

	<p style="text-align: center;">Aeronautical Services</p> <p style="text-align: center;">Advisory Memorandum</p> <p style="text-align: center;">(ASAM)</p> <p style="text-align: center;">Focal Point: ANSP</p>	<p style="text-align: center;">ASAM</p> <p style="text-align: center;">No: 036</p> <p style="text-align: center;">Issue 2</p> <p style="text-align: center;">Date 24.01.22</p>
<p>Title</p>	<p>Changes to an Air Traffic Controller (ATCO) Training Organisation</p>	

1) Introduction

This material outlines the process to enable a training organisation to implement a change with or without prior competent authority (CA) approval in accordance with the regulatory requirements of Part ATCO.OR.B.015 and ATCO.AR.E.010 of Commission Regulation (EU) 2015/340.

1.1. Scope

The Safety Regulation Division (SRD) of the Irish Aviation Authority (IAA) is the Competent Authority (CA) for Ireland in regard to Regulation (EU) 2018/1139, and Commission Implementing Regulation (EU) 2015/340.

This ASAM is to be read in conjunction with S Notice No. 37 and applies to all training organisations certified by the Irish Competent Authority involved in the training of student ATCOs and ATCOs.

Changes to course material for Initial, Unit and Continuation training are not included within the scope of this process of organisational change. These are covered under separate CA processes which are published under specific regulatory S Notices and ASAMs. Hereunder is a link to the IAA website where these can be found;

[S Notices and ASAMs.](#)

1.2. Responsible Person

The Manager, Air Navigation Services Division of SRD, has overall responsibility for this advisory material.

2. References

- Regulation (EU) No. 2015/340;
- Regulation (EU) 2018/1139;
- ICAO Annex 1
- S Notice No. 37
- EASA Easy Access Rules for Air Traffic Controllers Licensing and Certification (Regulation (EU) No. 2015/340).

3. Changes requiring prior approval

3.1 In accordance with ATCO.OR.B.015, training organisations,

- (a) shall document within their management system those changes that require prior approval; and
- (b) before any such change takes place, they must notify the CA of any proposed changes to
 - i. the organisation that affect their certificate; or
 - ii. the terms of approval of the training organisation; or
 - iii. any relevant element of the training organisation's management systems;

3.2 With respect to 3.1 hereunder are changes that may affect the certificate or the terms of approval of the training organisation or the training organisation's management system and require prior CA approval:

- (1) change to the name of the training organisation;
- (2) change of legal entity;
- (3) the training organisation's principal place of operation;
- (4) the training organisation's type(s) of training;
- (5) additional locations of the training organisation;
- (6) the accountable manager;
- (7) for any changes to the training organisation's procedure describing how changes not requiring prior approval will be managed and notified to the competent authority
- (8) changes to Unit Competence Scheme (UCS) or Unit Training Plans (UTP) manuals.
- (9) Unless otherwise agreed with the CA and documented as such; any changes to personnel specified in Annex III (Part ATCO.OR) that may affect the certificate, or the training approval attached to it, requires prior CA approval;
- (10) Unless otherwise agreed with the CA and documented as such; the training organisation's documentation as required by Subpart ATCO.OR.B on safety policy and procedures, requires prior CA approval;
- (11) Unless otherwise agreed with the CA and documented as such; any changes to the organisations facilities requires prior CA approval.

3.3 For any changes requiring prior approval in accordance with point 3.1 and 3.2 the training organisation shall apply using the form at appendix A to this ASAM **no later than 6 weeks (30 working days) in advance of the proposed change** to the CA at atstraining@iaa.ie. An organisation may use its own change form which is agreed with the CA and forms part of that organisations management system.

3.4 Training organisations shall provide the CA with all relevant documentation which are affected by the change. The training organisation's most recent version of compliance matrix ASD.F.214, which assists in tracking organisational compliance with the regulatory requirements, shall be updated where appropriate and forwarded

to the CA. Where a management/organisational document changes it shall be submitted also clearly showing where the change(s) have been made, and the excel sheet titled 'Doc list' in the compliance matrix ASD.F.214 shall be updated.

- 3.5 Therefore the CA shall receive from the training organisation;
- The form at appendix A (or an organisational form as agreed with the CA)
 - Each management system document that is amended, and
 - An updated ASD.F.214 (ASD.F.216 for a UTP or ASD.F.217 for a UCS) if its required to be updated because of the change.
- 3.6 In accordance with ATCO.AR.E.010, the change shall only be implemented upon receipt of formal written approval by the CA (para 4.5 hereunder refers).
- 3.7 Training organisations shall operate under the conditions prescribed by the CA during such changes, unless the CA determines that the change cannot be implemented.
- 3.8 Changes to the elements referred to in point 3.1 due to unforeseen circumstances shall be notified to the CA without delay to obtain approval as necessary.
- 3.9 Training organisations shall notify the CA when they cease their activities.

4. Action by the CA for changes requiring prior approval

- 4.1 The CA shall acknowledge receipt of the proposed change within 10 working days of notification. The CA will conduct a review commensurate with the complexity of the change. If the request for change submission is complete the CA will inform the training organisation as soon as is practicable that the change may be implemented.
- 4.2 If the submission for proposed change is lacking or requires action on behalf of the training organisation this will be relayed as soon as practicable by the CA and could affect the planned implementation of the change.
- 4.3 The CA may not allow a change to proceed until it is satisfied that it can proceed safely and in compliance with the regulatory requirements.
- 4.4 The CA may prescribe the conditions under which the training organisation may operate during such changes, which may include allowing the organisation to make a partial change whilst the regulatory review is ongoing.
- 4.5 Depending on the change the approval may take the form of a new or amended certificate, a new or amended approval letter, or an electronic mail, setting out terms of approval if appropriate.
- 4.6 In accordance with 2015/340 ATCO.AR.C.001 the CA may, as part of the change process, conduct audits and inspections including, as appropriate, unannounced inspections of the training organisation prior to, during and/or after implementation of a change.

