traffic controller licences.
- (9) The requirements applicable to authorities set out in Regulation (EU) 2015/340 should be updated in light of technical progress. In addition, consistency should be ensured between the requirements set out in Regulation (EU) 2015/340 and the requirements set out in Commission Implementing Regulation (EU) 2017/373 <sup>(3)</sup> as well as Commission Regulations (EU) No 965/2012 <sup>(4)</sup>, (EU) No 1178/2011 <sup>(5)</sup> and (EU) No 139/2014 <sup>(6)</sup> since in most cases the authority responsible for the oversight of air traffic controllers ('ATCOs') and training organisations is the same body for more than one aviation domain. Thus this Regulation provides for a 'total system approach', which should entail a logical and technologically consistent approach across aviation domains.
- (10) The alignment of Regulation (EU) 2015/340 with Regulation (EU) No 376/2014 of the European Parliament and of the Council <sup>(7)</sup> as regards the reporting, analysis and follow-up of occurrences in civil aviation should increase legal certainty and support the implementation of effective occurrence-reporting systems as part of the safety management of organisations.
- (11) The measures provided for in this Regulation are in accordance with the opinion of the Committee established under Article 127(1) of Regulation (EU) 2018/1139,

HAS ADOPTED THIS REGULATION:

#### Article 1

Regulation (EU) 2015/340 is amended as follows:

- (1) in Article 1(1), point (a) is replaced by the following:

- <sup>(3)</sup> Commission Implementing Regulation (EU) 2017/373 of 1 March 2017 laying down common requirements for providers of air traffic management/air navigation services and other air traffic management network functions and their oversight, repealing Regulation (EC) No 482/2008, Implementing Regulations (EU) No 1034/2011, (EU) No 1035/2011 and (EU) 2016/1377 and amending Regulation (EU) No 677/2011 (OJ L 62, 8.3.2017, p. 1).
- <sup>(4)</sup> Commission Regulation (EU) No 965/2012 of 5 October 2012 laying down technical requirements and administrative procedures related to air operations pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council (OJ L 296, 25.10.2012, p. 1).
- <sup>(5)</sup> Commission Regulation (EU) No 1178/2011 of 3 November 2011 laying down technical requirements and administrative procedures related to civil aviation aircrew pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council (OJ L 311, 25.11.2011, p. 1).
- <sup>(6)</sup> Commission Regulation (EU) No 139/2014 of 12 February 2014 laying down requirements and administrative procedures related to aerodromes pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council (OJ L 44, 14.2.2014, p. 1).
- <sup>(7)</sup> Regulation (EU) No 376/2014 of the European Parliament and of the Council of 3 April 2014 on the reporting, analysis and follow-up of occurrences in civil aviation, amending Regulation (EU) No 996/2010 of the European Parliament and of the Council and repealing Directive 2003/42/EC of the European Parliament and of the Council and Commission Regulations (EC) No 1321/2007 and (EC) No 1330/2007 (OJ L 122, 24.4.2014, p. 18).

‘(a) the rules and procedures for issuing, maintaining, amending, limiting, suspending or revoking air traffic controller and student air traffic controller licences and associated ratings and endorsements, including the rules and procedures for the conversion of national air traffic controller licences obtained during military service into Union air traffic controller licences, and the privileges and responsibilities of the holders of those licences, ratings and endorsements’;

(2) in Article 1(2), point (a) is replaced by the following:

‘(a) student air traffic controllers and air traffic controllers exercising their functions within the scope of Regulation (EU) 2018/1139’;

(3) Article 3 is replaced by the following:

*‘Article 3*

#### **Provision of air traffic control services**

1. Air traffic control services shall only be provided by air traffic controllers qualified and licensed in accordance with this Regulation.

2. Member States may apply this Regulation to their military personnel providing services to the public.’;

(4) Article 4 is amended as follows:

(a) point (2) is replaced by the following:

‘(2) “acceptable means of compliance (AMC)” means non-binding standards adopted by the Agency to illustrate means by which to establish compliance with Regulation (EU) 2018/1139 and its delegated and implementing acts’;

(b) point (5) is replaced by the following:

‘(5) “alternative means of compliance” means an alternative to an existing AMC or a new means to establish compliance with Regulation (EU) 2018/1139 and its delegated and implementing acts for which no associated AMC have been adopted by the Agency’;

(c) the following points (7a) and (7b) are inserted:

‘(7a) “credit” means the recognition of the training undertaken by an air traffic controller during their military service for the purpose of applying for a student air traffic controller licence to be issued in accordance with this Regulation;

(7b) “national conversion report” means a report on the basis of which prior air traffic controller training may be given credit by the competent authority to which the application for the issue of a student air traffic controller licence is submitted’;

(d) point (11) is replaced by the following:

‘(11) “guidance material (GM)” means a non-binding material issued by the Agency, which helps to illustrate the meaning of delegated or implementing acts and which is used to support the application of Regulation (EU) 2018/1139 and its delegated and implementing acts’;

(e) the following point (14a) is inserted:

‘(14a) “licence endorsement” means the authorisation entered on and forming part of the licence, indicating a specific qualification of the licence holder. It is a generic term used to describe the inclusion of on-the-job training instructor, synthetic training device instructor, assessor and language proficiency endorsements.’;

(f) point (19) is replaced by the following:

‘(19) “provisional inability” means a temporary state in which the licence holder is prevented from exercising the privileges of the licence when ratings, endorsements and his or her medical certificate are valid’;

(g) the following point (20a) is inserted:

‘(20a) “rating” means the authorisation entered on or associated with a licence and forming part thereof, stating special conditions, privileges or limitations pertaining to such licence’;

(h) point (31) is replaced by the following:

‘(31) “validation” means a process by which, through the successful completion of a unit endorsement course associated with a rating or a rating endorsement, the holder may start exercising the privileges of that rating or rating endorsement.’;

(5) Article 7 is replaced by the following:

*Article 7*

### **Transitional provisions**

1. Licences, ratings and endorsements issued in accordance with the relevant provisions of national legislation based on Directive 2006/23/EC and licences, ratings and endorsements issued in accordance with Regulation (EU) No 805/2011 shall be deemed to have been issued in accordance with this Regulation.

2. Holders of the Aerodrome Control Visual (ADV) rating, who do not hold an Aerodrome Control Instrument (ADI) rating, shall continue to be authorised to provide air traffic control service to aerodrome traffic at an aerodrome that has no published instrument approach or departure procedures, provided that the validity of the unit endorsement related to the ADV rating is maintained.’;

(6) Article 8 is replaced by the following:

*Article 8*

### **Changes to rating and rating endorsements**

1. The competent authorities shall change the name of the Aerodrome Control Instrument (ADI) rating issued before 4 August 2024 into Aerodrome Control (ADC) no later than 4 August 2027 in a manner established by the competent authority..

2. The competent authorities shall not issue licences including Aerodrome Control Visual (ADV) rating after 4 August 2024 except for those air traffic controllers referred to in paragraph 2 of Article 7.

3. The competent authorities shall not issue licences including Air Control (AIR), Ground Movement Control (GMC), Tower Control (TWR), Ground Movement Surveillance (GMS), Aerodrome Radar Control (RAD) and Terminal Control (TCL) rating endorsements after 4 August 2024.

4. The privileges of the Air Control (AIR), Ground Movement Control (GMC) and Tower Control (TWR) rating endorsements issued before 4 August 2024 shall become part of the privileges of an Aerodrome Control (ADC) rating. If the exercise of the privileges of the holder is limited to air control or ground control only, this shall be indicated in the unit endorsement, in accordance with point ATCO.B.020(d) of Annex I, at the time of the change of name of the Aerodrome Control Instrument (ADI) rating into Aerodrome Control (ADC) in accordance with paragraph 1 of this Article.

5. The privileges of the Ground Movement Surveillance (GMS) rating endorsement issued before 4 August 2024 shall become part of the privileges of the unit endorsement associated with the Aerodrome Control rating.

6. The competent authorities shall change the name of the Aerodrome Radar Control (RAD) rating endorsement issued before 4 August 2024 into the Aerodrome Control Surveillance (SUR) rating endorsement at the time of the change of name of the Aerodrome Control Instrument (ADI) rating into Aerodrome Control (ADC) in accordance with paragraph 1 of this Article.

7. The privileges of the Terminal Control (TCL) rating endorsement issued before 4 August 2024 shall become part of the privileges of the unit endorsement associated with the Approach Control Surveillance (APS) or the Area Control Surveillance (ACS) rating.’;

(7) the following Article (8a) is inserted:

*'Article 8a*

**Conversion of national military air traffic controller licences into student air traffic controller licences**

1. A holder of a national military air traffic controller licence issued by a Member State may apply for the conversion of that licence into a student air traffic controller licence referred to in point ATCO.B.001. The application for the licence conversion shall be submitted to the competent authority of the Member State in whose military forces the applicant has served.

2. The competent authority that has received the application referred to in paragraph 1 shall give credit to the applicant for the purpose of demonstrating compliance with the relevant requirements of Annex I (Part ATCO) in accordance with the national conversion report established by the competent authority of the Member State concerned.

3. The national conversion report shall be notified by the competent authority of the Member State concerned to the Agency and shall:

- (a) describe the national requirements on the basis of which the military air traffic controller licences are issued in that Member State;
- (b) describe the scope of the privileges of the military air traffic controller licences referred to in point (a);
- (c) indicate for which requirements of Annex I (Part ATCO) credit is to be given;
- (d) indicate the additional training, including the required examinations and assessments, to be undertaken by the applicants; the required examinations and assessments shall be conducted by a training organisation that meets the requirements laid down in Annex III (Part ATCO.OR) and that is certified to provide initial training for the purpose of issuing student air traffic controller licences in accordance with this Regulation;
- (e) include a statement confirming that the compliance of the applicant with the training, examination and assessment requirements described in the national conversion report can be considered as being equivalent to the successful completion of the initial training required under this Regulation for the purpose of issuing a student air traffic controller licence;
- (f) include copies of all relevant supporting documentation, including copies of the relevant national requirements and procedures, demonstrating how the competent authority of the Member State has established the elements listed in points (a) to (e) above.;

(8) Annexes I to IV are amended in accordance with Annexes I to IV to this Regulation.

*Article 2*

**Date of 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 4 August 2024.

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

Done at Brussels, 21 April 2023.

*For the Commission*  
*The President*  
Ursula VON DER LEYEN

## ANNEX I

Annex I (PART ATCO) to Regulation (EU) 2015/340 is amended as follows:

1. point ATCO.A.010 is replaced by the following:

**'ATCO.A.010 Application for change of competent authority**

- (a) If the licence holder is to exercise the privileges of a unit endorsement in a Member State of which the competent authority is not the one that issued the licence, the licence holder shall request a change of the competent authority to the competent authority of the Member State where those privileges are to be exercised in accordance with the procedure established by that authority. For this purpose, the competent authorities involved shall share all the relevant information needed to carry out the change of competent authority and licence exchange according to the procedures referred to in point ATCO.AR.B.001(c) and point ATCO.AR.D.003.
- (b) In derogation to point (a) above, a change of the competent authority is not required when only synthetic training device instructor or assessor privileges are exercised in a synthetic training device environment or when privileges of a student air traffic controller licence are exercised.
- (c) For the purposes of exercising the privileges of the licence in a Member State other than that in which the licence was issued, the licence holder must fulfil the language proficiency requirements referred to in point ATCO.B.030 established by the Member State where the privileges are to be exercised.;

2. point ATCO.A.015 is replaced by the following:

**'ATCO.A.015 Exercise of the privileges of licences and provisional inability**

- (a) The exercise of the privileges granted by a licence shall be dependent on the ratings and rating endorsements, validity of the unit and licence endorsements, and of the medical certificate, unless the medical certificate is not required in accordance with point (b).
- (b) The medical certificate is not required when exercising instructor or assessor privileges in a synthetic training device environment.
- (c) Licence holders shall not exercise the privileges of their licence when having doubts about being able to safely exercise the privileges of the licence and shall in such cases immediately notify the relevant air navigation service provider of the provisional inability to exercise the privileges of their licence.
- (d) Air navigation service providers may declare the provisional inability of the licence holder if they become aware of any doubt concerning the ability of the licence holder to safely exercise the privileges of the licence.
- (e) Air navigation service providers shall develop and implement objective, transparent and non-discriminatory procedures to enable licence holders declaring provisional inability to exercise the privileges of their licence in accordance with point (c), to declare the provisional inability of the licence holder in accordance with point (d), and to inform the competent authority as defined in that procedure.
- (f) The procedures referred to in point (e) shall be included in the unit competence scheme according to point ATCO.B.025(a)(13).;

3. point ATCO.B.001 is replaced by the following:

**'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 additional rating endorsement(s) and unit endorsement(s).

- (b) Applicants for a student air traffic controller licence shall:
- (1) be at least 18 years old;
  - (2) within the 12 months preceding the application, have successfully completed initial training at a training organisation satisfying the requirements laid down in Annex III (Part ATCO.OR) relevant to the rating, and if applicable, to the rating endorsement, as set out in Part ATCO, Subpart D, Section 2;
  - (3) hold a valid medical certificate;
  - (4) have demonstrated an adequate level of language proficiency in accordance with the requirements set out in point ATCO.B.030.
- (c) The student air traffic controller licence shall contain the language proficiency 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 started exercising the privileges of that licence within 1 year from the date of its issuance or has interrupted exercising those privileges for a period of more than 1 year may only start or continue on-the-job training in that rating:
- (1) if a training organisation satisfying the requirements laid down in Annex III (Part ATCO.OR) and certified to provide initial training relevant to the rating has conducted an assessment of previous competence as to whether the holder of a student air traffic controller licence continues to satisfy the requirements relevant to that rating, and
  - (2) after satisfying any training requirements resulting from the assessment referred to point (d)(1) above.;
4. in point ATCO.B.005, point (e) is replaced by the following:
- '(e) The holder of an air traffic controller licence who has not started exercising the privileges of a rating within 1 year from the date of its issuance may only start on-the-job training in that rating:
- (1) if a training organisation satisfying the requirements laid down in Annex III (Part ATCO.OR) and certified to provide initial training relevant to the rating has conducted an assessment of previous competence as to whether the previous competence of the holder of an air traffic controller licence continues to satisfy the requirements relevant to that rating, and
  - (2) after satisfying any training requirements resulting from the assessment referred to in point (e)(1) above.;
5. point ATCO.B.010 is replaced by the following:

**'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 (ADC) rating, indicating that the licence holder is competent to provide an air traffic control service to aerodrome traffic;
  - (2) the Approach Control Procedural (APP) rating, indicating that the licence holder is competent to provide an air traffic control service to arriving, departing or transiting aircraft without the use of surveillance equipment;
  - (3) the Approach Control Surveillance (APS) rating, indicating that the licence holder is competent to provide an air traffic control service to arriving, departing or transiting aircraft with the use of surveillance equipment;
  - (4) the Area Control Procedural (ACP) rating, indicating that the licence holder is competent to provide an air traffic control service to aircraft without the use of surveillance equipment;
  - (5) the Area Control Surveillance (ACS) rating, indicating that the licence holder 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 interrupted exercising the privileges associated with that rating for a period of 4 or more immediately preceding consecutive years may only start on-the-job training in that rating:
    - (1) if a training organisation satisfying the requirements laid down in Annex III (Part ATCO.OR) and certified to provide training relevant to the rating, has conducted an assessment of previous competence as to whether that the holder of a rating continues to satisfy the conditions of that rating, and;
    - (2) after satisfying any training requirements resulting from the assessment referred to in point (b)(1) above.;
6. point ATCO.B.015 is replaced by the following:

**'ATCO.B.015 Rating endorsements**

- (a) The Aerodrome Control (ADC) rating may bear the Aerodrome Control Surveillance (SUR) endorsement, indicating that the licence holder is competent to provide aerodrome control with the help of surveillance systems.
  - (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 licence holder 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 licence 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.
  - (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 the OCN endorsement, indicating that the licence holder is competent to provide air traffic control services to aircraft operating in an Oceanic Control Area.;
7. Point ATCO.B.020 is replaced by the following:

**'ATCO.B.020 Unit endorsements**

- (a) The unit endorsement shall authorise the licence holder to provide air traffic control services for a specific sector, group of sectors and/or working positions under the responsibility of an air traffic services unit.
- (b) Applicants for a unit endorsement shall have successfully completed a unit endorsement course in accordance with the requirements set out in Part ATCO, Subpart D, Section 3.
- (c) As an exception to point (b), the on-the-job training phase in Part ATCO, Subpart D, Section 3 may not be required when the unit endorsement is issued in connection with the issue of a temporary OJTI authorisation for the same unit.
- (d) Limitations on the exercise of the privileges of the Aerodrome Control (ADC) rating shall be indicated in the unit endorsement.
- (e) Applicants for a unit endorsement changing their competent authority as referred to in point ATCO.A.010 shall, in addition to the requirements set out in point ATCO.B.020(b), meet the requirements of point ATCO.D.060(f).
- (f) For air traffic controllers providing air traffic control services to aircraft carrying out flight tests, the competent authority may, in addition to the requirements set out in point (b), set out additional requirements to be met.
- (g) Unit endorsements shall be valid for a period defined in the unit competence scheme. This period shall not exceed 3 years.

