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31/05/2021



Licensing of Air Traffic Controllers and Student Air Traffic Controllers

**TRANSPORT MALTA
CIVIL AVIATION DIRECTORATE**

REQUIREMENTS AND INFORMATION

**CIVIL AVIATION DIRECTORATE
Personnel Licensing Section**

Transport Malta, Malta Transport Centre, Pantar Road, Lija LJA 2021 Malta. Tel: +356 2555 5000 cadpel.tm@transport.gov.mt www.transport.gov.mt

Regulation (EU) No 2015/340 of 20 February 2015 laying down technical requirements and administrative procedures relating to air traffic controllers' licences and certificates pursuant to Regulation (EU) 2018/1139 of the European Parliament and of the Council, amending Implementing Regulation (EU) No 923/2012 and repealing Regulation (EU) No 805/2011.

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 of the Council and Council Regulation (EEC) No 3922/91.

LN 139 of 2008 an Air Navigation (Amendment) Order, 2008 transposed Directive 2006/23/EC of the European Parliament and of the Council of 5 April 2006 on a Community Air Traffic Controller into Maltese legislation.

All the provisions of Regulation (EC) No 2015/340 for the licensing of Air Traffic Controllers and Students Air Traffic Controllers are applicable in Malta.

This notice details the requirements of Transport Malta Civil Aviation Direction (TM-CAD) on the licensing of air traffic controllers and student air traffic controllers.

"the Director" or "DGCA" means the Director for Civil Aviation and, to the extent of the authority given, any person authorised in that behalf by the Director;

This notice is intended to provide information to air traffic controllers, student air traffic controllers, Training Organisations and Air Navigation Services Providers.

This notice is not intended to replace or take precedence over the legal documents.

Enquiries regarding the content of this notice shall be addressed to: The Head of Personnel Licensing, Personnel Licensing Section, Civil Aviation Directorate, Transport Malta, Malta Transport Centre, Pantar Road, Lija LJA 2021, Malta.

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Chapter 1 The Regulations

The New Basic Regulation, Regulation (EU) No 2018/1139 as amended.

Regulation (EU) No 2018/1139 applies to student air traffic controllers and air traffic controllers exercising their functions within the scope of Regulation (EU) No 2018/1139 and to persons and organisations involved in the licensing, training, testing, checking or medical assessment of applicants in accordance with the Regulation (EU) 2018/1139

In Malta there are no services provided or made available by military personnel to the public referred to in Article 10 of Regulation (EU) 2018/1139.

Applicable Legal Documents:

Authority for Transport in Malta Act Act XV of 2009

The Civil Aviation Act (Cap 232)

Regulation (EU) 2018/1139 of the European Parliament and of the Council as amended

Regulation (EU) No 2015/340 of 20 February 2015 laying down technical requirements and administrative procedures relating to air traffic controllers' licences and certificates pursuant to Regulation (EU) 2018/1139 of the European Parliament and of the Council.

Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018.

The Air Navigation Order (ANO) 1990 [S.L.499.09 as amended];

and the

S.L. 499.45 Civil Aviation (Provision of Air Navigation Services) Order.

regulate the licensing of Air Traffic Controllers and Student Air Traffic Controllers and ANSPs.

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The Competent Authority

The competent authority nominated by Malta as its national supervisory authority in order to assume the tasks assigned to such authority under Regulation (EU) 2018/1139 is Transport Malta Civil Aviation Directorate (TM-CAD).

TM-CAD is also the competent authority for the certification of training organisations referred to in Regulation (EU) 2018/1139

TM-CAD is independent of the air navigation service providers (ANSPs). In Malta there is only one ANSP, namely Malta Air Traffic Services Ltd.

TM-CAD exercises its powers impartially and transparently.

The tasks of TM-CAD include:

- (1) the issue, suspension and revocation of licences, ratings, endorsements and of medical certificates;
- (2) the issue of temporary OJTI authorisations according to ATCO.C.025;
- (3) the issue of temporary Assessor authorisations according to ATCO.C.065;
- (4) the revalidation and renewal of endorsements;
- (5) the revalidation, renewal and limitation of medical certificates following referral by the AME or AeMC;
- (6) the issue, revalidation, renewal, suspension, revocation, limitation and change of aeromedical examiner certificates;
- (7) the issue, suspension, revocation and limitation of training organisation certificates and of the certificates of aero-medical centres;
- (8) the approval of training courses, plans and unit competence schemes, as well as assessment methods;
- (9) the approval of the assessment method for the demonstration of language proficiency and the establishment of requirements applicable to language assessment bodies according to ATCO.B.040;
- (10) the approval of the need for the extended level (level five) language proficiency in accordance with ATCO.B.030(d);
- (11) the monitoring of training organisations, including their training courses and plans;
- (12) the approval and monitoring of the unit competence schemes;
- (13) the establishment of appropriate appeal procedures and notification mechanisms;
- (14) 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 ATCO.A.010;
- (15) facilitating the recognition of training organisation certificates and course approvals.

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TM-CAD has established procedures for the application and issue, renewal and revalidation of licences, associated ratings, endorsements and medical certificates.

- (1) TM-CAD upon receipt of an application verifies whether the applicant meets the represent of Regulation (EU) No 2015/340.
- (2) When satisfied that the applicant meets the requirements of Regulation (EU) No 2015/340 it issues, renews or revalidates the relevant licence, associated rating, endorsement or medical certificate.
- (3) The licence issued by TM-CAD includes the items set out in Appendix 1 of Annex II to Regulation (EU) No 2015/340. The licence includes an English translation of the items as set out in Appendix 1 of Annex II to Regulation (EU) No 2015/340.
- (4) The Personnel Licensing Unit maintains a database listing the competences of all licence holders under the responsibility of TM-CAD and the validity dates of their endorsements.

With due respect to the principles of confidentiality set out in Regulation (EU) 2018/1139 , TM-CAD exchanges appropriate information with other competent authorities and assists other competent authorities so as to ensure the effective application of Regulation (EU) No 2015/340, particularly in cases involving the free movement of air traffic controllers within the Union.

Training Organisation certificates issued in accordance with the provisions of Regulation (EU) No 2015/340 are recognized by TM-CAD.

Air Traffic Controller and student Air Traffic Controller licences and their associated ratings, rating endorsements and language endorsements as well as associated medical certificates issued by other Member States in accordance with Regulation (EU) No 2015/340 are recognized by TM-CAD.

The holder of an Air Traffic Controller licence issued in accordance with Regulation (EU) No 2015/340 has the right to exchange his or her licence for a licence issued by TM-CAD, if the privileges are exercised in Malta, without additional conditions being imposed.

In order to grant a unit endorsement TM-CAD requires the applicant to fulfil the conditions associated with this endorsement, specifying the unit, sector or working position.

When establishing the unit training plan the training organisation shall take due account of the acquired competencies and the experience of the applicant.

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The DGCA will approve or reject the unit training plan containing the proposed training for the applicant not later than six weeks after presentation of the evidence, without prejudice to the delay resulting from any appeal that is made. The DGCA will ensure that the principles of non-discrimination and proportionality are respected.

Application for the issue, revalidation or renewal of licences, associated ratings and/or endorsements shall be submitted to TM-CAD in accordance with the procedures established by TM-CAD.

Applications shall be accompanied by evidence that the applicant is competent to act as an Air Traffic Controller or a student Air Traffic Controller in accordance with the requirements established in Regulation (EU) No 2015/340.

The evidence shall demonstrate the applicant's competence related to knowledge, experience, skills and linguistic proficiency.

Licences issued by TM-CAD contain all the relevant information related to the privileges granted by such document and shall comply with the specifications as set out in Appendix 1 of Annex II to Regulation (EU) No 2015/340.

The licence shall remain the property of the person to whom it is granted and who shall sign it.

The DGCA may suspend a licence, rating or endorsement when the competence of the Air Traffic Controller is in doubt or in cases of misconduct.

The DGCA may revoke a licence in cases of gross negligence or abuse.

The privileges granted by the licence depend on the validity of the ratings, endorsements and of the medical certificate.

The Aeromedical Section shall put in place effective review or appeal procedures with the involvement of independent medical advisors.

Chapter 2 Requirements for Air Traffic Controllers

Air Traffic Controllers shall comply with the relevant essential requirements set out in Annex V(b) to Regulation (EU) 2018/1139, and Regulation (EU) No 2015/340. Air traffic controllers are required to hold a licence appropriate to the service provided and within the scope of Regulation (EU) 2018/1139 shall only be provided by air traffic controllers licenced in accordance with Regulation (EU) No 2015/340.

TM-CAD only issues the licence referred to in Regulation (EU) 2018/1139 when the applicant for the licence demonstrates that he or she complies with the rules established to ensure compliance with the relevant regulations.

The privileges granted to the Air Traffic Controller and the scope of the licence, are specified in such licence. An Air Traffic Controller shall ensure that he/she:

- holds valid rating(s), rating endorsement(s) and unit endorsements appropriate to the ATC service(s) he/she is providing;

Operational units may have procedures to advise licence holders when the rating/s is/are due for revalidation or renewal. **Whatever the procedure used the individual licence holder is personally responsible to ensure that he or she does not exercise the privileges of his or her licence unless he or she has a valid rating, and rating endorsements for the service provided.** The operational unit is responsible to ensure that it does not allow a licence holder who does not hold a valid rating, and rating endorsements for the service to be provided, to exercise the privilege of his or her licence.

- complies with the unit competence scheme and is competent to provide the ATC service notified in his/her air traffic controller’s licence;
- complies with any conditions that may be required by the DGCA when his/her competence is in doubt;
- holds a valid Class 3 medical certificate;
- informs the management of the unit if he/she is no longer medically fit to provide an air traffic control service;
- does not provide an ATC service while under the influence of psychoactive substances;
- does not exercise the privileges of his/her licence, when there is any decrease in his/her medical fitness which might render the holder unable to safely and properly exercise these privileges.
- informs the management of the unit if he/she is under the influence of any psychoactive substance or medicines which might render him/her unable to exercise the privileges of his/her licence safely and properly.
- is familiar with all pertinent and current information before exercising the privileges of his/her licence.

Chapter 3 Requirements for Student Air Traffic Controllers

A Student Air Traffic Controller shall ensure that he/she:

- (a) holds a current student air traffic controller's licence.
- (b) complies with the unit competence scheme and is competent to undertake on the job training;
- (c) holds a valid Class 3 medical certificate;
- (d) informs the management of the unit if he/she is no longer medically fit to provide an air traffic control service(s);
- (e) does not undertake on the job training while under the influence of psychoactive substances;
- (f) does not undertake on-the-job training, when there is any decrease in his/her medical fitness or is under the influence of any psychoactive substance which might render the holder unable to safely and properly exercise these privileges.
- (g) informs the management of the unit if he/she is under the influence of any psychoactive substance or medicines which might render him/her unable to exercise the privileges of his/her licence safely and properly.

Chapter 4 The Student Air Traffic Controller Licence

Requirement

Holders of a student Air Traffic Controller licence are authorized to provide air traffic control services under the supervision of an on-the-job training instructor in accordance with the rating(s) and rating endorsement(s) contained in their licence.

The privileges of an Air Traffic Controller licence include the privileges of a student Air Traffic Controller licence as set out in ATCO.B.001(a) and ATCO.B.005(b) of Regulation (EU) No 2015/340.

