

## **EXERCISE:**

**PLEASE EVALUATE THIS PROPOSED REGULATION ON LICENSING ENGINEERS AND TECHNICAL PERSONNEL UNDERTAKING SAFETY RELATED TASKS**

### **REGULATION ON LICENSING ENGINEERS AND TECHNICAL PERSONNEL UNDERTAKING SAFETY RELATED TASKS**

<b>Note</b>	<u><i>This document has not to be used as a reference material for future developments of the national regulatory framework. It has been created <b>ONLY</b> for training purposes.</i></u>
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#### **Article 1 – Objectives**

1.1 To increase the safety standards and to ensure that only appropriately qualified, trained and medically fit personnel provide operation and maintenance of the CNS/ATM equipment approved for operational use.

1.2 Personnel here mean the engineering staff (ATSEP) undertaking operational safety related tasks in ATM. Such personnel will be issued a licence that will allow them to operate and maintain operational CNS/ATM equipment approved for operational use.

1.3 To comply with the requirements of Commission Regulation (EC) No. 2096/2005 of 20 December 2005 laying down common requirements for the provision of air navigation services and EUROCONTROL Safety Regulatory Requirement (ESARR 5) “ATM Services’ Personnel”.

#### **Article 2 – Definitions**

... this section is completed by all definitions needed)

#### **Article 3 - Scope and applicability (text taken from the current Presidential Decree)**

3.1 This Regulation shall apply to:

- a) the training, licensing and competence checking of ATSEPs undertaking operational safety related and safety critical tasks;

- b) the medical certification of ATSEPs undertaking operational safety related and safety critical tasks;
- c) all holders of an ATSEP licence;

3.2 The provisions herein shall be effective from < insert the date >.

3.3 The NSA can allow temporary and conditional exemptions from specific provisions of this Regulation to allow the *Operating Organisation* sufficient period for transition.”

#### **Article 4 - Requirement to hold a licence**

4.1 A person shall hold an ATSEP licence, to provide in an unsupervised manner the tasks that are allocated to the holder in accordance with the qualifications in the licence.

4.2 A person shall hold a Cadet ATSEP licence to perform associated first (A) level tasks under supervision in accordance with the qualifications inserted in the licence.

#### **Art 5 - Responsibilities**

##### **5.1 The National Supervisory Authority (the NSA)**

5.1.1 Within the scope of this Regulation, the NSA established under shall:

- a) Issue licences together with associated ratings and endorsements;
- b) Approve examiners and assessors;
- c) Certify training providers;
- d) Approve training courses;
- e) Monitor and audit the application of the requirements of this Regulation and associated implementation procedures;
- f) Suspend, cancel and withdraw ATSEP licenses;
- g) Establish appropriate appeal and notification mechanisms
- h) Maintain records of the competencies of all licence holders under its responsibility and the validity dates of their endorsements.

##### **5.2 Operating Organisation**

5.2.1 The Operating Organisation personnel, including the personnel of the subcontracted organisations, shall ensure that:

- a. ATSEPs providing operational safety related tasks hold a valid licence with the appropriate qualifications and ratings, medical fitness certificate or Cadet ATSEP licence;
- b. ATSEPs providing on-the-job training hold in addition to the requirements of article 5.2 a, an On-the-Job-Training-Instructor endorsement;
- c. The adequacy of the competence of its personnel;
- d. The availability of sufficient number of competent personnel assigned to operational duties;
- e. The rostering arrangements in place to ensure sufficient capacity and continuity of service provided;

- f. The personnel qualification schemes and policy is in place;
- g. The training policy and training plans are in place ;
- h. Arrangements for the supervision of the Cadet ATSEP licence holder are in place;
- i. ATSEP providing operational safety related tasks are free from the influence of psychoactive substances.
- j. Incidents involving the systems/equipment/constituents approved for operational use which is under supervision and maintenance of the licensed ATSEP are recorded.

