EUROCONTROL GUIDANCE MATERIAL

related to the European Commission Regulation N° 2096/2005 laying down Common requirements for the Provision of Air Navigation Services

Guidance Material for National Supervisory Authorities on the Certification of Air Navigation Service Providers

EUROCONTROL

EUROPEAN ORGANISATION
FOR THE SAFETY OF AIR NAVIGATION

EUROCONTROL

EUROCONTROL GUIDANCE MATERIAL related to the European Commission Regulation No. 2096/2005 laying down Common requirements for the Provision of Air Navigation Services

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EUROPEAN AIR TRAFFIC MANAGEMENT PROGRAMME

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Abstract

In the context of the SESIS project, EUROCONTROL has produced guidance material to support NSAs in the certification activities.

This "Guidance Material for NSAs on Certification" is presenting a possible approach for NSAs to certify ANSPs against the Common Requirements. It includes:

- a description of the certification process;
- an approach to assess compliance with the CRs on the basis of evidence (Appendix 5).

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SESIS Guidance Material Disclaimer

The EUROCONTROL SESIS guidance material is made available to EUROCONTROL and ECAC Member States to provide guidance and support in advising their National Supervisory Authorities and Air Navigation Service Providers in the preparation of the certification process in compliance with the Commission Regulation (EC) No 2096/2005 of 20 December 2005 laying down Common Requirements for the provision of air navigation services.

The information assembled in the guidance material reflects the SES legislation in force on the date of publication in the Official Journal of Regulation No. 2096/2005, laying down the Common requirements for Service Provision.

The compliance of the Member States, in particular their NSA, and of the ANSPs with their obligations under the SES regulations and subsequent legislation remains entirely their own responsibility. EUROCONTROL does not guarantee a particular outcome of a certification process, nor does EUROCONTROL assume any liability for claims or damages sustained in that respect.

EXECUTIVE SUMMARY

In the context of the SESIS project, EUROCONTROL has produced guidance material to support NSAs in the certification activities.

This “Guidance Material for NSAs on Certification” is presenting a possible approach for NSAs to certify ANSPs against the CRs. It includes:

- a description of the certification process;
- an approach to assess compliance with the CRs on the basis of evidence (Appendix 5).

This material is consistent with the “Guidance Material for ANSPs compliance with Common Requirements” with regard to the possible “evidence” ANSPs may present to demonstrate their compliance.

FOREWORD

This document is presenting a possible approach for NSAs to certify ANSPs against the Common Requirements.

This document is guidance and should not be understood as a legal document setting out how the certification process should be carried out. NSAs can adopt their own model of implementing the certification process while making use as far as possible of their relevant existing practices.

NOTE ON EUROCONTROL INTENTIONS:

The current version of the document is planned to be updated by mid 2006.

The next version is intended to:

- propose a harmonised way to ensure the uniform implementation of those elements of ESARRs which do not form part of the Common Requirements;
- propose a harmonised way to always identify and document, possibly as part of the certification process, all differences to ICAO SARPs which exist at the national level,
- propose a way to initiate as well a mechanism to harmonise those differences at European level;
- provide a harmonised way to identify and document, as part of the certification process, the characteristics of the environment of operation in which a certificate is valid;
- elaborate further on the process of recognition of certificates.

These new developments may qualify further the conditions attached to the certificate.

1. INTRODUCTION

1.1 Purpose

On the occasion of the NSA meeting held on 21st June 2005 in Amsterdam, several NSAs expressed their need of guidance on certification to get a “level playing field” and reach harmonisation of the process as far as practicable. Therefore, and being aware of the fact that EUROCONTROL was already preparing guidelines to assist the Air Navigation Service Providers (ANSPs) in their preparation for certification, a number of NSAs were in favour of the production of a “Guidance Material for Certification” document by EUROCONTROL.

This guidance material is primarily intended for use by NSAs when considering the certification of Air Navigation Service providers against the Common Requirements. The document focuses on the processes and possible arrangements necessary in this context and proposes a model process for use by NSAs.

1.2 Scope definition of certification

In accordance with the Single Sky Regulations, National Supervisory Authorities are nominated by the States and entrusted with various tasks aimed at ensuring a safe and efficient operation of air navigation service providers.

They are tasked in particular with the verification of compliance of these service providers with the requirements set by the Service provision Regulation n° 550/2004 and its implementing rule, the Regulation laying down Common Requirements (CRs) for the provision of air navigation services (hereafter the “CRs”).

To this end, the National Supervisory Authorities issue certificates of compliance with the CRs and ensure compliance monitoring and continued supervision of service providers.

This document provides guidance material to National Supervisory Authorities for certification of air navigation service providers against the CRs. The objective of the document is to establish a Europe wide common understanding of these requirements as an important step to a safe and efficient operation of air navigation service provision and to contribute to their harmonized application.

The SES Regulations (in particular Article 7.3 of Regulation n° 550/2004) require that National Supervisory Authorities issue certificates to each air navigation service provider applying for it and fulfilling the conditions set in the CRs. In accordance with Article 7.4 of the same Regulation, National Supervisory Authorities can attach additional conditions to the certificates, as specified in Annex II of Regulation n° 550/2004.

It has however to be noted that the CRs, contain in many respects, minimal requirements. Other international norms, binding on the States, address similar areas sometimes with greater detail or constraints, and States are under the obligation to equally ensure their full implementation.

In particular, although the CRs foresee that States adopt EUROCONTROL Safety Regulatory Requirements (ESARRs) 3, 4 and 5, these ESARRs are not fully covered by the Regulation.

In application of Article 28 of the ICAO Convention on international civil aviation, States are

responsible for the provision of air navigation facilities and services. They are under the obligation to exercise due diligence in particular with regard to safety aspects.

With regard to the application of the relevant ICAO Standards, the certificate establishes compliance with the ICAO standards listed in the Annexes of the CR regulation relevant to the ANSP, in the light of the filed differences which exist in the Member State, on the basis of national law[1].

Other international norms must therefore also be taken into account in the establishment of national legal and institutional frameworks and in the allocation of respective responsibilities to regulators and service providers, in order to meet the objective of achieving safe and efficient provision of air navigation services.

The extent to which these other norms, common to most of the European States, should be applied by the National Supervisory Authorities in the exercise of their oversight functions within the context of the SES, is currently under consideration, but it should be noted that these norms form an essential condition for the safe provision of air navigation services.

1.3 Scope of Applicable Requirements

In the case of the certification scheme established by Regulation (EC) 550/2004, a set of Common Requirements (CRs) constitute the reference against which certification takes place.

According to Article 6 of the Service Provision Regulation, CRs shall be established with regard to:

a) Technical and operational competence and suitability

b) Systems and processes for safety and quality management

c) Reporting Systems (e.g. Business plans, Annual Plan and Annual reports)

d) Quality of Services

e) Financial strength

f) Liability and insurance cover

g) Ownership and organisational structure, including the prevention of conflicts of interest

h) Human resources, including adequate staffing plans

i) Security

Verification of compliance with regard to these nine categories of the CRs by the NSA is needed before issuing a certificate.

1.4 Safety related aspects in the certification process

[1] ICAO Compliance Check Lists for each State audited by ICAO in the framework of USOAP are posted on the ICAO web site, once validated by an ICAO audit.

In accordance with ESARR 1, and consistently with CRs, safety oversight will be exercised by the NSAs in order to verify compliance with the "applicable safety regulatory requirements".
These are defined in ESARR 1 as: "The requirements for the provision of ATM services, applicable to the specific situation under consideration, and established through the existing rulemaking framework, concerning, inter alia:
i) Technical and operational competence and suitability to provide ATM services
ii) Systems and processes for safety management
iii) Technical systems, their constituents and associated procedures."

It should be noted that in the context of Certification, the "applicable safety regulatory requirements" are the safety-related Common Requirements. This notion goes beyond the CRs for safety management, and beyond the CRs intended to transpose ESARR provisions. For further details and clarification see EAM 1 / GUI 5 Section 1.3.

In the context of the certification of service providers, ESARR 1 requires NSAs to establish a process to verify compliance with applicable safety regulatory requirements prior to the issue or renewal of a certificate recognising the capability of an organisation to provide ATM services.

An integrated certification process, covering safety-related and non-safety related requirements, is recommended to address the certification of service provider organisations under SES rules. Accordingly, the certification process outlined in Section 2 of this document is intended to maximise the possibilities of integrating safety oversight with the activities intended to address non-safety related requirements, in order to support an approach capable to address the whole set of SES Common Requirements.

This document is consistent with the "ESARR 1 related Certification and Designation of Service Providers" (EAM 1 / GUI 5) document being developed by the Safety Regulation Unit (SRU), where the Safety related aspects of the certification are comprehensively addressed.

When necessary, reference is made in this guidance material to the relevant section of the EAM1/GUI5 document.