- (h) The validity period of unit endorsements for initial issue and renewal shall start not later than 30 days from the date on which the assessment has been successfully completed.
  - (i) 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 unit competence scheme;
    - (2) the applicant has undertaken refresher training within the validity period of the unit endorsement according to the unit competence scheme;
    - (3) the applicant's competence has been assessed in accordance with the unit competence scheme not earlier than 3 months prior to the expiry date of the unit endorsement.
  - (j) Unit endorsements shall be revalidated provided that the requirements set out in point (i) are met within the 3-month period immediately preceding their expiry date. In such cases, the validity period shall be counted from that expiry date.
  - (k) If the unit endorsement is revalidated before the period provided for in point (j), its validity period shall start not later than 30 days from the date on which the assessment has been successfully completed, provided that the requirements in point (i)(1) and (2) are also met.
  - (l) If the validity of a unit endorsement expires, the licence holder shall successfully complete the unit endorsement course in accordance with the requirements set out in Part ATCO, Subpart D, Section 3 in order to renew the endorsement.';
8. Point ATCO.B.025 is replaced by the following:

**'ATCO.B.025 Unit competence scheme**

- (a) Unit competence scheme(s) shall be established by the air navigation service provider and approved by the competent authority. A unit competence scheme shall include at least the following elements:
  - (1) the validity of the unit endorsement(s) in accordance with point ATCO.B.020(g);
  - (2) the maximum continuous period when the privileges of a unit endorsement are not exercised during its validity. This period shall not exceed 90 calendar days;
  - (3) the minimum number of hours or, in the case of SRA and PAR rating endorsements, the minimum number of approaches, for exercising the privileges of the unit endorsement within a defined period of time, which shall not exceed 12 months, for the purpose of point ATCO.B.020(i)(1). For on-the-job training instructors exercising the privileges of the OJTI endorsement, the time spent instructing shall be counted for the maximum of 50 % of the hours required for revalidation of the unit endorsement;
  - (4) procedures for the cases where the licence holder does not meet the requirements set out in points (a)(2) and (3);
  - (5) processes for assessing competence, including assessment of the refresher training subjects according to point ATCO.D.080(b);
  - (6) processes for the examination of theoretical knowledge and understanding necessary to exercise the privileges of the ratings and endorsements;
  - (7) processes to identify the topics and subtopics, objectives and training methods for continuation training;
  - (8) the minimum duration and frequency of the refresher training;
  - (9) processes for the examination of theoretical knowledge and/or the assessment of practical skills acquired during conversion training, including pass marks for examinations;
  - (10) processes in case of failure of an examination or assessment, including the appeal processes;
  - (11) training personnel qualifications, roles and responsibilities;

- (12) a procedure to ensure that practical instructors have practised instructional techniques in the procedures in which instruction is provided in accordance with point ATCO.C.010(b)(3) and point ATCO.C.030(b)(3);
  - (13) procedures for the declaration and the management of cases of provisional inability to exercise the privileges of a licence, as well as for informing the competent authority in accordance with point ATCO.A.015(e);
  - (14) identification of records to be kept specific to continuation training and assessments, in accordance with point ATCO.OR.C.020;
  - (15) a 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 3 years.
- (b) In order to comply with the requirement set out in point (a)(3), air navigation service providers shall keep records of the hours during which each licence holder exercises the privileges of his or her unit endorsement(s) working in sectors, group of sectors and/or 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 points (a)(4) and (a)(13), 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.;
9. in point ATCO.B.040, point (a) is replaced by the following:
- ‘(a) The demonstration of language proficiency shall be done through a method of assessment approved by any competent authority, which shall contain:
- (1) the process by which an assessment is done;
  - (2) the qualification of the assessors;
  - (3) the appeal procedure.;
10. point ATCO.C.015 is replaced by the following:

**‘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 a period of at least 2 years immediately preceding the application. This period may be shortened to not less than 1 year by the competent authority when requested by the training organisation; and
  - (c) within the 12 months preceding the application, have successfully completed a practical instructional techniques course during which the required knowledge and pedagogical skills are taught and have been appropriately assessed.;
11. point ATCO.C.020 is replaced by the following:

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

- (a) The OJTI endorsement shall be valid for a period of 3 years.
- (b) The OJTI endorsement may be revalidated by successfully completing refresher training on practical instructional skills during its validity, provided that the requirement of point ATCO.C.015(a) is met.
- (c) If the OJTI endorsement has expired, provided that the requirement of point ATCO.C.015(a) is met, it may be renewed if, within the 12 months preceding the application for renewal, the OJTI endorsement holder has:
  - (1) received refresher training on practical instructional skills; and
  - (2) successfully passed a practical instructor competence assessment.

- (d) In the case of first issue and renewal, the period of validity of the OJTI endorsement shall start not later than 30 days from the date on which the assessment has been successfully completed.
- (e) If the requirement of point ATCO.C.015(a) is not met, the OJTI endorsement may be exchanged for an STDI endorsement, provided that compliance with the requirements of point ATCO.C.040 (b) and (c) is ensured.;

12. point ATCO.C.030 is replaced by the following:

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

(a) Holders of an STDI endorsement are authorised to provide practical training on synthetic training devices:

- (1) for subjects of practical nature during initial training;
- (2) for unit training other than OJT; and
- (3) for continuation training.

Where the STDI is providing pre-OJT, he or she shall hold or have held the relevant unit endorsement.

(b) Holders of an STDI endorsement shall only exercise the privileges of the endorsement if they have:

- (1) at least 2 years' experience in the rating they will instruct in;
- (2) demonstrated knowledge of current operational practices;
- (3) practised instructional techniques in those procedures in which instruction is provided.

(c) As an exception to point (b)(1),

- (1) the period of 2 years may be shortened to not less than 1 year by the competent authority when requested by the training organisation;
- (2) for the purpose of basic training, any rating held is appropriate;
- (3) for the purpose of rating training, training may be provided for specific and selected operational tasks by an STDI holding a rating that is relevant for that specific and selected operational task.;

13. point ATCO.C.035 is replaced by the following:

**'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 2 years. This period may be shortened to not less than 1 year by the competent authority when requested by the training organisation; and
- (b) within the 12 months preceding the application, have successfully completed a practical instructional techniques course during which the required knowledge and pedagogical skills are taught using theoretical and practical methods and have been appropriately assessed.;

14. point ATCO.C.040 is replaced by the following:

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

- (a) The STDI endorsement shall be valid for a period of 3 years.
- (b) The STDI endorsement may be revalidated by successfully completing refresher training on practical instructional skills and on current operational practices during its validity period.

- (c) If the STDI endorsement has expired, it may be renewed if, within the 12 months preceding the application for renewal, the STDI endorsement holder has:
  - (1) received refresher training on practical instructional skills and on current operational practices; and
  - (2) successfully passed a practical instructor competence assessment.
- (d) In the case of first issue and renewal, the period of validity of the STDI endorsement shall start not later than 30 days from the date on which the assessment has been successfully completed.;

15. point ATCO.C.045 is replaced by the following:

**'ATCO.C.045 Assessor privileges**

- (a) A person shall only carry out assessments when he or she holds an assessor endorsement.
- (b) Holders of an assessor endorsement are authorised to carry out assessments:
  - (1) during initial training for the issue of a student air traffic controller licence or for the issue of a new rating and/or rating endorsement, if applicable;
  - (2) of previous competence for the purpose of points ATCO.B.001(d), ATCO.B.005(e) and ATCO.B.010(b);
  - (3) of student air traffic controllers for the issue of a unit endorsement and rating endorsement(s), if applicable;
  - (4) of air traffic controllers for the issue of a unit endorsement and rating endorsement(s), if applicable, as well as for revalidation and renewal of a unit endorsement;
  - (5) of applicant practical instructors or applicant assessors when compliance with the applicable requirements of points (d)(2) to (4) is ensured.
- (c) Holders of an assessor endorsement shall only exercise the privileges of the endorsement if they have:
  - (1) at least 2 years' experience in the rating and rating endorsement(s) they will assess; and
  - (2) demonstrated knowledge of current operational practices.
- (d) In addition to the requirements set out in point (c), holders of an assessor endorsement shall only exercise the privileges of the endorsement:
  - (1) for assessments leading to the issue, revalidation and renewal of a unit endorsement if they also hold the unit endorsement associated with the assessment for an immediately preceding period of at least 1 year;
  - (2) for assessing the competence of an applicant for the issue or renewal of an STDI endorsement, if they hold an STDI or OJTI endorsement and have exercised the privileges of that endorsement for at least 3 years;
  - (3) for assessing the competence of an applicant for the issue or renewal of an OJTI endorsement if they hold an OJTI endorsement and have exercised the privileges of that endorsement for at least 3 years;
  - (4) for assessing the competence of an applicant for the issue or renewal of an assessor endorsement if they have exercised the privileges of the assessor endorsement for at least 3 years.
- (e) When assessing for the purpose of issue and renewal of a unit endorsement, and for ensuring supervision on the operational working position, the assessor shall also hold an OJTI endorsement, or an OJTI holding the valid unit endorsement associated with the assessment shall be present.;

16. point ATCO.C.055 is replaced by the following:

**'ATCO.C.055 Application for assessor endorsement**

Applicants for the issue of an assessor endorsement shall:

- (a) have exercised the privileges of an air traffic controller licence for at least 2 years; and
- (b) within the 12 months preceding the application have successfully completed an assessor course during which the required knowledge and skills are taught using theoretical and practical methods, and have been appropriately assessed.;

17. point ATCO.C.060 is replaced by the following:

**'ATCO.C.060 Validity of assessor endorsement**

- (a) The assessor endorsement shall be valid for a period of 3 years.
- (b) The assessor endorsement may be revalidated by successfully completing refresher training on assessment skills and on current operational practices during its validity period.
- (c) If the assessor endorsement has expired, it may be renewed if, within the 12 months preceding the application for renewal, the assessor endorsement holder has:
  - (1) received refresher training on assessment skills and on current operational practices; and
  - (2) successfully passed an assessor competence assessment.
- (d) In the case of first issue and renewal, the period of validity of the assessor endorsement shall start not later than 30 days from the date on which the assessment has been successfully completed.;

18. point ATCO.D.010 is replaced by the following:

**'ATCO.D.010 Composition of initial training**

- (a) Initial training, intended for an applicant for a student air traffic controller licence or for the issue of an additional rating and/or, if applicable, rating endorsement, shall consist of:
  - (1) basic training, comprising all the subjects, topics and subtopics contained in Appendix 2 to Annex I; and
  - (2) rating training, comprising the subjects, topics and subtopics of at least one of the following:
    - (i) Aerodrome Control Rating – ADC, defined in Appendix 3 to Annex I;
    - (ii) Approach Control Procedural Rating – APP, defined in Appendix 4 to Annex I;
    - (iii) Area Control Procedural Rating – ACP, defined in Appendix 5 to Annex I;
    - (iv) Approach Control Surveillance Rating – APS, defined in Appendix 6 to Annex I;
    - (v) Area Control Surveillance Rating – ACS, defined in Appendix 7 to Annex I.
- (b) Training intended for an additional rating shall consist of the subjects, topics and subtopics applicable to at least one of the ratings established in point (a)(2).
- (c) Training intended for the reactivation of a rating following a not successful assessment of previous competence according to point ATCO.B.010(b) shall be tailored according to the result of that assessment.
- (d) Training intended for a rating endorsement shall consist of subjects, topics and subtopics developed by the training organisation and approved as part of the training course.
- (e) Basic and/or rating training may be complemented with subjects, topics and subtopics that are additional or specific to the functional airspace block (FAB) or to the national environment.;

19. in point ATCO.D.025, point (b) is replaced by the following:

‘(b) A pass in theoretical examination(s) shall be awarded to a candidate achieving a minimum of 75 % of the marks allocated to that examination.’;

20. in point ATCO.D.025, point (d) is replaced by the following:

‘(d) A pass in assessment(s) shall be awarded to a candidate who consistently demonstrates the required performance as listed in point ATCO.D.030 and shows the behaviour required for safe provision of the air traffic control service.’;

21. in point ATCO.D.035, point (e) is replaced by the following:

‘(e) A pass in assessment(s) shall be awarded to an applicant who consistently demonstrates the required performance described in point ATCO.D.040 and shows the behaviour required for safe provision of the air traffic control service.’;

22. point ATCO.D.040 is replaced by the following:

**‘ATCO.D.040 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 point (b), rating training performance objectives for Aerodrome Control (ADC) 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 point (b), rating training performance objectives for the Approach Control Procedural (APP) 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 point (b), rating training performance objectives for the Approach Control Surveillance (APS) 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 point (b), rating training performance objectives for the Area Control Procedural (ACP) 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 point (b), rating training performance objectives for the Area Control Surveillance (ACS) 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.’;

23. point ATCO.D.050 is replaced by the following:

**'ATCO.D.050 Prerequisites of unit training**

Provided that the requirements set out in points ATCO.B.001(d), ATCO.B.005(e) and ATCO.B.010(b) are met:

- (a) unit training may only be started by persons who have successfully completed initial training relevant to the rating and, if applicable, rating endorsement;
- (b) the on-the-job training phase of unit training may only be started by persons who are holders of a student air traffic controller licence or an air traffic controller licence with the appropriate rating and, if applicable, rating endorsement.;

24. in point ATCO.D.060, points (e) and (f) are replaced by the following:

- '(e) Training intended for a rating endorsement shall consist of subjects, topics and subtopics developed by the training organisation and approved as part of the training course.
- (f) Unit endorsement courses undertaken by student air traffic controllers or air traffic controllers in a Member State for which the competent authority is not the same that issued the licence, shall be adapted to include elements of initial training that are specific to the FAB or to the national environment. The same requirement shall apply for cases where the applicant for the student licence has completed initial training in a Member State that is different from the Member State that will issue the student licence.;

25. Appendix 2 to Annex I is replaced by the following:

*'Appendix 2 to Annex I*

**BASIC TRAINING**

(Reference: Annex I (Part ATCO), Subpart D, Section 2, point ATCO.D.010(a)(1))