#### 5.2.2 The Operating Organisation shall keep records of

- a. Numbers, status and deployment of licensed ATSEPs involved in operational safety related, as well as personnel of the subcontracted organisations, by
  - Identification and nomination of the accountable managers for safety related tasks;
  - relevant qualifications of the licensed ATSEP against required skills and competence requirements
  - specifying the locations and duties of each licensed ATSEP assigned to undertake operational safety related tasks
- b. the hours effectively worked by each individual on the system/equipment approved for operational use;
- c. medical fitness of each licensed ATSEP
- d. training provided to each licensed ATSEP
- e. incidents involving the systems/equipments approved for operational use

5.2.3 The records the Operating Organisation is required to have will be also used to demonstrate compliance with the provisions of this Regulation.

5.2.4 The records mentioned above could be provided to the NSA on request.

### 5.3 Holders of an ATSEP or Cadet ATSEP Licence

5.3.1 Each holder of an ATSEP licence shall ensure that the licence is valid, with the appropriate qualification and rating, medical certificate and competence assessment, before providing any operational safety related tasks.

5.3.2 Each holder of a Cadet ATSEP licence shall ensure that the licence is properly valid with the appropriate qualification and rating included and a medical certificate valid before providing any operational safety related tasks under supervision.

5.3.3 Each holder of an ATSEP licence shall ensure that he or she complies with the requirements and schemes to maintain the competence level required to perform operational safety related tasks.

5.3.4 Each holder of a licence shall ensure that he or she is fit to provide any operational safety related and safety critical tasks and is not suffering from any form of fatigue, stress or illness, and is not under the influence of psychoactive substances which could jeopardise the provision of the assigned tasks.

5.3.5 Each on-the-job training instructor shall ensure that he or she holds a valid On-the-Job-Training-Instructor endorsement on which he or she will instruct, before providing on-the-job training for ATSEP.

## Art 6 – Qualifications, ratings, rated tasks and levels of duty

### 6.1

Qualification	Equipment/System Rating	Level rated tasks
COMMUNICATION (COM)	COM Explicit equipment/system. Identification of the equipment/system is according to the manufacturer and/or other elements	Non-rated Level A Level B Level C
NAVIGATION (NAV)	NAV Explicit equipment/system. Identification of the equipment/system is according to the manufacturer and/or other elements	Non-rated Level A Level B Level C
SURVEILLANCE (SUR)	SURV Explicit equipment/system. Identification of the equipment/system is according to the manufacturer and/or other elements	Non-rated Level A Level B Level C
DATA PROCESSING (DP)	DP Explicit equipment/system. Identification of the equipment/system is according to the manufacturer and/or other elements	Non-rated Level A Level B Level C
	(*) System Monitoring Control (SMC) Explicit equipment/system.	Level A – C in CNS&DP + Knowledge of the operational system (co-ordination, decision making etc)

**Qualification** indicates the discipline in which an ATSEP has been trained to provide the service - Communication, Navigation, Surveillance, Data Processing.

**Equipment/System rating** indicates explicitly the equipment/system on which an ATSEP will perform his safety related and safety critical tasks. Maintenance is

preventive, adaptative or corrective. It deals with both hardware and software issues.

**Level rated tasks** represent the categorisation by complexity, knowledge, skills and operational impact. Three categories will usually suffice but could be further subdivided for highly complex or diverse systems.

- **Level A tasks.** Level A maintenance tasks are primarily associated with immediate service restoration or reconfiguration (“front panel level”). It is appropriate for staffs that have been trained to understand the elements of equipment or system, their interrelationships and functional purpose, but does not require an in-depth knowledge of these elements.
- **Level B tasks.** Level B maintenance tasks involve in-depth fault analysis at the system/equipment level (“functional level”). It is usually carried out by staff that has been trained for the more complicated maintenance tasks on the equipment/system.
- **Level C tasks.** Level C maintenance tasks involve the detailed diagnosis of a software problem, of a faulty LRU (Line Replacement Unit), PCB (Printed Circuit Board) or module (“component level”). It usually requires the use of automated test equipment at a suitable location and is usually carried out by staff that has been trained in detailed fault diagnosis and repair techniques.