1.5 Abbreviations and Terminology Used in this Document

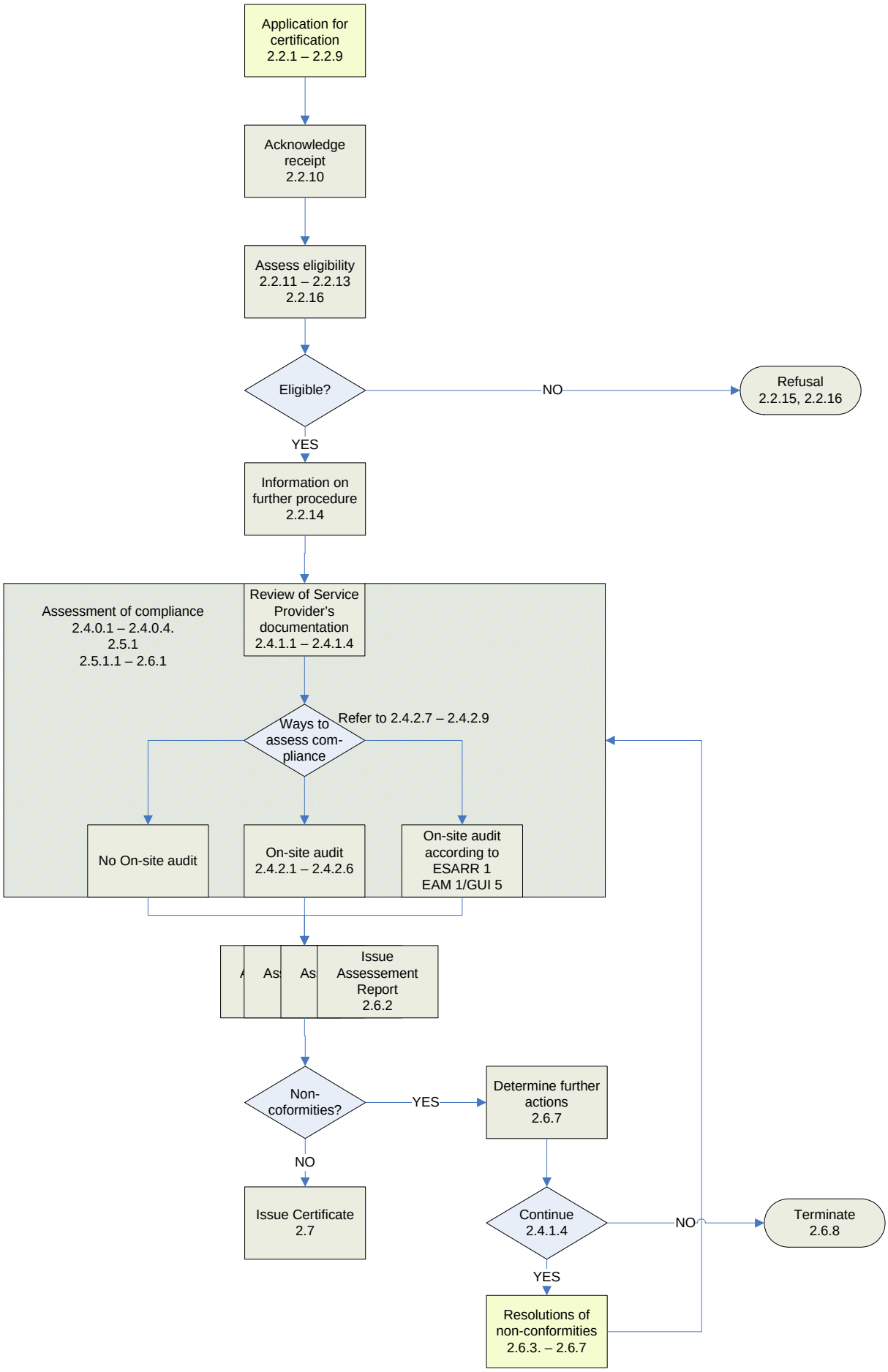
The following specific abbreviations are used in this guidance:

- APMF Application Management Function
- CTL Certification Team Leader
- CTM Certification Team Member.

2. CERTIFICATION PROCESS

2.0.1 This section identifies the basic principles, actions, inputs and outputs of a model process intended to harmonise the actions required in the context of a certification scheme such as the one established in Regulation (EC) 550/2004.

2.0.2 Overview of the proposed approach for the certification process is presented below as a flow diagram:


Application for certification 2.2.1 – 2.2.9
Acknowledge receipt 2.2.10
Assess eligibility 2.2.11 – 2.2.13 2.2.16
Eligible?
NO
Refusal 2.2.15, 2.2.16
YES
Information on further procedure 2.2.14
Assessment of compliance 2.4.0.1 – 2.4.0.4. 2.5.1 2.5.1.1 – 2.6.1
Review of Service Provider's documentation 2.4.1.1 – 2.4.1.4
Ways to assess com-pliance
Refer to 2.4.2.7 – 2.4.2.9
No On-site audit
On-site audit 2.4.2.1 – 2.4.2.6
On-site audit according to ESARR 1 EAM 1/GUI 5
Issue Assessement Report 2.6.2
Non-coformities?
YES
Determine further actions 2.6.7
NO
Issue Certificate 2.7
Continue 2.4.1.4
NO
Terminate 2.6.8
YES
Resolutions of non-conformities 2.6.3. – 2.6.7

2.1 Establishment of Procedure

2.1.1 Prior to the implementation of the certification process by an NSA, a documented procedure should be developed and properly promulgated by the appropriate authority. That promulgation may vary depending upon the case (internal NSA working procedure, secondary legislation, etc).

2.1.2 The procedure should describe how the NSA will handle the certification of a service provider organisation against the CRs in the SES framework.

2.1.3 The procedure should normally cover all the steps, principles and practices recommended in this model process.

2.1.4 The procedure should:

a) Deal with the CRs applicable to an applicant in an integrated manner, whilst ensuring priority to the verification of compliance with the applicable safety regulatory requirements in the overall certification process. For each common requirement the means to assess the requirement (refer to 2.4) as well as the required oversight cycle for ongoing oversight should be defined.

b) Ensure that the applicable safety regulatory requirements, i.e. the CRs identified as safety-related, are verified in a manner which meets the provisions of ESARR 1.

c) Be made available to all the existing service provider organisations operating under the responsibility of the NSA and any other organisation wishing to apply for a certificate.

d) Include all relevant forms for use by applicant organisations. These forms should be widely published and should normally be aligned with the contents and model forms proposed in document.

2.2 Application for Certification

2.2.1 According to Art. 7(2) of Regulation (EC) No 550/2004: Applications for certification shall be submitted to the national supervisory authority of the Member State where the applicant has its principal place of operation and, if any, its registered office.

Applicants should use the application form specifically defined in the NSA's documented procedures established for the certification of service providers.

2.2.2 The application form should be based on "Model Form 1" included in Appendix 1 of this document. It should always include the scope of services for which the certificate is requested and the characteristics of the environment of operation in which a certificate is valid.

2.2.3 The application form should be forwarded together with an organisation exposition or equivalent document such as a compliance matrix demonstrating how the applicant intends to comply with the CRs applicable to the services for which certification is asked for.

2.2.4 The organisation exposition should contain the following information. Existing data may be used to the maximum extent possible:

a) A statement signed by the Chief Executive Officer (or equivalent position) confirming that the organisation exposition and any associated referenced documentation define the organisation's compliance with the CRs and that they will be complied with at all times; and agreeing to supply any information needed for its evaluation,

b) the title(s) and name(s) of the organisation's senior managers,

c) The duties and responsibilities of the senior managers as regards the implementation of the CRs,

d) An organisation chart showing the chain of responsibility in the areas covered by the CRs,

e) A general description of human resources and general description of the organisation's facilities,[2]

f) A complete description of the means and arrangements established by the organisation to meet the CRs, including detailed references to the main documents and manuals which document them and appropriate cross references to the CRs.

Note: Some of the means and arrangements specifically related to safety are elaborated further in EAM 1 / GUI 5, section 2.

2.2.5 The organisation exposition should be amended by the applicant as necessary in order that it remains an up-to-date description of the organisation. To that end the NSA and the applicant should agree on an update procedure.

2.2.6 In addition to the organisation exposition, an NSA may decide that a questionnaire needs to be forwarded by the applicant together with the application form and its organisation exposition or equivalent document such as a compliance matrix.

2.2.7 The organisation exposition and any questionnaire forwarded by the applicant are primarily intended to support:

a) A first assessment of the eligibility of the organisation according to the CRs (see 2.2.13 and 2.2.14 below),

b) The technical investigations for initial and ongoing oversight intended to verify compliance with applicable requirements.

2.2.8 The organisation exposition and any questionnaire should not be considered as sole and exclusive proof of compliance with applicable CRs. Any claim made by an applicant in their exposition or the completed questionnaires will potentially be subject to further investigation by means of auditing in order to confirm the accuracy of the claim and its effective implementation.

2.2.9 Applications should be sent to an Application Management Function (APMF) identified within the NSA to act as the focal point with responsibility for the management of applications. The APMF may be combined with other functions and responsibilities within the NSA if applicable. This function will be set up in accordance with NSA structures and working

[2] This is to serve NSA in identifying places of operation for assessment during the certification process.

methods and in accordance with national regulations.

2.2.10 The NSA should acknowledge receipt of applications within ten working days of its receipt by the NSA.

2.2.11 The APMF should check all applications. Where incorrect or incomplete information is supplied, the NSA should notify the applicant in writing as soon as possible detailing the omissions and errors.

2.2.12 For any technical issues raised by the application, appropriate NSA experts or experts working for the NSA should be consulted.

