	Aeronautical Services Advisory Memorandum (ASAM) Focal Point: ANSP	ASAM No: 45 Issue 1.0 Date 28.05.21
Title	Advisory on the Competent Authority process step ‘CA 1.1 Notification of Change’ (NOC) check for SPs operating under CR (EU) 2017/373	

1. Introduction

This material outlines the competent authority (CA) procedure for handling a notification of change made by a service provider (SP) to implement a change to its functional system, with or without prior CA approval in accordance with the regulatory requirements of Commission Regulation (EU) 2017/373.

This ASAM is supplementary to the notification and oversight of change process as outlined in ASAM No. 38 and is intended to give further clarity to SPs on CA process and procedures.

1.1. Scope

This ASAM applies to all SPs certified by the Irish CA in accordance with the requirements of Commission Regulation (EU) 2017/373.

Changes to enable a SP to implement a change to the provision of service, the service provider's management system and/or safety management system, that does not affect the functional system, with or without prior CA approval is not included in this scope. Those changes are covered under ASAM No. 39 which can be found on the IAA website.

1.2. Responsible Person

The Safety Regulation Division (SRD) of the Irish Aviation Authority (IAA) is the CA for Ireland regarding Regulation (EU) 2018/1139, and Commission Implementing Regulation (EU) 2017/373.

The Assistant Director, Aeronautical Services Department (ASD) of SRD has overall responsibility for this advisory material.

2. References

- Regulation (EU) 2017/373;
- Regulation (EU) 2018/1139;
- ASAM No. 38.

3. CA 1.1 ‘Notification of Change’ (NOC) check

The CA 1.1 ‘Notification of Change’ (NOC) check is the first of the CA process steps for the regulatory oversight of SP changes. To see a diagram of all CA process steps, see appendix A of ASAM No 38.


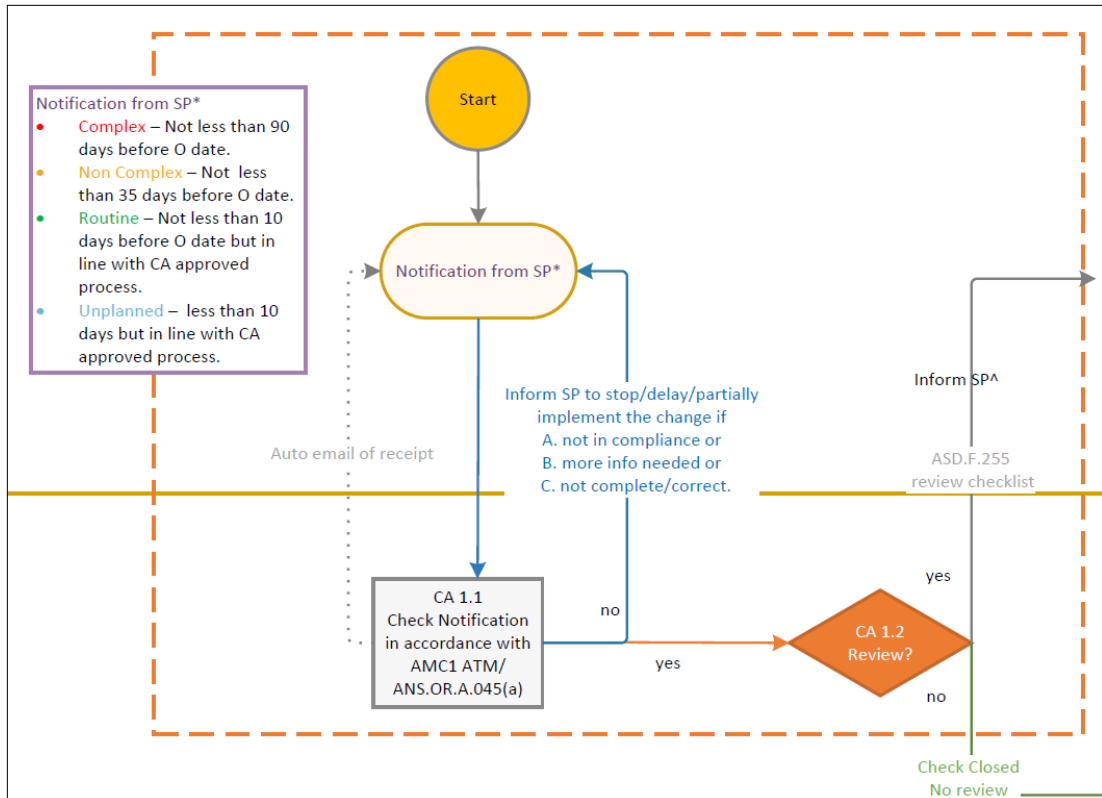
	<p style="text-align: center;">Aeronautical Services Advisory Memorandum (ASAM) Focal Point: ANSP</p>	<p style="text-align: center;">ASAM No: 45 Issue 1.0 Date 28.05.21</p>
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Diagram No.1 - CA 1.1 Notification Check process flow diagram