## 6.2 National qualifications or ratings

Without prejudice to article 6.1, the NSA may, in exceptional cases which only arise due to particular characteristics, establish national qualifications or ratings.

## **Art 7 PROPERTIES OF THE LICENCE**

### **7.1 General**

7.1.1 The licence shall be issued by the NSA and it shall be retained by the holder, who shall sign it, in ink.

7.1.2 The holder of a licence shall carry the licence, while exercising the privileges of the licence.

7.1.3 Any loss or theft of the licence shall be reported to the NSA.

7.1.4 Any unauthorised entry in the licence shall make it null and void.

7.1.5 Any damage to the licence, or change of personal details, shall be notified to the NSA, and the licence shall be returned for re-issue or update.

7.1.6 At the end of service, a holder shall return the licence to the NSA, for annulment. The annulled licence may be returned to the holder upon request.

### **7.2 Properties of the Cadet ATSEP Licence**

7.2.1 The Cadet ATSEP licence shall be issued for 2 years, not renewable.

7.2.2 A valid Cadet ATSEP licence shall contain:

- a) qualification(s) appropriate to the type of safety related and safety critical tasks being provided under supervision;
- b) a valid medical certificate;
- c) the signature of the holder

### **7.3 Properties of the ATSEP Licence**

7.3.1 The ATSEP licence shall be issued for a life time period.

7.3.2 A valid ATSEP licence shall contain:

- a) Qualification (s) with rating(s), appropriate to the type of safety related and safety critical tasks being provided;
- b) language Endorsements, if appropriate;
- c) validity of the ratings (or valid competence assessment) ;
- d) a valid medical certificate;
- e) the signature of the holder.

## **ART 8 CONDITIONS TO OBTAIN A LICENCE AND ENDORSEMENTS**

### **8.1 Cadet ATSEP Licence**

8.1.1 A cadet ATSEP licence shall be issued to an applicant who:

- a) is no less than 21 years of age;
- b) produces evidence that he or she is a holder of at least an Academic Degree in Electronics Engineering;
- c) holds a valid medical certificate issued in accordance with the requirements set out in this Regulation;
- d) has proven proficiency in English language; and
- e) has successfully completed an approved initial training relevant to the qualification in which he/she will provide safety related tasks.

### **8.2 ATSEP Licence**

8.2.1 An ATSEP licence containing the qualifications and ratings for which training was successfully completed shall be issued to an applicant who:

- a) is no more than 35 years of age;
- b) holds a valid medical certificate issued in accordance with the requirements set out in this Regulation;
- c) has proven proficiency in English language; and
- d) holds a Cadet ATSEP licence, has completed an approved system/equipment rating training and successfully passed the appropriate examination or assessments in accordance with requirements set in this Regulation.

### **8.3 Additional qualifications and ratings**

8.3.1 Additional new qualifications shall be issued to an applicant who:

- a) holds a valid ATSEP licence;
- b) has completed the associated modules from the initial training (qualification training) which enable him to undertake the system/equipment rating training

8.3.2 Additional new qualifications and ratings shall be issued to an applicant who:

- a) holds a valid ATSEP licence;
- b) has successfully completed the associated modules from the initial training (qualification training) which enable him to undertake the system/equipment rating training
- c) has completed an approved system/equipment rating training to include:
  - (i) a minimum number of hours defined for the appropriate system/equipment;
  - (ii) successful completion of appropriate examination, including written and practical examinations.

8.3.3 Additional new ratings with the same qualification shall be issued to an applicant who:

- a) holds a valid ATSEP licence;
- b) has completed an approved system/equipment rating training to include:
  - (i) a minimum number of hours defined for the appropriate system/equipment;
  - (ii) successful completion of appropriate examination, including written and practical examinations.

#### **8.4 On-the-Job-Training-Instructor Endorsement**

8.4.1 The endorsement to become On-the-Job Training Instructor shall be issued to an applicant who:

- a) holds a valid ATSEP licence;
- b) has completed an approved On-the-Job-Training-Instructors training course;
- c) has at least 10 years experience on the system/equipment for which the On-the-Job-Training Instructor endorsement is requested.