2.2.13 The APMF, supported by appropriate NSA experts or experts working for the NSA, should make a first assessment of the documentation received. The APMF should determine how to proceed with the application. This should be communicated to the applicant within two month following receipt of the correct application.

2.2.14 When eligibility has been assessed, the NSA should inform the applicant (copied to the appropriate NSA departments and, where applicable/identified the certification team to be involved in the technical investigations), of the following:

a) Whether the application is accepted to proceed further or not, and if accepted:

b) The details of the certification team leader who will perform the technical investigation for initial oversight to verify compliance with applicable requirements, including the applicable safety regulatory requirements. If no selection has been made yet, the NSA should notify the applicant of the projected time frames for when such resources are expected to be available.

2.2.15 Wherever an applicant is already providing services prior to certification, eligibility for the service provided may be assumed by the NSA.

2.2.16 In case of the refusal of an application, the NSA should notify this decision in writing to the applicant together with the reasons.

2.3 Allocation of Certification Tasks

2.3.1 Certification Team

2.3.1.1 A certification team should be established by the NSA.

2.3.1.2 The certification team should consist of a certification team leader (CTL) and certification team members (CTMs). Where the extent of the investigation does not justify the need for a team, one person may perform the full investigation tasks.

2.3.1.3 Prior to the implementation of the initial oversight audits foreseen in Section 2.4.2 of this document, the certification team will be formed by the CTL and, if appropriate, a number of CTMs appointed to support the review of the service provider’s documentation.

2.3.1.4 After reviewing the service provider’s documentation as foreseen in Section 2.4.1 of this document, a final determination of the certification team’s resources needed in the certification team for the initial audits, measured in man-days, should normally be made by the CTL.

2.3.1.5 In order to determine the composition and size of the certification team, the following considerations should be taken into account:

a) The size of the applicant's organisation

b) The number of sites covered by the certificate

c) The nature of the services to be provided by the organisation and their direct impact upon aviation safety

d) The various criteria provided in Section 2.5 of this document as regards the review of service provider's documentation and the implementation of initial oversight audit visits.

2.3.1.6 Within the team, specific responsibilities should be allocated as regards the activities intended to verify compliance with all the CRs applicable to the services for which the certification is requested.

2.3.1.7 Both the CTL and CTMs should be trained in auditing techniques and have suitable knowledge of the applicable requirements and procedures. There should be no conflict of interest with the application to be investigated.

2.3.1.8 For specific investigations the basic team can call upon the assistance of appropriate experts.

2.3.1.9 More specifically

- with regard to applicable safety requirement specific qualification criteria to be met by CTL and all the CTMs involved in verifying compliance with applicable safety regulatory requirements are defined in EAM1 GUI5 (2.3.1);

- with regard to applicable quality requirements when the ANSP is not providing an ISO 9001 certificate the qualification criteria to be met by CTL and all the CTMs involved in verifying compliance should be based on the ISO standard 19011 chapter 7 relating to auditors for Quality Management Systems.

2.3.2 Use of Recognised Organisation

2.3.2.1 CTLs and/or CTMs may be NSA staff or personnel from a recognised organisation(s) commissioned to conduct investigation tasks fully or partly on behalf of the NSA or provide personnel to the NSA under specific arrangements.

2.3.2.2 More specifically, with regard to the applicable safety requirements provisions to be applied by NSAs wherever recognised organisations or their personnel are involved are detailed in EAM1 GUI5 chapter 2.3.2 .

2.3.3 Panels of Experts

2.3.3.1 Panels of experts may be established by the NSA in order to provide the NSA's management and certification teams with advice on general organisation, compliance with requirements, and opinions on the technical interpretation of the CRs and the conclusions and recommendations of final certification reports. Their opinions should not be binding on the NSA

Wherever established, these panels should:

a) Be formed by experts with extensive technical knowledge of the technical disciplines necessary for the certification of a service provider.

b) Base their opinions on the technical interpretation of the CRs related to the EUROCONTROL Safety Regulatory Requirements (ESARRs), on the associated ESARR Advisory Material (EAM) wherever available.

2.3.3.2 The panel of experts could also base their interpretation and opinions on the EUROCONTROL "Guidance material for ANSP compliance with the CRs for Service Provision" for the relevant type of ANSP.

2.4 Investigations for Initial Oversight

2.4.0.1 Initial oversight investigations should be conducted by the Certification Team to gain objective information to enable an NSA decision on the recognition of the applicant organisation as capable to provide specific services.

2.4.0.2 For that purpose the certification team, under the co-ordination of the CTL, should make direct arrangements with the applicant for the assessment of documentation, meetings and investigations at the relevant location(s).

2.4.0.3 As a result of the initial oversight investigations, the NSA may terminate the certification process if it appears that it cannot be completed due to the lack of resources within the applicant's structure or its lack of commitment to comply with the applicable requirements. Such a decision should be notified to the applicant together with the reasons.

2.4.0.4 The certification team should maintain records of all documents generated and received during the initial oversight investigations.

2.4.1 Review of Service Provider's Documentation

2.4.1.1 The certification team should undertake a review of the documentation that the service provider has put in place to describe, communicate and operate its arrangements for providing the services for which it has applied in accordance with the applicable requirements.

2.4.1.2. As regards the review of documentation:

a) The certification team should look for evidence that the applicable CRs have been understood and there are clear indications that processes and disciplines have been developed to meet them.

b) The review should not necessarily be confined to those documents referenced by the applicant in its organisational exposition.

c) If the document review indicates possible areas of weakness or concern regarding the service provider's arrangements to meet CRs, then such areas should be subject to further investigation such as to on-site audit in accordance with Section 2.4.2 below.

2.4.1.3 For certain areas a review of the documentation might be sufficient (see paragraph 2.4.2.8).

2.4.1.4 In the event that the documentation review reveals serious concerns about the applicant's level of understanding of the applicable CRs or the processes that may have been put in place to meet them, the CTL should not proceed with the initial oversight audit visits foreseen in Section 2.4.2 below. The matter should be referred to the NSA's management for decision on further action to be taken.

2.4.2 Initial Oversight Audit Visits

2.4.2.1 Once the documentation review has been performed, the certification team should verify that the arrangements described in the documentation are indeed being used and are effectively implemented within the organisation.

2.4.2.2 This verification should involve a series of on-site audit visits to the relevant site(s) of the organisation. At least one on-site audit visit should be conducted even in the case of a small organisation applying to provide services. The certification can adopt the principles and practices set in ISO/IEC Guide 62.

Note: Depending upon the case, on-site audit visits may focus on a specific aspect or address various applicable requirements.

2.4.2.3 Based upon the information obtained at the documentation review, the CTL should identify areas of the service provider's organisation and specific processes to be audited in order to test the applicant's compliance with a selected set of CRs. In addition the implementation of the applicant's arrangements in line with the identified intentions set out in the documentation reviewed should also be audited.

2.4.2.4 The sampling of requirements in each area of the organisation should

a) Depend upon the processes being verified and the level of confidence obtained by the certification team from the documentation review. It should not exclusively cover the areas highlighted by the documentation review.

b) Take into account the results from audits, inspections or surveys conducted by the NSA in the 24-months period prior to the entry into force of Commission Regulation (EC) XXX/2005 of XX October 2005, identifying areas where sufficient level of confidence exists as regards management practices already implemented by the organisation.

2.4.2.5 As regards safety oversight, refer to EAM1/GUI5 section 2.4.2.5.

2.4.2.6 Wherever on-site audits combine safety regulatory auditing and activities to verify the compliance with non-safety related CRs, the CTL should establish appropriate working arrangements to ensure that investigations in each area are only conducted by the CTMs with sufficient expertise and qualification needed to address that area. In these situations, a separate audit report should be produced in relation to the safety regulatory auditing activity. This audit report should meet the requirements of ESARR 1 Section 6.6. Its development and use should normally conform to the practices recommended in EAM 1 / GUI 3.

2.4.2.7 Depending of the area of the CRs, its criticality in terms of safety, the type of evidence that ANSP can provide, the NSA's historical confidence from audit experience and the result of the review of the documentation, different ways to assess compliance can be considered:

- Review of Documentation: Minimum approach to address areas where reviews of the documentation provide sufficiently evidence of compliance the CRs.

- Review of Documentation & On Site Audit: Approach to address areas where a review of documentation does not provide sufficient evidence of compliance with the CRs or where the review of documentation indicated possible areas of weakness or concern regarding the service provider's arrangements to meet CRs.

- Review of Documentation & On site Audit according to ESARR 1: Approach to address the applicable safety regulatory requirements. This approach will meet the requirements of ESARR 1 and should normally follow the recommendations and methods defined in EAM 1 / GUI 3.

2.4.2.8 The following picture illustrates that the number of requirements concerned by a "Review of Documentation & On Site Audit according to ESARR 1" should be significantly lower than the number of requirements needing only a "Review of Documentation". It illustrates also that the level of detail and thoroughness of the verification process is significantly higher in the case of a "Review of Documentation & On Site Audit according to ESARR 1" compared to a "Review of Documentation".

2.4.2.9 This illustration does not provide any indication concerning the importance of a certain CR: The importance of the CR can not be assumed on the basis of the level of assessment proposed.