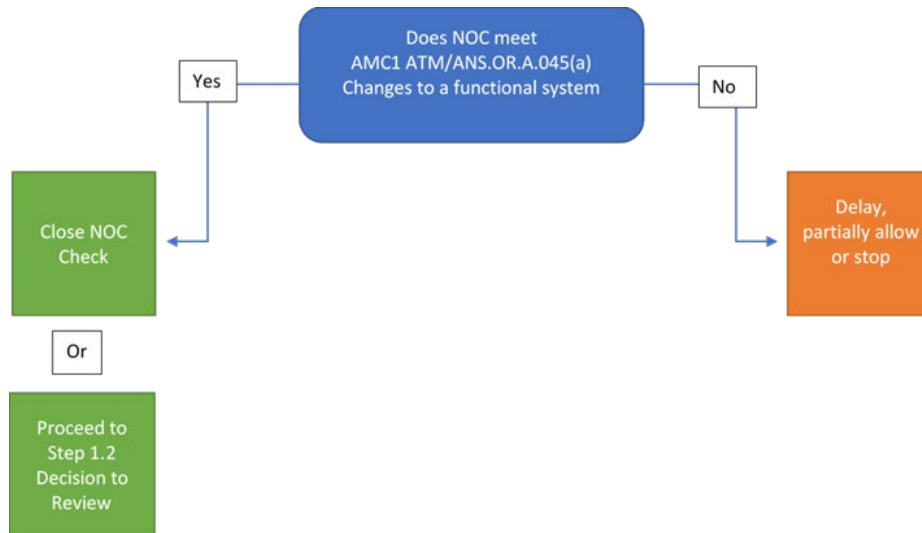
The NOC check is essentially to ensure that the information supplied meets the requirement of **AMC1 ATM/ANS.OR.A.045(a) Changes to a functional system ‘NOTIFICATION’** and the supplementary information the CA requires to enable it to understand the change being proposed.

3.1 NOC check guidance

For the process to work as intended, the majority of submissions should only need a quick check by the CA to close it on its database. It is the SPs adherence to the requirements of Commission Regulation (EU) 2017/373 and ASAM No 38 that will dictate the way it is handled. Therefore the onus is on the SP to ensure its submissions are **correct and complete** before submitting. This is also true for **categorising the type of notification correctly** thus ensuring the correct timelines between submission and implementation date.

The following is a simplistic outline diagram of the NOC check process flow.

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Yes:
(the NOC is correct and complete)

The CA determines:

1. A review is not needed, signified by **‘Check Closed’** in its database: or
2. A review is needed, signified by **‘Check Finished - Review needed’** in its database. The SP will be informed that a review is required and the change may not go ahead until the review has been completed.