TABLE OF CONTENTS

SUBJECT 1: INTRODUCTION TO THE COURSE

SUBJECT 2: AVIATION LAW

SUBJECT 3: AIR TRAFFIC MANAGEMENT

SUBJECT 4: METEOROLOGY

SUBJECT 5: NAVIGATION

SUBJECT 6: AIRCRAFT

SUBJECT 7: HUMAN FACTORS

SUBJECT 8: EQUIPMENT AND SYSTEMS

SUBJECT 9: PROFESSIONAL ENVIRONMENT

**SUBJECT 1: INTRODUCTION TO THE COURSE**

TOPIC INTRB 1 — COURSE MANAGEMENT

Subtopic INTRB 1.1 — Course introduction

Subtopic INTRB 1.2 — Course administration

Subtopic INTRB 1.3 — Study material and training documentation

TOPIC INTRB 2 — INTRODUCTION TO THE ATC TRAINING COURSE

Subtopic INTRB 2.1 — Course content, methodology and organisation

Subtopic INTRB 2.2 —	Training ethos
Subtopic INTRB 2.3 —	Assessment process
TOPIC INTRB 3 —	INTRODUCTION TO THE ATCO'S FUTURE
Subtopic INTRB 3.1 —	Job prospects

**SUBJECT 2: AVIATION LAW**

TOPIC LAWB 1 —	INTRODUCTION TO AVIATION LAW
Subtopic LAWB 1.1 —	Relevance of aviation law
TOPIC LAWB 2 —	INTERNATIONAL ORGANISATIONS
Subtopic LAWB 2.1 —	ICAO
Subtopic LAWB 2.2 —	European and other agencies
Subtopic LAWB 2.3 —	Aviation associations
TOPIC LAWB 3 —	NATIONAL ORGANISATIONS
Subtopic LAWB 3.1 —	National authorities
Subtopic LAWB 3.2 —	National legislative procedures
Subtopic LAWB 3.3 —	Competent authority
Subtopic LAWB 3.4 —	National aviation associations
TOPIC LAWB 4 —	ATS SAFETY MANAGEMENT
Subtopic LAWB 4.1 —	Safety regulation
Subtopic LAWB 4.2 —	Safety management system
TOPIC LAWB 5 —	RULES AND REGULATIONS
Subtopic LAWB 5.1 —	Units of measurement
Subtopic LAWB 5.2 —	ATCO licensing/certification
Subtopic LAWB 5.3 —	Overview of ANS
Subtopic LAWB 5.4 —	Overview of ATS
Subtopic LAWB 5.5 —	Overview of aeronautical information management (AIM)
Subtopic LAWB 5.6 —	Rules of the air
Subtopic LAWB 5.7 —	Airspace and ATS routes
Subtopic LAWB 5.8 —	Flight plan
Subtopic LAWB 5.9 —	Aerodromes
Subtopic LAWB 5.10 —	Holding procedures for IFR flights
Subtopic LAWB 5.11 —	Holding procedures for VFR flights

**SUBJECT 3: AIR TRAFFIC MANAGEMENT**

TOPIC ATMB 1 —	AIR TRAFFIC MANAGEMENT
Subtopic ATMB 1.1 —	Application of units of measurement

Subtopic ATMB 1.2 —	Air traffic control (ATC) service
Subtopic ATMB 1.3 —	Flight information service (FIS)
Subtopic ATMB 1.4 —	Alerting service
Subtopic ATMB 1.5 —	Air traffic advisory service
Subtopic ATMB 1.6 —	ATS system capacity and air traffic flow management
Subtopic ATMB 1.7 —	Airspace management (ASM)
TOPIC ATMB 2 —	ALTIMETRY AND LEVEL ALLOCATION
Subtopic ATMB 2.1 —	Altimetry
Subtopic ATMB 2.2 —	Transition level
Subtopic ATMB 2.3 —	Level allocation
TOPIC ATMB 3 —	RADIOTELEPHONY (RTF)
Subtopic ATMB 3.1 —	RTF general operating procedures
TOPIC ATMB 4 —	ATC CLEARANCES AND ATC INSTRUCTIONS
Subtopic ATMB 4.1 —	Type and content of ATC clearances
Subtopic ATMB 4.2 —	ATC instructions
TOPIC ATMB 5 —	COORDINATION
Subtopic ATMB 5.1 —	Principles, types and content of coordination
Subtopic ATMB 5.2 —	Necessity for coordination
Subtopic ATMB 5.3 —	Means of coordination
TOPIC ATMB 6 —	DATA DISPLAY
Subtopic ATMB 6.1 —	Data extraction
Subtopic ATMB 6.2 —	Data management
TOPIC ATMB 7 —	SEPARATIONS
Subtopic ATMB 7.1 —	Vertical separation and procedures
Subtopic ATMB 7.2 —	Horizontal separation and procedures
Subtopic ATMB 7.3 —	Visual separation
Subtopic ATMB 7.4 —	Aerodrome separation and procedures
Subtopic ATMB 7.5 —	Separation based on ATS surveillance systems
Subtopic ATMB 7.6 —	Wake turbulence separation
TOPIC ATMB 8 —	AIRBORNE AND GROUND-BASED SAFETY NETS
Subtopic ATMB 8.1 —	Airborne safety nets
Subtopic ATMB 8.2 —	Ground-based safety nets
TOPIC ATMB 9 —	BASIC PRACTICAL SKILLS
Subtopic ATMB 9.1 —	Traffic management process

- Subtopic ATMB 9.2 — Basic practical skills applicable to all ratings
- Subtopic ATMB 9.3 — Basic practical skills applicable to aerodrome
- Subtopic ATMB 9.4 — Basic practical skills applicable to surveillance

**SUBJECT 4: METEOROLOGY**

- TOPIC METB 1 — INTRODUCTION TO METEOROLOGY
  - Subtopic METB 1.1 — Application of units of measurement
  - Subtopic METB 1.2 — Aviation and meteorology
  - Subtopic METB 1.3 — Organisation of meteorological service
- TOPIC METB 2 — ATMOSPHERE
  - Subtopic METB 2.1 — Composition and structure
  - Subtopic METB 2.2 — Standard atmosphere
  - Subtopic METB 2.3 — Heat and temperature
  - Subtopic METB 2.4 — Water in the atmosphere
  - Subtopic METB 2.5 — Air pressure
- TOPIC METB 3 — ATMOSPHERIC CIRCULATION
  - Subtopic METB 3.1 — General air circulation
  - Subtopic METB 3.2 — Air masses and frontal systems
  - Subtopic METB 3.3 — Mesoscale systems
  - Subtopic METB 3.4 — Wind
- TOPIC METB 4 — METEOROLOGICAL PHENOMENA
  - Subtopic METB 4.1 — Clouds
  - Subtopic METB 4.2 — Types of precipitation
  - Subtopic METB 4.3 — Visibility
  - Subtopic METB 4.4 — Meteorological hazards
- TOPIC METB 5 — METEOROLOGICAL INFORMATION FOR AVIATION
  - Subtopic METB 5.1 — Messages and reports

**SUBJECT 5: NAVIGATION**

- TOPIC NAVB 1 — INTRODUCTION TO NAVIGATION
  - Subtopic NAVB 1.1 — Application of units of measurement
  - Subtopic NAVB 1.2 — Purpose and use of navigation
- TOPIC NAVB 2 — THE EARTH
  - Subtopic NAVB 2.1 — Place and movement of the Earth
  - Subtopic NAVB 2.2 — System of coordinates, direction and distance

Subtopic NAVB 2.3 —	Magnetism
TOPIC NAVB 3 —	MAPS AND AERONAUTICAL CHARTS
Subtopic NAVB 3.1 —	Maps and charts used in aviation
TOPIC NAVB 4 —	NAVIGATIONAL BASICS
Subtopic NAVB 4.1 —	Influence of wind
Subtopic NAVB 4.2 —	Speed
Subtopic NAVB 4.3 —	Visual navigation
Subtopic NAVB 4.4 —	Navigational aspects of flight planning
TOPIC NAVB 5 —	INSTRUMENT NAVIGATION
Subtopic NAVB 5.1 —	Ground-based systems
Subtopic NAVB 5.2 —	Inertial navigation systems
Subtopic NAVB 5.3 —	Satellite-based systems
Subtopic NAVB 5.4 —	Instrument approach procedures
TOPIC NAVB 6 —	PERFORMANCE-BASED NAVIGATION
Subtopic NAVB 6.1 —	Principles and benefits of area navigation
Subtopic NAVB 6.2 —	Introduction to PBN
Subtopic NAVB 6.3 —	PBN applications
TOPIC NAVB 7 —	DEVELOPMENTS IN NAVIGATION
Subtopic NAVB 7.1 —	Future developments

**SUBJECT 6:                   AIRCRAFT**

TOPIC ACFTB 1 —	INTRODUCTION TO AIRCRAFT
Subtopic ACFTB 1.1 —	Application of units of measurement
Subtopic ACFTB 1.2 —	Aviation and aircraft
TOPIC ACFTB 2 —	PRINCIPLES OF FLIGHT
Subtopic ACFTB 2.1 —	Forces acting on aircraft
Subtopic ACFTB 2.2 —	Structural components and control of an aircraft
Subtopic ACFTB 2.3 —	Flight envelope
TOPIC ACFTB 3 —	AIRCRAFT CATEGORIES
Subtopic ACFTB 3.1 —	Aircraft categories
Subtopic ACFTB 3.2 —	Wake turbulence categories
Subtopic ACFTB 3.3 —	ICAO approach categories
Subtopic ACFTB 3.4 —	Environmental categories

TOPIC ACFTB 4 —	AIRCRAFT DATA
Subtopic ACFTB 4.1 —	Recognition
Subtopic ACFTB 4.2 —	Performance data
TOPIC ACFTB 5 —	AIRCRAFT ENGINES
Subtopic ACFTB 5.1 —	Piston engines
Subtopic ACFTB 5.2 —	Jet engines
Subtopic ACFTB 5.3 —	Turboprop engines
Subtopic ACFTB 5.4 —	Electric engines
Subtopic ACFTB 5.5 —	Sources of energy used in aviation
TOPIC ACFTB 6 —	AIRCRAFT SYSTEMS AND INSTRUMENTS
Subtopic ACFTB 6.1 —	Flight instruments
Subtopic ACFTB 6.2 —	Navigational instruments
Subtopic ACFTB 6.3 —	Engine instruments
Subtopic ACFTB 6.4 —	Aircraft elements and systems
TOPIC ACFTB 7 —	FACTORS AFFECTING AIRCRAFT PERFORMANCE
Subtopic ACFTB 7.1 —	Take-off factors
Subtopic ACFTB 7.2 —	Climb factors
Subtopic ACFTB 7.3 —	Cruise factors
Subtopic ACFTB 7.4 —	Descent and initial approach factors
Subtopic ACFTB 7.5 —	Final approach and landing factors
Subtopic ACFTB 7.6 —	Economic factors
Subtopic ACFTB 7.7 —	Environmental factors

**SUBJECT 7: HUMAN FACTORS**

TOPIC HUMB 1 —	INTRODUCTION TO HUMAN PERFORMANCE
Subtopic HUMB 1.1 —	Relevance of human factors for ATC
TOPIC HUMB 2 —	HEALTH AND WELL-BEING
Subtopic HUMB 2.1 —	Fitness for duty
Subtopic HUMB 2.2 —	Stress and fatigue
Subtopic HUMB 2.3 —	Substance use and responsibility
TOPIC HUMB 3 —	HUMAN PERFORMANCE
Subtopic HUMB 3.1 —	Individual behaviour
Subtopic HUMB 3.2 —	Safety culture and professional conduct

TOPIC HUMB 4 — HUMAN ERROR

Subtopic HUMB 4.1 — Definition of human error

Subtopic HUMB 4.2 — Classification of human error

TOPIC HUMB 5 — TEAMWORK

Subtopic HUMB 5.1 — Teamwork and team roles

TOPIC HUMB 6 — COMMUNICATION

Subtopic HUMB 6.1 — Communication in ATC

Subtopic HUMB 6.2 — Communication modes

**SUBJECT 8: EQUIPMENT AND SYSTEMS**

TOPIC EQPSB 1 — ATC EQUIPMENT

Subtopic EQPSB 1.1 — Main types of ATC equipment

TOPIC EQPSB 2 — RADIO

Subtopic EQPSB 2.1 — Radio theory

Subtopic EQPSB 2.2 — Direction finding

TOPIC EQPSB 3 — COMMUNICATION EQUIPMENT

Subtopic EQPSB 3.1 — Radio communications

Subtopic EQPSB 3.2 — Voice communication between ATS units/positions and others

Subtopic EQPSB 3.3 — Data link communications

Subtopic EQPSB 3.4 — Airline communications

TOPIC EQPSB 4 — INTRODUCTION TO SURVEILLANCE

Subtopic EQPSB 4.1 — Surveillance concept in ATS

TOPIC EQPSB 5 — RADAR

Subtopic EQPSB 5.1 — Principles of radar

Subtopic EQPSB 5.2 — Primary radar

Subtopic EQPSB 5.3 — Secondary radar

Subtopic EQPSB 5.4 — Use of radars

TOPIC EQPSB 6 — AUTOMATIC DEPENDENT SURVEILLANCE

Subtopic EQPSB 6.1 — Principles of automatic dependent surveillance

Subtopic EQPSB 6.2 —	Use of automatic dependent surveillance
TOPIC EQPSB 7 —	MULTILATERATION
Subtopic EQPSB 7.1 —	Principles of multilateration
Subtopic EQPSB 7.2 —	Use of multilateration
TOPIC EQPSB 8 —	DATA PROCESSING
Subtopic EQPSB 8.1 —	Surveillance data networking
Subtopic EQPSB 8.2 —	Working principles of surveillance data networking
Subtopic EQPSB 8.3 —	Flight data processing
TOPIC EQPSB 9 —	FUTURE EQUIPMENT
Subtopic EQPSB 9.1 —	New developments
TOPIC EQPSB 10 —	AUTOMATION IN ATS
Subtopic EQPSB 10.1 —	Principles of automation
Subtopic EQPSB 10.2 —	Aeronautical fixed telecommunication network (AFTN)
Subtopic EQPSB 10.3 —	Online data interchange
Subtopic EQPSB 10.4 —	Systems used for the automatic dissemination of information
TOPIC EQPSB 11 —	WORKING POSITIONS
Subtopic EQPSB 11.1 —	Working position equipment
Subtopic EQPSB 11.2 —	Aerodrome control
Subtopic EQPSB 11.3 —	Approach control
Subtopic EQPSB 11.4 —	Area control

**SUBJECT 9: PROFESSIONAL ENVIRONMENT**

TOPIC PENB 1 —	FAMILIARISATION
Subtopic PENB 1.1 —	ATS and aerodrome facilities
TOPIC PENB 2 —	AIRSPACE USERS
Subtopic PENB 2.1 —	Civil aviation
Subtopic PENB 2.2 —	Military aviation
Subtopic PENB 2.3 —	Expectations and requirements of pilots
TOPIC PENB 3 —	CUSTOMER RELATIONS
Subtopic PENB 3.1 —	ATS as a service provider
TOPIC PENB 4 —	ENVIRONMENTAL PROTECTION
Subtopic PENB 4.1 —	Environmental protection;

26. Appendix 3 to Annex I is deleted;

27. Appendix 4 to Annex I is replaced by the following:

*'Appendix 3 to Annex I*

**AERODROME CONTROL RATING (ADC)**

(Reference: Annex I (PART ATCO), Subpart D, Section 2, point ATCO.D.010(a)(2)(i))

TABLE OF CONTENTS

SUBJECT 1: INTRODUCTION TO THE COURSE  
 SUBJECT 2: AVIATION LAW  
 SUBJECT 3: AIR TRAFFIC MANAGEMENT  
 SUBJECT 4: METEOROLOGY  
 SUBJECT 5: NAVIGATION  
 SUBJECT 6: AIRCRAFT  
 SUBJECT 7: HUMAN FACTORS  
 SUBJECT 8: EQUIPMENT AND SYSTEMS  
 SUBJECT 9: PROFESSIONAL ENVIRONMENT  
 SUBJECT 10: ABNORMAL AND EMERGENCY SITUATIONS  
 SUBJECT 11: AERODROMES