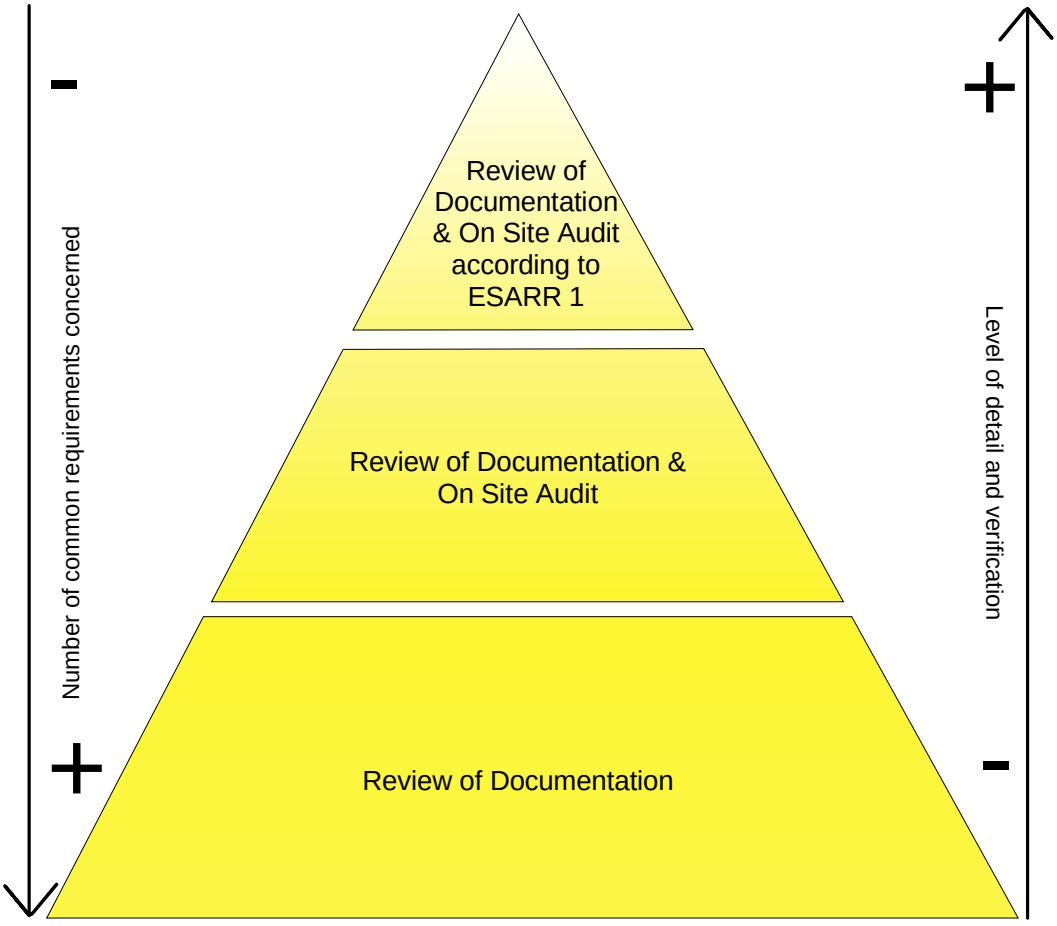


Figure 2-1 Picture of the possible ways to assess the compliance with regard to the CRs

2.4.2.10 Preliminary guidance on the possible way to assess compliance of the different areas is provided in the table below. However nothing prevents an auditor from investigating aspects related to a common requirement which in accordance with the table is not primarily verified through an on-site audit.

2.4.2.11 In order to identify the “applicable safety regulatory requirements” whose verification must conform to ESARR 1 arrangements within the overall certification of a provider against the CRs, it is important to note the correspondence between the definition of ESARR1 and some categories of CRs as established in SPR Article (6)

2.4.2.12 In particular, ICAO standards related to the provision of ATS services, notably those included in ICAO Annexes 2, 10 and 11 should be considered as “applicable safety regulatory requirements” wherever they are subject to verification of compliance

2.4.2.13 Wherever other categories of service providers (e.g. CNS, AIS) are subject to certification, the NSA may decide to apply, fully or partially, the ESARR 1 provisions required for the safety oversight of ATM services. In this situation, the applicable ICAO standards should be considered as “applicable safety regulatory requirements”.

		Title	Review of Doc.	Review of Doc. & On Site Audit	Review of Doc. & On Site Audit acc. to ESARR 1	Comments
		ANNEX I				
1		TECHNICAL AND OPERATIONAL COMPETENCE AND CAPABILITY				This requirement is covered in the other requirements
2.		*ORGANISATIONAL STRUCTURE AND MANAGEMENT*				
2	1	Organisational structure	X			
2	2	Organisational management	X			
3		*SAFETY AND QUALITY MANAGEMENT*				
3	1	Safety management	X	X (b)	X (a)	a) applicable to ATSP, CNS and AISP under managerial control of ATSP b) otherwise
3	2	Quality management system	X (if ISO9000 certificate exists)	X (if there is no ISO9000 certificate, Review of documents may be complemented by on site-audit)		
3	3	Operations manuals	X	X (for AISP and Meteo)	X (for ATS and CNS)	
4		SECURITY	X	X		
5		HUMAN RESOURCES	X			Refer to ANNEX II, paragraph 3.
6		*FINANCIAL STRENGTH*				
6	1	Economic and financial capacity	X			
6	2	Financial audit	X			
7		LIABILITY AND INSURANCE COVER	X			
8		*QUALITY OF SERVICES*				
8	1	Open and transparent provision of services	X			
8	2	Contingency plans	X	X (AIS and Meteo)	X (ATS and CNS)	
9		REPORTING REQUIREMENTS	X			
		ANNEX II (ATSP)				
1		OWNERSHIP	X			
2		OPEN AND TRANSPARENT PROVISION OF SERVICES	X			
3		*SAFETY OF SERVICES*				
3	1	Safety management system	X		X	

		Title	Review of Doc.	Review of Doc. & On Site Audit	Review of Doc. & On Site Audit acc. to ESARR 1	Comments
3	2	Safety Requirements for Risk Assessment and Mitigation with regard to changes	X		X	
3	3	Safety requirements for engineering and technical personnel undertaking operational safety related tasks	X		X	
4		WORKING METHODS AND OPERATING PROCEDURES	X		X	
		ANNEX III (Meteo)				
1		TECHNICAL AND OPERATIONAL COMPETENCE AND CAPABILITY	X	X		
2		WORKING METHODS AND OPERATING PROCEDURES	X	X		
		ANNEX IV (AIS)				
1		TECHNICAL AND OPERATIONAL COMPETENCE AND CAPABILITY	X	X (b)	X (a)	a) applicable to ATSP, CNS and AISP under managerial control of ATSP b) otherwise
2		WORKING METHODS AND OPERATING PROCEDURES	X	X (b)	X (a)	a) applicable to ATSP, CNS and AISP under managerial control of ATSP b) otherwise
		ANNEX V (CNS)				
1		TECHNICAL AND OPERATIONAL COMPETENCE AND CAPABILITY	X		X	
2		SAFETY OF SERVICES	X		X	
3		WORKING METHODS AND OPERATING PROCEDURES	X		X	

Table 2-2 Possible ways to assess compliance

2.5 Criteria to Assess Compliance with Applicable Common Requirements in the Certification Process

2.5.1 Compliance will be assessed against the CRs established with regard to the services for which the applicant requested certification.

2.5.1 Guidance on assessment of compliance

2.5.1.1 A non-prescriptive approach for conducting assessments of compliance for each set of CRs is presented in table form in Appendix 5. This incorporates::

- Key elements of the CR driving its assessment
- Evidence (description which evidence is expected from ANSP)
- A proposal how to evaluate evidence

2.5.1.2 An NSA may consider using the panels of experts referred to in Section 2.3.3 of this document to seek advice on criteria to assess the compliance with CRs.

2.5.1.3 To further elaborate their preparation of on-site audits, the Certification Team may also refer to the EUROCONTROL “Guidance material for ANSP compliance with the CRs for Service Provision” for the relevant type of ANSP. More specifically, the information presented in the respective fields may be of assistance for certification teams and expert panels:

- “Analysis of requirements” may support the interpretation of requirements;
- “Criteria” and “Evidence” may support the assessment of compliance with CRs.

2.6 Non-conformities resolution and follow up

2.6.1 Non-conformities can only be raised in relation to the CRs applicable to the services for which certification was requested. The related Common Requirement(s) should always be made explicit wherever a non-conformity is determined.

2.6.2 Once the assessment (review of documentation or on site audit) is completed, the CTL should normally forward a report including as a minimum the following information, if appropriate, to the applicant organisation:

a) General information about the audit including date, auditor(s), observer/specialists accompanying the auditors, objectives and scope of the audit and audit schedule.

b) Details of non-conformity identified, including its perceived significance.

c) Response of the service-provider to identified non-conformity during the audit.

d) A request for the determination of corrective actions, and their subsequent implementation, including a timeframe identified on the basis of the significance and impact on safety of the audit findings.

e) Considerations for further investigations wherever applicable (relating to auditor(s) general observations).

f) Intended audit follow-up actions.

g) Conclusions of the assessment as regards the overall certification process.