Applicants for a student Air Traffic Controller licence must meet the following requirements:

- (1) be at least 18 years old;
- (2) 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 **class 3** medical certificate;
- (4) have demonstrated an adequate level of language proficiency in accordance with the requirements set out in ATCO.B.030.

In addition, an applicant for an Aerodrome Control Visual or an Aerodrome Control Instrument rating must meet at least ICAO level 4 language requirements in Maltese. See PEL Notice 25 for further information.

The licence shall contain at least one rating and if applicable one rating endorsement.

A person who does not hold an Air Traffic Controller licence shall not provide an air traffic control service under the supervision of a suitably qualified Air Traffic Controller unless he/she holds a student Air Traffic Controller licence.

The supervising controller must be a qualified OJTI and hold a valid rating appropriate to the ATC service being provided.

Units shall commence unit training within one year of the issue of the student Air Traffic Controller licence. A student Air Traffic Controller licence shall only be renewed if unit training has commenced.

Chapter 5 The Air Traffic Controller Licence

Requirement

Holders of an Air Traffic Controller licence are authorized to provide air traffic control services in accordance with the ratings and rating endorsements in their licence.

A person shall not provide an air traffic control service unless he/she holds an ATC licence with a valid rating, including any associated rating endorsement and unit endorsement relating to the air traffic control service to be provided and a current Class 3 medical certificate.

The rating and the rating endorsement shall be of the type notified in 'The Air Traffic Controller Licence – Ratings and Rating endorsement' (see Chapter 7).

The unit endorsement must include details of the ATC unit and where applicable the individual operational positions or sectors for which the rating is valid.

Applicants for the issue of an Air Traffic Controller licence shall:

- (a) hold a student Air Traffic Controller licence;
- (b) have completed a unit endorsement course and successfully passed the appropriate examinations and assessments in accordance with the requirements set out in Part ATCO, Subpart D, Section 3;
- (c) hold a valid medical certificate;
- (d) have demonstrated an adequate level of language proficiency in accordance with the requirements set out in ATCO.B.030.

In addition, an applicant for an Aerodrome Control Visual or an Aerodrome Control Instrument rating must meet at least ICAO level 4 language requirements in Maltese. See PEL Notice 25 for further information.

An applicant for an Air Traffic Controller licence must have completed approved OJT training conducted by a Training Organisation certified by TM-CAD and have been recommended by the OJTI to take the examinations and assessment for the issue of the licence and associated rating(s) and the associated rating endorsement(s) and unit endorsement(s).

He/she must have passed the examinations and assessments by the Assessment Board for the issue of the Air Traffic Controller licence and the associated rating(s) and the associated rating endorsement and unit endorsement(s).

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Air Traffic Controller licences are validated by the inclusion of one or more ratings and the relevant rating endorsement, the unit endorsement and the language endorsements for which training was successfully completed.

A rating and its associated rating endorsement(s) indicate the type of service that may be provided by a licenced air traffic controller. When a controller is competent to provide an ATC service at a particular unit, the ATC licence is entered with a valid rating. The valid rating may include rating endorsement and unit endorsement(s), which detail the unit and the individual operational positions from which the ATC service may be provided.

To exercise the privileges of the rating, the controller must also hold a Class 3 medical certificate.

The unit endorsements entries in the ATC licence may be abbreviated or coded.

The Unit endorsement for Malta Air Traffic Services Limited is **LMMM** for Approach and Area ratings, while for Tower rating is **LMML**.

Chapter 6 Selection of candidate Air Traffic Controllers

Air traffic controllers are employed by the ANSP and the TM-CAD is not involved in the selection process.

A Training Organisation requesting certification by TM-CAD to conduct initial training shall make available to TM-CAD information on its requirements regarding:

- (a) the minimum age for entry into ATC training;
- (b) the academic level required, including English language requirements and in addition the Maltese language requirements for the issue of an Aerodrome Control Visual or an Aerodrome Control Instrument rating;
- (c) aptitude testing like FEAST;
- (d) medical requirements EASA Class 3

Chapter 7 The Air Traffic Controller Licence Ratings and Rating Endorsements

The ATC licence uses ratings to indicate the air traffic control disciplines in which controllers may provide air traffic control services.

Rating endorsements are endorsements associated with ratings to indicate the type of equipment associated with the provision of an air traffic control service in that rating discipline.

Requirement:

A person who wishes to act as an Air Traffic Controller in Malta is required to hold a valid Air Traffic Controller licence issued by TM-CAD which contains valid ratings and endorsements appropriate to the control tasks to which the controller is assigned.

A person not holding an Air Traffic Controller licence, who provides an air traffic control service under supervision towards the grant of an Air Traffic Controller licence, is required to hold a student Air Traffic Controller licence issued by TM-CAD.

Ratings

Licences shall contain one or more of the following ratings in order to indicate the type of service which the licence holder may provide:

- (1) the Aerodrome Control Visual (ADV) rating, indicating that the licence holder is competent to provide an air traffic control service to aerodrome traffic at an aerodrome that has no published instrument approach or departure procedures;
- (2) the Aerodrome Control Instrument (ADI) rating, indicating that the licence holder is competent to provide an air traffic control service to aerodrome traffic at an aerodrome that has published instrument approach or departure procedures and shall be accompanied by at least one of the rating endorsements described in ATCO.B.015(a);
- (3) 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;
- (4) 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 described in ATCO.B.015(b);

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- (5) 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 described in ATCO.B.015(c);
- (6) 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 described in ATCO.B.015(d).

Rating endorsements

(a) The Aerodrome Control Instrument (ADI) rating shall bear at least one of the following endorsements:

- (1) the Air Control (AIR) endorsement, indicating that the licence holder is competent to provide air control to traffic flying in the vicinity of an aerodrome and on the runway;
- (2) the Ground Movement Control (GMC) endorsement, indicating that the licence holder is competent to provide ground movement control;
- (3) the Tower Control (TWR) endorsement, indicating that the licence holder is competent to provide aerodrome control service. The TWR endorsement includes the privileges of the AIR and GMC endorsements;
- (4) the Ground Movement Surveillance (GMS) endorsement, granted in addition to the Ground Movement Control endorsement or Tower Control endorsement, indicating that the licence holder is competent to provide ground movement control with the help of aerodrome surface movement guidance systems;
- (5) the Aerodrome Radar Control (RAD) endorsement, granted in addition to the Air Control endorsement or Tower Control endorsement, indicating that the licence holder is competent to provide aerodrome control with the help of surveillance radar equipment.

(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;

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- (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;
- (3) the Terminal Control (TCL) endorsement, indicating that the licence holder is competent to provide air traffic control services with the use of any surveillance equipment to aircraft operating in a specified terminal area and/or adjacent sectors.

(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 one of the following endorsements:

- (1) the Terminal Control (TCL) endorsement, indicating that the licence holder is competent to provide air traffic control services with the use of any surveillance equipment to aircraft operating in a specified terminal area and/or adjacent sectors;
- (2) the Oceanic Control (OCN) endorsement, indicating that the licence holder is competent to provide air traffic control services to aircraft operating in an Oceanic Control Area.

The valid ratings that a controller obtains will be entered in the ATC licence as a record of a controller’s achievements.

The licence will be reissued/ reprinted if a new rating or endorsement is added, revalidated or a rating or endorsement is cancelled. The new licence will have the new issue number, which are issued in consecutive order. The old licence will be cancelled and sent to the holder so that he/she can have a record of the privileges that were held.

The current ratings issued by TM-CAD which are used by the local ANSP are:

- Aerodrome Control Instrument – Tower Control – ADI/TWR
- Approach Control Surveillance Rating – Radar: APS/RAD
- Area Control Surveillance Rating - Radar: ACS/RAD

Chapter 8 The Air Traffic Controller Licence Unit Endorsements

A unit endorsement indicates that the licence holder is competent to provide air traffic control services for a particular sector, group of sectors or working positions under the responsibility of an air traffic services unit.

Unit endorsements are endorsements associated with specific ratings and rating endorsements. Unit endorsements may also indicate the specific types of surveillance equipment used by the unit in the provision of air traffic control services on specific sectors, groups of sectors or operational positions.

Unit endorsements shall be valid for a period of 3 years. Unit endorsements shall be revalidated if:

- (a) the applicant has been exercising the privileges of the licence for a minimum number of hours as defined in the unit competence scheme;
- (b) the applicant has undertaken refresher training within the validity period of the unit endorsement according to the unit competence scheme;
- (c) the applicant's competence has been assessed in accordance with the unit competence scheme in the preceding three months prior to the expiry date of the unit endorsement.
- (d) the applicant holds a valid Class 3 medical certificate.

Chapter 9 Student Air Traffic Controller

Requirement

*The holder of a **student** Air Traffic Controller licence may not provide an air traffic service for which student does not hold a valid rating, except under the supervision of a suitably qualified air traffic controller.*

The student or Air Traffic Controller providing the ATC service under supervision must:

(a) have successfully completed a course of ATC training conducted by a training organisation certified in accordance with the Regulation No 2015/340 and passed the examinations or assessments associated with that course in the rating discipline which relates to the ATC service being provided; or

(b) have already held a valid rating in that rating discipline.

In both cases they must hold a current Class 3 medical certificate.

The supervising controller must be a qualified OJTI and hold a valid rating appropriate to the ATC service being provided.

The requirement in (a) above relates to licenced Air Traffic Controllers who have undertaken training in an additional rating discipline which relates to the ATC service to be provided.

The privileges of an Air Traffic Controller licence include the privileges of a Student Air Traffic Controller licence

The holder of an Air Traffic Controller licence does not require and shall not be issued a Student Air Traffic Controller licence to undergo training under supervision. The current ATC licence will be valid to do the training to attain the new privileges.

Chapter 10 Issue of Additional Ratings

Additional rating(s) and rating endorsement(s) may be issued to Air Traffic Controllers who have successfully completed initial training in those ratings(s) and rating endorsement(s), have successfully completed approved unit training including training required to gain unit endorsement on the associated sectors or operational positions and demonstrated to the ATC Examination Board that they are competent to provide air traffic control service in the rating discipline including competence required for any associated rating endorsement, unit endorsement and any endorsement for any associated sectors or operational positions.

Chapter 11 Non-exercised Ratings and Rating Endorsements

Requirement

- (a) The holder of an air traffic controller’s licence whose unit endorsement has ceased to be valid shall successfully complete additional training as approved by the DGCA, a unit training plan and an assessment by the ATC Examination Board so that the endorsement may be revalidated.
- (b) A controller who does not exercise the privileges of a particular rating for which he/she previously held a valid within a period of more than 240 days but less than a period of four consecutive years from the date he/she last performed operational duty in that rating discipline may only commence unit training in that rating appropriate assessment as to whether the person concerned continues to satisfy the conditions of that rating, and after satisfying any training requirements that result from that assessment.
- (c) If a controller has not exercised the privileges of a particular rating for 4 years or more, then he/she must complete all the requirements as if he/she were applying for that rating for the first time.

This assessment will be conducted by a Board, consisting of a Chairman and at least one Assessor, appointed by the Chairman for this purpose.

Following assessment, the controller shall be required to satisfactorily complete any training to satisfy deficiencies in his/her knowledge, skill or competence, identified by the assessment.

The pre-entry training of a controller’s competence to commence OJT may be conducted by an ATC training organisation approved in accordance to Regulation (EU) No 2015/340.