<b>SUBJECT 1:</b>	<b>INTRODUCTION TO THE COURSE</b>
TOPIC INTR 1 —	COURSE MANAGEMENT
Subtopic INTR 1.1 —	Course introduction
Subtopic INTR 1.2 —	Course administration
Subtopic INTR 1.3 —	Study material and training documentation
TOPIC INTR 2 —	INTRODUCTION TO THE ATC TRAINING COURSE
Subtopic INTR 2.1 —	Course content and organisation
Subtopic INTR 2.2 —	Training ethos
Subtopic INTR 2.3 —	Assessment process
<b>SUBJECT 2:</b>	<b>AVIATION LAW</b>
TOPIC LAW 1 —	ATCO LICENSING/CERTIFICATE OF COMPETENCE
Subtopic LAW 1.1 —	Privileges and conditions
TOPIC LAW 2 —	RULES AND REGULATIONS
Subtopic LAW 2.1 —	Reports
Subtopic LAW 2.2 —	Airspace
TOPIC LAW 3 —	ATS SAFETY MANAGEMENT
Subtopic LAW 3.1 —	Feedback process
Subtopic LAW 3.2 —	Safety investigation

<b>SUBJECT 3:</b>	<b>AIR TRAFFIC MANAGEMENT</b>
TOPIC ATM 1 —	PROVISION OF SERVICES
Subtopic ATM 1.1 —	Aerodrome control service
Subtopic ATM 1.2 —	Flight information service (FIS)
Subtopic ATM 1.3 —	Alerting service (ALRS)
Subtopic ATM 1.4 —	ATS system capacity and air traffic flow management
TOPIC ATM 2 —	COMMUNICATION
Subtopic ATM 2.1 —	Effective communication
TOPIC ATM 3 —	ATC CLEARANCES AND ATC INSTRUCTIONS
Subtopic ATM 3.1 —	ATC clearances
Subtopic ATM 3.2 —	ATC instructions
TOPIC ATM 4 —	COORDINATION
Subtopic ATM 4.1 —	Necessity for coordination
Subtopic ATM 4.2 —	Tools and methods for coordination
Subtopic ATM 4.3 —	Coordination procedures
TOPIC ATM 5 —	ALTIMETRY AND LEVEL ALLOCATION
Subtopic ATM 5.1 —	Altimetry
Subtopic ATM 5.2 —	Terrain clearance
TOPIC ATM 6 —	SEPARATIONS
Subtopic ATM 6.1 —	Separation between departing aircraft
Subtopic ATM 6.2 —	Separation of departing aircraft from arriving aircraft
Subtopic ATM 6.3 —	Separation of landing aircraft and preceding landing or departing aircraft
Subtopic ATM 6.4 —	Time-based wake turbulence longitudinal separation
Subtopic ATM 6.5 —	Reduced separation minima
TOPIC ATM 7 —	AIRBORNE AND GROUND-BASED SAFETY NETS
Subtopic ATM 7.1 —	Airborne safety nets
Subtopic ATM 7.2 —	Ground-based safety nets
TOPIC ATM 8 —	DATA DISPLAY
Subtopic ATM 8.1 —	Data management
TOPIC ATM 9 —	OPERATIONAL ENVIRONMENT (SIMULATED)
Subtopic ATM 9.1 —	Integrity of the operational environment
Subtopic ATM 9.2 —	Verification of the currency of operational procedures
Subtopic ATM 9.3 —	Handover-takeover

TOPIC ATM 10 —	PROVISION OF AN AERODROME CONTROL SERVICE
Subtopic ATM 10.1 —	Responsibility for the provision
Subtopic ATM 10.2 —	Traffic management process
Subtopic ATM 10.3 —	Aeronautical ground lights
Subtopic ATM 10.4 —	Information to aircraft by the aerodrome control tower
Subtopic ATM 10.5 —	Control of aerodrome traffic
Subtopic ATM 10.6 —	Control of airborne traffic
Subtopic ATM 10.7 —	Runway in use
Subtopic ATM 10.8 —	Departing traffic
Subtopic ATM 10.9 —	Arriving traffic
Subtopic ATM 10.10 —	Special VFR operations
Subtopic ATM 10.11 —	Low-visibility operations
Subtopic ATM 10.12 —	Aerodrome control service with advanced system support

**SUBJECT 4: METEOROLOGY**

TOPIC MET 1 —	METEOROLOGICAL PHENOMENA
Subtopic MET 1.1 —	Meteorological phenomena
TOPIC MET 2 —	SOURCES OF METEOROLOGICAL DATA
Subtopic MET 2.1 —	Meteorological instruments
Subtopic MET 2.2 —	Other sources of meteorological data

**SUBJECT 5: NAVIGATION**

TOPIC NAV 1 —	MAPS AND AERONAUTICAL CHARTS
Subtopic NAV 1.1 —	Maps and charts
TOPIC NAV 2 —	INSTRUMENT NAVIGATION
Subtopic NAV 2.1 —	Navigational systems
Subtopic NAV 2.2 —	Stabilised approach
Subtopic NAV 2.3 —	Instrument departures and arrivals
Subtopic NAV 2.4 —	Satellite-based systems
Subtopic NAV 2.5 —	PBN applications

**SUBJECT 6: AIRCRAFT**

TOPIC ACFT 1 —	AIRCRAFT INSTRUMENTS
Subtopic ACFT 1.1 —	Aircraft instruments
TOPIC ACFT 2 —	AIRCRAFT CATEGORIES
Subtopic ACFT 2.1 —	Wake turbulence

Subtopic ACFT 2.2 —	Application of ICAO approach categories
TOPIC ACFT 3 —	FACTORS AFFECTING AIRCRAFT PERFORMANCE
Subtopic ACFT 3.1 —	Take-off factors
Subtopic ACFT 3.2 —	Climb factors
Subtopic ACFT 3.3 —	Final approach and landing factors
Subtopic ACFT 3.4 —	Economic factors
Subtopic ACFT 3.5 —	Environmental factors
TOPIC ACFT 4 —	AIRCRAFT DATA
Subtopic ACFT 4.1 —	Recognition of aircraft types
Subtopic ACFT 4.2 —	Performance data

**SUBJECT 7: HUMAN FACTORS**

TOPIC HUM 1 —	INFORMATION PROCESSING
Subtopic HUM 1.1 —	Cognition and factors influencing it
Subtopic HUM 1.2 —	Situational awareness
Subtopic HUM 1.3 —	Decision-making
TOPIC HUM 2 —	FACTORS AFFECTING HEALTH AND WELL-BEING
Subtopic HUM 2.1 —	Fatigue
Subtopic HUM 2.2 —	Stress
TOPIC HUM 3 —	THREAT AND ERROR MANAGEMENT
Subtopic HUM 3.1 —	Threat and error management framework
Subtopic HUM 3.2 —	Applied threat and error management
TOPIC HUM 4 —	TEAMWORK
Subtopic HUM 4.1 —	Benefits of teamwork
Subtopic HUM 4.2 —	Conflict management
TOPIC HUM 5 —	SYSTEM
Subtopic HUM 5.1 —	Concept of systems in ATM/ANS
TOPIC HUM 6 —	COMMUNICATION
Subtopic HUM 6.1 —	Effective communication
Subtopic HUM 6.2 —	Effective feedback

**SUBJECT 8: EQUIPMENT AND SYSTEMS**

TOPIC EQPS 1 —	VOICE COMMUNICATIONS
Subtopic EQPS 1.1 —	Radio communications
Subtopic EQPS 1.2 —	Other voice communications

TOPIC EQPS 2 —	AUTOMATION IN ATS
Subtopic EQPS 2.1 —	Aeronautical fixed telecommunication network (AFTN)
Subtopic EQPS 2.2 —	Automatic data interchange
TOPIC EQPS 3 —	CONTROLLER WORKING POSITION
Subtopic EQPS 3.1 —	Operation and monitoring of equipment
Subtopic EQPS 3.2 —	Situation displays and information systems
Subtopic EQPS 3.3 —	Flight data systems
TOPIC EQPS 4 —	FUTURE EQUIPMENT
Subtopic EQPS 4.1 —	New developments
TOPIC EQPS 5 —	EQUIPMENT AND SYSTEMS' LIMITATIONS AND DEGRADATION
Subtopic EQPS 5.1 —	Reaction to limitations
Subtopic EQPS 5.2 —	Communication equipment degradation
Subtopic EQPS 5.3 —	Navigational equipment degradation

**SUBJECT 9: PROFESSIONAL ENVIRONMENT**

TOPIC PEN 1 —	FAMILIARISATION
Subtopic PEN 1.1 —	Study visit to an aerodrome
TOPIC PEN 2 —	AIRSPACE USERS
Subtopic PEN 2.1 —	Contributors to civil ATS operations
Subtopic PEN 2.2 —	Contributors to military ATS operations
TOPIC PEN 3 —	CUSTOMER RELATIONS
Subtopic PEN 3.1 —	Provision of services and user requirements
TOPIC PEN 4 —	ENVIRONMENTAL PROTECTION
Subtopic PEN 4.1 —	Environmental protection

**SUBJECT 10: ABNORMAL AND EMERGENCY SITUATIONS**

TOPIC ABES 1 —	ABNORMAL AND EMERGENCY SITUATIONS (ABES)
Subtopic ABES 1.1 —	Overview of ABES
TOPIC ABES 2 —	SKILLS IMPROVEMENT
Subtopic ABES 2.1 —	Communication effectiveness
Subtopic ABES 2.2 —	Avoidance of mental overload
Subtopic ABES 2.3 —	Air-ground cooperation
TOPIC ABES 3 —	PROCEDURES FOR ABNORMAL AND EMERGENCY SITUATIONS
Subtopic ABES 3.1 —	Application of procedures for ABES
Subtopic ABES 3.2 —	Radio failure

- Subtopic ABES 3.3 — Unlawful interference and aircraft bomb threat
- Subtopic ABES 3.4 — Strayed or unidentified aircraft
- Subtopic ABES 3.5 — Runway incursion
- Subtopic ABES 3.6 — Interception of civil aircraft

**SUBJECT 11: AERODROMES**

- TOPIC AGA 1 — AERODROME DATA, LAYOUT AND COORDINATION
- Subtopic AGA 1.1 — Definitions
- Subtopic AGA 1.2 — Coordination
- TOPIC AGA 2 — MOVEMENT AREA
- Subtopic AGA 2.1 — Movement area
- Subtopic AGA 2.2 — Manoeuvring area
- Subtopic AGA 2.3 — Runways
- TOPIC AGA 3 — OBSTACLES
- Subtopic AGA 3.1 — Obstacle-free airspace around aerodromes
- TOPIC AGA 4 — MISCELLANEOUS EQUIPMENT
- Subtopic AGA 4.1 — Location;

28. Appendix 5 to Annex I is replaced by the following:

*'Appendix 4 to Annex I*

**APPROACH CONTROL PROCEDURAL RATING (APP)**

(Reference: Annex I (PART ATCO), Subpart D, Section 2, point ATCO.D.010(a)(2)(ii))

TABLE OF CONTENTS

- SUBJECT 1: INTRODUCTION TO THE COURSE
- SUBJECT 2: AVIATION LAW
- SUBJECT 3: AIR TRAFFIC MANAGEMENT
- SUBJECT 4: METEOROLOGY
- SUBJECT 5: NAVIGATION
- SUBJECT 6: AIRCRAFT
- SUBJECT 7: HUMAN FACTORS
- SUBJECT 8: EQUIPMENT AND SYSTEMS
- SUBJECT 9: PROFESSIONAL ENVIRONMENT
- SUBJECT 10: ABNORMAL AND EMERGENCY SITUATIONS
- SUBJECT 11: AERODROMES

<b>SUBJECT 1:</b>	<b>INTRODUCTION TO THE COURSE</b>
TOPIC INTR 1 —	COURSE MANAGEMENT
Subtopic INTR 1.1 —	Course introduction
Subtopic INTR 1.2 —	Course administration
Subtopic INTR 1.3 —	Study material and training documentation
TOPIC INTR 2 —	INTRODUCTION TO THE ATC TRAINING COURSE
Subtopic INTR 2.1 —	Course content and organisation
Subtopic INTR 2.2 —	Training ethos
Subtopic INTR 2.3 —	Assessment process
<b>SUBJECT 2:</b>	<b>AVIATION LAW</b>
TOPIC LAW 1 —	ATCO LICENSING/CERTIFICATE OF COMPETENCE
Subtopic LAW 1.1 —	Privileges and conditions
TOPIC LAW 2 —	RULES AND REGULATIONS
Subtopic LAW 2.1 —	Reports
Subtopic LAW 2.2 —	Airspace
TOPIC LAW 3 —	ATS SAFETY MANAGEMENT
Subtopic LAW 3.1 —	Feedback process
Subtopic LAW 3.2 —	Safety investigation
<b>SUBJECT 3:</b>	<b>AIR TRAFFIC MANAGEMENT</b>
TOPIC ATM 1 —	PROVISION OF SERVICES
Subtopic ATM 1.1 —	Air traffic control (ATC) service
Subtopic ATM 1.2 —	Flight information service (FIS)
Subtopic ATM 1.3 —	Alerting service (ALRS)
Subtopic ATM 1.4 —	ATS system capacity and air traffic flow management
Subtopic ATM 1.5 —	Airspace management (ASM)
TOPIC ATM 2 —	COMMUNICATION
Subtopic ATM 2.1 —	Effective communication
TOPIC ATM 3 —	ATC CLEARANCES AND ATC INSTRUCTIONS
Subtopic ATM 3.1 —	ATC clearances
Subtopic ATM 3.2 —	ATC instructions
TOPIC ATM 4 —	COORDINATION
Subtopic ATM 4.1 —	Necessity for coordination
Subtopic ATM 4.2 —	Tools and methods for coordination
Subtopic ATM 4.3 —	Coordination procedures

TOPIC ATM 5 —	ALTIMETRY AND LEVEL ALLOCATION
Subtopic ATM 5.1 —	Altimetry
Subtopic ATM 5.2 —	Terrain clearance
TOPIC ATM 6 —	SEPARATIONS
Subtopic ATM 6.1 —	Vertical separation
Subtopic ATM 6.2 —	Horizontal separation
Subtopic ATM 6.3 —	Delegation of separation
TOPIC ATM 7 —	AIRBORNE SAFETY NETS
Subtopic ATM 7.1 —	Airborne safety nets
TOPIC ATM 8 —	DATA DISPLAY
Subtopic ATM 8.1 —	Data management
TOPIC ATM 9 —	OPERATIONAL ENVIRONMENT (SIMULATED)
Subtopic ATM 9.1 —	Integrity of the operational environment
Subtopic ATM 9.2 —	Verification of the currency of operational procedures
Subtopic ATM 9.3 —	Handover-takeover
TOPIC ATM 10 —	PROVISION OF CONTROL SERVICE
Subtopic ATM 10.1 —	Responsibility and processing of information
Subtopic ATM 10.2 —	Approach control
Subtopic ATM 10.3 —	Traffic management process
Subtopic ATM 10.4 —	Handling traffic
TOPIC ATM 11 —	HOLDING
Subtopic ATM 11.1 —	General holding procedures
Subtopic ATM 11.2 —	Approaching aircraft

**SUBJECT 4: METEOROLOGY**

TOPIC MET 1 —	METEOROLOGICAL PHENOMENA
Subtopic MET 1.1 —	Meteorological phenomena
TOPIC MET 2 —	SOURCES OF METEOROLOGICAL DATA
Subtopic MET 2.1 —	Sources of meteorological information

**SUBJECT 5: NAVIGATION**

TOPIC NAV 1 —	MAPS AND AERONAUTICAL CHARTS
Subtopic NAV 1.1 —	Maps and charts
TOPIC NAV 2 —	INSTRUMENT NAVIGATION
Subtopic NAV 2.1 —	Navigational systems
Subtopic NAV 2.2 —	Stabilised approach