NOTE: It is usual auditing best practice to forward the report within 14 days following the completion of an on-site audit.

2.6.3 The applicant organisation should normally be responsible for determining and initiating the actions needed to correct the non-conformity or to correct the cause(s) of non-conformity.

2.6.4 The certification team should assess the proposed corrective actions and accept them if this assessment demonstrates that they are sufficient to address the non-conformity identified by the audit, or otherwise.

2.6.5 Corrective actions and any subsequent follow-up audits should be completed by the applicant organisation within a time period agreed by the CTL.

2.6.6 The CTL should record details of all non-conformities, agreed corrective actions, the closure of non-conformities and recommendations.

2.6.7 The applicant organisation should modify the relevant documentation including the organisation exposition or equivalent document referred to in Section 2.2 above to incorporate the resolution of non-conformities found in the initial oversight investigations.

2.6.8 As established in article 5(4) of the CRs wherever corrective actions have not been properly implemented, in case of on-going oversight of compliance with the Common Requirements, the NSA shall take appropriate enforcement measures in accordance with article 7(7) of Regulation (EC) No 550/2004 and article 9 of Regulation (EC) No 549/2004 while taking into account the need to ensure the continuity of services.

2.7 Issue of Certificate

2.7.1 For initial oversight investigations all non-conformities should be satisfactorily addressed prior to a certificate being issued.

2.7.2 When the full investigation for the initial oversight for the compliance of the applicant with the CRs have been satisfactorily determined, the CTL should produce a certification report and forward it to the appropriate points of responsibility within the NSA.

2.7.3 The certification report should include as a minimum the following information:

a) General information about the investigations for initial oversight conducted, including:

i. The date(s) of the initial oversight audit(s)

ii. The name(s) of the members of team and the initial oversight audits in which they participated

iii. The names and addresses of all sites audited

b) The assessed scope of certification, including reference to the applicable requirements considered;

c) Reference to the main service provider documents reviewed;

d) Details on identified non-conformity, corrective actions determined by the applicant organisation and accepted by the CTL as sufficient and their implementation and closure;

e) Conclusions and recommendations based on the findings of the initial oversight process, including if applicable proposals for any condition to be attached to the certificate, and the initial plan of audits for on-going compliance referred to in Section 3.10 below;

f) Copy of the applicant's updated organisation exposition following the initial oversight investigations.

2.7.4 The NSA should ensure that the final decisions on certification and the conditions attached to it are made by a person or persons different from those who formed the certification team.

2.7.5 The NSA may use the panel of experts, referred to in Section 2.3.3 above, to obtain an opinion on the conclusions and recommendations of the final certification report.

2.7.6 Certificates should be signed by the NSA's most senior manager (e.g. Director General, Executive Director or similar). Negative decisions should also be endorsed by the same authority.

2.7.7 The Certificate should be based on the "Model Form 2" included in Appendix I of this document.

2.7.8 The Certificate should be issued in the official language(s) of the Member State and English.

NOTE: The issue of the Certificate in English may not be necessary wherever derogations are granted in accordance with Article 4 of the Common Requirements…

2.8 Validity of the Certificate

2.8.1 The Certificate should be valid for a limited period. The period of validity should be either two, four or six years in association with the on-going safety oversight cycles of 24 months established in accordance with EAM1/GUI5. The exact period will be determined on a case-by-case basis by the NSA.

2.8.2 In case of a newly established ANSP, the NSA may decide to allow a period for verification of the effective implementation of the ANSP arrangements after issuing the initial certificate in order to confirm the assessment under which the certificate was granted. That period should not be longer than one year. If that verification is successful, it should lead to the issue of a certificate in accordance with 2.8.1 above.

2.8.3 In case of already established ANSPs, 4 or 6 years duration could be considered as reasonable in usual cases; this duration could be reduced in cases where there is, for objective reasons established by the oversight process, a lower confidence in the ability of the provider to ensure on going compliance.

2.8.4 Upon request by the certificate holder six months in advance to the end of the validity of the certificate, the NSA should normally issue a new certificate equivalent to the one held by the organisation if the ongoing compliance assessment activity does not reveal an unsafe situation, a lack of compliance or a lack of commitment to comply with the applicable CRs.

2.8.5 The certificate is only valid whilst the organisation remains compliant with the applicable CRs and any conditions attached to it. The validity period may exceptionally be reduced by the NSA if objective evidence reveals a critical safety issue.

2.8.6 The assessment of the ongoing compliance should be associated to the validity period as illustrated in Section 2.10 below.

2.8.7 As a general principle, the introduction of changes to the organisation in accordance with Section 2.9 hereafter does not modify the validity period once a Certificate has been issued unless the change requires a full initial oversight investigation leading to issuing a new certificate.

2.9 Changes within the Organisation

2.9.1 The NSA and the applicant should agree on a procedure to notify the NSA

- of planned changes to its provision of services, which may affect its compliance with the applicable CRs or with the conditions attached to the certificate (Article 5 (2)).

- of planned safety related changes to the provision of air traffic services (Article 5 (3))

To this end section 9 “Application for change” of the application form conforming to “Model Form 1” in Appendix I of this document should be used by the applicant.

2.9.2 If the certificate has been issued, the provisions of Sections 2.2.9 to 2.2.13 above should apply and the first assessment referred to in Section 2.2.13 above should conclude upon the acceptance of the proposed change(s) without further verification or upon additional investigation by a certification team.

2.9.3 If the change is proposed before the certificate is issued, the APMF should refer the application and any associated documentation to the CTL for appropriate action.

2.9.4 In any case the CTL should determine the extent of any subsequent review including if required a full investigation for initial oversight, according to the impact of

the proposed changes to the organisation and/or its exposition.

2.9.5 When the investigation for the initial oversight of the change has been satisfactorily completed, the NSA should carry out a review of any applicable documents appertaining to the change including the Certificate.

2.9.6 When a change to the certificate is required the provisions laid down in Section 2.7 above apply.

2.10 On-going compliance

2.10.1 The national supervisory authority shall monitor annually the on-going compliance of the air navigation service providers which it has certified on the basis of the evidence at its disposal.

2.10.2 To this end, the national supervisory authority shall establish and update annually an indicative inspection programme covering all the providers it has certified.

2.10.3 The programme shall indicate the envisaged interval of the inspections of the different sites and based on an assessment of the risks associated with the different operations constituting the services provided as well as the results of the initial certification and the ongoing supervision.

2.10.4 It shall consult the air navigation service providers concerned as well as any other national supervisory authority concerned, if appropriate, before establishing such a programme. That initial plan of audits shall be communicated to the ANSP by the NSA.

2.10.5 Previous provisions do not mean that all CRs should be checked annually. Different Areas of CRs may have different oversight cycles. All CRs should be checked at least once during the validity period of the certificate.

Note: for specificities of On going Safety oversight (cycles of 2 years), refer to EAM1/GUI5 section 2.10.

2.10.6 With the exception of the applicable safety regulatory requirements [3], NSA may decide also to adopt a "risk based approach" and to adjust the frequencies of the oversights inside the validity period on the basis of the outcome of the previous oversight.

2.10.7 The table below presents proposed principles of a possible inspection programme based on the example of a certificate with a validity period of 6 years. The NSA will have to elaborate in further detail on this proposal. The NSA should determine for all CRs (including compliance with relevant ICAO standards) the minimum frequency at which a requirement is to be checked (e.g. define oversight cycle for the requirements mentioned in Cycles 2 and 3, as some practices of the ICAO Annexes are safety-related and would deserve more frequent inspections).

[3] Oversight cycle is of maximum two years for applicable safety regulatory requirements in accordance with ESARR 1.

Initial year	year 1	year 2	year 3	year 4	year 5	year 6
Initial certification						
	Cycle 1: Annual Plan and Reporting requirements (Annual Report)	Cycle 1: Annual Plan and Reporting requirements (Annual Report)	Cycle 1: Annual Plan and Reporting requirements (Annual Report)	Cycle 1: Annual Plan and Reporting requirements (Annual Report)	Cycle 1: Annual Plan and Reporting requirements (Annual Report)	Cycle 1: Annual Plan and Reporting requirements (Annual Report)t
	Cycle 2: Audits: Safety management processes, Technical and operational competence and capability, Working methods and operating procedures requirements		Cycle 2: Audits: Safety management processes, Technical and operational competence and capability, Working methods and operating procedures requirements		Cycle 2: Audits: Safety management processes, Technical and operational competence and capability, Working methods and operating procedures requirements	
	Cycle 3: Quality Management, Quality of Services and Security requirements			Cycle 3: Quality Management, Quality of Services and Security requirements		
	Cycle 4: Organisational Structure and Management (Organisation, Business Plan) requirements, Human Resources requirements, Financial strength requirements, Liability and Insurance Cover requirements					

Table 2-1 Proposed principles for an inspection programme

2.10.8 Wherever the holder of a certificate is providing cross-border services, the NSA who issued the certificate should establish cooperative arrangements with the NSA(s) of the States concerned, in order to ensure an appropriate ongoing compliance assessment, notably as regards the verification of compliance with the applicable safety regulatory requirements related to the Certificate.