Chapter 12 Medical

Organisations involved in medical assessment of air traffic controllers, shall comply with the relevant requirements set out in Part ATCO.OR in Regulation (EU) 2015/340.

Air traffic controllers are required to hold a Class 3 medical certificate, appropriate to the service provided.

The scope of the medical certificate shall be specified in such certificate.

The capability of aero-medical examiners and aero-medical centres to discharge the responsibilities associated with their privileges in relation to the issuance of medical certificates shall be recognised by the issuance of a certificate.

A certificate shall be issued to aero-medical examiners and aero-medical centres for air traffic controllers that have demonstrated that they comply with the rules established to ensure compliance with the relevant requirements as set out in Appendix 3 and 4 of Annex II Regulation (EU) 2015/340. The privileges granted by the certificate shall be specified therein.

The holders of an Air Traffic Controller licence and a student Air Traffic Controller licence are required to have a minimum standard of medical fitness to ensure that they are fit to provide an ATC service and to minimise, as far as possible, the risk that they will become incapacitated to the extent that the safety of aircraft could be compromised.

All air traffic controllers shall periodically demonstrate medical fitness to satisfactorily execute their functions, in accordance with Regulation 2015/340 in Part ATCO IV. Compliance shall be shown by appropriate assessment considering the possible mental and physical degradation due to age.

Demonstration of medical fitness, comprising physical and mental fitness, shall include the demonstrated absence of any disease or disability, which makes the person providing an air traffic control (ATC) service unable:

- to execute properly the tasks necessary to provide an ATC service,
- to perform assigned duties at any time, or
- to perceive correctly his/her environment.

The minimum medical standards that have to be met for initial and renewal medical examinations for the issue of medical certificates for the Air Traffic Controller and student Air Traffic Controller licence are those notified in Regulation (EU) No 2015/340 and in Annex 1 to the Chicago Convention of the International Civil Aviation Organisation (ICAO).

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Where medical fitness cannot be fully demonstrated, mitigation measures that provide equivalent safety may with the approval of the Aero-medical Section be implemented.
Student Air Traffic Controller and Air Traffic Controller Licence Holders

Requirement

A student Air Traffic Controller or an Air Traffic Controller shall not provide an air traffic control service unless he or she holds a valid medical certificate of the appropriate category.

A student Air Traffic Controller or Air Traffic Controller shall not provide an air traffic control service under supervision unless he or she holds a valid medical certificate of the appropriate category.

The holder of a student Air Traffic Controller or Air Traffic Controller licence who fails a medical examination shall not provide an air traffic control service even though the previous medical certificate held may not have expired. They shall not exercise the privileges of the licence until he or she has been declared fit by an authorised medical examiner, has their suspension removed and has been issued a new medical certificate.

The holder of a student Air Traffic Controller or Air Traffic Controller licence who fails a medical examination or has any medical limitations or conditions placed on the medical certificate shall notify the unit management.

Licence holders shall not exercise the privileges of their licence at any time when they are aware of any decrease in their medical fitness which might render them unable to safely exercise the privileges of their licence.

Licence holders shall notify the relevant ANSP that they are becoming aware of any decrease in medical fitness or are under the influence of any psychoactive substance or medicines which might render them unable to safely exercise the privileges of the licence.

Individual licence holders are responsible for ensuring they hold a valid medical certificate and are responsible for arranging their own initial and renewal medical examinations.

Operational units may have procedures to advise licence holders when medical certificates are due for renewal and/or for arranging medical examinations.

Whatever the procedure used the individual licence holder is personally responsible to ensure that he or she does not exercise the privileges of his or her licence unless he or she has a valid medical certificate.

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The operational unit is responsible to ensure that it does not allow a licence holder who does not hold a valid medical certificate to exercise the privilege of his or her licence.

The operational unit shall not allow an Air Traffic Controller who has failed the medical examination to exercise the privileges of the licence until he or she has been declared fit again by an authorised medical examiner and has been issued a new medical certificate.

The medical certificate shall only be issued when the Air Traffic Controller complies with the rules established to ensure compliance with the requirements on medical fitness as set out in Part ATCO.MED in Regulation (EU) 2015/340.

Medical certificates shall be valid from the date of the medical examination and for 24 months thereafter for air traffic controllers up to the age of 40 years and for 12 months above that age. The medical certificate may be revoked at any time if the medical condition of the holder so requires. A medical certificate issued prior to reaching the age of 40 shall cease to be valid when the licence holder reaches the age of 41.

These periods shall be calculated from the date of the medical examination in the case of initial issue and renewal of a medical certificate, and from the expiry date of the previous medical certificate in the case of revalidation.

The medical certificate may be limited, suspend or revoked if the medical condition of the holder so requires.

Examinations for the revalidation of a medical certificate may be undertaken up to 45 days prior to the expiry date of the medical certificate.

If the Air Traffic Controller does not undergo an examination for the revalidation by the date on which the medical certificate expires, a renewal examination shall be required.

Medical certificates shall be issued by the Malta Aeromedical Section, an Aeromedical Centre or by an Aeromedical Examiner authorised by TM-CAD Aeromedical Section.

Initial medical certificates shall be issued by an Aeromedical Centre or the Aeromedical Section. In the case of revalidation and renewal of the medical certificate the certificate can be issued by the Aeromedical centre or the Aeromedical examiner authorised by the TM-CAD Aeromedical Section.

The Aeromedical Centre shall hold a certificate issued under Part-ARA and Part-ORA. An Aeromedical Examiner shall hold a certificate issued under Part-ARA and Part-MED.

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Applications for the issue, revalidation or renewal of medical certificates must be submitted to TM-CAD in accordance with the procedure established by TM-CAD. Applications for medical examinations shall be made directly to the Aeromedical Centre or the Authorised Medical Examiner.

Injury, Illness and Pregnancy

Requirement

Holders of medical certificates shall, without undue delay, seek the advice of the Aeromedical Section, an Aeromedical Centre or an Authorised Medical Examiner 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) **reason to believe she is** pregnant;
- (6) have been admitted to hospital or medical clinic;
- (7) first require correcting lenses.

The validity of the medical certificate of a licence holder who suffers personal injury or illness involving incapacity will be deemed to be suspended and the holder must inform the Aeromedical Section of the situation.

A woman who has reason to believe that she is pregnant must inform the Aeromedical Section.

The Aeromedical Section shall add any limitations or conditions it thinks fit in the medical certificate and the holder of the medical certificate shall not provide an air traffic control service unless he or she complies with those limitations or conditions.

In the case of injury or illness the suspension shall be lifted upon the holder being medically examined under arrangements made by the Aeromedical Section and being pronounced fit to function as an Air Traffic Controller or a student air traffic controller; or upon the Aeromedical Section exempting, subject to such conditions as it thinks fit, the holder from the requirement of a medical examination.

In the case of pregnancy, the suspension may be lifted by the Aeromedical Section for such period and subject to such conditions as it thinks fit and shall cease upon the holder being examined under arrangements made by the Aeromedical Section after the

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pregnancy has ended and being pronounced fit to resume her functions as an Air Traffic Controller or a student air traffic controller.

Where the medical certificate is suspended due to personal injury or illness, the Aeromedical Section shall advise the licence holder of any conditions or procedures for having the suspension lifted.

Any limitations or conditions imposed shall be clearly indicated on the medical certificate to the extent that the unit management is able to conclude from the medical certificate if the controller concerned is complying with those limitations or conditions.

An example of a condition notified on a medical certificate would be requiring that a controller wears correcting spectacles.

Psychoactive Substances (alcoholic drink and problematic drugs and medicines)

It is the responsibility of the student Air Traffic Controller and Air Traffic Controller licence holders to ensure that they do not take medicine before or while providing an air traffic control service that would have a detrimental effect on their operational performance.

An Air Traffic Controller who is providing an air traffic control service while under the influence of psychoactive substances may not be aware that his/her judgement and skill have been degraded to the extent that the service being provided is unsafe. This may be the case where psychoactive substances are being abused or where medicines have been prescribed by a doctor, or non-prescription medicines obtained for minor illness.

Requirement

The holder of a student Air Traffic Controller or Air Traffic Controller licence shall not provide an air traffic control service while under the influence of psychoactive substances, including any medicine, that might have a negative influence on their capacity to provide a safe air traffic control service.

The holder of a student Air Traffic Controller or Air Traffic Controller licence who is under the influence of psychoactive substances, including any medicine, which might render the holder unable to exercise the privileges of the licence safely and properly, shall inform unit management and advice shall be sought from the Aeromedical Section, an Aeromedical Centre or an Authorised Medical Examiner. The Aeromedical Section shall ensure that licence holders are able to obtain the necessary advice and/or information to enable them to decide if they should, or should not, provide an ATC service while taking specific medicines.

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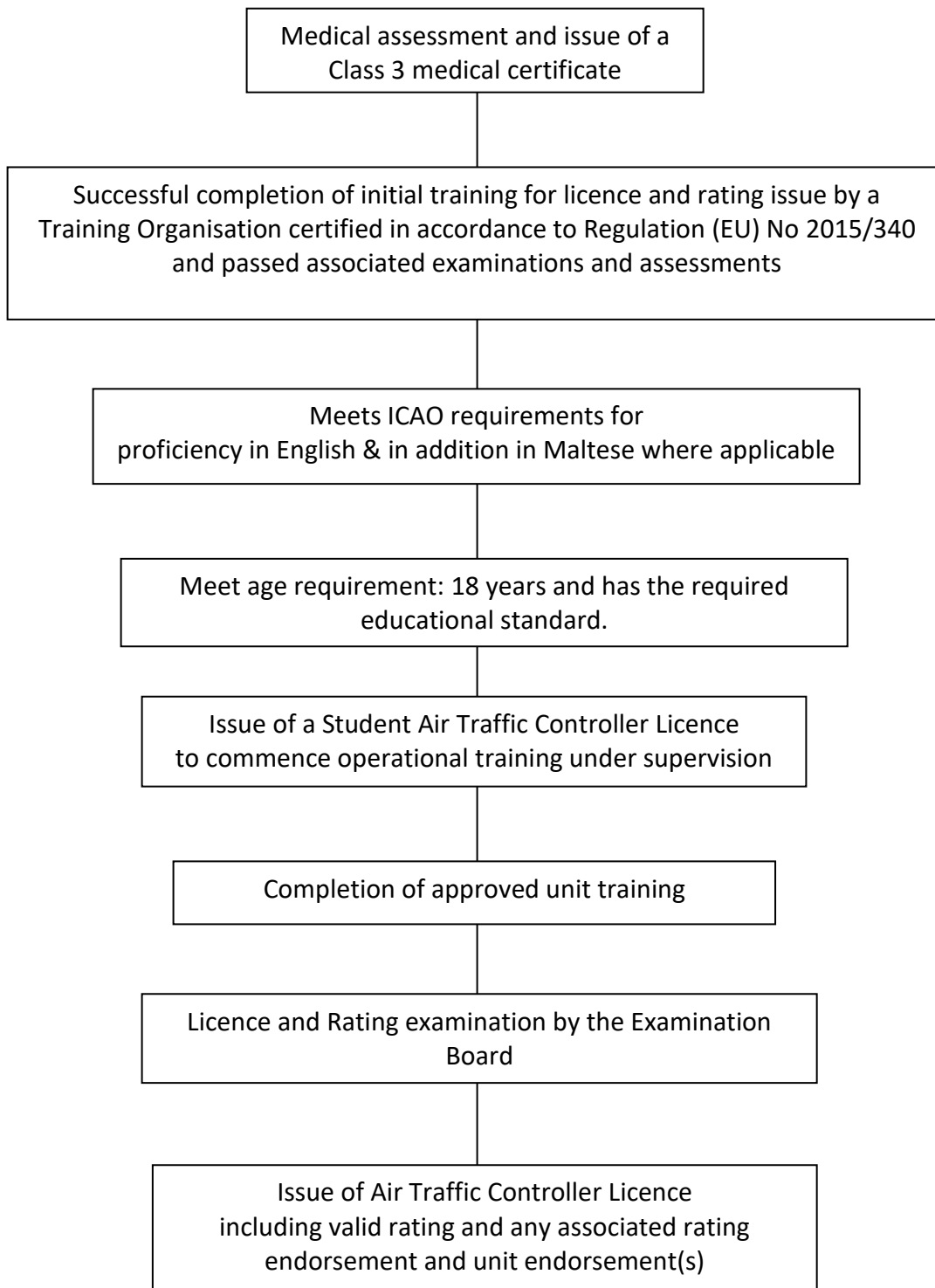
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Unit management shall have a process for monitoring controllers for psychoactive substance abuse and to provide advice to controllers taking medicines.