### **ART 9 CONDITIONS TO MAINTAIN RATINGS AND TO KEEP ENDORSEMENTS VALID**

9.1 Rating(s) shall be valid for an initial period of 5 (five) years. The validity of such rating(s) shall be extended for next 5 (five) years when it is demonstrated that:

- a) The applicant has been exercising the privileges of the licence for a minimum number of operational duty hours, as indicated in the approved competence scheme, throughout the previous 12 months;
- b) The applicant's competence to exercise the privileges of the licence was assessed, in accordance with the requirements set out in article 15 of this Regulation;
- c) The applicant holds a valid medical certificate

9.2 Without prejudice to paragraph 9.1.a, the OJTI endorsement shall be valid for a renewable period 5 (five) years. To renew it the holder of a licence with OJTI endorsement shall

- a) holds a valid ATSEP licence;
- b) holds a valid medical certificate and
- c) has exercised the privileges of the OJTI endorsement for at least 1 or 2 Cadet ATSEPs within a 5 years period from issuance/renewal of the endorsement.

9.3 In the case an ATSEP has not used the privileges of the OJTI endorsement for a period of 5 (five) years a refresher course on OJT techniques is required to be undertaken by the holder of such endorsement.

9.4 The holder of a qualification and a rating who has not been providing operational safety related tasks associated with that qualification and rating for any period of 4 (four) consecutive years may only commence system/equipment rating training after an



appropriate assessment as to whether he/she continues to satisfy the conditions of that qualification and rating, and after satisfying any training requirements that result from this assessment.

9.5 The language proficiency of holders of ATSEP licence may be formally evaluated at regular intervals, if this is identified necessary. In such case, the use of the provisions to obtain a licence (see articles 8.1.1 d) and 8.2.1 c)) can be applied.

USE DOCUMENT ONLY FOR TRAINING PURPOSES

## **Art 10 Training Standards**

### **10.1 Initial Training for ATSEPs**

10.1.1 All ATSEP training is provided by Civil Aviation Training Centre according to the standards set and approved by the NSA.

10.1.2 Initial training for ATSEP shall consist of Basic training and Qualification training. It shall be undertaken by all persons prior to providing operational safety related tasks.

10.1.3 Basic training shall cover elements common to all ATSEP qualifications and shall satisfy as a minimum the objectives set in the *Regulation for ATSEP Training*.

10.1.4 Qualification training shall cover elements applicable to a specific ATSEP qualification and shall satisfy as a minimum the objectives set in the *Regulation for ATSEP Training*.

10.1.5 Initial training for ATSEPs shall be conducted in accordance with the requirements defined above. Instructional staff shall be appropriately trained and their competence in classroom and practical instruction regularly assessed.

10.1.6 During the initial training a continuous evaluation of the students is carried. At the completion of the initial training all students must pass a formal examination. The pass mark shall be 70% for each discipline. The total result provided after such examination shall be "Successful" or "Fail". A detailed report will be provided to the NSA.

### **10.2 System/Equipment Rating Training**

10.2.1 System/Equipment Rating Training (hereafter referred as rating training) shall be approved by the NSA and documented within a training plan, which will detail the processes by which Cadet ATSEP and/or trainee ATSEP are trained. Rating Training shall provide holders of a Cadet ATSEP licence and/or a trainee ATSEP with the specific knowledge, skills and experience necessary for the safe provision of safety related tasks on the specific system/equipment.

The training plan shall be fully documented indicating;

- a) the objectives of the training
- b) the training processes by which the objectives will be met
- c) the assessment process by which progress and ultimate success will be judged
- d) the minimum training time and the maximum time in which Cadet ATSEP and/or trainee ATSEP must achieve the objectives of the training
- e) the process by which the successful completion of the OJT is to be judged.

10.2.2 The training plan shall be regularly reviewed. This process should include monitoring the progress of cadet ATSEP and/or trainee ATSEP undertaking OJT to identify any additional skills or knowledge that need to be taught during training. Changes to the training plan which result from reviews must be documented stating the changes made and the reasons for making them.