2.11 Possible Derogations

2.11.1 Prior to the implementation of the certification procedure, the NSA should establish a policy with respect to the granting of derogations in accordance with Article 4 of the CRs. That policy shall:

a) Identify the specific requirements for which derogations may be granted to applicants:

   i. Falling under the categories of service providers described in Article 4(1) of the CRs.

   ii. Providing or intending to provide AFIS by operating not more than one working position in aerodromes.

b) Ensure additional safety regulatory actions wherever that is necessary to implement international obligations in relation to the services for which derogations have been granted.

2.11.2 In order to deal with the applications requesting certification under the provisions of Article 4 of the Common Requirements Regulation wherever the NSA policy allows that option, the certification procedure should be implemented with the following modifications:

a) The application form and the certificate should contain the information relevant to this situation included in “Model Form 1” and “Model Form 2” provided in the Appendix of this guidance.

b) The organisation exposition or equivalent document referred to in Section 2.2 above should document the relevant evidence that demonstrate the applicant’s qualification to be certified under the provisions of Article 4.

c) The assessment conducted by the APMF in accordance with Section 2.2 above should determine whether the organisation qualifies to be certified under the provisions of Article 4.

d) When informing the applicant about the acceptability of its application in accordance with Section 2.2 above, the NSA should also inform the applicant of:

   i. The set of CRs applicable to its services in accordance with the NSA policy established as regards possible derogations under Article 4.

   ii. The fact that a certificate issued under Article 4 does not allow the organisation to provide cross-border services and that it waives the right to mutual recognition of certificates within the Single European Sky.

e) The request for a new certificate six months before the end of the validity of the certificate, described in Section 3.8 above, will include relevant information to document that the organisation continues to qualify for the derogations.

f) Wherever an organisation certified under the provisions of Article 4 applies to introduce changes to provide services for which no derogations are possible, the NSA should assess whether a complete initial oversight process will have to be performed to certify the organisation under the general procedures established by the NSA.

g) The NSA should establish mechanisms to monitor whether service providers certified under the provisions of Article 4 continue to qualify for the derogations.

2.12 Document Confidentiality

All documents and information received by the NSA relating to the certification process should be subject to protection from disclosure according to applicable national legislation and Article 18 of the Regulation (EC) 550/2004.

3. DESIGNATION OF SERVICE PROVIDERS

Legal Basis:

In application of articles 8.1 and 8.2 of SPR, Member States designate ATSPs and define the rights and obligations to be met by the designated air traffic service provider. In application of Article 9.1 of the same Regulation, Member States may also designate METSPs.

No designation is foreseen for AIS or CNS service providers.

These provisions do not further define the rights and obligations to be met by the provider, except by providing an example (conditions for the timely supply of relevant information enabling identification of all aircraft movements, SPR 8(2)).

EUROCONTROL Member States are required to include those elements of ESARRs and other binding norms that are not covered by the certification conditions (CRs + additional conditions defined in Article 7(4) and Annex II of the SPR) in the designation process of the ATSPs, and possibly MET providers, by defining such elements as rights and obligations to be met by the designated service provider.

APPENDIX 1 – MODEL FORMS

The procedures applied by the NSA should define all relevant forms to be used by the applicant organisation, as well as the certificate to be issued at the end of the process.

Harmonising the application form (the main input to the process) and the certificate (the main output from the process) is an essential element to harmonising the overall certification process. It is therefore recommended to use the following Model Forms to the maximum possible extent.

The forms and certificates determined in the applicable procedures should normally include all the contents of the Model Forms which are relevant to the case under consideration.

Nevertheless, it is recognised that some customisation may be necessary at national level to add contents addressing specific aspects (e.g. certification fees wherever applicable).

1. Model Application Form for the Certification of an ANSP (Model Form 1)

APPLICATION FOR THE CERTIFICATION
OF AN AIR NAVIGATION SERVICE PROVIDER ORGANISATION

Name and Address of the Competent National Supervisory Authority	Application for Initial Certification ☐ Application for Change ☐ (tick as appropriate)

1. Registered Name of Applicant

2. Trading Name (if different)

3. Address

4. Contact Details

Name	
Tel	
Fax	
e-mail	

5. Scope of Services for which Certification is Requested in Accordance with the Provisions of Regulation (EC) 550/2004

☐ ATS ☐ CNS ☐ AIS ☐ MET

(for a detailed description, please refer to Page 3 of this application form)

6. Name of Chief Executive Officer

(or equivalent position within the organisation)

7. Signature of the Chief Executive Officer

(or equivalent position within the organisation)

8. Place and Date

(place)	(Date)

9. Organisation Exposition (tick as appropriate)

☐ **Application for Initial Certification**

Three copies of the organisation exposition are forwarded together with this application form.

☐ **Application for Changes**

Three copies of the pages modified in the previous organisation exposition are forwarded together with this application form.

10. Questionnaires (tick if appropriate)

☐ Questionnaires defined in the NSA certification procedures are forwarded together with this application form.

(only applicable wherever required by the NSA in the case of initial certification)

11. Derogations (if applicable)

To be completed only if the organisation applies for specific derogations in accordance with Article 4 of Commission Regulation (EC) xxx/2005, dated xx October 2005 and such derogations have been determined as appropriate by the NSA.

(tick as appropriate)

☐ the applicant is aware that under Article 4 the certificate will not allow for the provision of cross-border services and that they will not benefit from the right to mutual recognition within the Single European Sky.

☐ the applicant intends to provide ATS services only with respect to one or more of the following categories:

- ☐ general aviation
- ☐ aerial work
- ☐ commercial air transport limited to aircraft with less than 10 tonnes of maximum take off mass or less than 20 seats
- ☐ commercial air transport with less than 10.000 movements per year (counted as the sum of take-offs and landings), regardless of the maximum take off mass and the number of aircraft seats used, the number of movements being calculated as the average over the previous three years

☐ the applicant is an air navigation service provider other than a provider of air traffic services and has a gross annual turnover of 1.000.000 EUR or less in relation to the services it provides or intends to provide.

☐ the applicant provides, or intends to provide, AFIS services by operating regularly not more than one working position at any aerodrome where this service is provided.

☐ the applicant has documented the relevant evidences of all the above in its organisation exposition.

12. Detailed Description of the Scope of Services for which Certification/Changes is/are Requested

a) Use as many attached pages as necessary to complete the table.
b) Use the types of services, their parts and sub-parts as they appear in the table provided by the NSA to describe the scope of services for which certification can be requested/granted.
c) Complete only the boxes relevant to the application.
d) The '*conditions proposed by the applicant*' should include all those conditions and limitations identified by the organisation in relation to the services for which certification is requested. The conditions proposed should be clearly formulated and fall under the categories of possible conditions to be attached to certificates in accordance with Annex II of Regulation (EC) 550/2004.
e) Wherever necessary, the conditions can be described by means of references to documents attached to this application form or other relevant documentation.

Services	Type of service to be provided	Part of the service to be provided	Sub-part of the service to be provided	Conditions Proposed by the Applicant

2. Model Certificate for the Provision of ANS (Model Form 2)

[Name of the National Supervisory Authority]

NATIONAL SUPERVISORY AUTHORITY OF [NAME OF THE MEMBER STATE], EUROPEAN UNION

CERTIFICATE

Reference : [Number of the Certificate Assigned by the NSA]

Pursuant to Regulation (EC) 550/2004 of the European Parliament and of the Council and Commission Regulation (EC) xxx/2005 for the time being in force and subject to the conditions specified in this certificate, the [name of the NSA] hereby certifies:

[Applicant Organisation Name]

as an air navigation service provider organisation compliant with the Common Requirements applicable to the services listed in the attached schedule and, therefore, capable of providing them.

General Conditions

1. This certificate requires compliance with the procedures and other arrangements specified in the organisation exposition,
2. This certificate is valid whilst the organisation remains compliant with the applicable Common Requirements; and the specific conditions identified for the services included in the certificate schedule.
3. Subject to continuous compliance with the foregoing conditions, which may be verified by the NSA at any time, this Certificate shall remain valid for a ____ period and be renewed if requested by the organisation six months before the end of that period.

(Enter the validity period as appropriate. The period will either be 2, 4 or 6 years and will be determined on a case-by-casebasis by the NSA).

Place & Date of Issue: _____ , _____ _____ , 20___

Signed: _____

[signature of the Director General, Executive Director or equivalent position]

CERTIFICATE SCHEDULE

Organisation Name: *[Applicant Organisation Name]*

Reference: *[Number of the Certificate Assigned by the NSA]*

Services	Type of service to be provided	Part of the service to be provided	Sub-part of the service to be provided	Conditions Identified
ATS				
CNS				
AIS				
MET				

Date of Issue: _____ _____ , 20___

Signed: _____

For the National Supervisory Authority

Note - when completing the certificate schedule, the NSA should:

a) Use the table defining the scope of services included in Appendix 3 of this document.

b) Use as many attached pages as necessary to complete all the boxes related to the services for which the applicant organisation obtains its certificate,

c) Complete only the boxes relevant to the certificate,

d) Include as 'conditions identified' all those conditions and limitations identified in the investigations of the certification process in relation to the services for which certification is granted. The conditions should be clearly formulated and fall under the categories of possible conditions to be attached to the certificate in accordance with Annex II of Regulation (EC) 550/2004,

e) Wherever necessary, describe the conditions by means of reference to documents attached to the Certificate or other relevant documentation.