A controller who is suspected of being under the influence of psychoactive substances shall be immediately withdrawn from the operational position and the Unit shall inform the DGCA and the Aeromedical Section advising them in writing as soon as possible of what has happened.

The holder of a medical certificate shall furnish evidence and undergo medical examinations, including biochemical testing for drug abuse, as the Aeromedical Section may require testing for or to monitor psychoactive drug abuse.

Chapter 13 **Issue of a Student and Air Traffic Controller Licence - Flowchart**



Chapter 14 Maintaining the ATC Licence

Owner of a licence

The student Air Traffic Controller licence and the Air Traffic Controller licence are the property of the person to whom it is granted and who shall sign it. The licence holder is responsible for ensuring use of the licence in accordance with the privileges accorded by the licence.

The holder may only provide the air traffic control services for which valid ratings are held and in accordance with the valid rating(s), any associated rating endorsement(s) and unit endorsement(s) contained in the licence.

Where any conditions are placed on the licence or medical certificate, for example the wearing of correcting spectacles, the licence holder is responsible for ensuring compliance with the restriction.

Requirement

A licenced Air Traffic Controller may not provide the air traffic control service associated with a valid rating unless he/she remains competent to provide that ATC service and holds a current Class 3 medical certificate.

The unit must inform the DGCA in writing as soon as possible when a controller is no longer competent to provide the ATC service associated with a valid rating.

Air traffic control units must have procedures acceptable to the DGCA to ensure that controllers returning from extended periods of planned or unexpected absence, who still satisfy the unit procedures for maintaining competence, are competent to provide the air traffic control service for which they hold valid ratings.

A controller who is assessed as medically unfit to hold an ATC licence must be withdrawn from operational duty.

In the case of injury, illness or pregnancy the unit must inform the DGCA in writing as soon as possible when a controller is no longer medically fit to provide an air traffic control service.

ATC units must have procedures approved by the DGCA to ensure that controllers satisfy the unit requirements relating to the maintenance of operational competence. These procedures shall include requirements for controllers to at least:

- (a) complete a minimum specified number of controlling hours within a specified period on the sectors or operational positions for which they hold valid ratings;*

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- (b) be subject to an assessment of their continuing competence;*
- (c) complete minimum refresher training requirements in accordance with a training scheme approved by the DGCA.*
- (d) ensure operational competence after returning from extended periods of absence;*
- (e) complete any additional training requirements acceptable to the DGCA following loss of competence.*

These requirements cannot be less than those specified in the ANO, Regulation (EU) No 2015/340, ICAO and in this notice.

Controllers who fail to satisfy the unit requirements for maintaining competence shall be withdrawn from operational controlling duties and be subject to a dedicated test of their competence before being permitted to return to operational controlling.

A controller returning to operational duties following a period of extended absence shall be monitored by an OJTI, who will also provide operational support when required. The ATC Unit must establish clear procedures to establish who is responsible during the period of monitoring, for the safety of the ATC service and how the controller is cleared to provide an unsupervised service.

Chapter 15 On-the-Job-Training Instructors and Synthetic Training Device Instructors

Persons responsible for providing practical training of air traffic controllers' skill shall hold a certificate. The certificate shall be issued when the person concerned has demonstrated that he or she complies with the rules established to ensure compliance with the relevant requirements as set out in ATCO.C.005 in Regulation (EU) 2015/340. The privileges granted by the certificate shall be specified therein. The said certificate can be an instructor endorsement in the licence which specifies the privileges granted to the instructor.

Theoretical instruction shall be given by appropriately qualified instructors in accordance to ATCO.C.001 to Regulation (EU) 2015/340. They shall:

- (a) hold an Air Traffic Controller licence and/or hold a professional qualification appropriate to the subject being taught and/or have demonstrated adequate knowledge and experience to the training organisation;
- (b) have demonstrated instructional skills to the training organisation.

Definitions:

On-the-Job Training (OJT) - The integration in practice of previously acquired job related routines and skills under the supervision of a qualified coach in a live traffic situation.

On-the-Job Training Instructor (OJTI) - 'On-the-Job Training Instruction' means the phase of unit training during which previously acquired job-related routines and skills are integrated in practice under the supervision of a qualified on-the-job training instructor in a live traffic situation

Synthetic training device instructor (STDI) - endorsement means the authorisation entered on and forming part of a licence, indicating the competence of the holder to give instruction on synthetic training devices;

Requirements for the issue of an OJTI endorsement

An OJTI, who is supervising a student or trainee Air Traffic Controller or a controller whose ATC licence or associated rating, rating endorsement or unit endorsement has been provisionally suspended, shall remain responsible for the safety of the service being provided.

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For an OJTI training course to be included in the training schedule of a local training organisation the course shall satisfy or be equivalent to, the objectives detailed unit training plan, in accordance with 2015/340.

A person shall only carry out practical training when he/she holds an Air Traffic Controller licence with an on-the-job training instructor (OJTI) endorsement or a synthetic training device instructor (STDI) endorsement.

- (a) Holders of an OJTI endorsement shall only exercise the privileges of the endorsement if they have:
- (1) exercised for at least two years the privilege of the rating they will instruct in;
 - (2) exercised for an immediately preceding period of at least six months the privilege of the valid unit endorsement, in which instruction will be given;
 - (3) practised instructional skills in those procedures in which it is intended to provide instruction.

The period of two years referred to in point (a) (1) can be shortened to not less than one year by TM-CAD when requested by the training organisation.

When compliance with the requirements provided for in (b) is not possible, the competent authority may grant temporary OJTI authorisation based on a safety analysis presented by the ANSP. The temporary OJTI authorisation shall be issued in accordance with ATCO.C.025

- (b) Holders of an STDI endorsement shall only exercise the privileges of the endorsement if they have:
- (1) at least two 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 it is intended to provide instruction.

Notwithstanding point (b) (1)

- (1) for the purpose of basic training any rating held is appropriate;
- (2) 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.

An OJTI, who is supervising a Student or Air Traffic Controller or a controller whose ATC licence or associated rating, rating endorsement or unit endorsement has been

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provisionally suspended, shall remain responsible for the safety of the service being provided.

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 two years immediately preceding the application. This period can be shortened to not less than one year by the competent authority when requested by the training organisation; and
- (c) within the year 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.

OJTI Responsibilities

The OJTI roles and responsibilities include:

- When acting as OJTI, remain responsible for the safety of the service being provided;
- For students and trainees undergoing unit training: determine and report the training progress as required in the unit training plan, including partial assessment reports during OJT;
- Identify any deficiencies in knowledge or skills and recommend remedial training;
- Monitor ATCOs who did not meet the minimum number of hours for exercising the privileges of their unit endorsement and/or the maximum continuous period when the privileges of a unit endorsement are not exercised during its validity and who are in the process of re-validating in accordance with the UCS;
- Monitor and train as defined in the remedial training plan ATCOs who have been put into provisional inability or who have been provisionally suspended or whose rating / rating endorsement or unit endorsement has become invalid and whose remedial training includes on the job training practice;
- recommending student and trainee air traffic controllers who have reached the competence required to undergo a test by the ATC Examination Board for the issue of a rating in the ATC service for which they have been undergoing on-the-job training.

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The ATC Unit shall permit an on-the-job training instructor to provide an air traffic control service without any training responsibilities, for sufficient time to remain competent on the specific sector or operational position for which he/she provides on-the-job training.

The number of working hours, leaving aside instruction tasks, required to maintain the validity of the unit endorsement. 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, as per Regulation 2015/340 in section ATCO.B.025.

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/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 two years' experience in the rating they will instruct in;
 - (2) demonstrated knowledge of current operational practices;

Theoretical instructors

- (a) Theoretical training shall only be carried out by appropriately qualified instructors.

- (b) A theoretical instructor is appropriately qualified if he/she:
 - (1) holds an air traffic controller licence and/or holds a professional qualification appropriate to the subject being taught and/or has demonstrated adequate knowledge and experience to the training organisation;

 - (2) has demonstrated instructional skills to the training organisation. GM1 ATCO.C.001(b)(1)

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Qualification of theoretical instructors

Professional qualification appropriate to the subject shall ensure sufficient level of current knowledge, which is relevant to the subject and its application in air traffic control. AMC1 ATCO.C.001(b)(2)

Instructional skills for theoretical instructors

A satisfactory demonstration of instructional skills for theoretical instructors shall establish competence at least in the following areas:

- (a) lesson objectives are defined and communicated;
- (b) subject questions are fully answered;
- (c) visual aids are used appropriately;
- (d) language is unambiguous;
- (e) the lesson is correctly summarised; and
- (f) lesson objectives are fulfilled.

Refresher Training

The instructor endorsement is valid for a renewable period of 3 years.

Instructors are required to undergo refresher training, by a training organisation certified in accordance with Regulation (EU) No 2015/340 at periods not exceeding 3 years.

Instructor endorsements are issued to be valid to the end of the year. When refresher training is conducted during the last year of validity the Instructor endorsement is extended for 3 years from the last validity date. For Instructors revalidation the application may be submitted 3 months before the expiry date of the endorsement.

Chapter 16 Competence Assessment and Assessors / Validity of Ratings

Assessor General

Implementation of the requirements of ICAO, and Regulation (EU) No 2015/340 and the ANO calls for the DGCA to appoint personnel entrusted with the task of conducting proficiency checks of holders of, or applicants for an Air Traffic Controllers' licence or rating.

Persons responsible for assessing Air Traffic Controllers' skill shall hold a certificate. The certificate shall be issued when the person concerned has demonstrated that he or she complies with the rules established to ensure compliance with the relevant requirements as set out in Subpart C, Section 2 of Regulation 2015/340. The privileges granted by the certificate shall be specified therein. The said certificate can be an Assessor endorsement in the licence which specifies the privileges granted to the Assessor.

The standards of competence of air traffic controllers depend to a great deal on the competence of Assessors.