10.2.3 The training plan for the rating training shall satisfy at a minimum the objectives of the latest approved version of the EUROCONTROL Guidelines for a Common System/Equipment Rating Training for ATSEP.

10.2.4 The holders of an ATSEP licence, who fail to maintain their competence as defined in this Regulation shall be required to successfully complete the relevant parts of the rating

training plan describing the specific knowledge, skills and experience necessary to regain their competence.

10.2.5 The NSA shall approve such personnel, as it sees fit, to carry out such examinations or assessments as it requires ensuring the applicants for ATSEP licenses are competent and meet the appropriate requirements. The NSA shall clearly define and document the roles and responsibilities of those it approves to conduct examinations or assessments within the licensing process. The documentation shall include details of;

- a) the agency on whose behalf the examinations or assessments are conducted
- b) any certification process required by the NSA including specialist training or specific ATSEP experience requirements
- c) the procedures to ensure that those conducting examinations or assessments are competent to do so.

### **10.3 Continuation Training**

10.3.1 Ratings and qualifications on ATSEPs' licence shall be kept valid through approved continuation training. Units must have procedures, which include Refresher Training, to ensure that ATSEP remain competent in the provision of safety related services for which their system/equipment ratings are valid. Continuation Training shall consist of refresher courses, emergency training and, where appropriate, linguistic training.

10.3.2 Continuation Training shall be given periodically to all holders of an ATSEP licence. Additional training may be provided at the request of individuals or when considered necessary.

10.3.3 The continuation training shall consist of theoretical and practical instructions, when appropriate and shall include:

- a) Review and maintenance of operational and technical standards and correction of adverse general tendencies;
- b) Team skills and human factors training;
- c) Handling of emergency, unusual or degraded system(s) situations;
- d) Lessons Learnt from incident examples;
- e) Familiarisation with developments and changes;

## **ART 11 CERTIFICATION OF TRAINING PROVIDERS**

11.1 The provision of training of ATSEPs shall be subject to certification by the NSA.

11.2 Applications for certification may be submitted to the NSA if the applicant has its principal place of operation and, if any, its registered office on the territory of the <country>.

11.3 The requirements for certification shall be detailed by the NSA and shall relate to competence and suitability to organise and provide training (courses) that will fulfil the requirements as set out in Annex C.

11.4 The NSA shall monitor compliance with the requirements for certification through audits and inspections. If the NSA finds that the certified training provider no longer satisfies the requirements, it shall take appropriate measures, which may include withdrawal of the certification.(\*)

11.5 The NSA may decide to delegate in full or in part the auditing functions and inspections mentioned in paragraph above (\*) to recognised organisations in accordance with Article 3 of Regulation (EC) No 550/2004.

11.6 Training providers can appeal decision of the NSA refusing certification to (*insert appropriate authority*).

## **ART 12 - EXAMINATION REQUIREMENTS**

12.1 The Head of Operating Organisation Training Department along with the respective examiner shall ensure the competence of candidates for an ATSEP licence and Cadet ATSEP licence.

12.2 The final result will be "Pass" or "Fail" which will enable the candidate to be issued either the Cadet ATSEP or the ATSEP licence.

12.3 The OJTI shall cover practical assessments.

## **ART 13 - MEDICAL REQUIREMENTS**

Each holder of an ATSEP licence or a cadet ATSEP licence shall hold medical fitness certificate in accordance with the provisions of this Regulation.

Medical fitness shall be determined in Medical Centres approved/agreed by the NSA. A list of the current Medical Centres is available with the NSA and will be provided to the Operating Organisation on a yearly basis.

Medical certificates shall be valid from the date of the medical examination for 36 months thereafter.

The Operating Organisation shall establish procedures to enable holders of an ATSEP licence or a cadet ATSEP licence to notify that they are becoming aware of any decrease in medical fitness.

## **ART 14 PSYCHOACTIVE SUBSTANCES AND MEDICATION THAT MIGHT RENDER THE HOLDER OF A LICENCE UNABLE TO EXERCISE THE PRIVILEGES OF THE LICENCE**

A holder of a licence shall not exercise the privileges of the ATSEP licence or Cadet ATSEP licence whilst under the influence of psychoactive substances.