USE OF MODEL FORM 2 (CERTIFICATE) WHEREVER DEROGATIONS ARE GRANTED

Wherever the NSA chooses to grant derogations in accordance with Article 4 of the CRs, the NSA should specify the nature and scope of the derogation in the conditions attached to the certificate indicating its legal basis. Accordingly, the Model Form should be modified as follows:

On Page 1, the “General Conditions” should state the following:

1. *This certificate has been issued under the provisions of Article 4 of Commission Regulation (EC) 2096/2005 of 20 December 2005 and, therefore, does not entitle the holder to provide cross-border services or benefit from the right to mutual recognition within the Single European Sky.*

2. *This certificate requires compliance with the procedures and other arrangements specified in the organisation exposition.*

3. *This certificate is valid whilst the organisation remains compliant with:*

    a) *The Common Requirements applicable to the organisation within the scope defined by the derogations identified in certification schedule,*

    b) *The qualifying criteria to be certified under the provisions of Article 4,*

    c) *The specific conditions identified in the certificate schedule.*

4. *Subject to continuous compliance with the foregoing conditions, which may be verified by the NSA at any time, this Certificate shall remain valid for (number of years) year period and be renewed if requested by the holder six months before the end of that period and the request includes relevant information to show that the organisation continues to qualify for the derogations.*

On Page 2, the “Conditions Identified” should also refer the CRs for which derogations have been granted.

APPENDIX 2 – Model questionnaire

Certain NSA (e.g. UK CAA) have adopted the approach to certify current ANSPs through a thorough process that allows industry to review and confirm its compliance with the Common Requirements:

- To do so, they use a questionnaire that provides the basis for review of compliance.
- The accompanying compliance matrix gathers the trail of evidence, and a Declaration Of Compliance included within the questionnaire ensures that the ANSP's Chief Executive fully endorses the arrangements for compliance with the Common Requirements.

The certification process also includes provision for audit and continued oversight.

A link to the UK CAA's compliance questionnaire can be found on www.caa.co.uk/anspq
.

APPENDIX 3 – TABLE DEFINING THE SCOPE OF THE SERVICES FOR WHICH CERTIFICATION CAN BE REQUESTED AND GRANTED

In accordance with Regulation (EC) 550/2004 (the Service Provision Regulation), an organisation may apply for a certificate as regards any service included in the scope of the Regulation. That scope includes ATS, CNS, AIS and MET as defined in Regulation (EC) 549/2004 (the Framework Regulation).

The table included in this annex defines the possible scopes for which certification may be requested and granted in accordance with the Service Provision Regulation.

The table is intended to harmonise the classification of services which needs to be used in the certification process. This harmonisation is indeed essential to ensure that the main input (application form) and output (certificate) of the certification process are standardised across Europe.

USE OF THE TABLE

The table, **including only** the services relevant to the service provider organisation, should be attached to:

- The application form (Model Form 1) submitted by an applicant organisation,
- The certificate (Model Form 2) issued by the NSA.

When used in **conjunction with the application form (Model Form 1),** the conditions included should be those identified and proposed by the applicant in relation to the services for which certification is requested.

When used by the NSA **in conjunction with the Certificate (Model Form 2),** the conditions included should be those eventually determined by the NSA as a result of the investigations conducted in the certification process. These conditions should not necessarily be confined to those proposed by the applicant.

In order to meet the provisions of Article 6.4 and Annex II of the Service Provision Regulation the conditions included in the Certificate (Model Form 2) may, as appropriate, be related to the following categories of possible conditions[4]:

a) Non-discriminatory access to services for airspace users and the required level of performance of such service, including safety and interoperability levels;

b) The operational specifications for the particular service;

c) The time by which the services should be provided

d) The various operating equipment to be used within the particular services;

e) Ring-fencing or restriction of operation of services other than those related to the provision of air navigation services

f) Contracts, agreements and other arrangements between the service providers and a third party and which concern the service(s);

[4] *These eight categories have been taken from Annex II of the Service Provision Regulation,*

g) Provision of information reasonably required for the verification of compliance of the services with the CRs, including plans, financial and operational data, and major changes in the type and/or scope of the air navigation services provided;

h) Any other legal conditions which are not specific to air navigation services, such as conditions relating to the suspension or revocation of the certificate.

i) It should be noted that **safety-related conditions[5] may be identified** in relation to any of those eight categories of potential conditions. The implementation of safety-related conditions should always be subject to the safety oversight arrangements established in accordance with ESARR 1.

TABLE DEFINING THE SCOPE OF SERVICES

The table is based on the description of services and terminology used in ICAO Annexes 10, 11 and 15 unless a different reference is indicated.

SERVICES	TYPE OF SERVICE TO BE PROVIDED	PART OF THE SERVICE TO BE PROVIDED	SUB-PART OF THE SERVICE TO BE PROVIDED	CONDITIONS IDENTIFIED
Air Traffic Services (ATS)	Air Traffic Control (ATC)	Area Control Service	N/A	As appropriate. Wherever necessary this box may refer to appendices to be attached to the table or other relevant documentation.
		Approach Control Service	N/A	As appropriate. Wherever necessary this box may refer to appendices to be attached to the table or other relevant documentation.
		Aerodrome Control Service	N/A	As appropriate. Wherever necessary this box may refer to appendices to be attached to the table or other relevant documentation.
	Flight Information Service (FIS)	HF Operational Flight Information Service (OFIS) Broadcasts	N/A	As appropriate. Wherever necessary this box may refer to appendices to be attached to the table or other relevant documentation.
		VHF Operational Flight Information Service (OFIS) Broadcasts	N/A	As appropriate. Wherever necessary this box may refer to appendices to be attached to the table or other relevant documentation.
		Voice-Automatic Terminal Information Service (Voice-ATIS) Broadcasts	N/A	As appropriate. Wherever necessary this box may refer to appendices to be attached to the table or other relevant documentation.
		Data Link Automatic Terminal Information Service (D-ATIS)	N/A	As appropriate. Wherever necessary this box may refer to appendices to be attached to the table or other relevant documentation.
		VOLMET Broadcasts and/or D-VOLMET Service	N/A	As appropriate. Wherever necessary this box may refer to appendices to be attached to the table or other relevant documentation.
	Alerting Services (AL)	N/A	N/A	As appropriate. Wherever necessary this box may refer to appendices to be attached to the table or other relevant documentation.
	Advisory Service *(NOTE: not referred to in ICAO Annex 11)*	N/A	N/A	As appropriate. Wherever necessary this box may refer to appendices to be attached to the table or other relevant documentation.

[5] *ESARR 1 defines a safety-related condition as a specific objective or measure, identified consistently with safety regulatory requirements, whose implementation is found necessary to ensure safety.*

SERVICES	TYPE OF SERVICE TO BE PROVIDED	PART OF THE SERVICE TO BE PROVIDED	SUB-PART OF THE SERVICE TO BE PROVIDED	CONDITIONS IDENTIFIED
	Aerodrome Flight Information Service (AFIS) *(Combination of FIS and AL in an aerodrome with no ATC services)*	N/A	N/A	As appropriate. Wherever necessary this box may refer to appendices to be attached to the table or other relevant documentation.

SERVICES	TYPE OF SERVICE TO BE PROVIDED	PART OF THE SERVICE TO BE PROVIDED	SUB-PART OF THE SERVICE TO BE PROVIDED	CONDITIONS IDENTIFIED
CNS	Communications (C)	Aeronautical Mobile Service (air-ground communications)	For flight information service	As appropriate. Wherever necessary this box may refer to appendices to be attached to the table or other relevant documentation.
			For area control service	As appropriate. Wherever necessary this box may refer to appendices to be attached to the table or other relevant documentation.
			For approach control service	As appropriate. Wherever necessary this box may refer to appendices to be attached to the table or other relevant documentation.
			For aerodrome control service	As appropriate. Wherever necessary this box may refer to appendices to be attached to the table or other relevant documentation.
		Aeronautical Fixed Service (ground-ground communications)	N/A	As appropriate. Wherever necessary this box may refer to appendices to be attached to the table or other relevant documentation.
		Aeronautical Mobile Satellite Service (AMSS)	N/A	As appropriate. Wherever necessary this box may refer to appendices to be attached to the table or other relevant documentation.
	Navigation (N) *(SES definition: Navigation services means those facilities and services that provide aircraft with positioning and timing information)* *(NOTE: the service should include the generation of aeronautical radio navigation signal-in-space, and its subsequent distribution and processing up to the delivery for its use by aircraft)*	Provision of NDB signal-in- space	N/A	As appropriate. Wherever necessary this box may refer to appendices to be attached to the table or other relevant documentation.
		Provision of VOR signal-in-space	N/A	As appropriate. Wherever necessary this box may refer to appendices to be attached to the table or other relevant documentation.
		Provision of DME signal-in-space	N/A	As appropriate. Wherever necessary this box may refer to appendices to be attached to the table or other relevant documentation.
		Provision of ILS signal-in-space	CAT I	As appropriate. Wherever necessary this box may refer to appendices to be attached to the table or other relevant documentation.
			CAT II	As appropriate. Wherever necessary this box may refer to appendices to be attached to the table or other relevant documentation.
			CAT III a	As appropriate. Wherever necessary this box may refer to appendices to be attached to the table or other relevant documentation.
			CAT III b	As appropriate. Wherever necessary this box may refer to appendices to be attached to the table or other relevant documentation.
			CAT III c	As appropriate. Wherever necessary this box may refer to appendices to be attached to the table or other relevant documentation.
		Provision of MLS signal-in-space	CAT I	As appropriate. Wherever necessary this box may refer to appendices to be attached to the table or other relevant documentation.
			CAT II	As appropriate. Wherever necessary this box may refer to appendices to be attached to the table or other relevant documentation.
			CAT III a	As appropriate. Wherever necessary this box may refer to appendices to be attached to the table or other relevant documentation.
			CAT III b	As appropriate. Wherever necessary this box may refer to appendices to be attached to the table or other relevant documentation.
			CAT III c	As appropriate. Wherever necessary this box may refer to appendices to be attached to the table or other relevant documentation.