- 4.7 Without prejudice to any additional enforcement measures in accordance with ATCO.AR.E.015, when the organisation implements changes requiring prior approval without having received the competent authority's approval as defined in point (a) of ATCO.AR.E.010, the competent authority shall take immediate and adequate action.
- 4.8 If the CA finds that the holder of a certificate no longer satisfies the requirements or conditions of that certificate, it shall take appropriate measures, which may include revocation of the certificate.

5. Changes not requiring prior approval

- 5.1 In accordance with ATCO.AR.E.010; all changes not requiring prior approval shall be managed and notified to the competent authority, at a minimum in line with this ASAM and/or where agreed with the CA as defined in that organisations procedures.
- 5.2 The minimum notification period to inform the CA prior to commencing a change **is 2 weeks (10 working days) in advance** to atstraining@iaa.ie.
- 5.3 The CA shall receive from the training organisation;
- The form at appendix A (or as agreed with the CA)
 - Each management system document that is amended, and
 - An updated ASD.F.214 if its required to be updated because of the change.
- 5.4 The competent authority will acknowledge receipt of the notification in the form of an automated email response. The organisation shall keep a copy of this email as evidence of notification to the CA. Each email has a time and date, so it should correspond to the date and approximate time of the organisations submission.
- 5.5 The organisation may plan to implement the change once it has received the automated email for the date (or thereafter) as specified in the Change Notification submitted.
- 5.6 If for some reason it doesn't receive the automated email the TO should contact an ANSD Inspector directly for a response. The Inspector shall reply within 10 working days from the date he/she receives the notification. The change should not take place until a response is received.
- 5.7 In its continuous oversight process the CA may assess the information provided in the notification to verify whether actions taken comply with the approved procedures and applicable requirements. Where warranted the CA may request further information or detail of the change.
- 5.8 The CA reserves the right to carry out a review of those changes not requiring prior approval and may not allow a change to proceed until it is satisfied that it can proceed safely and in compliance with the regulatory requirements. If such a case arises the CA will inform the TO as soon as practicable but no later than 10 working days from receipt of the submission.

5.9 The CA may prescribe the conditions under which the training organisation may operate during such changes, which may include not allowing the organisation to make the change or only make a partial change whilst the regulatory review is ongoing.

6. Summary: Appendix A and changes

A notification of a planned change shall be submitted by a training organisation, before any such change takes place whether prior approval is required or not, using the form at Appendix A. This is to enable the CA to determine a TOs continued compliance with Regulation (EU) No 2018/1139 and its Implementing Rules and to amend, if necessary, the organisation's certificate and any related terms of approval attached to it.

Changes requiring Prior Approval: submit 6 weeks (30 working days) in advance

Hereunder are changes that may affect the certificate or the terms of approval of the training organisation or the training organisation's management system and **require prior CA approval**:

- (1) the name of the training organisation;
- (2) change of legal entity;
- (3) the training organisation's principal place of operation;
- (4) the training organisation's type(s) of training;
- (5) additional locations of the training organisation;
- (6) the accountable manager;
- (7) for any changes to the training organisation's procedure describing how changes not requiring prior approval will be managed and notified to the competent authority.
- (8) Unless otherwise agreed with the CA: any changes to personnel specified in Annex III (Part ATCO.OR) that may affect the certificate, or the training approval attached to it, requires prior CA approval;
- (9) Unless otherwise agreed with the CA: the training organisation's documentation as required by Subpart ATCO.OR.B on safety policy and procedures, requires prior CA approval;
- (10) Unless otherwise agreed with the CA: any changes to the organisations facilities requires prior CA approval.

All other changes: submit 2 weeks (10 working days) in advance

Unless specified by the CA all other changes do NOT require prior approval but must be notified before implementation.

7. Further Information

Any queries or requests for further information should be addressed to the following CA email address: atstraining@iaa.ie

APPENDIX A TO ASD ASAM NO. 36

NOTIFICATION OF A PROPOSED CHANGE TO A TRAINING ORGANISATION
IN ACCORDANCE WITH REGULATION (EU) 2015/340 ATCO.OR.B.015

Type of notification:	
<input type="checkbox"/> Prior approval is <u>not</u> required	<i>(minimum 2 weeks (10 working days) in advance)</i>
<input type="checkbox"/> Prior approval is required	<i>(minimum 6 weeks (30 working days) in advance)</i>

Organisation Details:	
Certificate no:	
Name of org.:	
Address:	
Country:	

Primary Contact person for this notification:	Change sponsor or Secondary Contact:
Title:	
Name:	
Phone:	
E-mail	

Title for this change:

Proposed date for the introduction of the change:

Description of why this change is required:

Description of the change:

Impact of change:
Yes <input type="checkbox"/> No <input type="checkbox"/> <i>If yes, outline hereunder what the impact is and the plan to manage that impact:</i>

Attachments to this notification:
Yes <input type="checkbox"/> No <input type="checkbox"/> <i>If yes, list hereunder relevant documentation and attach to your email submission:</i>
1.
2.
3.
4.