Subtopic NAV 2.3 — Instrument departures and arrivals

Subtopic NAV 2.4 — Navigational assistance

Subtopic NAV 2.5 — Satellite-based systems

Subtopic NAV 2.6 — PBN applications

**SUBJECT 6: AIRCRAFT**

TOPIC ACFT 1 — AIRCRAFT INSTRUMENTS

Subtopic ACFT 1.1 — Aircraft instruments

TOPIC ACFT 2 — AIRCRAFT CATEGORIES

Subtopic ACFT 2.1 — Wake turbulence

Subtopic ACFT 2.2 — Application of ICAO approach categories

TOPIC ACFT 3 — FACTORS AFFECTING AIRCRAFT PERFORMANCE

Subtopic ACFT 3.1 — Climb factors

Subtopic ACFT 3.2 — Cruise factors

Subtopic ACFT 3.3 — Descent and initial approach factors

Subtopic ACFT 3.4 — Final approach and landing factors

Subtopic ACFT 3.5 — Economic factors

Subtopic ACFT 3.6 — Environmental factors

TOPIC ACFT 4 — AIRCRAFT DATA

Subtopic ACFT 4.1 — Performance data

**SUBJECT 7: HUMAN FACTORS**

TOPIC HUM 1 — INFORMATION PROCESSING

Subtopic HUM 1.1 — Cognition and factors influencing it

Subtopic HUM 1.2 — Situational awareness

Subtopic HUM 1.3 — Decision-making

TOPIC HUM 2 — FACTORS AFFECTING HEALTH AND WELL-BEING

Subtopic HUM 2.1 — Fatigue

Subtopic HUM 2.2 — Stress

TOPIC HUM 3 — THREAT AND ERROR MANAGEMENT

Subtopic HUM 3.1 — Threat and error management framework

Subtopic HUM 3.2 — Applied threat and error management

TOPIC HUM 4 — TEAMWORK

Subtopic HUM 4.1 — Benefits of teamwork

Subtopic HUM 4.2 — Conflict management

TOPIC HUM 5 — SYSTEM

Subtopic HUM 5.1 — Concept of systems in ATM/ANS

TOPIC HUM 6 — COMMUNICATION

Subtopic HUM 6.1 — Effective communication

Subtopic HUM 6.2 — Effective feedback

**SUBJECT 8: EQUIPMENT AND SYSTEMS**

TOPIC EQPS 1 — VOICE COMMUNICATIONS

Subtopic EQPS 1.1 — Radio communications

Subtopic EQPS 1.2 — Other voice communications

TOPIC EQPS 2 — AUTOMATION IN ATS

Subtopic EQPS 2.1 — Aeronautical fixed telecommunication network (AFTN)

Subtopic EQPS 2.2 — Automatic data interchange

TOPIC EQPS 3 — CONTROLLER WORKING POSITION

Subtopic EQPS 3.1 — Operation and monitoring of equipment

Subtopic EQPS 3.2 — Situation displays and information systems

Subtopic EQPS 3.3 — Flight data systems

TOPIC EQPS 4 — FUTURE EQUIPMENT

Subtopic EQPS 4.1 — New developments

TOPIC EQPS 5 — EQUIPMENT AND SYSTEMS' LIMITATIONS AND DEGRADATION

Subtopic EQPS 5.1 — Reaction to limitations

Subtopic EQPS 5.2 — Communication equipment degradation

Subtopic EQPS 5.3 — Navigational equipment degradation

**SUBJECT 9: PROFESSIONAL ENVIRONMENT**

TOPIC PEN 1 — FAMILIARISATION

Subtopic PEN 1.1 — Study visit to an approach control unit

TOPIC PEN 2 — AIRSPACE USERS

Subtopic PEN 2.1 — Contributors to civil ATS operations

Subtopic PEN 2.2 — Contributors to military ATS operations

TOPIC PEN 3 — CUSTOMER RELATIONS

Subtopic PEN 3.1 — Provision of services and user requirements

TOPIC PEN 4 — ENVIRONMENTAL PROTECTION

Subtopic PEN 4.1 — Environmental protection

**SUBJECT 10: ABNORMAL AND EMERGENCY SITUATIONS**

TOPIC ABES 1 — ABNORMAL AND EMERGENCY SITUATIONS (ABES)

Subtopic ABES 1.1 — Overview of ABES

TOPIC ABES 2 — SKILLS IMPROVEMENT

Subtopic ABES 2.1 — Communication effectiveness

Subtopic ABES 2.2 — Avoidance of mental overload

Subtopic ABES 2.3 — Air-ground cooperation

TOPIC ABES 3 — PROCEDURES FOR ABNORMAL AND EMERGENCY SITUATIONS

Subtopic ABES 3.1 — Application of procedures for ABES

Subtopic ABES 3.2 — Radio failure

Subtopic ABES 3.3 — Unlawful interference and aircraft bomb threat

Subtopic ABES 3.4 — Strayed or unidentified aircraft

Subtopic ABES 3.5 — Diversions

Subtopic ABES 3.6 — Interception of civil aircraft

**SUBJECT 11: AERODROMES**

TOPIC AGA 1 — AERODROME DATA, LAYOUT AND COORDINATION

Subtopic AGA 1.1 — Definitions

Subtopic AGA 1.2 — Coordination

TOPIC AGA 2 — MOVEMENT AREA

Subtopic AGA 2.1 — Movement area

Subtopic AGA 2.2 — Manoeuvring area

Subtopic AGA 2.3 — Runways

TOPIC AGA 3 — OBSTACLES

Subtopic AGA 3.1 — Obstacle-free airspace around aerodromes

TOPIC AGA 4 — MISCELLANEOUS EQUIPMENT

Subtopic AGA 4.1 — Location;

29. Appendix 6 to Annex I is replaced by the following:

*'Appendix 5 to Annex I*

**AREA CONTROL PROCEDURAL RATING (ACP)**

(Reference: Annex I (PART ATCO), Subpart D, Section 2, point ATCO.D.010(a)(2)(iii))

**TABLE OF CONTENTS**

SUBJECT 1: INTRODUCTION TO THE COURSE

SUBJECT 2: AVIATION LAW

SUBJECT 3: AIR TRAFFIC MANAGEMENT  
SUBJECT 4: METEOROLOGY  
SUBJECT 5: NAVIGATION  
SUBJECT 6: AIRCRAFT  
SUBJECT 7: HUMAN FACTORS  
SUBJECT 8: EQUIPMENT AND SYSTEMS  
SUBJECT 9: PROFESSIONAL ENVIRONMENT  
SUBJECT 10: ABNORMAL AND EMERGENCY SITUATIONS

**SUBJECT 1: INTRODUCTION TO THE COURSE**

TOPIC INTR 1 — COURSE MANAGEMENT  
Subtopic INTR 1.1 — Course introduction  
Subtopic INTR 1.2 — Course administration  
Subtopic INTR 1.3 — Study material and training documentation  
TOPIC INTR 2 — INTRODUCTION TO THE ATC TRAINING COURSE  
Subtopic INTR 2.1 — Course content and organisation  
Subtopic INTR 2.2 — Training ethos  
Subtopic INTR 2.3 — Assessment process

**SUBJECT 2: AVIATION LAW**

TOPIC LAW 1 — ATCO LICENSING/CERTIFICATE OF COMPETENCE  
Subtopic LAW 1.1 — Privileges and conditions  
TOPIC LAW 2 — RULES AND REGULATIONS  
Subtopic LAW 2.1 — Reports  
Subtopic LAW 2.2 — Airspace  
TOPIC LAW 3 — ATS SAFETY MANAGEMENT  
Subtopic LAW 3.1 — Feedback process  
Subtopic LAW 3.2 — Safety investigation

**SUBJECT 3: AIR TRAFFIC MANAGEMENT**

TOPIC ATM 1 — PROVISION OF SERVICES  
Subtopic ATM 1.1 — Air traffic control (ATC) service  
Subtopic ATM 1.2 — Flight information service (FIS)  
Subtopic ATM 1.3 — Alerting service (ALRS)  
Subtopic ATM 1.4 — ATS system capacity and air traffic flow management  
Subtopic ATM 1.5 — Airspace management (ASM)

TOPIC ATM 2 —	COMMUNICATION
Subtopic ATM 2.1 —	Effective communication
TOPIC ATM 3 —	ATC CLEARANCES AND ATC INSTRUCTIONS
Subtopic ATM 3.1 —	ATC clearances
Subtopic ATM 3.2 —	ATC instructions
TOPIC ATM 4 —	COORDINATION
Subtopic ATM 4.1 —	Necessity for coordination
Subtopic ATM 4.2 —	Tools and methods for coordination
Subtopic ATM 4.3 —	Coordination procedures
TOPIC ATM 5 —	ALTIMETRY AND LEVEL ALLOCATION
Subtopic ATM 5.1 —	Altimetry
Subtopic ATM 5.2 —	Terrain clearance
TOPIC ATM 6 —	SEPARATIONS
Subtopic ATM 6.1 —	Vertical separation
Subtopic ATM 6.2 —	Horizontal separation
TOPIC ATM 7 —	AIRBORNE SAFETY NETS
Subtopic ATM 7.1 —	Airborne safety nets
TOPIC ATM 8 —	DATA DISPLAY
Subtopic ATM 8.1 —	Data management
TOPIC ATM 9 —	OPERATIONAL ENVIRONMENT (SIMULATED)
Subtopic ATM 9.1 —	Integrity of the operational environment
Subtopic ATM 9.2 —	Verification of the currency of operational procedures
Subtopic ATM 9.3 —	Handover-takeover
TOPIC ATM 10 —	PROVISION OF CONTROL SERVICE
Subtopic ATM 10.1 —	Responsibility and processing of information
Subtopic ATM 10.2 —	Area control
Subtopic ATM 10.3 —	Traffic management process
Subtopic ATM 10.4 —	Handling traffic
TOPIC ATM 11 —	HOLDING
Subtopic ATM 11.1 —	General holding procedures
Subtopic ATM 11.2 —	Holding aircraft

**SUBJECT 4: METEOROLOGY**

- TOPIC MET 1 — METEOROLOGICAL PHENOMENA
- Subtopic MET 1.1 — Meteorological phenomena
- TOPIC MET 2 — SOURCES OF METEOROLOGICAL DATA
- Subtopic MET 2.1 — Sources of meteorological information

**SUBJECT 5: NAVIGATION**

- TOPIC NAV 1 — MAPS AND AERONAUTICAL CHARTS
- Subtopic NAV 1.1 — Maps and charts
- TOPIC NAV 2 — INSTRUMENT NAVIGATION
- Subtopic NAV 2.1 — Navigational systems
- Subtopic NAV 2.2 — Navigational assistance
- Subtopic NAV 2.3 — PBN applications

**SUBJECT 6: AIRCRAFT**

- TOPIC ACFT 1 — AIRCRAFT INSTRUMENTS
- Subtopic ACFT 1.1 — Aircraft instruments
- TOPIC ACFT 2 — AIRCRAFT CATEGORIES
- Subtopic ACFT 2.1 — Wake turbulence
- TOPIC ACFT 3 — FACTORS AFFECTING AIRCRAFT PERFORMANCE
- Subtopic ACFT 3.1 — Climb factors
- Subtopic ACFT 3.2 — Cruise factors
- Subtopic ACFT 3.3 — Descent factors
- Subtopic ACFT 3.4 — Economic factors
- Subtopic ACFT 3.5 — Environmental factors
- TOPIC ACFT 4 — AIRCRAFT DATA
- Subtopic ACFT 4.1 — Performance data

**SUBJECT 7: HUMAN FACTORS**

- TOPIC HUM 1 — INFORMATION PROCESSING
- Subtopic HUM 1.1 — Cognition and factors influencing it
- Subtopic HUM 1.2 — Situational awareness
- Subtopic HUM 1.3 — Decision-making

TOPIC HUM 2 — FACTORS AFFECTING HEALTH AND WELL-BEING

Subtopic HUM 2.1 — Fatigue

Subtopic HUM 2.2 — Stress

TOPIC HUM 3 — THREAT AND ERROR MANAGEMENT

Subtopic HUM 3.1 — Threat and error management framework

Subtopic HUM 3.2 — Applied threat and error management

TOPIC HUM 4 — TEAMWORK

Subtopic HUM 4.1 — Benefits of teamwork

Subtopic HUM 4.2 — Conflict management

TOPIC HUM 5 — SYSTEM

Subtopic HUM 5.1 — Concept of systems in ATM/ANS

TOPIC HUM 6 — COMMUNICATION

Subtopic HUM 6.1 — Effective communication

Subtopic HUM 6.2 — Effective feedback

**SUBJECT 8: EQUIPMENT AND SYSTEMS**

TOPIC EQPS 1 — VOICE COMMUNICATIONS

Subtopic EQPS 1.1 — Radio communications

Subtopic EQPS 1.2 — Other voice communications

TOPIC EQPS 2 — AUTOMATION IN ATS

Subtopic EQPS 2.1 — Aeronautical fixed telecommunication network (AFTN)

Subtopic EQPS 2.2 — Automatic data interchange

TOPIC EQPS 3 — CONTROLLER WORKING POSITION

Subtopic EQPS 3.1 — Operation and monitoring of equipment

Subtopic EQPS 3.2 — Situation displays and information systems

Subtopic EQPS 3.3 — Flight data systems

TOPIC EQPS 4 — FUTURE EQUIPMENT

Subtopic EQPS 4.1 — New developments

TOPIC EQPS 5 — EQUIPMENT AND SYSTEMS' LIMITATIONS AND DEGRADATION

Subtopic EQPS 5.1 — Reaction to limitations

Subtopic EQPS 5.2 — Communication equipment degradation

Subtopic EQPS 5.3 — Navigational equipment degradation

**SUBJECT 9: PROFESSIONAL ENVIRONMENT**

TOPIC PEN 1 — FAMILIARISATION

Subtopic PEN 1.1 — Study visit to an area control centre

TOPIC PEN 2 — AIRSPACE USERS

Subtopic PEN 2.1 — Contributors to civil ATS operations

Subtopic PEN 2.2 — Contributors to military ATS operations

TOPIC PEN 3 — CUSTOMER RELATIONS

Subtopic PEN 3.1 — Provision of services and user requirements

TOPIC PEN 4 — ENVIRONMENTAL PROTECTION

Subtopic PEN 4.1 — Environmental protection

**SUBJECT 10: ABNORMAL AND EMERGENCY SITUATIONS**

TOPIC ABES 1 — ABNORMAL AND EMERGENCY SITUATIONS (ABES)

Subtopic ABES 1.1 — Overview of ABES

TOPIC ABES 2 — SKILLS IMPROVEMENT

Subtopic ABES 2.1 — Communication effectiveness

Subtopic ABES 2.2 — Avoidance of mental overload

Subtopic ABES 2.3 — Air-ground cooperation

TOPIC ABES 3 — PROCEDURES FOR ABNORMAL AND EMERGENCY SITUATIONS

Subtopic ABES 3.1 — Application of procedures for ABES

Subtopic ABES 3.2 — Radio failure

Subtopic ABES 3.3 — Unlawful interference and aircraft bomb threat

Subtopic ABES 3.4 — Strayed or unidentified aircraft

Subtopic ABES 3.5 — Diversions

Subtopic ABES 3.6 — Interception of civil aircraft';

30. Appendix 7 to Annex I is replaced by the following:

*'Appendix 6 to Annex I***APPROACH CONTROL SURVEILLANCE RATING (APS)**

(Reference: Annex I (PART ATCO), Subpart D, Section 2, point ATCO.D.010(a)(2)(iv))