The OPERATING ORGANISATION shall put in place a procedure to ensure that no holder of an ATSEP licence, or Cadet ATSEP licence, provides operational safety related tasks whilst under the influence of psychoactive substances.

The procedure will also enable holders of a licence to notify that they are under the influence of any psychoactive substance or medicine which might render them unable to exercise the privileges of the licence safely and properly.

The procedures will contain provisions that in case that licensed personnel are under the influence of any psychoactive substance or medicine which might render them unable to exercise the privileges of the licence will be withdrawn from operational duty until such situation is clarified.

## **ART 15 COMPETENCE**

The Operating Organisation shall regularly assess every holder of an ATSEP licence for competence.

A Competence Scheme shall be developed by the Operating Organisation, documented and submitted for approval to the NSA.

The competence scheme shall define:

- a) The regularity of assessment (at least once every 5 (five) years);
- b) The extent of the validity period following a successful assessment;
- c) The minimum number of operational duty hours to exercise the privileges of the licence;
- d) The minimum number of interventions of the specific system/equipment as allowed by the rating/ratings and qualifications within the licence;
- e) The process, methods and criteria by which the competence is to be assessed;
- f) Qualifications for competence assessors, and the conditions for maintenance of those qualifications;
- g) The process to be followed in case the operational duty hours are not maintained;
- h) The process to be followed if an assessment is unsatisfactory;
- i) A limit to the number of repetitive failed assessments;
- j) A limit to the total number of non-consecutive failed assessments;
- k) An appeal procedure to handle disputed assessments.

Operating Organisation shall maintain assessment records and provide them to the NSA upon request.

The Competence Scheme shall be reviewed by the Operating Organisation and submitted for approval by the NSA at least once every 3 years.

The Operating Organisation shall pre-notify the NSA of any changes that could affect the terms and conditions under which the approval for the unit competence scheme was issued.

The NSA shall approve the holders of licence who are entitled to act as competence assessors or examiners. Approval shall be valid for a renewable period of 5 years.

The Operating Organisation shall clearly define and document the roles and responsibilities of those it approves to conduct examinations or assessments within the licensing process. The documentation shall include details of;

- a) the current experience as a qualified ATSEP;
- b) any specialist training (e.g. examination techniques) that the person completed;
- c) the associated procedures to ensure the conduct of examinations or assessments.

## **ART 16 SUSPENSION, WITHDRAWAL AND REVOCATION**

### **16.1 Withdrawal from Operational Duty**

16.1.1 An ATSEP shall be withdrawn initially from operational duty by the Operating Organisation, without prejudice for his/her job if he or she:

- a) has been involved in an incident or an accident where the safety of aircraft was compromised;
- b) is determined to be not competent;
- c) is suspected of gross negligence, misconduct or abuse.
- d) has been assessed as medically unfit;

- e) is under psychoactive substances

16.1.2 The ATSEP shall be allowed to return to operational duty when the considerations leading to the withdrawal have been satisfactorily resolved.

## **16.2 Suspension of ratings**

16.2.1 Rating(s) shall be temporarily suspended by Operating Organisation if:

- a) the holder is determined to be not competent or;
- b) the holder of the licence fails to meet the defined Competence Assessment criteria.

16.2.2 An ATSEP whose rating has been suspended shall not be permitted to provide operational safety related and safety critical tasks except under the supervision of an on-the-job training instructor who holds a valid licence.

16.2.3 The NSA shall be notified by Operating Organisation when the rating of an ATSEP is suspended. The notification shall contain the reasons for suspension, the period and the remedial actions put in place to remove the suspension.

16.2.4 If the suspension of the rating has not been resolved then the NSA is informed about this. The NSA may decide on further regulatory actions which may lead to suspend or revoke the licence.

## **16.3 Suspension of On-The-Job-Training-Instructor Endorsement**

16.3.1 On-The-Job-Training-Instructor endorsement shall be suspended if the person has not exercised privileges of the endorsement for a period longer than 5 (five) years or competency to exercise the privileges of the endorsement is in doubt.