- a. A person shall only carry out assessments when he/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 ATCO.B.001(d) and ATCO.B.010(b);
 - (3) of student air traffic controllers for the issue of a unit endorsement and rating endorsements, if applicable;
 - (4) of air traffic controllers for the issue of a unit endorsement and rating endorsements, 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 requirements of point (d)(2) to (4) is ensured.
- (c) Holders of an Assessor endorsement shall only exercise the privileges of the endorsement if they have:
 - a. at least two years' experience in the rating and rating endorsement(s) they will assess in; and
 - b. demonstrated knowledge of current operational practices.
- (d) In addition to the requirements set out above, holders of an Assessor endorsement shall only exercise the privileges of the endorsement:

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- (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 one 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 three 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 three 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 three years.

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. Assessors shall not conduct assessments whenever their objectivity may be affected in accordance with Regulation 2015/340 ATCO.C.050.

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 two years; and
- (b) within the year 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.

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Assessor Endorsement Validity

The validity of Assessor endorsement shall be valid for a period of three years.

The Assessor endorsement may be revalidated by successfully completing refresher training on assessment skills and on current operational practices during its validity period.

If the Assessor endorsement has expired, it may be renewed by:

- (a) receiving refresher training on assessment skills and on current operational practices; and
- (b) successfully passing an Assessor competence assessment; within the year preceding the application for renewal.

Authorisation of Assessors

Licence holders entitled to act as competence Assessors or Assessors for unit and continuation training must be approved by the DGCA.

The DGCA shall authorise an Assessors suitably qualified persons of integrity to conduct proficiency checks on its behalf. The minimum qualifications for examiners are set out in this Chapter. The Assessor endorsement “Assessor” is included in the licence. This endorsement authorises the holder as an examiner in the TM-CAD ATC Examination Board and the TM-CAD ATC Validation Board. The DGCA shall designate examiners who are authorised to act as Chairperson of the TM-CAD ATC Examination Board and the TM-CAD Validation Board.

Roles

Two roles of Assessors are recognised:

- (i) ATC Validation Board Assessor (**ATCE(Val)**)
- (ii) ATC Examination Board Assessor (**ATCE(Exam)**)

Dual role

Provided that they meet the qualification and experience requirements set out for each role undertaken, examiners are not confined to a single role.

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Pre-requisites for nomination as an Assessor

Assessors shall hold a valid licence, a valid rating including any associated rating endorsement, unit endorsement and current operational experience in the position they are authorised to examine.

Assessors shall have completed a course in examination techniques acceptable to the DGCA.

An ATC Examination Board Assessor (ATCE (Exam)) shall have completed not less than 5 years working in the position (rating) in which he/she is testing the candidate.

An ATC Validation Board Assessor (ATCE (Val)) shall have completed not less than 5 years working in the position (rating) in which he/she is testing the candidate.

Privileges

The privileges of an ATC Examination Board Assessor (ATCE (Exam)) are to conduct the initial examinations for the issue, of an Air Traffic Controllers licence and/or rating after the applicant has completed on the job training.

The privileges of an ATC Validation Board Assessor (ATCE (Val)) are to conduct the proficiency check for the revalidation or renewal of an Air Traffic Controllers rating.

Restrictions on testing applicants

Assessors shall not test applicants to whom they have given instruction for the licence or rating except with the expressed consent in writing of TM-CAD.

Assessors' Authorisations: Period of Validity of Authorisation

An Assessors' authorisation is valid for not more than three years.

Reauthorization of Assessors

Assessors may be re-authorised if the requirements mentioned in the Chapter are met. For re-authorisation the application may be submitted 3 months before the expiry date of the endorsement.

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The Chairman of an Examination Board

The Chairman of the ATC Examination Board and the Chairman of the ATC Validation Board shall be nominated by the DGCA.

The Chairman shall provide to the Assessors additional information on the student Air Traffic Controller or Air Traffic Controller as is considered necessary for the Assessors to have a better knowledge of the background of the person taking the examination. This information shall include assessment reports made by instructors during training.

The role of the chairman is to ensure that the correct procedure for conducting examinations is followed.

The Chairman of the Examination Board shall have a minimum of ten years' experience as an air traffic controller.

The role of the chairman is mainly administrative, and he/she does not require to have a current rating but shall have been rated in the position in which the applicant is being tested.

If the chairman has an Assessor authorisation then he/she can use the Assessor privileges, otherwise his/her role shall be administrative, and he/she shall not give marks in the examination.

The Chairman shall send the report of the examination to the DGCA after this has been signed by him/her and the Assessors. The report shall include a pass/ fail assessment.

The ATC Examination Board

Before conducting the examination, the Board shall ensure that the applicant has satisfactorily completed the approved unit training and at least meets the minimum experience requirements for the initial issue of an Air Traffic Controller licence and/or rating.

The on-the-job training experience requirement shall have been completed within the six months period immediately preceding the date of the examination.

The ATC Examination Board shall consist of the Chairman, and two Assessors if the Chairman is an Assessor or the Chairman and three Assessors if the Chairman is not an Assessor.

At least two members of the ATC Examination Board shall have a current rating in the position in which the check will be conducted.

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The results of the tests and the conclusion of the Examination Board shall be communicated in writing to the DGCA by the Chairman of the ATC Examination Board.

Oral Examinations

The oral examination shall be based on the course syllabus and the Malta area.

The chairman of the Examination Board shall ensure that the organisation, conduct and marking process during the examination are carried out in an objective and fair manner.

Test Procedure

The items that will be tested and the standards to be achieved to pass the check must be clear to both the Assessor and the applicant. The test performance objectives shall include those listed under the title Performance Objectives for Air Traffic Controllers in this chapter.

The Board shall brief the applicant on examination procedure before conducting the check.

The Chairman will calculate the final mark from the average mark of all the examiners. The pass mark is 75%.

The final mark shall be recorded by the Chairman and signed by the chairman and the examiners.

The Chairman shall inform the applicant of the result of the check.

Practical examinations

Examinations shall be conducted when there is a representative traffic sample in respect of the traffic levels and the range of procedures to be used.

The practical examination shall be based on the course syllabus and the Malta area.

The practical examination for the Approach Control Surveillance Rating/Radar and the Area Control Surveillance Rating/Radar shall also consist of simulation exercises of about 45 minutes duration.

The chairman of the Examination Board shall ensure that the organisation, conduct and marking process during the examination are carried out in an objective and fair manner.

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The ATC Validation Board

The ATC Validation Board shall test applicants for the revalidation or renewal of a rating.

The ATC Validation Board shall consist of the Chairman and one Assessor if the Chairman is an Assessor, or the Chairman and two Assessors if the Chairman is not an Assessor.

The Chairman shall be appointed by the DGCA and the member/s shall be appointed by the chairman from a list of approved Assessors.

At least one member of the ATC Validation Board shall have a current rating in the position in which the check will be conducted.

The ATC Validation Board shall conduct a practical and an oral examination to determine whether the rating may be revalidated or renewed.

The Chairman shall communicate the result of the examination to the DGCA.

The check report shall include a pass/fail assessment and shall be signed by the chairman and the Assessors.

Failed checks

If an applicant fails the check, he/she shall be informed in writing by the Board that he/she has failed, and that his/her rating is suspended until a further successful examination is completed. The applicant is required to sign a declaration that he/she understands that he/she has failed the check and his/her rating is suspended and he/she cannot provide unsupervised air traffic control service in that rating. The applicant shall acknowledge any training requirements set by the Board.

The Board shall write a report on the check form stating the reasons for failing the applicant. The Board can recommend further training or refer the training requirement to the Head of Training of the Unit. The training recommended and any conditions to be applied must be reported in writing by the Board.

The ANSP must ensure that mechanisms are applied to guarantee fair treatment of licence holders where the validity of their endorsements cannot be extended.

Validity of Ratings

A rating proficiency check is valid for three years from the end of month of successfully completing a proficiency check in that position provided that if the check was

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conducted within the three months before the expiry date of its validity, the validity of the proficiency check shall be extended to three years from the previous validity date.

The rating will be issued for a period of 36 months if the ATC demonstrates that:

- the applicant has been exercising the privileges of the rating for a minimum number of hours as indicated in the approved unit competence scheme;
- the proficiency check for the rating is valid;
- the applicant has completed the approved continuation training, which consists of training to maintain the skills of air traffic controllers, refresher courses, emergency training, human factors and, where appropriate, linguistic training.
- the applicant has been certified as competent, in accordance with the approved competence scheme, by the ANSP.
- the applicant holds a valid medical certificate

The licence will show for each rating:

- (i) the Unit/Sector/Position
- (ii) the Rating/Endorsement
- (iii) the validity which will be for a maximum period of 36 months

Unless his/her licence is suspended in which case he/she may not provide any type of air traffic control service, an Air Traffic Controller who fails a proficiency check can only provide any air traffic control service in the position in which he/she failed under the supervision of an OJTI even though his/her rating may still be valid.

If a rating has expired the Head of Operations at the Air Traffic Services Unit shall inform the DGCA that the rating has expired. The Unit shall provide additional training and a check as approved by the DGCA.

If a rating has become invalid due to lack of ongoing experience the Air Traffic Services Unit shall deal with the matter in accordance to procedures approved by the DGCA.

Use of report

The report of the ATC Examination Board and the ATC Validation Board shall be used by the DGCA as the basis on which to issue/ revalidate/ renew (or not issue/ revalidate/ renew) a licence or a rating.

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Performance Objectives for Air Traffic Controllers

The performance objectives that must be met during OJT are those in the approved Unit Training Plan for the rating.

The performance objectives for Air Traffic Controllers shall include those listed below:

Prime Tasks	Sub Tasks	Remarks
SITUATIONAL AWARENESS	Comprehend the current operational situation at LMML and anticipate future events.	
COMMUNICATION	Communicate effectively in all operational situations. Use approved phraseology whenever available.	
COORDINATION	Manage coordination between personnel in operational positions and with other affected stakeholders.	
SEPERATION AND CONFLICT RESOLUTION	Maintain separation, identify and manage potential traffic conflicts.	
PROBLEM SOLVING AND DECISION MAKING	Find and implement solutions for identified hazards and associated risks.	
EFFICIENCY AND CAPACITY MANAGEMENT	Ensure a safe, orderly and efficient traffic flow and provide essential information on environment and potentially hazardous situations within the area of responsibility.	
EQUIPMENT AND DATA	Operate all operational equipment appropriately and maintain flight data and corresponding displays up to date.	
PRIORITIES AND WORKLOAD MANAGEMENT	Use available resources to prioritize and perform tasks in an efficient and timely manner.	
PROFESSIONAL ATTITUDE	Show a professional attitude towards work. Is engaged in continuous learning and works well in team.	
MANAGEMENT OF NON-ROUTINE SITUATIONS	Detect and respond to emergency and unusual situations related to aircraft operations and manage degraded modes of ATS operation in area of responsibility.	
AIRSPACE MANAGEMENT	Know exactly own airspace classification, restrictions and limitations including next sector operating restrictions.	

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Performance Objectives for Assessors

The performance objectives that must be met are those in the approved Unit Competence Scheme for the Assessor rating.