## TABLE OF CONTENTS

SUBJECT 1: INTRODUCTION TO THE COURSE

SUBJECT 2: AVIATION LAW

SUBJECT 3: AIR TRAFFIC MANAGEMENT

SUBJECT 4: METEOROLOGY

SUBJECT 5: NAVIGATION

SUBJECT 6: AIRCRAFT

SUBJECT 7: HUMAN FACTORS

SUBJECT 8: EQUIPMENT AND SYSTEMS

SUBJECT 9: PROFESSIONAL ENVIRONMENT

SUBJECT 10: ABNORMAL AND EMERGENCY SITUATIONS

SUBJECT 11: AERODROMES

**SUBJECT 1: INTRODUCTION TO THE COURSE**

TOPIC INTR 1 — COURSE MANAGEMENT

Subtopic INTR 1.1 — Course introduction

Subtopic INTR 1.2 — Course administration

Subtopic INTR 1.3 — Study material and training documentation

TOPIC INTR 2 — INTRODUCTION TO THE ATC TRAINING COURSE

Subtopic INTR 2.1 — Course content and organisation

Subtopic INTR 2.2 — Training ethos

Subtopic INTR 2.3 — Assessment process

**SUBJECT 2: AVIATION LAW**

TOPIC LAW 1 — ATCO LICENSING/CERTIFICATE OF COMPETENCE

Subtopic LAW 1.1 — Privileges and conditions

TOPIC LAW 2 — RULES AND REGULATIONS

Subtopic LAW 2.1 — Reports

Subtopic LAW 2.2 — Airspace

TOPIC LAW 3 — ATS SAFETY MANAGEMENT

Subtopic LAW 3.1 — Feedback process

Subtopic LAW 3.2 — Safety investigation

**SUBJECT 3: AIR TRAFFIC MANAGEMENT**

TOPIC ATM 1 — PROVISION OF SERVICES

Subtopic ATM 1.1 — Air traffic control (ATC) service

Subtopic ATM 1.2 — Flight information service (FIS)

Subtopic ATM 1.3 — Alerting service (ALRS)

Subtopic ATM 1.4 — ATS system capacity and air traffic flow management

Subtopic ATM 1.5 — Airspace management (ASM)

TOPIC ATM 2 —	COMMUNICATION
Subtopic ATM 2.1 —	Effective communication
TOPIC ATM 3 —	ATC CLEARANCES AND ATC INSTRUCTIONS
Subtopic ATM 3.1 —	ATC clearances
Subtopic ATM 3.2 —	ATC instructions
TOPIC ATM 4 —	COORDINATION
Subtopic ATM 4.1 —	Necessity for coordination
Subtopic ATM 4.2 —	Tools and methods for coordination
Subtopic ATM 4.3 —	Coordination procedures
TOPIC ATM 5 —	ALTIMETRY AND LEVEL ALLOCATION
Subtopic ATM 5.1 —	Altimetry
Subtopic ATM 5.2 —	Terrain clearance
TOPIC ATM 6 —	SEPARATIONS
Subtopic ATM 6.1 —	Vertical separation
Subtopic ATM 6.2 —	Longitudinal separation in a surveillance environment
Subtopic ATM 6.3 —	Delegation of separation
Subtopic ATM 6.4 —	Wake turbulence distance-based separation
Subtopic ATM 6.5 —	Separation based on ATS surveillance systems
TOPIC ATM 7 —	AIRBORNE AND GROUND-BASED SAFETY NETS
Subtopic ATM 7.1 —	Airborne safety nets
Subtopic ATM 7.2 —	Ground-based safety nets
TOPIC ATM 8 —	DATA DISPLAY
Subtopic ATM 8.1 —	Data management
TOPIC ATM 9 —	OPERATIONAL ENVIRONMENT (SIMULATED)
Subtopic ATM 9.1 —	Integrity of the operational environment
Subtopic ATM 9.2 —	Verification of the currency of operational procedures
Subtopic ATM 9.3 —	Handover-takeover
TOPIC ATM 10 —	PROVISION OF CONTROL SERVICE
Subtopic ATM 10.1 —	Responsibility and processing of information
Subtopic ATM 10.2 —	ATS surveillance service
Subtopic ATM 10.3 —	Traffic management process
Subtopic ATM 10.4 —	Handling traffic
Subtopic ATM 10.5 —	Control service with advanced system support

TOPIC ATM 11 —	HOLDING
Subtopic ATM 11.1 —	General holding procedures
Subtopic ATM 11.2 —	Approaching aircraft
Subtopic ATM 11.3 —	Holding in a surveillance environment
TOPIC ATM 12 —	IDENTIFICATION
Subtopic ATM 12.1 —	Establishment of identification
Subtopic ATM 12.2 —	Maintenance of identification
Subtopic ATM 12.3 —	Loss of identity
Subtopic ATM 12.4 —	Position information
Subtopic ATM 12.5 —	Transfer of identity

**SUBJECT 4: METEOROLOGY**

TOPIC MET 1 —	METEOROLOGICAL PHENOMENA
Subtopic MET 1.1 —	Meteorological phenomena
TOPIC MET 2 —	SOURCES OF METEOROLOGICAL DATA
Subtopic MET 2.1 —	Sources of meteorological information

**SUBJECT 5: NAVIGATION**

TOPIC NAV 1 —	MAPS AND AERONAUTICAL CHARTS
Subtopic NAV 1.1 —	Maps and charts
TOPIC NAV 2 —	INSTRUMENT NAVIGATION
Subtopic NAV 2.1 —	Navigational systems
Subtopic NAV 2.2 —	Stabilised approach
Subtopic NAV 2.3 —	Instrument departures and arrivals
Subtopic NAV 2.4 —	Navigational assistance
Subtopic NAV 2.5 —	Satellite-based systems
Subtopic NAV 2.6 —	PBN applications

**SUBJECT 6: AIRCRAFT**

TOPIC ACFT 1 —	AIRCRAFT INSTRUMENTS
Subtopic ACFT 1.1 —	Aircraft instruments
TOPIC ACFT 2 —	AIRCRAFT CATEGORIES
Subtopic ACFT 2.1 —	Wake turbulence
Subtopic ACFT 2.2 —	Application of ICAO approach categories

TOPIC ACFT 3 —	FACTORS AFFECTING AIRCRAFT PERFORMANCE
Subtopic ACFT 3.1 —	Climb factors
Subtopic ACFT 3.2 —	Cruise factors
Subtopic ACFT 3.3 —	Descent and initial approach factors
Subtopic ACFT 3.4 —	Final approach and landing factors
Subtopic ACFT 3.5 —	Economic factors
Subtopic ACFT 3.6 —	Environmental factors
TOPIC ACFT 4 —	AIRCRAFT DATA
Subtopic ACFT 4.1 —	Performance data

**SUBJECT 7: HUMAN FACTORS**

TOPIC HUM 1 —	INFORMATION PROCESSING
Subtopic HUM 1.1 —	Cognition and factors influencing it
Subtopic HUM 1.2 —	Situational awareness
Subtopic HUM 1.3 —	Decision-making
TOPIC HUM 2 —	FACTORS AFFECTING HEALTH AND WELL-BEING
Subtopic HUM 2.1 —	Fatigue
Subtopic HUM 2.2 —	Stress
TOPIC HUM 3 —	THREAT AND ERROR MANAGEMENT
Subtopic HUM 3.1 —	Threat and error management framework
Subtopic HUM 3.2 —	Applied threat and error management
TOPIC HUM 4 —	TEAMWORK
Subtopic HUM 4.1 —	Benefits of teamwork
Subtopic HUM 4.2 —	Conflict management
TOPIC HUM 5 —	SYSTEM
Subtopic HUM 5.1 —	Concept of systems in ATM/ANS
TOPIC HUM 6 —	COMMUNICATION
Subtopic HUM 6.1 —	Effective communication
Subtopic HUM 6.2 —	Effective feedback

**SUBJECT 8: EQUIPMENT AND SYSTEMS**

TOPIC EQPS 1 —	VOICE COMMUNICATIONS
Subtopic EQPS 1.1 —	Radio communications
Subtopic EQPS 1.2 —	Other voice communications

TOPIC EQPS 2 —	AUTOMATION IN ATS
Subtopic EQPS 2.1 —	Aeronautical fixed telecommunication network (AFTN)
Subtopic EQPS 2.2 —	Automatic data interchange
TOPIC EQPS 3 —	CONTROLLER WORKING POSITION
Subtopic EQPS 3.1 —	Operation and monitoring of equipment
Subtopic EQPS 3.2 —	Situation displays and information systems
Subtopic EQPS 3.3 —	Flight data systems
Subtopic EQPS 3.4 —	Use of ATS surveillance system
Subtopic EQPS 3.5 —	Advanced systems
TOPIC EQPS 4 —	FUTURE EQUIPMENT
Subtopic EQPS 4.1 —	New developments
TOPIC EQPS 5 —	EQUIPMENT AND SYSTEMS' LIMITATIONS AND DEGRADATION
Subtopic EQPS 5.1 —	Reaction to limitations
Subtopic EQPS 5.2 —	Communication equipment degradation
Subtopic EQPS 5.3 —	Navigational equipment degradation
Subtopic EQPS 5.4 —	Surveillance equipment degradation
Subtopic EQPS 5.5 —	ATC processing system degradation

**SUBJECT 9: PROFESSIONAL ENVIRONMENT**

TOPIC PEN 1 —	FAMILIARISATION
Subtopic PEN 1.1 —	Study visit to an approach control unit
TOPIC PEN 2 —	AIRSPACE USERS
Subtopic PEN 2.1 —	Contributors to civil ATS operations
Subtopic PEN 2.2 —	Contributors to military ATS operations
TOPIC PEN 3 —	CUSTOMER RELATIONS
Subtopic PEN 3.1 —	Provision of services and user requirements
TOPIC PEN 4 —	ENVIRONMENTAL PROTECTION
Subtopic PEN 4.1 —	Environmental protection

**SUBJECT 10: ABNORMAL AND EMERGENCY SITUATIONS**

TOPIC ABES 1 —	ABNORMAL AND EMERGENCY SITUATIONS (ABES)
Subtopic ABES 1.1 —	Overview of ABES
TOPIC ABES 2 —	SKILLS IMPROVEMENT
Subtopic ABES 2.1 —	Communication effectiveness
Subtopic ABES 2.2 —	Avoidance of mental overload

Subtopic ABES 2.3 —	Air-ground cooperation
TOPIC ABES 3 —	PROCEDURES FOR ABNORMAL AND EMERGENCY SITUATIONS
Subtopic ABES 3.1 —	Application of procedures for ABES
Subtopic ABES 3.2 —	Radio failure
Subtopic ABES 3.3 —	Unlawful interference and aircraft bomb threat
Subtopic ABES 3.4 —	Strayed or unidentified aircraft
Subtopic ABES 3.5 —	Diversions
Subtopic ABES 3.6 —	Transponder failure
Subtopic ABES 3.7 —	Interception of civil aircraft

**SUBJECT 11: AERODROMES**

TOPIC AGA 1 —	AERODROME DATA, LAYOUT AND COORDINATION
Subtopic AGA 1.1 —	Definitions
Subtopic AGA 1.2 —	Coordination
TOPIC AGA 2 —	MOVEMENT AREA
Subtopic AGA 2.1 —	Movement area
Subtopic AGA 2.2 —	Manoeuvring area
Subtopic AGA 2.3 —	Runways
TOPIC AGA 3 —	OBSTACLES
Subtopic AGA 3.1 —	Obstacle-free airspace around aerodromes
TOPIC AGA 4 —	MISCELLANEOUS EQUIPMENT
Subtopic AGA 4.1 —	Location;

31. Appendix 8 to Annex I is replaced by the following:

*'Appendix 7 to Annex I*

**AREA CONTROL SURVEILLANCE RATING (ACS)**

(Reference: Annex I (PART ATCO), Subpart D, Section 2, point ATCO.D.010(a)(2)(v))

**TABLE OF CONTENTS**

SUBJECT 1:	INTRODUCTION TO THE COURSE
SUBJECT 2:	AVIATION LAW
SUBJECT 3:	AIR TRAFFIC MANAGEMENT
SUBJECT 4:	METEOROLOGY
SUBJECT 5:	NAVIGATION
SUBJECT 6:	AIRCRAFT
SUBJECT 7:	HUMAN FACTORS
SUBJECT 8:	EQUIPMENT AND SYSTEMS

SUBJECT 9: PROFESSIONAL ENVIRONMENT

SUBJECT 10: ABNORMAL AND EMERGENCY SITUATIONS

**SUBJECT 1: INTRODUCTION TO THE COURSE**

TOPIC INTR 1 — COURSE MANAGEMENT

Subtopic INTR 1.1 — Course introduction

Subtopic INTR 1.2 — Course administration

Subtopic INTR 1.3 — Study material and training documentation

TOPIC INTR 2 — INTRODUCTION TO THE ATC TRAINING COURSE

Subtopic INTR 2.1 — Course content and organisation

Subtopic INTR 2.2 — Training ethos

Subtopic INTR 2.3 — Assessment process

**SUBJECT 2: AVIATION LAW**

TOPIC LAW 1 — ATCO LICENSING/CERTIFICATE OF COMPETENCE

Subtopic LAW 1.1 — Privileges and conditions

TOPIC LAW 2 — RULES AND REGULATIONS

Subtopic LAW 2.1 — Reports

Subtopic LAW 2.2 — Airspace

TOPIC LAW 3 — ATS SAFETY MANAGEMENT

Subtopic LAW 3.1 — Feedback process

Subtopic LAW 3.2 — Safety investigation

**SUBJECT 3: AIR TRAFFIC MANAGEMENT**

TOPIC ATM 1 — PROVISION OF SERVICES

Subtopic ATM 1.1 — Air traffic control (ATC) service

Subtopic ATM 1.2 — Flight information service (FIS)

Subtopic ATM 1.3 — Alerting service (ALRS)

Subtopic ATM 1.4 — ATS system capacity and air traffic flow management

Subtopic ATM 1.5 — Airspace management (ASM)

TOPIC ATM 2 — COMMUNICATION

Subtopic ATM 2.1 — Effective communication

TOPIC ATM 3 — ATC CLEARANCES AND ATC INSTRUCTIONS

Subtopic ATM 3.1 — ATC clearances

Subtopic ATM 3.2 — ATC instructions

TOPIC ATM 4 —	COORDINATION
Subtopic ATM 4.1 —	Necessity for coordination
Subtopic ATM 4.2 —	Tools and methods for coordination
Subtopic ATM 4.3 —	Coordination procedures
TOPIC ATM 5 —	ALTIMETRY AND LEVEL ALLOCATION
Subtopic ATM 5.1 —	Altimetry
Subtopic ATM 5.2 —	Terrain clearance
TOPIC ATM 6 —	SEPARATIONS
Subtopic ATM 6.1 —	Vertical separation
Subtopic ATM 6.2 —	Longitudinal separation in a surveillance environment
Subtopic ATM 6.3 —	Wake turbulence distance-based separation
Subtopic ATM 6.4 —	Separation based on ATS surveillance systems
TOPIC ATM 7 —	AIRBORNE AND GROUND-BASED SAFETY NETS
Subtopic ATM 7.1 —	Airborne safety nets
Subtopic ATM 7.2 —	Ground-based safety nets
TOPIC ATM 8 —	DATA DISPLAY
Subtopic ATM 8.1 —	Data management
TOPIC ATM 9 —	OPERATIONAL ENVIRONMENT (SIMULATED)
Subtopic ATM 9.1 —	Integrity of the operational environment
Subtopic ATM 9.2 —	Verification of the currency of operational procedures
Subtopic ATM 9.3 —	Handover-takeover
TOPIC ATM 10 —	PROVISION OF CONTROL SERVICE
Subtopic ATM 10.1 —	Responsibility and processing of information
Subtopic ATM 10.2 —	ATS surveillance service
Subtopic ATM 10.3 —	Traffic management process
Subtopic ATM 10.4 —	Handling traffic
Subtopic ATM 10.5 —	Control service with advanced system support
TOPIC ATM 11 —	HOLDING
Subtopic ATM 11.1 —	General holding procedures
Subtopic ATM 11.2 —	Holding aircraft
Subtopic ATM 11.3 —	Holding in a surveillance environment
TOPIC ATM 12 —	IDENTIFICATION
Subtopic ATM 12.1 —	Establishment of identification
Subtopic ATM 12.2 —	Maintenance of identification