16.3.2 The NSA shall be notified by Operating Organisation when the OJTI endorsement of an ATSEP is suspended. The notification shall contain the reasons for suspension, the period and the remedial actions put in place to remove the suspension.

16.3.3 If the suspension of the OJTI endorsement has not been resolved by Operating Organisation then the NSA is informed about this. The NSA may decide on further regulatory actions which may lead to suspend or revoke the licence.

## **16.4 Suspension of ATSEP Licence**

16.4.1 The ATSEP licence shall be suspended by the NSA if:

- a) the holder of the licence fails to pass alcohol or substance abuse checks or;
- b) the holder of the licence is unable to meet the medical fitness standards due to a injury, incapacitation, or illness or;
- c) the competence of the holder to provide all operational safety related and safety critical tasks is in doubt or;
- d) there is a reason to suspect gross negligence, misconduct or abuse.

16.4.2 An ATSEP whose licence has been suspended shall be withdrawn from operational duty. Under certain conditions the ATSEP may be permitted to provide operational safety related and safety critical tasks under supervision.

16.4.3 The suspension of a licence shall be removed by the NSA when the conditions leading to the suspension have been satisfactorily resolved.

## **16.6 Revocation of ATSEP Licence**

16.6.1 The ATSEP licence or Cadet ATSEP licence shall be revoked (withdrawn) by the NSA:

- a) in case of misconduct, gross negligence or abuse in duty;
- b) in case of permanent incapacitation or death;
- c) the holder of the licence is unable to regain competence to provide operational safety related tasks associated with the licence, qualifications and ratings;

16.6.2 The decision to revoke/withdraw an ATSEP licence is subject to complaint to NSA.

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## **Annex A**

### **Specifications for ATSEP Licence**

#### **A -1 Contents of the ATSEP Licence**

- a) Title of the document in bold : ATSEP Licence
- b) Name of the issuing authority in bold : .....
- c) Serial number of the licence in arabic numerals;
- d) Statement of the privileges;
- e) Name of holder in full;
- f) Date and place of birth;
- g) Nationality of holder;
- h) Authorisation for holder to exercise privileges appropriate to the licence and validity, indicating:
  - (i) Qualification(s)
  - (ii) Rating(s), rated level tasks and location
  - (iii) Language endorsements,
  - (iv) On the job-training-instructor endorsement;
  - (v) The dates when they were first issued;
  - (vi) The dates on which their validity expires.
- i) Picture of the holder;
- j) Date of first issue
- k) Signature of holder, in ink;
- l) Signature of the Head of the NSA
- m) Stamp of NSA
- n) Competency assessment validity or validity of qualifications and ratings;
- o) Medical fitness certificate (attached).
- p) Language certificate (attached)



**A-2 Contents of the Cadet ATSEP licence:**

- a) Title of the document in bold : Cadet ATSEP Licence
- b) Name of the issuing authority in bold : .....
- c) Serial number of the licence in arabic numerals;
- d) Statement of the privileges;
- e) Name of holder in full
- f) Date and place of birth
- g) Nationality of holder;
- h) Authorisation for holder to exercise privileges appropriate to the licence and validity, indicating:
  - (i) Qualification(s)
  - (ii) Language endorsements;
  - (ii) The dates when they were first issued;
  - (iii) The dates on which their validity expires.;
- i) Picture of the holder;
- j) Date of issue,
- k) Signature of holder, in ink;
- l) Signature of the Head of the NSA
- m) Stamp of NSA.
- n) Medical fitness certificate (attached)
- o) Language certificate (attached)

**Annex B**  
Concerning Physical and Mental Fitness Requirements  
For the Exercise of Functions Pertaining to ATSEP Duties

SECTION 1  
Article 1

Physical and mental fitness shall be assessed on recruitment and shall be checked at least once every 3 years thereafter by means of regular and other medical examinations as follows:

- routine examinations conducted every 2 years after the initial examination;
- ad-hoc checks to detect any disorders from which an applicant entrusted with ATSEP duties might suffer in the period between two routine examinations and which might render him temporarily or permanently unfit to perform the duties attaching to his function. Such checks shall be mandatory, inter alia, in the case of applicants who have had a serious accident or whose state of health is questionable, or who exhibit pathological changes in personality.