No:
(The NOC submitted is not correct and/or not complete)

This requires the CA to do one or other of the following :

- a) Request follow up information which is of a type that shouldn’t delay or stop the change even if not received before the change date:

The inspector will follow NOC Check feedback to SP – **‘Type A - email’** procedure (see 3.1 hereunder). Or

- b) Request correct and/or incomplete information which is of a type if not received in adequate time to allow analysis before the change, could lead to a delay or stop the change:

The inspector will follow NOC Check feedback to SP – **‘Type B - form ASD.F.254’** procedure (see 3.2 hereunder).



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3.0 NOC Check feedback procedures

3.1. Type A - email

In the first instance, if the NOC is not complete or correct, the inspector will send an email from the NOC database to the listed person in the NOC requesting the information. This can be done for most cases where the change is not risk critical, the information required is small or its not foreseen to be a problem in getting it, and even without the information being received in time, the change can be allowed to take place. The only requirement in this scenario is for the inspector to get the info so that the AMC1 ATM/ANS.OR.A.045(a) requirement is met and the CA is conforming to the regulation. The email should have in the subject line '**CA NOC feedback to SP – 'Type A'**'. The inspector will outline if a NOC is required to be resubmitted and if so, it will be with the same reference number but with a new version number. The remainder of the email content is at the discretion of the individual inspector.

3.2 Type B - form ASD.F.254

In the second instance, this is where the change can't be judged on the detail supplied or time pressure is such that the inspector is uneasy about allowing a change proceed without the full information. Or experience has shown that once the change happens there is a high likelihood that the missing or incorrect information will not be forthcoming.

This is where the CA needs to be more definitive in their communication so as to guard against any SP misinterpretation or false expectation of a change occurring just because the SP has notified the CA. The feedback for a 'Type B' is more formal and structured in that a form (ASD.F.254) is filled in by the inspector and added as an attachment to an email. The email should have in the subject line '**CA NOC feedback to SP – 'Type B'**'.


In the ASD.F.254 form there are 2 short tables;

Table 1. The inspector fills in general details of the change and in row (h) '*Details of the change and its impact*', lists the issues (see example appendix A).

Table 2. This is a status table which indicates

- where the NOC is in terms of AMC compliance regarding notification;
- the status of CA action or possible action; and
- the action required of the SP.

This table has two check boxes which will indicate one of two status scenarios to the SP which are as follows:

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- Possible delay to change date** (updated NOC required). The change cannot go ahead until after the updated NOC is sent back with the missing or corrected info as indicated in the ASD form. The updated NOC will have the same SP change identifier but a new version number. As soon as practicable after receipt of the NOC, the CA will confirm the change can go ahead on the SP planned date or will state a new date before which the change may not take place. The action of the CA will vary depending on the quickness of reply from the SP; the correctness/completeness of the resubmission; the time remaining before the change date and the inspectors workload at the time of receipt.
- Change not allowed** (new NOC is required). The SP is informed that they must resubmit a new notification in full. The timeline for change is reset from the moment the new NOC is submitted. The new NOC will have a new SP change identifier and version number.

3.3 Summary

The Type B feedback **form**, unlike the Type A feedback **email** which requires more information but not at the detriment of delaying or stopping the change, indicates to the SP that a more formal and expeditious response is required to address the identified issues or the change (1) may be delayed, (2) partially allowed or (3) stopped altogether.