Subtopic ATM 12.3 — Loss of identity

Subtopic ATM 12.4 — Position information

Subtopic ATM 12.5 — Transfer of identity

**SUBJECT 4: METEOROLOGY**

TOPIC MET 1 — METEOROLOGICAL PHENOMENA

Subtopic MET 1.1 — Meteorological phenomena

TOPIC MET 2 — SOURCES OF METEOROLOGICAL DATA

Subtopic MET 2.1 — Sources of meteorological information

**SUBJECT 5: NAVIGATION**

TOPIC NAV 1 — MAPS AND AERONAUTICAL CHARTS

Subtopic NAV 1.1 — Maps and charts

TOPIC NAV 2 — INSTRUMENT NAVIGATION

Subtopic NAV 2.1 — Navigational systems

Subtopic NAV 2.2 — Navigational assistance

Subtopic NAV 2.3 — PBN applications

**SUBJECT 6: AIRCRAFT**

TOPIC ACFT 1 — AIRCRAFT INSTRUMENTS

Subtopic ACFT 1.1 — Aircraft instruments

TOPIC ACFT 2 — AIRCRAFT CATEGORIES

Subtopic ACFT 2.1 — Wake turbulence

TOPIC ACFT 3 — FACTORS AFFECTING AIRCRAFT PERFORMANCE

Subtopic ACFT 3.1 — Climb factors

Subtopic ACFT 3.2 — Cruise factors

Subtopic ACFT 3.3 — Descent factors

Subtopic ACFT 3.4 — Economic factors

Subtopic ACFT 3.5 — Environmental factors

TOPIC ACFT 4 — AIRCRAFT DATA

Subtopic ACFT 4.1 — Performance data

**SUBJECT 7: HUMAN FACTORS**

TOPIC HUM 1 — INFORMATION PROCESSING

Subtopic HUM 1.1 — Cognition and factors influencing it

Subtopic HUM 1.2 — Situational awareness

Subtopic HUM 1.3 —	Decision-making
TOPIC HUM 2 —	FACTORS AFFECTING HEALTH AND WELL-BEING
Subtopic HUM 2.1 —	Fatigue
Subtopic HUM 2.2 —	Stress
TOPIC HUM 3 —	THREAT AND ERROR MANAGEMENT
Subtopic HUM 3.1 —	Threat and error management framework
Subtopic HUM 3.2 —	Applied threat and error management
TOPIC HUM 4 —	TEAMWORK
Subtopic HUM 4.1 —	Benefits of teamwork
Subtopic HUM 4.2 —	Conflict management
TOPIC HUM 5 —	SYSTEM
Subtopic HUM 5.1 —	Concept of systems in ATM/ANS
TOPIC HUM 6 —	COMMUNICATION
Subtopic HUM 6.1 —	Effective communication
Subtopic HUM 6.2 —	Effective feedback
<b>SUBJECT 8:</b>	<b>EQUIPMENT AND SYSTEMS</b>
TOPIC EQPS 1 —	VOICE COMMUNICATIONS
Subtopic EQPS 1.1 —	Radio communications
Subtopic EQPS 1.2 —	Other voice communications
TOPIC EQPS 2 —	AUTOMATION IN ATS
Subtopic EQPS 2.1 —	Aeronautical fixed telecommunication network (AFTN)
Subtopic EQPS 2.2 —	Automatic data interchange
TOPIC EQPS 3 —	CONTROLLER WORKING POSITION
Subtopic EQPS 3.1 —	Operation and monitoring of equipment
Subtopic EQPS 3.2 —	Situation displays and information systems
Subtopic EQPS 3.3 —	Flight data systems
Subtopic EQPS 3.4 —	Use of ATS surveillance system
Subtopic EQPS 3.5 —	Advanced systems
TOPIC EQPS 4 —	FUTURE EQUIPMENT
Subtopic EQPS 4.1 —	New developments
TOPIC EQPS 5 —	EQUIPMENT AND SYSTEMS' LIMITATIONS AND DEGRADATION
Subtopic EQPS 5.1 —	Reaction to limitations
Subtopic EQPS 5.2 —	Communication equipment degradation

Subtopic EQPS 5.3 — Navigational equipment degradation

Subtopic EQPS 5.4 — Surveillance equipment degradation

Subtopic EQPS 5.5 — ATC processing system degradation

**SUBJECT 9: PROFESSIONAL ENVIRONMENT**

TOPIC PEN 1 — FAMILIARISATION

Subtopic PEN 1.1 — Study visit to an area control centre

TOPIC PEN 2 — AIRSPACE USERS

Subtopic PEN 2.1 — Contributors to civil ATS operations

Subtopic PEN 2.2 — Contributors to military ATS operations

TOPIC PEN 3 — CUSTOMER RELATIONS

Subtopic PEN 3.1 — Provision of services and user requirements

TOPIC PEN 4 — ENVIRONMENTAL PROTECTION

Subtopic PEN 4.1 — Environmental protection

**SUBJECT 10: ABNORMAL AND EMERGENCY SITUATIONS**

TOPIC ABES 1 — ABNORMAL AND EMERGENCY SITUATIONS (ABES)

Subtopic ABES 1.1 — Overview of ABES

TOPIC ABES 2 — SKILLS IMPROVEMENT

Subtopic ABES 2.1 — Communication effectiveness

Subtopic ABES 2.2 — Avoidance of mental overload

Subtopic ABES 2.3 — Air-ground cooperation

TOPIC ABES 3 — PROCEDURES FOR ABNORMAL AND EMERGENCY SITUATIONS

Subtopic ABES 3.1 — Application of procedures for ABES

Subtopic ABES 3.2 — Radio failure

Subtopic ABES 3.3 — Unlawful interference and aircraft bomb threat

Subtopic ABES 3.4 — Strayed or unidentified aircraft

Subtopic ABES 3.5 — Diversions

Subtopic ABES 3.6 — Transponder failure

Subtopic ABES 3.7 — Interception of civil aircraft'.

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## ANNEX II

Annex II (PART ATCO.AR) to Regulation (EU) 2015/340 is amended as follows:

1. point ATCO.AR.A.005 is replaced by the following:

**‘ATCO.AR.A.005 Personnel**

- (a) Competent authorities shall produce and update every 2 years an assessment of the human resources needed to perform their oversight functions, based on the analysis of the processes required by this Regulation.
- (b) Personnel authorised by the competent authority to carry out certification or oversight tasks, or both, shall be empowered to perform as a minimum the following tasks:
  - (1) examine documents, including licences, certificates, records, data, procedures and any other material relevant to the execution of the required task;
  - (2) take copies of or extracts from such records, data, procedures and other material;
  - (3) ask for an explanation;
  - (4) enter relevant premises and operating sites;
  - (5) perform audits and inspections, including unannounced inspections;
  - (6) take or initiate enforcement measures as appropriate.’;

2. point ATCO.AR.A.010 is replaced by the following:

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

The tasks of the competent authorities shall include:

- (a) the issue, suspension and revocation of licences, ratings, endorsements and of medical certificates;
- (b) the issue of temporary OJTI authorisations according to point ATCO.C.025;
- (c) the issue of temporary assessor authorisations according to point ATCO.C.065;
- (d) the revalidation and renewal of endorsements;
- (e) the revalidation, renewal and limitation of medical certificates following referral by the aero-medical examiner (AME) or aero-medical centre (AeMC);
- (f) the issue, revalidation, renewal, suspension, revocation, limitation and change of aero-medical examiner certificates;
- (g) the issue, suspension, revocation and limitation of training organisation certificates and of the certificates of aero-medical centres;
- (h) the approval of training courses, training plans and unit competence schemes, as well as assessment methods;
- (i) the approval of the assessment method for the demonstration of language proficiency and the establishment of requirements applicable to language assessment bodies according to point ATCO.B.040;
- (j) the approval of the need for the extended level (level five) language proficiency in accordance with point ATCO.B.030(d);
- (k) the oversight of training organisations, including their training courses and plans;
- (l) the approval and oversight of the unit competence schemes;
- (m) the establishment of appropriate appeal procedures and notification mechanisms;
- (n) facilitating the recognition and exchange of licences, including the transfer of the records of air traffic controllers and return of the old licence to the issuing competent authority according to point ATCO.AR.D.003;
- (o) facilitating the recognition of training organisation certificates and course approvals, as well as the approval of the assessment method for the demonstration of language proficiency.’;

3. point ATCO.AR.A.015 is replaced by the following:

**'ATCO.AR.A.015 Means of compliance**

- (a) The Agency shall develop acceptable means of compliance ("AMC") that may be used to establish compliance with Regulation (EU) 2018/1139 and the delegated and implementing acts adopted on the basis thereof.
- (b) Alternative means of compliance may be used to establish compliance with the delegated and implementing acts.
- (c) The competent authority shall inform the Agency of any alternative means of compliance used by organisations under their oversight or by themselves for establishing compliance with this Regulation.;

4. point ATCO.AR.A.020 is replaced by the following:

**'ATCO.AR.A.020 Information to the Agency**

- (a) The competent authority shall notify the Agency in case of any significant problems with the implementation of Regulation (EU) 2018/1139 and its delegated and implementing acts within 30 days from the time the competent authority has become aware of the problems.
- (b) Without prejudice to Regulation (EU) No 376/2014 and its delegated and implementing acts, the competent authority shall provide the Agency with safety-significant information stemming from the occurrence reports stored in its national database in accordance with Article 6(6) of Regulation (EU) No 376/2014, as soon as possible.;

5. point ATCO.AR.A.025 is replaced by the following:

**'ATCO.AR.A.025 Immediate reaction to a safety problem**

- (a) Without prejudice to Regulation (EU) No 376/2014 and its delegated and implementing acts, the competent authority shall implement a system to appropriately collect, analyse and disseminate safety information.
- (b) The Agency shall implement a system to appropriately analyse any relevant safety information received and without undue delay provide to Member States and the Commission any information, including recommendations or corrective actions to be taken, necessary for them to react in a timely manner to a safety problem involving products, parts, appliances, persons or organisations subject to Regulation (EU) 2018/1139 and its delegated and implementing acts.
- (c) Upon receiving the information referred to in points (a) and (b), the competent authority shall take adequate measures to address the safety problem.
- (d) Measures taken in accordance with point (c) shall immediately be notified to all persons or organisations which need to comply with them under Regulation (EU) 2018/1139 and its delegated and implementing acts. The competent authority shall also notify those measures to the Agency and, when combined action is required, to the other Member States concerned.;

6. point ATCO.AR.B.001 is replaced by the following:

**'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 Regulation (EU) 2018/1139 and its delegated and implementing acts. 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, including licensing and certification inspectors, to perform its tasks and discharge its responsibilities. Such personnel shall be qualified to perform their allocated tasks and have the necessary knowledge, experience, initial, on-the-job and recurrent training to ensure continuing competence. A system shall be in place to plan the availability of personnel in order to ensure the proper completion of all related 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 included in the management system, 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 participation in a mutual exchange of all necessary information and assistance with other competent authorities concerned, whether from within the Member State or in other Member States, including the following information exchange on:
    - (1) the relevant 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 or the Agency; and
    - (2) information stemming from mandatory and voluntary occurrence reporting as required by point ATCO.OR.B.040.
  - (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.’;
7. in point ATCO.AR.B.005, point (a) is replaced by the following:
- ‘(a) If the competent authority allocates tasks related to the initial certification or continuous oversight of persons or organisations subject to Regulation (EU) 2018/1139 and its delegated and implementing acts, they 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 VI to Regulation (EU) 2018/1139.
- 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.’;
8. point ATCO.AR.B.010 is replaced by the following:

**‘ATCO.AR.B.010 Changes to 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 Regulation (EU) 2018/1139 and its delegated and implementing acts. It shall enable it to take action, as appropriate, to ensure that the management system remains adequate and effective.

- (b) The competent authority shall update its management system to reflect any change to Regulation (EU) 2018/1139 and its delegated and implementing acts in a timely manner, so as to ensure effective implementation of its management system.
  - (c) The competent authority shall notify the Agency of changes affecting its capability to perform its tasks and discharge its responsibilities as defined in Regulation (EU) 2018/1139 and its delegated and implementing acts.;
9. point ATCO.AR.B.015 is replaced by the following:

**‘ATCO.AR.B.015 Record-keeping**

- (a) Competent authorities shall maintain a list of all organisation certificates and personnel licences and certificates they issue.
  - (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 allocation of tasks, covering the elements required by point ATCO.AR.B.005 as well as the details of tasks allocated;
    - (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;
    - (11) the use of flexibility provisions in accordance with Article 71 of Regulation (EU) 2018/1139; and
    - (12) the evaluation and notification to the Agency of alternative means of compliance proposed by organisations and the assessment of alternative means of compliance used by the competent authority itself.
  - (c) Records shall be kept for a minimum period of 5 years and with regard to personnel licences for a minimum period of 10 years after the expiry of the last endorsement on the licence, subject to applicable data protection law.;
10. in point ATCO.AR.C.001, point (a) is replaced by the following:

**‘(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, training plans and unit competence schemes it has approved, and requirements applicable to personnel;
- (3) implementation of appropriate safety measures mandated by the competent authority as defined in point ATCO.AR.A.025 (c) and (d).;

11. the following point ATCO.AR.D.003 is inserted:

**'ATCO.AR.D.003 Change of competent authority**

- (a) Upon receiving a licence holder's request for a change of competent authority, the receiving competent authority shall, without undue delay, request the competent authority of the licence holder to transfer, without undue delay all of the following:
  - (1) a verification of the licence;
  - (2) copies of the licence holder's medical records kept by that competent authority. The medical records shall be transferred in a confidential manner in accordance with point ATCO.MED.A.015 of Annex IV (Part-ATCO. MED) and shall include a summary of the relevant medical history of the applicant, verified and signed or electronically authenticated by the medical assessor.
- (b) The transferring competent authority shall keep the licence holder's original licensing and medical records.
- (c) The receiving competent authority shall, without undue delay, exchange the licence and medical certificate provided that it has received and processed all documents specified in point (a). Upon the exchange of the licence and medical certificate, the receiving competent authority shall immediately request the licence holder to surrender to it the licence issued by the transferring competent authority and the associated medical certificate.
- (d) The new licence shall include ratings, rating endorsements, licence endorsements and all valid unit endorsements in the licence, including the date of their first issue and expiry, if applicable.
- (e) The receiving competent authority shall immediately notify the transferring competent authority once it has exchanged the licence and medical certificate and the licence holder has surrendered the licence and medical certificate pursuant to point (c). Until such a notification is received, the transferring competent authority remains responsible for the licence and the medical certificate originally issued to that licence holder.;

12. point ATCO.AR.D.005 is replaced by the following:

**'ATCO.AR.D.005 Revocation and suspension of licences, ratings and endorsements**

- (a) For the purpose of point ATCO.A.020, the competent authority shall establish administrative procedures for the revocation and suspension 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 point ATCO.A.015(e).
- (c) The competent authority shall suspend or revoke a licence, rating or endorsement in accordance with point ATCO. AR.C.010 in particular in 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) under the influence of psychoactive substances.
- (d) In cases of suspension or revocation of licences, ratings and endorsements, the competent authority shall notify in writing the licence holder and the relevant air navigation service provider of this decision, and inform the licence holder of his or her right of appeal in accordance with the procedures established in point ATCO.AR.A.010(m).
- (e) The competent authority shall also suspend or revoke a licence, rating or endorsement upon written request of the licence holder.;

13. point ATCO.ARE.001 is replaced by the following:

**'ATCO.ARE.001 Certification procedure for training organisations and issue of certificate**

- (a) Upon receiving an application for the issue of a training organisation certificate, the competent authority shall verify the training organisation's compliance with the applicable requirements of this Regulation.
- (b) The competent authority may require any audits, inspections or assessments of the training organisation it finds necessary before issuing the certificate.
- (c) If the applicant training organisation fulfils the applicable requirements, the competent authority shall issue a certificate using the format established in Appendix 2 to Annex II.
- (d) The certificate shall be issued for an unlimited duration. The activities that the training organisation is approved to conduct shall be specified in the attachment to the certificate.
- (e) The certificate shall not be issued where a level 1 finding remains open. In exceptional circumstances, finding(s), other than level 1, shall be assessed and mitigated as necessary by the training organisation and a corrective action plan for closing the finding(s) shall be approved by the competent authority prior to the certificate being issued.
- (f) To enable an organisation to implement changes without prior competent authority's approval in accordance with points ATCO.OR.B.015 and ATCO.ARE.010(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.;

14. in point ATCO.ARE.005, point (b) is replaced by the following:

- '(b) For the purposes of change of competent authority according to point ATCO.A.010, the competent authority shall approve or reject the unit endorsement course established in accordance with point ATCO.B.020 (b) and (e) not later than 6 weeks after presentation of the application for the approval of the course, and ensure that the principles of non-discrimination and proportionality are respected.;

15. point ATCO.ARE.015 is replaced by the following:

**'ATCO.ARE.015 Findings, corrective actions and enforcement measures**

- (a) The competent authority shall have a system to analyse findings for their safety significance and decide on enforcement measures on the basis of the risk posed by the training organisation's non-compliance.
- (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 (EU) 2018/1139 and this Regulation, with the certificate and/or its terms of approval and privileges, which poses a significant risk to flight safety and/or otherwise calls into question the training organisation's capability to continue the training provision.