The medical examiners responsible for conducting these examinations together with medical centres shall be designated by the NSA. The list shall be made available to the Operating Organisation.

Article 2

The medical conclusion given shall be one of the following:

- a) In the case of the initial or recruitment examination
  - unfit for ATSEP duties
  - fit for ATSEP duties
- b) In the case of routine examinations or ad-hoc checks
  - permanently unfit for ATSEP duties;
  - temporarily unfit for ATSEP duties;
  - fit for ATSEP duties.

*...details of the medical requirements*

### **SECTION 3 MEDICAL APPEALS COMMISSION**

#### Article 18

In cases when an appeal is recorded a Medical Commission is established by order of the NSA.

The Commission shall consist of three or more medical examiners and one delegate from NSA. One doctor is appointed by the NSA, one doctor appointed by the applicant concerned and one doctor appointed by agreement between the first two doctors. All doctors have to be found in the list of medical examiners approved by the NSA.

The doctor who assessed the applicant concerned as unfit may not sit on the Medical Commission.

Should the applicant concerned fail to appoint a doctor, the Operating Organisation shall appoint one. At least one of the doctors so appointed shall be a specialist in the disease which resulted in the applicant's being assessed as unfit, and one doctor shall have special competence in aeronautical medicine.

#### Article 19

<Chief> of NSA or the applicant concern may lodge and appeal with the Medical Commission provided in article 18 against an assessment made following a routine or ad-hoc check. However, there shall be no right of appeal against an assessment of temporary unfitness unless the duration thereof exceeds 10 (or more) weeks.

The appeal must be lodged within 15 days from the date of receipt of notification concerning unfitness.

#### Article 20

The Medical Commission, whose proceedings shall be subject to medical secrecy, may undertake any consultations or examinations it deems necessary for these proceedings.

The applicant concerned may submit to the Medical Commission any reports or certificates from doctors he may have consulted.

Expenses incurred in connection with the Medical Commission's proceedings shall be borne by Operating Organisation. Where the doctor appointed by the applicant is resident elsewhere than at the place where the applicant is employed, the applicant shall bear the cost of the additional fees entailed in the limits of a mission cost (transport in economic class, a reasonable hotel and the per diem).

#### Article 21

The NSA shall fix the period within which the Commission must issue a decision, but a minimum period of one month and a maximum period of ....., shall be allowed, to date from the time the case is submitted for consideration.

The decision of the Medical Commission shall be taken by a majority vote of the four constituent members and shall be binding on the parties.

**Requirements for Certification of Training Providers**

1. Compliance with the requirements referred to in Article 11 shall be demonstrated by evidence that training providers are adequately staffed and equipped and operate in an environment suitable for the provision of the training necessary to obtain or maintain Cadet ATSEP and ATSEP training standards and competences. In particular training providers shall:
  - (a) have an efficient management structure and sufficient staff with adequate qualifications and experience to provide training according to the standards set out in this Regulation;
  - (b) have available the necessary facilities, equipment and accommodation appropriate for the type of training offered;
  - (c) provide the methodology they will use to establish details of the content, organisation and duration of training courses and training plans; this will include the way examinations or assessments will be organised. For examinations related to initial and rating training, including simulation training, the qualifications of the examiners must be indicated in detail;
  - (d) furnish proof of the quality management system in place to monitor compliance with and the adequacy of the systems and procedures which ensure that the training services provided satisfy the standards set out in this Regulation;
  - (e) demonstrate that sufficient funding is available to conduct the training according to the standards set out in this Regulation and that the activities have sufficient insurance cover in accordance with the nature of the training provided.
2. Certificates shall specify:
  - (a) name of the authority issuing the certificate: .....
  - (b) the applicant (name and address);
  - (c) the type of services which are certified;
  - (d) a statement of the applicant's conformity with the requirements defined in point 1;
  - (e) the date of issue and the period of validity of the certificate.