The performance objectives for Assessors shall include those listed below:

Objectives		Remarks
Prime Tasks	Sub Tasks	APT/NON APT
Briefing	The controller is fully briefed before the assessment. The controller is aware of the implications of the assessment.	
Collect and assess performance evidence by observation	Real-time notes are taken. Notes accurately represent occurrences during the assessment. Reconstruction of events from notes is possible. The Assessor remains as discreet as possible. The assessment is properly carried out. Performance is accurately assessed against the requirements for air traffic controllers.	
Ensure observations by appropriate questions	Questions asked are valid and unambiguous. The Assessor adopts a positive, non-aggressive attitude.	
Collect, assess and record supporting evidence	Evidence can be reliably attributed to a particular controller. Evidence is sought from the unit competence records. Where additional evidence is gathered informally it is correctly recorded. Where the controller makes claims directly relating to performance under review, these statements are correctly recorded. All relevant evidence is considered.	
Prepare reports	Evidence and assessment decisions are recorded. Reports are made in accordance with unit procedures. Recommendations for remedial training, where required, are realistic in both time and content. Confidentiality is maintained.	
Discuss the outcome with student/trainee controller	A comprehensive debrief is carried out. Confidentiality is maintained.	
Conclusions		

Chapter 17 Records

ATC Units shall keep a personal file for each controller and shall keep the following records for a minimum period of 5 years from the date that the controller has:

- Undergone training at the Unit or provided by the Unit; or
- provided an ATC service at the Unit; or
- acted as an Instructor, Examiner or Chairman at the Unit; or
- the expiry date of a rating in his/her licence that was valid for the Unit whichever is the latest.

These records include, but are not limited to:

- A copy of the I.D. card;
- A copy of the Medical Certificate
- A copy of the latest ATC licence / student ATC licence;
- The validity dates of medical certificates, licences and associated ratings, rating endorsements and unit endorsements;
- Training courses including dates and the organisation or persons providing the training including corresponding training, assessment and examination reports as applicable;
- Assessment reports during OJT;
- Competency assessment reports including Initial Validation and Re-Validation Reports;
- Refresher training courses including dates and the organisation or persons providing the training;
- Assessment reports in relation to refresher training;
- Conversion training courses, including dates, the organization or persons providing the training and the resulting examination and/or assessment reports;
- Records of initial and refresher OJTI courses including dates and the organisation or persons providing the training;
- Records of initial and refresher competence Assessors courses including dates and the organisation or persons providing the training;
- Dates when nominated as competence Assessor;
- The number of effective controlling hours performed by ATCOs in all positions;
- Any remedial training required by ATCOs, and the corresponding outcome of such training;
- Any situation which led to the declaration of provisional inability; and its removal where applicable
- Any situation which led to termination of training and corresponding report(s).
- Any language training (if required) and testing.
- Competence assessment reports of the ATC Examination Board
- Competence assessment reports of the ATC Validation Board
- Competence assessment reports of instructors and assessors, if conducted

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Operational units within the ANSP shall also keep records for a minimum period of 5 years of the hours effectively worked in the working positions (and sectors or groups of sectors, if applicable) for every licence holder working in the unit.

Chapter 18 Training Organisations / Regulation of ATC Training

TM-CAD has established procedures for the application, issuance and maintaining the validity of training organisations' certificates.

The capability of Air Traffic Controller training organisations to discharge the responsibilities associated with their privileges in relation to the issuance of licences shall be recognised by the issuance of a certificate.

Organisations involved in the training, testing, or checking of air traffic controllers, shall comply with the relevant requirements set out in Regulation (EU) 2015/340 as amended.

TM-CAD issues a certificate to training organisations for air traffic controllers that have demonstrated that they comply with the rules established to ensure compliance with the relevant regulations. The privileges granted by the certificate shall be specified therein.

TM-CAD issues a certificate when the applicant training organisation fulfils the requirements laid down in Annex III of Regulation (EU) No 2015/340. The certificate is issued for each type of training and specifies the information of Appendix 2 of Annex II of Regulation (EU) No 2015/340.

In order to ensure the levels of competence indispensable for air traffic controllers to perform their work to high safety standards TM-CAD supervises and monitors their training.

TM-CAD monitors compliance with the requirements and conditions attached to the training organisation's certificate.

TM-CAD audits the training organisations on a risk based oversight, at least every 24 months, with a view to guaranteeing effective compliance with the standards laid down in Regulation (EU) No 2015/340.

In addition to the regular audits TM-CAD may make unannounced inspections to check compliance with the requirements of Regulation (EU) No 2015/340.

If TM-CAD finds that the holder of a training organisation's certificate no longer satisfies the requirements or conditions attached to its certificate it will take appropriate enforcement measures, which may include the withdrawal of the certificate.

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Requirement

The training of air traffic controllers must adequately prepare student air traffic controllers and/or air traffic controllers for the grant of an ATC licence and/or associated rating(s). Such training must provide the necessary skills and knowledge to an appropriate level of competence to enable student air traffic controllers or air traffic controllers to provide an air traffic control service while operating under the supervision of an on-the-job training instructor.

A training organisation providing training for personnel providing an ATC service shall meet the following requirements:

- have all the means necessary for the scope of responsibilities associated with their activity. These means comprise, but are not limited to, the following: facilities, personnel, equipment, methodology, documentation of tasks, responsibilities and procedures, funding and insurances;
- to relevant data and record-keeping;
- establish, implement and maintain a management system relating to safety and the standard of training, and aim for continuous improvement of this system; and
- establish arrangements with other relevant organisations (including contracted activities), as necessary, to ensure continuing compliance.

Certification of Training Organisations – Requirement for certification

Training for a student air traffic controller’s licence or an Air Traffic Controller licence including assessment procedures conducted by a training organisation under the authority of a foreign national supervisory authority will only be accepted by the DGCA where the training organisation has been certified in accordance with Regulation (EU) No 2015/340.

A local training organisation can only conduct training for student air traffic controllers and air traffic controllers, including the related assessment procedures, if it has been approved by the DGCA.

Applications for such certificates will be received by TM-CAD if the training organisation has its principal place of operation and, if any, its registered office in Malta.

Applications for training organisation certification shall be submitted to TM-CAD in accordance with the procedure established by TM-CAD.

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A certificate may be issued by TM-CAD to a training organisation if, for the training it provides, the training organisation:

- demonstrates by evidence that it is adequately staffed and equipped and operate in an environment suitable for the provision of the training necessary to obtain or maintain student Air Traffic Controller licences and Air Traffic Controller licences;
- grants access to any person authorised by TM-CAD to the relevant premises in order to examine the relevant records, data, procedures and any other material relevant to the execution of the tasks of TM-CAD as the competent authority;
- has an efficient management structure and sufficient staff with adequate qualifications and experience to provide training according to the standards required by the ANO and Regulation (EU) No 2015/340;
- has clearly defined lines of accountability throughout the training organisation, including a direct accountability for safety on the part of senior management;
- furnishes proof of the compliance monitoring system as part of the 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 requirements set out in Regulation (EU) No 2015/340;
- has the necessary facilities, equipment and accommodation appropriate for the type of training offered;
- includes a system of record-keeping that allows adequate storage and reliable traceability of the relevant activities;
- demonstrates that sufficient funding is available to conduct the training according to Regulation (EU) No 2015/340 and that the activities have sufficient insurance cover in accordance with the nature of the training provided;
- provides to TM-CAD the methodology it will use to establish details of the content, organisation and duration of training courses, unit training plans and unit competence schemes; this shall include the way examinations or assessments will be organised. For examinations related to initial training, including simulation training, the qualifications of the Assessors must be indicated in detail.

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Synthetic training devices (STD)

Synthetic training devices shall comply with the relevant requirements set out in ATCO.OR.C.015 in Regulation (EU) 2015/340 as amended and with the applicable specification and requirements appropriate to the task.

When an STD is used for practical training on situational awareness and human factors or to demonstrate that skills are acquired or maintained, it shall have a level of performance that allows adequate simulation of the working environment and operational situations appropriate to the training provided.

Certificate:

A certificate issued by TM-CAD to a training organisation shall be compliant with the form in Appendix 2 of Annex II of Regulation 2015/340 and shall specify:

- (a) TM-CAD as the competent authority issuing the certificate in accordance with Regulation (EU) No 2015/340;
- (b) the applicant (name and address) and approval number;
- (c) the type training and/or services provided which are certified, as applicable;
- (d) a statement of the applicant's conformity with the requirements defined in Part ATCO.OR, Part ATCO of Regulation (EU) No 2015/340 and other applicable regulations.
- (e) the date of issue of the certificate and signature of the DGCA including a stamp.

This approval is valid as long as the ATCO TO certificate has not been surrendered, superseded, limited, suspended or revoked and all operations are conducted in compliance with Part ATCO.OR, Part ATCO, other applicable regulations and, when relevant, with the procedures in the organisation's documentation as required by Part ATCO.OR

If TM-CAD finds that the holder of a certificate no longer satisfies compliance with the requirements and conditions attached to the certificate, the DGCA will take appropriate measures, which may include the withdrawal of the certificate.

Qualification of air traffic controllers

(a) General

A person undertaking training as an Air Traffic Controller or as a student air traffic controller, shall be sufficiently mature educationally, physically and mentally to acquire, retain and demonstrate the relevant theoretical knowledge and practical skill.

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(b) Theoretical knowledge

- (i) An Air Traffic Controller shall acquire and maintain a level of knowledge appropriate to the functions exercised and proportionate to the risks associated with the type of service.
- (ii) Acquisition and retention of theoretical knowledge shall be demonstrated by continuous assessment during training, or by appropriate examinations.
- (iii) An appropriate level of theoretical knowledge shall be maintained.

Compliance shall be demonstrated by regular assessments or examinations in accordance to Regulation 2015/340 in ATCO.D.065.

The frequency of examinations shall be proportionate to the level of risk associated with the type of service.

(c) Practical skill

- (i) An Air Traffic Controller shall acquire and maintain the practical skills appropriate to exercise his/her functions.

Such skills shall be proportionate to the risks associated with the type of service and shall cover at least, if appropriate to the functions exercised, the following items:

- operational procedures;
 - task specific aspects;
 - abnormal and emergency situations; and
 - human factors.
- (ii) An Air Traffic Controller shall demonstrate the ability to perform the associated procedures and tasks with a level of competence appropriate to the functions exercised.
 - (iii) A satisfactory level of competence in practical skill shall be maintained. Compliance shall be verified by regular assessments.

The frequency of these assessments shall be proportionate to the complexity and the level of risk associated with the type of service and the tasks performed.

Training course

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- (i) Training shall be given by a training course, which may comprise theoretical and practical instruction, including training on an STD, if applicable.
- (ii) A course shall be defined and approved for each type of training.

Phases of Training

Air Traffic Controller training is divided into two phases

- (a) initial training
- (b) unit training, comprising of transitional training, pre-on-the-job training and on-the-job training.

Initial Training

Requirement

- (a) To be certified as a Training Organisation to conduct initial training the applicant must demonstrate that:
 - The initial training has to ensure that student air traffic controllers satisfy at least the objectives for basic and rating training, as described in Section 2 and Section 3 of Regulation (EU) 2015/340, so that air traffic controllers are capable of handling air traffic in a safe, quick and efficient way.
 - The Initial training has to cover the following subjects: introduction to the course, aviation law including safety management, air traffic management meteorology, navigation, aircraft including principles of flight, human factors including an understanding between Air Traffic Controller and pilot, equipment and systems, and professional environment, in accordance with Appendix 2 of Annex I of Regulation (EU) 2015/340.
 - The subjects must be taught in such a way that they prepare the applicants for the different types of air traffic services and highlight safety aspects.
 - The initial training must consist of theoretical and practical courses, including simulation. Its duration will be determined in the approved initial training plans.
 - Acquired skills must ensure that the candidate can be considered competent to handle complex and dense traffic situations, facilitating the transition to unit training.
 - The competence of the candidate after initial training must be assessed through appropriate examinations or a system of continuous assessment.