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

- (1) providing training in a way which introduces a significant risk to flight safety;
- (2) failure to give the competent authority access to the training organisation's facilities as defined in point ATCO.OR.B.025 during normal operating hours and after two written requests;
- (3) obtaining or maintaining the validity of the training organisation certificate by falsification of submitted documentary evidence;
- (4) evidence of malpractice or fraudulent use of the training organisation certificate; and
- (5) the lack of an accountable manager.

- (c) A level 2 finding shall be issued by the competent authority when any other non-compliance is detected with the applicable requirements of Regulation (EU) 2018/1139 and this Regulation, with the training organisation's procedures and manuals or with the type(s) of training provided or certificate(s).
- (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 (EU) 2018/1139 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; 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 point (d)(1).
- (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 the date of action closure for findings.
- (f) For cases not requiring the issue of level 1 and 2 findings, the competent authority may issue observations.;

16. Appendix 1 to Annex II is replaced by the following:

*'Appendix 1 to Annex II*

**Format for licence**

**(STUDENT) AIR TRAFFIC CONTROLLER LICENCE**

The (student) air traffic controller licence issued in accordance with this Regulation shall conform to the following specifications:

- (a) Content. The item number shall always be printed in association with the item heading. Items I to XI are the 'permanent' items, and items XII to XIV are the 'variable' items which may appear on a separate or detachable part of the main form as prescribed below. Any separate or detachable part shall be clearly identifiable as part of the licence.

1. Permanent items:

- (I) State of licence issue;
- (II) title of licence;
- (III) serial number of the licence with the United Nations (UN) country code of the State of licence issue and followed by '(Student) ATCO Licence' and a code of numbers and/or letters in Arabic numerals and in Latin script;
- (IV) name of holder in full (in Latin script, even if the script of the national language(s) is other than Latin);
- (IVa) date of birth;

- (V) holder's address, if required by the competent authority;
- (VI) nationality of holder;
- (VII) signature of holder;
- (VIII) competent authority;
- (IX) certification of validity and authorisation for the privileges granted, including the dates when they were first issued;
- (X) signature of officer issuing the licence and the date of such issue;
- (XI) seal or stamp of the competent authority.

2. Variable items:

- (XII) ratings and endorsements with expiry dates;
- (XIII) remarks: language proficiency endorsements; and
- (XIV) any other details required by the competent authority.

- (b) The licence shall be accompanied by a valid medical certificate, except when instructor or assessor privileges are exercised in a synthetic training device environment.
- (c) Material. First-quality paper and/or other suitable material, including plastic cards, shall be used to prevent or readily show any alterations or erasures. Any entries or deletions in the form will be clearly authorised by the competent authority.
- (d) Language. Licences shall be written in English and, if required by Member States, in national language(s) and other languages as deemed appropriate.

<p>Competent authority's name and logo (English and any language(s) determined by the competent authority)</p> <p>EUROPEAN UNION (English only)</p> <p>(STUDENT) AIR TRAFFIC CONTROLLER LICENCE</p> <p>[English and any language(s) determined by the competent authority] Issued in accordance with Commission Regulation (EU) 2015/340 This licence complies with the ICAO Standards [English and any language(s) determined by the competent authority]</p> <p>EASA Form 152 – Issue 2</p>	<p>Requirements <sup>(1)</sup></p> <p>'European Union' to be deleted for non-EU Member States.</p> <p>The size of each page shall be one-eighth A4.</p>
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<sup>(1)</sup> Requirements:

The pages referring to the instructions on how the (Student) ATCO Licence has to be filled in are intended for use by the competent authority or the assessor specifically authorised to revalidate or renew the unit endorsements. Initial issues of ratings, rating endorsements, language endorsements, instructor and assessor endorsement will always be entered by the competent authority. Revalidation or renewal of unit endorsements will be entered by the competent authority or by the authorised assessors.

<b>I</b>	<b>State of issue:</b>	Requirements:
<b>II</b>	<b>Title of licence:</b>	
<b>III</b>	<b>Serial number of the licence:</b>	The serial number of the licence will always start with the UN country code of the State of the licence issue followed by '(Student) ATCO Licence'.
<b>IV</b>	<b>Name of the holder in full:</b>	
<b>IVa</b>	<b>Date of birth:</b>	Standard date format is to be used, i.e. day/month/year in full (e.g. 31.01.2010)
<b>XIV</b>	<b>Place of birth:</b>	
<b>V</b>	<b>Holder's address, if required by the competent authority:</b>  Street, town, area, postal code	
<b>VI</b>	<b>Nationality of holder:</b>	Indicated by the UN country code of the State
<b>VII</b>	<b>Signature of holder:</b>	
<b>VIII</b>	<b>Competent Authority:</b>	
<b>X</b>	<b>Signature of officer issuing the licence and date of issue</b>	
<b>XI</b>	<b>Seal or stamp of issuing competent authority</b>	

IX	<b>Validity of privileges:</b>  <i>The holder is entitled to exercise the privileges of the following rating(s) and rating endorsement(s), when validated:</i>	Requirements:																							
	<table><tr><th>Rating(s)</th><th>Date of first issue</th></tr><tr><td></td><td></td></tr><tr><td></td><td></td></tr><tr><td></td><td></td></tr><tr><td></td><td></td></tr><tr><td></td><td></td></tr><tr><td></td><td></td></tr></table> <table><tr><th>Rating endorsement(s)</th><th>Date of first issue</th></tr><tr><td></td><td></td></tr><tr><td></td><td></td></tr><tr><td></td><td></td></tr><tr><td></td><td></td></tr></table>	Rating(s)	Date of first issue													Rating endorsement(s)	Date of first issue								
Rating(s)	Date of first issue																								
Rating endorsement(s)	Date of first issue																								


### XIIa Ratings and endorsements with expiry dates

The holder is entitled to exercise the privileges of the following rating(s) and rating endorsement(s) at the air traffic service unit(s) for which current unit endorsement(s) is (are) held as detailed below, only if the holder has a valid medical certificate:

Unit (ICAO indicator) (*)	Sector/Position(*)	Rating/ Endorsement	Expiry date (*)	Signature/stamp of the authority or licence number and signature of the assessor

(\*) Not applicable for Student ATCO Licence

XIIb	<b>Other endorsements:</b>	Requirements: N/A								
	<i>The holder is entitled to exercise the privileges of the following endorsement(s)</i>									
	<table><tr><th><i>OJT/STDI/Assessor endorsement</i></th><th><i>Expiry date</i></th></tr><tr><td></td><td></td></tr><tr><td></td><td></td></tr><tr><td></td><td></td></tr></table>		<i>OJT/STDI/Assessor endorsement</i>	<i>Expiry date</i>						
	<i>OJT/STDI/Assessor endorsement</i>		<i>Expiry date</i>							

<b>XIII</b>	<b>Remarks:</b> Language proficiency endorsement(s): [language(s)/level/expiry date]	Language proficiency endorsement(s), level and expiry date shall be included.  All additional licensing information to be entered here.
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#### Abbreviations

Air traffic controller ratings		Requirements: N/A
ADV	Aerodrome Control Visual	
ADC	Aerodrome Control	
APP	Approach Control Procedural	
APS	Approach Control Surveillance	
ACP	Area Control Procedural	
ACS	Area Control Surveillance	
Rating endorsements		
SUR	Aerodrome Control Surveillance	
PAR	Precision Approach Radar	
SRA	Surveillance Radar Approach	
OCN	Oceanic Control	
Licence endorsements		
OJTI	On-the-job training instructor	
STDI	Synthetic training device instructor	
Assessor	Assessor'.	

## ANNEX III

Annex III (PART ATCO.OR) to Regulation (EU) 2015/340 is amended as follows:

1. point ATCO.OR.A.001 is replaced by the following:

**‘ATCO.OR.A.001 Scope**

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 (EU) 2018/1139 and this Regulation.’;

2. point ATCO.OR.B.001 is replaced by the following:

**‘ATCO.OR.B.001 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 (EU) 2018/1139 and in this Regulation.
- (c) An application for a training organisation certificate shall include the following:
  - (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 (1);
  - (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) the 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 which 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.’;
3. point ATCO.OR.B.005 is replaced by the following:

**‘ATCO.OR.B.005 Means of compliance**

- (a) An organisation may use any alternative means of compliance to establish compliance with this Regulation.
- (b) If an organisation wishes to use an alternative means of compliance, it shall, prior to using it, provide the competent authority with a full description. The description shall include any revisions to manuals or procedures that may be relevant, as well as an explanation indicating how compliance with this Regulation is achieved.

The organisation may use those alternative means of compliance subject to prior approval from the competent authority.’;

4. in point ATCO.OR.B.010, point (b) is replaced by the following:
- ‘(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/or 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.’;
5. point ATCO.OR.B.015 is replaced by the following:

**‘ATCO.OR.B.015 Changes to the training organisation**

- (a) The following change shall require prior approval before their implementation, unless such a change is notified and managed in accordance with a procedure approved by the competent authority as laid down in point ATCO.ARE.010(c):
- (1) a change affecting the scope of the certificate or the terms of approval of the training organisation; or
- (2) a change affecting any relevant element of the training organisation’s management systems.
- (b) For any changes requiring prior approval in accordance with point (a), 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 point ATCO.ARE.010.

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

- (c) 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.
- (d) Training organisations shall notify the competent authority when they cease their activities.’;

6. point ATCO.OR.B.020 is replaced by the following:

**‘ATCO.OR.B.020 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 (EU) 2018/1139 and this Regulation, taking into account the provisions related to the handling of findings in accordance with point ATCO.OR.B.030.
- (b) The certificate shall be returned to the competent authority without delay upon its revocation or the cessation of all activities.’;

7. point ATCO.OR.B.030 is replaced by the following:

**‘ATCO.OR.B.030 Findings**

After receipt of notification of findings issued by the competent authority in accordance with point ATCO.ARE.015, the training organisation shall:

- (a) identify the root cause of the finding;
- (b) define a corrective action plan that meets the acceptance of the competent authority; and
- (c) demonstrate corrective action implementation to the satisfaction of the competent authority within the period agreed with that authority as defined in point ATCO.ARE.015.’;

8. point ATCO.OR.B.035 is replaced by the following:

**‘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 point ATCO.AR.A.025 (c) and (d) for the training organisation activities.’;

9. point ATCO.OR.B.040 is replaced by the following:

**‘ATCO.OR.B.040 Occurrence reporting**

- (a) As part of their management system, training organisations providing on-the-job training shall establish and maintain an occurrence-reporting system, including mandatory and voluntary reporting. The training organisations established in a Member State and providing on-the-job training in the territory to which the Treaties apply shall ensure that the system complies with the requirements of Regulation (EU) No 376/2014 and its implementing acts and of Regulation (EU) 2018/1139 and its delegated and implementing acts.
  - (b) Training organisations providing on-the-job training shall report to the competent authority and any other organisation required to be informed by the Member State where the training organisation provides on-the-job training, any safety-related event or condition resulting from their training activity that endangers or, if not corrected or addressed, could endanger an aircraft, its occupants or any other person, and in particular any accident or serious incident.
  - (c) Without prejudice to Regulation (EU) No 376/2014 and its delegated and implementing acts, reports in accordance with point (b) above shall:
    - (1) be made as soon as practicable, but in any case within 72 hours after the organisation became aware of the event or condition to which the report relates unless exceptional circumstances prevent this;
    - (2) be made in a form and manner established by the competent authority;
    - (3) contain all pertinent information about the condition known to the organisation.
  - (d) For training organisations not established in a Member State and providing on-the-job training in the territory to which the Treaties apply, the initial mandatory reports shall:
    - (1) appropriately safeguard the confidentiality of the identity of the reporter and of the persons mentioned in the report;
    - (2) be made as soon as practicable, but in any case within 72 hours after the organisation became aware of the occurrence unless exceptional circumstances prevent this;
    - (3) be made in a form and manner established by the competent authority; and
    - (4) contain all pertinent information about the condition known to the organisation.
  - (e) Without prejudice to Regulation (EU) No 376/2014 and its delegated and implementing acts, where relevant, a follow-up report providing details of actions the organisation intends to take to prevent similar occurrences in the future shall be made as soon as these actions have been identified; those follow-up reports shall:
    - (1) be sent to relevant entities initially reported to as per points (b) and (c); and
    - (2) be made in a form and manner established by the competent authority.’;
10. in point ATCO.OR.C.010, point (d) is replaced by the following:
- ‘(d) Training organisations shall maintain a record of theoretical instructors with their relevant professional qualifications, including demonstration of adequate knowledge and experience, instructional techniques assessment and subjects they are entitled to teach.’;

11. in point ATCO.OR.D.001, point (b) is replaced by the following:

‘(b) subjects, topics and subtopics for rating endorsements in accordance with the requirements laid down in Annex I (Part ATCO);’;

12. point ATCO.OR.E.001 is replaced by the following:

**‘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 1178/2011 (the Aircrew Regulation) <sup>(1)</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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<sup>(1)</sup> Commission Regulation (EU) No 1178/2011 of 3 November 2011 laying down technical requirements and administrative procedures related to civil aviation aircrew pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council (OJ L 311, 25.11.2011, p. 1).

## ANNEX IV

Annex IV (PART ATCO.MED) to Regulation (EU) 2015/340 is amended as follows:

1. in point ATCO.MED.A.005, point (a) is replaced by the following:

‘(a) the issue, validity, revalidation and renewal of the medical certificate required for exercising the privileges of an air traffic controller licence or of a student air traffic controller licence; and’;

2. in point ATCO.MED.A.020, point (b) is replaced by the following:

‘(b) In addition to requirements laid down in point (a), holders of a class 3 medical certificate shall, without undue delay and before exercising the privileges of their licence, seek aero-medical advice when they:

- (1) have undergone a surgical operation or invasive procedure;
- (2) have commenced the regular use of any medication;
- (3) have suffered any significant personal injury involving any incapacity to exercise the privileges of the licence;
- (4) have been suffering from any significant illness involving any incapacity to exercise the privileges of the licence;
- (5) are aware of being pregnant;
- (6) have been admitted to hospital or medical clinic;
- (7) first require correcting lenses.

In these cases, the AeMC or AME shall assess the medical fitness of the licence holder or student air traffic controller and decide whether they are fit to resume the exercise of their privileges.’;

3. in point ATCO.MED.A.030, point (a) is replaced by the following:

‘(a) Applicants for, and holders of, an air traffic controller licence, or a student air traffic controller licence, shall hold a class 3 medical certificate, except when the privileges are exercised in a synthetic training device environment.’.

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