

Civil Aviation Directorate

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Regulatory Instrument issued in terms of Annex 5 of the Air Navigation Act, Chapter 641 of the Laws of Malta

Instrument No.:	008/2024
Title	Control of Air Traffic
Date of Entry into Force:	30 th August 2024
Version:	1

This Regulatory Instrument is intended to guide Air Traffic Controllers and Air Traffic Controller Training Organisations to laws and regulations.

1.0 Definition

- (1) Unless otherwise expressed by any other provision of this document, or unless the context otherwise requires, the following definitions shall apply:

“EASA ATCO Regulation” means the Commission 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 (EC) No 216/2008 of the European Parliament and of the Council, amending Commission Implementing Regulation (EU) No 923/2012 and repealing Commission Regulation (EU) No 805/2011.

2.0 Applicability

Any requirements set in the EASA ATCO Regulation, shall be adhered to by an Air Traffic Controller, Student Air Traffic Controller, Aero-Medical Examiner, AeMC, Language Testing Body, Language Assessor or and Air Traffic Control Training Organisation

3.0 Directorate to license Air Traffic Controllers and Student Air Traffic Controllers

- (1) The Directorate shall be the authority vested with the power to license air traffic controllers and student air traffic controllers, under such conditions as it deems fit.
- (2) 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 a licence in compliance with Commission Regulation (EU) 2015/340, as amended.
- (3) 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 licensed air traffic controller who is appropriately rated and holds a valid On-the-Job Training Instructor endorsement.
- (4) Nothing in this document 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.
- (5) 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.
- (6) A licence to act as an air traffic controller, or a student air traffic controller, shall not be valid unless it bears the signature of the holder.

4.0 Directorate to licence auxiliary persons

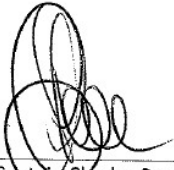
- (1) The Directorate shall also have the power to licence persons responsible for providing ATCO training, ATCO simulation training, or for assessing ATCO's skills, as well as aeromedical examiners.
- (2) No person shall carry out any of the activities referred to in (1) above, without holding the appropriate licence granted or rendered valid under Commission Regulation (EU) 2015/340, as amended.
- (3) Without prejudice to any other provision of the Air Navigation Act and the rules set out in any regulatory instrument adopted by the Directorate, the Director General may either absolutely or subject to such conditions as he deems fit:
 - (a) authorise or issue certificates or licences for persons responsible for providing ATCO training, ATCO simulation training, or for assessing ATCO's skills, as well as aeromedical examiners;
 - (b) approve any training or instruction course;
 - (c) authorise a person to conduct such examinations or tests as he may specify; and
 - (d) approve a person to provide any training or instruction course.

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5.0 Certification of training providers.

- (1) A person in charge of the provision of an air traffic control service must not provide such a service for Malta airspace or airspace outside Malta for which Malta has, under international arrangements, undertaken to provide air navigation services unless that person has been given and complies with the terms of an air traffic control approval granted by the Director General.
- (2) The Director General shall grant an air traffic control service approval if it is satisfied that the applicant is competent to provide a service which is safe for use by aircraft, having regard to the applicant's organisation, staffing, equipment, maintenance and other arrangements
- (3) The holder of an ANSP and/or ATCO Training organisation approval must not permit any person to act as an air traffic controller or a student air traffic controller in the provision of the service under the approval unless —
 - (a) that person holds an appropriate licence; and
 - (b) the approval holder is satisfied that the person is competent to perform the duties of an air traffic controller or a student air traffic controller.

A handwritten signature in black ink, appearing to be 'Charles Pace', written over a horizontal line.

Captain Charles Pace
Director General
Civil Aviation Directorate
Transport Malta