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- (b) Initial training conducted by a Training Organisation certified in accordance with Regulation (EU) No 2015/340 by another Member State will be recognised by TM-CAD.

Training at ATC Units

Unit training requirements for air traffic controllers:

Unit training plans must detail the processes and timing required to allow the application of the unit procedures to the local area under the supervision of an on-the-job training instructor.

The duration of the unit training plan for the initial issue of a rating shall at least meet the experience requirements in Annex 1 to the Chicago Convention on Civil Aviation (ICAO) and Regulation (EU) No 2015/340.

The plan must include indications of all elements of the competence assessment system, including work arrangements, progress assessment and examination, together with procedures for notifying the DGCA.

Unit training may contain certain elements of the initial training which are specific to national conditions.

During unit training air traffic controllers must be sufficiently trained in safety, security, crisis management and human factors.

Student air traffic controllers and/or air traffic controllers shall be kept aware of their progress, including any areas where improvement is required and the goals they must achieve to successfully complete the training.

Progress reports shall be completed at regular intervals.

The duration of unit training must be determined in the unit training plan.

The required skills must be assessed through appropriate examinations or a system of continuous assessment, by approved competence Assessors who will be neutral and objective in their judgment.

That part of the unit training plan relating to the on-the-job training processes must be subject to regular review to ensure that it continues to satisfy the training objectives. As part of this review the progress of student air traffic controllers and/or air traffic controllers undertaking on-the-job training must be monitored to identify any additional skills or knowledge that shall be taught during the pre-on-the-job training instruction phases, if these are required.

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Changes to the on-the-job training process which are made as a result of a review shall be documented in the unit training plan together with the reasons for making them.

To ensure fair treatment a candidate may appeal to the DGCA if he/she considers that the assessment or examination was not conducted in a fair manner. Such an appeal shall be submitted within 14 days from the date of the examination/assessment.

Continuation training requirements for air traffic controllers

Rating and unit endorsements on air traffic controllers' licences must be kept valid through approved continuation training, which consists of training to maintain the skills of air traffic controllers, refresher courses, emergency training and, where appropriate, linguistic training.

During continuation training air traffic controllers must be sufficiently trained in safety, security, crisis management and human factors.

Continuation training must consist of theoretical and practical courses, together with simulation.

For this purpose, the training organisation will establish unit competence schemes detailing the processes, manning and timing necessary to provide for the appropriate continuation training and to demonstrate competence.

The duration of the continuation training has to be decided in accordance with the functional needs of the air traffic controllers working in the unit, in particular in the light of changes or planned changes in procedures or equipment, or in the light of the overall safety management requirements.

The unit competence scheme must be reviewed at least every three years and shall be approved by the DGCA.

Refresher Training

ATC units are required to provide refresher training to controllers.

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Generic or Rating specific course

Controllers shall receive refresher training specific to each rating, provided that for multi-rated controllers a single course could be designed and provided to such controllers.

Target Audience

Refresher training shall be provided periodically to all controllers.

It shall be objective based, aimed at familiarising the controller with any changes in procedures and practices which may have occurred in the preceding period, and shall relate directly to the task involved.

Frequency of Training

Refresher training shall be provided as approved in the Unit Competence Scheme.

Duration of Training

Training shall be site/rating specific and shall include theoretical training, and where possible several simulation exercises.

The length of any training programme is dependent on the intended content, the frequency at which it is conducted, the number of participants and so on.

Unusual/ Emergency Situations Training

Many controllers in these days of improved equipment, both in the air and on the ground, go through lengthy periods without ever having to handle any traffic situation which presents anything out of the ordinary.

While this trend of increased safety for the flying public is most welcome, it does point out the need for the controller to be kept in practice in dealing with any situation that may arise, so that when something unusual occurs safety is not impaired.

ATC units shall provide all controllers with unusual/emergency situations training as approved in the competence scheme.

This training can be conducted separately or included in refresher training.

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Human Factors

Human Factors has become increasingly relevant in the provision of air traffic services.

Units shall provide refresher training in Human Factors and to include training in situation awareness, leadership, stress management, coordination, and teamwork at periods not exceeding three years.

This training may be conducted either separately or as an addition to the refresher training or the unusual/emergency situations training programme.

ATC units shall provide all controllers with Human Factors training at least every **3** years.

Training conducted by a Training Organisation certified by a foreign Competent Authority

An ANSP/training organisation can only use the services of a foreign training organisation to provide training course if:

- (1) The ANSP/local training organisation has submitted to TM-CAD the training objectives that have to be met during the course.
- (2) The training course is conducted by a training organisation certified in accordance with Regulation (EU) No 2015/340 by its Competent Authority to conduct that course.
- (3) The local training organisation has examined the course contents, duration and methodology and verified that the course meets the training requirements in (1) above and informed the DGCA accordingly.

Chapter 19 Requirements for Approvals/ Authorisations/ Certificates, TM-CAD Oversight

Transport Malta Civil Aviation Directorate Approval

The following require the approval of the DGCA:

- Training courses conducted by a local Training Organisation.
- Unit training plans
- Unit competence scheme
- The use of simulators
- The minimum amount of operational controller time required to keep the rating valid;
- The process for regaining competence following suspension of a rating due to lack of operational experience;
- The process of regaining competence following the suspension of a rating following an incident / accident;
- The process of assessment / regaining competence after extended absence;
- The procedure to manage the operational impact of cases of reduced medical fitness and to inform the DGCA when a licence holder has been assessed as medically unfit.
- The need for extended level (level five) Maltese language proficiency (if requested)

The following require acceptance by TM-CAD:

- The process used to prevent a controller from performing operational duties when under the influence of a psychoactive substance;
- The compliance monitoring system used by the Unit to monitor training and competence assessments and compliance with regulations;

The following require the DGCA **authorisation**:

- Designated assessors for the issue or revalidation/renewal of the licence, rating and associated rating and unit endorsement(s).

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The following require TM-CAD **certification**:

- Local Training Organisations

Recommendation for approval / acceptance / authorisations

- Recommendations for the approval / acceptance / authorisation or certification as stated above will be made by the Air Navigation Services Unit and the Personnel Licensing Unit.
- Approvals, acceptance and authorisations will be issued by the DGCA, or a person authorised by the DGCA .

Audits – Inspections

Training organisations and Air Navigation Training Providers shall grant access to any person authorised by TM-CAD to the relevant premises in order to examine the relevant records, data, procedures and any other material relevant to the execution of the tasks of the competent authority.

TM-CAD will audit the air traffic control unit and training organisations to check compliance with Regulation (EU) No 2015/340 laying down detailed rules for air traffic controllers' licences and certain certificates pursuant to Regulation (EU) 2018/1139 of the European Parliament and of the Council, the Air Navigation Order, ICAO and TM-CAD requirements.

The audit will compare the actual processes used by the unit against the regulations and the processes / procedures approved or accepted by the DGCA.

The audits will be conducted by the Personnel Licensing Unit and the Air Navigation Services Unit together with any other inspector(s) appointed by the DGCA.

In addition to the regular audit, TM-CAD may make unannounced inspections to check compliance with the requirements contained in Regulation 2015/340, the Air Navigation Order, ICAO and TM-CAD requirements.

The Air Navigation Services Unit will sample several training sessions and competence assessments during the year.

Chapter 20 Compliance Monitoring System

Regulation (EU) No 2015/340 requires training organisations to establish, implement and maintain a management system that includes: a function to monitor compliance of the organisation with the relevant requirements. Compliance monitoring shall include a feedback system of findings to the accountable manager to ensure effective implementation of corrective actions as necessary.

Chapter 21 Legal Requirements / Enforcement

Air traffic control services within the scope of Regulation (EU) 2018/1139 shall only be provided by air traffic controllers licenced in accordance with Regulation (EU) 2015/340.

Legal and/or licensing action may be taken against a controller and/or a Training Organisation/ANSP when there is a breach of legal requirements.

General – Air Navigation Service Provider (ANSP)/ Training Organisation

An Air Traffic Control Unit shall not assign a controller to operational positions without appropriate supervision where TM-CAD has considered or can be expected to consider, suspension, revocation or variation of an ATC licence and/or associated rating(s) and/or endorsement(s).

The Head of the Air Traffic Services Unit shall inform the DGCA when an air traffic controller’s competence is in doubt or is no longer judged competent to provide an ATC service associated with a valid rating.

The Head of the Air Traffic Services Unit shall inform the DGCA when an OJT instructor is no longer judged competent to provide operational training.

An Air Traffic Control Unit shall have procedures to ensure that an Air Traffic Controller whose competence is in doubt complies with any conditions imposed on him/her by the DGCA.

An Air Traffic Control Unit shall have procedures to prevent the holder of an Air Traffic Controller licence from exercising the privileges of his/her licence when there is any decrease in his/her medical fitness, or when the holder is under the influence of any psychoactive substance which might render the holder unable to safely and properly exercise these privileges.

ANSPs shall establish procedures to manage the impact of cases of reduced medical fitness and inform the DGCA when a licence holder has been assessed as medically unfit.

An Air Traffic Control Unit shall have procedures acceptable to the DGCA for dealing with the case of a controller who fails to satisfy the unit’s procedure for ongoing competence. When a controller fails to satisfy the unit’s procedure for ongoing competence, the unit shall deal internally with this matter and shall notify the DGCA without delay.

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An Air Traffic Control Unit shall have procedures acceptable to the DGCA to prevent an Air Traffic Controller from exercising the privileges of his/her licence when there is any case or occurrence which could question the level of the holder’s competence.

Operational units within ANSPs shall keep records of the hours effectively worked in the sectors, group of sectors or in the working positions for every licence holder working in the unit and shall provide that data to TM-CAD and to the licence holder on request.

General – Controllers and Unit designation

Controllers have a legal responsibility to ensure that they do not provide an air traffic control service unless they hold a valid rating, and rating endorsements for the type of service provided, that they comply with the requirements of the Air Traffic Control Unit Competence scheme, that they hold a valid medical certificate, and are competent to provide the service.

Regulation (EU) No 2015/340:

ATCO.A.020 Revocation and suspension of licences, ratings and endorsements

- (a) Licences, ratings and endorsements may be suspended or revoked by the competent authority according to ATCO.AR.D.005 when the licence holder does not comply with the requirements of this Part.
- (b) When the licence holder has his/her licence revoked, he/she shall immediately return the licence to the competent authority according to the administrative procedures established by that authority.

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

- (c) The competent authority shall suspend or revoke a licence, rating or endorsement in accordance with 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; ATCO rules, AMC and GM Annex II
 - (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.

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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 validity of the ratings, endorsements and of the medical certificate.

Air Navigation Order

Article 63 (3):

- (i) If throughout any period of one hundred and twenty days, the holder of the licence has not for a minimum period of time specified by the Director, provided at a particular unit the type of air traffic control service specified in the rating, the rating shall, without prejudice to the Director's powers under article 60, cease to be valid for that unit at the end of that period, and upon a rating ceasing to be valid for a unit the holder of the licence shall forthwith inform the Director to that effect and shall forward the licence to the Director to enable him to endorse it accordingly.