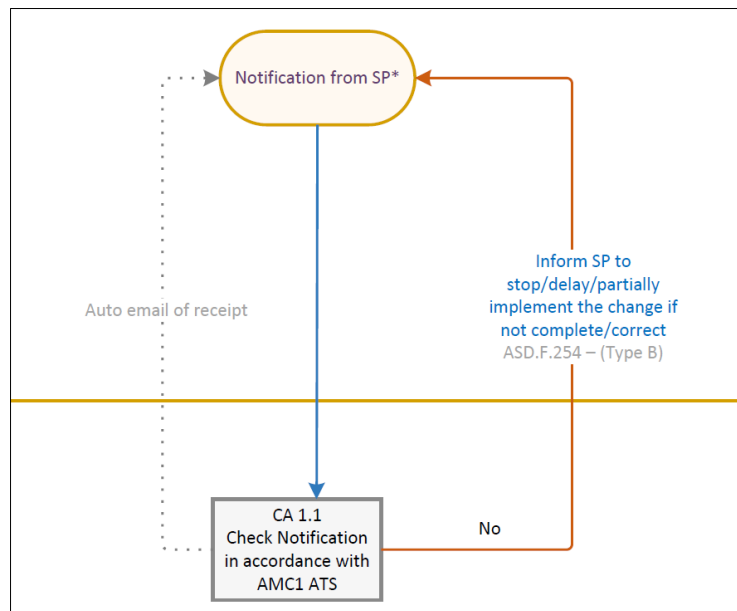



Diagram showing NOC check Type B feedback flow where the use of form ASD.F.254 is required due to the NOC being incorrect or incomplete i.e. such that it does not meet the requirements of AMC1 ATM/ANS.OR.A.045(a) or the CA requirements for notification under ASAM No. 38.

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Appendix A – Example of ‘CA NOC feedback to SP – ‘Type B’ (ASD.F.254)

The SP notification of change (identified hereunder in table 1) is not accepted by the CA as its incomplete and/or incorrect and therefore is not in compliance with AMC1 ATM/ANS.OR.A.045(a) *Changes to a functional system ‘NOTIFICATION’* or the CA requirements under ASAM No. 38 until the following information indicated in table 1 is provided. Table 2 is a status indication table.

Table No. 1

ref	373 AMC Subpart indicated in orange text. CA additional info indicated in blue text	ANSD Comment
(a)	Name of the organisation notifying the change.	Athlone ATC
(b)	Type of change (Planned Complex; Non-Complex; Routine. Unplanned)	Routine
(c)	Notification unique identifier.	Notice AT_043_20
(d)	Notification version number.	1
(e)	Title of the change.	Suspension of CAT A/B SIDs
(f)	Date of submission of the change notification.	06/01/2021
(g)	Scheduled date of entry into service	29/01/2021
(h)	Details of the change and its impact. (note - This section will be used by ANSD to highlight the issues with the notification)	Under this section the following is noted: <ul style="list-style-type: none"> A notice to controllers and a NOTAM is being issued as part of this change but the HAZ ID does not identify these as safety requirements. Please provide the rationale. Traceability of participants involved in HAZ ID not included. Please update and resubmit.
(i)	The list of the service providers and other aviation undertakings that are affected by the change as identified in ATM/ANS.OR.A.045(a)(3);	This change will affect other service providers. Please include.
(j)	Entity in charge of the assurance case; and	No comment
(k)	Identity of a point of contact for communications with the competent authority.	No comment
(l)	Other information incomplete or incorrect from the NOC	Attachment missing


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Table No. 2.

This is a status indication table which indicates where the change is in terms of Commission Regulation (EU) 2017/373 AMC compliance and CA ASAM No. 38 requirements regarding Notification of a Change to the SP functional system.

It also outlines the action required of the SP.

Check box (one or other to be checked by CA)	Change status	Action required of SP	CA Comment
<input type="checkbox"/>	Possible delay to change date.	Updated NOC required (The updated NOC will have the same SP change identifier but a new version number)	The change cannot take place until after the updated NOC is sent back with the missing or corrected info as indicated in table 1. As soon as practicable after receipt of the updated NOC, the CA will confirm the change can go ahead on the SP planned date or will state a new date before which the change may not take place.
<input type="checkbox"/>	Change not allowed.	A full new NOC is required (The NOC will have a new SP change identifier and version number)	The timeline for change is reset from the moment the new NOC is submitted i.e. the clock resets.

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