The minimum number of hours specified by the Director are those specified in the approved Competence scheme of the Air Navigation Service Provider.

Article 64:-

Prohibition of unlicensed and student air traffic controllers.

64. (1) A person shall not provide at any place any type of air traffic control service or hold himself out, whether by use of a radio call sign or in any other way, as a person who may provide any type of air traffic control service unless he is the holder, and complies with the terms of:
- (i) a valid student air traffic controller's licence granted under this Order and he is supervised in accordance with article 63(3); or
 - (ii) a valid air traffic controller's licence so granted authorising him to provide that type of service at that air traffic control unit; or
 - (iii) a valid air traffic controller's licence so granted which does not authorise him to provide that type of service at that air traffic control unit, but he is supervised by a person who is present at the time and who is the holder of a valid air traffic controller's licence so granted which authorises him to provide at that air traffic control unit the type of air traffic control service which is being provided and his licence includes a valid On-the-Job Training Instructor endorsement.

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- (2) The holder of a licence shall not be entitled to perform any of the functions specified in the Ninth Schedule in respect of a rating at any place referred to in sub article (1) unless –
- (a) his licence includes that rating and that rating is valid for that air traffic control unit and includes where applicable, the operational positions or sectors on which the Air Traffic Controllers competent to provide an air traffic control service, and, or the specific types of service the holder of the Air Traffic Controller licence may provide and the type of surveillance equipment, if any, with the aid of which, the functions are performed **and he complies with the air traffic control unit competence scheme and is competent to provide that type of service;** or
 - (b) he is supervised by a person who is present at the time who is the holder of a valid air traffic controller's licence so granted which authorises him to provide at that air traffic control unit the type of air traffic control service which is being provided and his licence includes a valid On-the-Job Training Instructor endorsement.
- (3) The holder of a student air traffic controller's licence shall not provide any type of air traffic control service unless he complies with the air traffic control unit competence scheme and is competent to undertake on the job training.
- (4) The holder of an air traffic controller's licence who fails a competency check or is assessed as unfit to provide a type of air traffic control service to which his rating relates shall not provide that type of air traffic control service even though his rating is still valid except under the supervision of a licenced Air Traffic Controller who is appropriately rated and holds a valid On-the-Job Training Instructor endorsement.
- (5) Nothing in this article shall prohibit the holder of a valid Air Traffic Controller's licence from providing at any place for which the licence includes a valid rating, information to aircraft in flight in the interests of safety.
- (6) The holder of an air traffic controller's licence shall not provide any type of air traffic control service before he is familiar with all pertinent and current information.

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Loss of Privileges

A controller may not exercise the privileges of the provisionally suspended or suspended rating/s, except under the supervision of an OJTI who holds a valid rating appropriate to the ATC service being provided.

A controller may continue to exercise the privileges of ratings which are not subject to provisional suspension or suspension.

A controller whose licence is provisionally suspended or suspended may not provide any type of air traffic control service even under supervision.

A controller whose Air Traffic Controller licence is revoked shall not provide any air traffic control service.

A controller who has an individual rating or ratings revoked shall not provide an air traffic control service in those rating disciplines.

Withdrawal

A person who is considered unsafe or if there is doubt that he/she is safe to provide an Air Traffic Controller service shall be withdrawn from operational duty.

When an Air Traffic Controller is withdrawn from operational duty for the above reason/s the Head of the Air Traffic Services Unit shall be informed.

Withdrawal is intended for a limited period until the Head of the Air Traffic Services Unit is informed of the case and either:

- (a) directs that the controller returns to operational duty; or
- (b) makes a recommendation to the DGCA for the provisional suspension or suspension of the licence or rating/s and the DGCA provisionally suspends or suspends the licence or rating/s.

Provisional Inability

A provisional inability may be issued where there is doubt that the Air Traffic Controller can provide a safe air traffic control service. This provisional inability shall be issued only in the interests of safety and without prejudice.

A provisional inability is normally issued on the recommendation of the Head of the Air Traffic Services Unit by the DGCA. A provisional inability shall include the reason for its issue and an indication of any initial investigations, examinations or assessments that may be required.

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A provisional inability is issued to allow any investigations and/or examinations and/or assessments to be carried out to determine whether the Air Traffic Controller is competent and fit to hold the licence or the rating. Such investigations shall be conducted without unreasonable delay.

A provisional inability shall be terminated, or the licence suspended when the investigations, and/or examinations and/or assessments are completed.

An Air Traffic Controller shall not have the right of appeal from a provisional inability.

When the investigations are completed the DGCA shall, either:

- (a) terminate the provisional inability if the investigations show that the controller is competent and fit to hold the licence or rating/s that was/were provisionally suspended; or
- (b) if the investigations show that the controller is not competent and fit, suspend or revoke the licence or rating/s that had a provisional inability.

Revocation and Suspension of licences, ratings and endorsements

The DGCA may suspend a licence and/or a rating in accordance to ATCO.AR.C.010 (b) and ATCO.AR. D.005. This may be done in instances when:

- (a) there is a recommendation for suspension from the Head of the Air Traffic Services Unit for the suspension of the licence or rating/s; or
- (b) he considers that the controller, at least for a limited period, is not a competent and fit person to hold the licence or rating/s;

When the DGCA suspends a licence and/or rating/s he/she shall either:

- (a) set conditions for the removal of the suspension; or
- (b) issue a notice to the controller that he/she intends to revoke his/her licence.

When a licence and/or a rating/s is suspended the Air Traffic Controller has the right of appeal in accordance with Article 92 of the ANO.

The DGCA may issue a notice to revoke the licence or the rating/s of an Air Traffic Controller when:

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- (a) the controller cannot or does not satisfy the conditions set for the removal of the suspension; or
- (b) further training is considered inappropriate; or
- (c) the DGCA considers that the controller is not a fit person to hold a licence or a rating; or

The notice of revocation shall include the reasons for the intended revocation of the licence or rating/s but no conditions shall be set for the removal of a revocation.

The controller may appeal from a notice of revocation in accordance with Article 92 of the ANO.

The licence and/or rating of a controller who does not appeal within 15 working days of receiving the notice of revocation or who loses the appeal shall be revoked by the DGCA.

If the controller wins the appeal the revocation shall not be issued.

Appeal

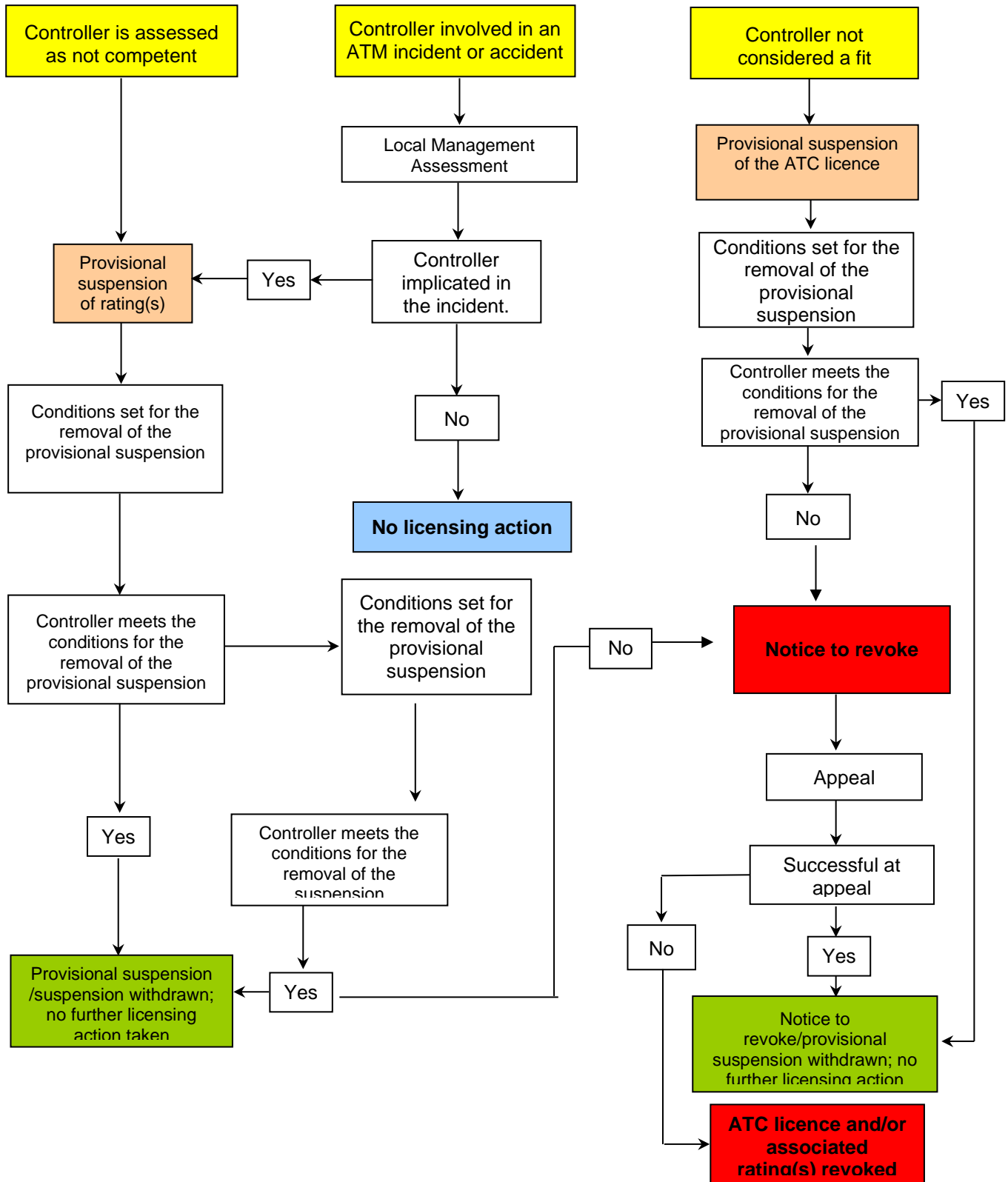
An Air Traffic Controller may appeal from the decision of the DGCA to suspend or revoke his/her licence and/or ratings in accordance with Article 92 of the ANO, as amended:

“An appeal shall lie to the Minister from any decision of the Director that a person is not a fit person to hold a licence to act as air aircraft maintenance engineer, member of the flight crew of an aircraft, Air Traffic Controller or student air traffic controller, and if the Minister is satisfied on the evidence submitted, that the decision should be reversed, the Minister may reverse such decision:

Provided that an appeal shall not lie from a decision of the Director that a person is not qualified to hold the licence by reason of a deficiency in his/her knowledge, experience, competence, skill, physical or mental fitness.”

Article 92 of the Air Navigation Order 1990, as amended

Suspension and Revocation of Licence Flow Chart



Chapter 22 Language Endorsements

For information on language endorsements see PEL Notice 25.

Chapter 23 Changes to the Competence scheme

Any change to unit training or continuation training must be first approved by TM-CAD.

The ANSP / Training Organisation is required to request and obtain approval for the changes before they are implemented.

Compliance with the approved competence scheme is checked during audits by TM-CAD.

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