SERVICES	TYPE OF SERVICE TO BE PROVIDED	PART OF THE SERVICE TO BE PROVIDED	SUB-PART OF THE SERVICE TO BE PROVIDED	CONDITIONS IDENTIFIED
CNS	Navigation (N) *(SES definition: Navigation services means those facilities and services that provide aircraft with positioning and timing information)* *(NOTE: the service should include the generation of aeronautical radio navigation signal-in-space, and its subsequent distribution and processing up to the delivery for its use by aircraft)*	Provision of GNSS signal-in-space	GNNS Core System (GALILEO)	As appropriate. Wherever necessary this box may refer to appendices to be attached to the table or other relevant documentation.
			Satellite Based Augmentation System (SBAS)	As appropriate. Wherever necessary this box may refer to appendices to be attached to the table or other relevant documentation.
			Ground Based Augmentation System (GBAS)	As appropriate. Wherever necessary this box may refer to appendices to be attached to the table or other relevant documentation.
	Surveillance (S) *(SES definition: Surveillance services means those facilities and services used to determine the respective positions of aircraft to allow safe separation)* *(NOTE: the service should include the generation of surveillance data by means of sensors and its subsequent distribution and processing up to the delivery for use in ATM operations)*	Provision of data from Primary Surveillance Radar (PSR)	N/A	As appropriate. Wherever necessary this box may refer to appendices to be attached to the table or other relevant documentation.
		Provision of data from Secondary Surveillance Radar (SSR)	Mode A/C	As appropriate. Wherever necessary this box may refer to appendices to be attached to the table or other relevant documentation.
			Mode S	As appropriate. Wherever necessary this box may refer to appendices to be attached to the table or other relevant documentation.
		Provision of data from Automatic Dependent Surveillance (ADS)	ADS-C	As appropriate. Wherever necessary this box may refer to appendices to be attached to the table or other relevant documentation.
			ADS-B	As appropriate. Wherever necessary this box may refer to appendices to be attached to the table or other relevant documentation.
		Provision of data from Surface Movement Radar (SMR)	N/A	As appropriate. Wherever necessary this box may refer to appendices to be attached to the table or other relevant documentation.
Aeronautical Information Services (AIS)	AIS	Provision of the whole AIS service as described in ICAO Annex 15.	N/A	As appropriate. Wherever necessary this box may refer to appendices to be attached to the table or other relevant documentation.
Meteorological Services (MET)	MET	Provision of the whole MET service as described in ICAO Annex 3. *Note: When the METP provides part of the MET service (e.g. aerodrome observing and reporting) the limitations have to be indicated.*	N/A	As appropriate. Wherever necessary this box may refer to appendices to be attached to the table or other relevant documentation.

APPENDIX 4 – Guidance on the organisation exposition

PURPOSE

Section 2.2 of this guidance recommends the use of an organisation exposition or equivalent document such as a compliance matrix as part of the documentation to be forwarded by a service provider as part of its application for certificate.

The purpose of using an organisation exposition is to harmonise the relevant evidence that applicants are required to provide at the request of the NSA in accordance with Article 5(1) of the CRs to demonstrate compliance with the applicable CRs. The organisation exposition is also a harmonised means to allow the presentation by the applicant of all the existing data to the maximum extent possible.

The organisation exposition provides the NSA and the applicant with a basic reference to facilitate the whole certification process and the ongoing oversight actions.

CONTENTS

The organisation exposition should describe the means and arrangements established by the organisation to meet the CRs, including detailed references to the main documents and manuals which document them and appropriate cross references to the CRs.

Its level of detail should be sufficient to ensure that its content assures compliance with the applicable CRs.

Existing data and/or documentation may be used or referred to by the applicant to the maximum extent possible.

Section 2.2 of this guidance describes the minimum points to be covered in any organisation exposition.

Management Part

Points a) to e) in Section 2.2 constitute the ‘management’ part of the organisation exposition and therefore could be produced as one document. The persons mentioned in point b) should be reasonably familiar with its contents.

Procedures Part

Point f) in Section 2.2 constitutes the part of the organisation exposition intended to describe the means, procedures and arrangements identified by the applicant to meet the CRs applicable to the services for which certification is requested. It could be produced by attaching or referencing documentation such as manuals, procedures and other relevant documents. Personnel should be expected to be reasonably familiar with those documents that are relevant to the work they carry out.

It is recommended that all the documents attached and/or referenced are presented in the form of a table including cross-references with the CRs related to them.

Any description taking the form of a table or any other means should follow the categories of CRs defined in the Commission Regulation laying down the Common Requirements:

ARRANGEMENTS TO MEET THE GENERAL REQUIREMENTS FOR THE PROVISION OF AIR NAVIGATION SERVICES (ANNEX I)

- Technical and operational competence and capability
- Organisational structure and management
  - Organisation structure
  - Organisational management
- Safety and quality management
  - Safety management
  - Quality management system
  - Operations manuals
- Security
- Human Resources
- Financial Strength
- Economic and financial capacity
  - Financial audit
  - Liability and insurance cover
- Quality of services
  - Open and transparent provision of services
  - Contingency plans
- Reporting

ARRANGEMENTS TO MEET THE SPECIFIC REQUIREMENTS FOR THE PROVISION OF ATS (if applicable) (ANNEX II)

- Ownership
- Open and transparent provision of services
- Safety of services
- Working methods and operating procedures

ARRANGEMENTS TO MEET THE SPECIFIC REQUIREMENTS FOR THE PROVISION OF MET (if applicable) (ANNEX III)

- Technical and operational competence and capability
- Working methods and operating procedures

ARRANGEMENTS TO MEET THE SPECIFIC REQUIREMENTS FOR THE PROVISION OF AIS (if applicable) (ANNEX IV)

- Technical and operational competence and capability
- Working methods and operating procedures

ARRANGEMENTS TO MEET THE SPECIFIC REQUIREMENTS FOR THE PROVISION OF CNS (if applicable) (ANNEX V)

- Technical and operational competence and capability
- Safety of services
- Working methods and operating procedures

Any description should be clear, as concise as possible, confine its contents to explaining the specific arrangements established to meet each on of the CRs, and identify the relevant manuals, procedures and documents which document these arrangements.

Any description should also identify and explain the conditions proposed by the applicant in its application form as regards the services for which certification is requested (see table included in Model Form 1 in Appendix 2 of this guidance)

Case of Derogations

Wherever the applicant applies for a certificate under the provisions of Article 4 of the CRs, the organisation exposition should include relevant evidence (or appropriate references) to demonstrate that the organisation meets the qualifying criteria to be certified in accordance with Article 4.

APPENDIX 5 –Tables for assessment of compliance with the Common Requirements

Guidance to assess compliance with the CRs can be provided through a table listing for each CR:

- the Key Elements driving the proposed assessment
- a list of possible evidence that could be provided by the applicant
- a proposed way to assess the compliance

This table is provided as a separate document (Excel Sheet) and can be used by the NSAs as a basis for creation of a further detailed and applicable checklist. It can also be used by ANSPs in their preparation to a self-assessment before applying for the certificate.

The Excel Sheet has been organised according to the different Annexes of the Common Requirements.

Reader will find:

- in column “B” the full text of the common requirement
  Note: this column may be hidden for better readability of the print-out (e.g. done for the sheets Annex III to Annex V).
- in column “C” the Key Elements driving the proposed assessment
- in column “D” a list of Evidence that could be provided by the applicant
- in column “E” a proposed way to assess the compliance
- in column “F” comments on information provided if needed
- in column “G” the possible type of assessment is listed
- in column “H” the status of the discussion is specified
  Note: This column has been hidden for better readability of the print-out.

For the Sheet concerning ANNEX I – General Requirements the specificities for each ANSP are listed in column “I” to “L”

APPENDIX 6 – References

The following documents have been taken into consideration in the development of this document:

Documents defining the regulatory framework applicable

- ESARR 1, Safety Oversight in ATM, Edition 1.0, 5 November 2004
- Regulation (EC) 549/2004 of the European Parliament and of the Council of 10 March 2004 laying down the framework for the creation of the Single European Sky (the framework regulation)
- Regulation (EC) 550/2004 of the European Parliament and of the Council of 10 March 2004 on the provision of air navigation services in the Single European sky (the service provision regulation)
- Commission Regulation (EC) 2096/2005 of 20 December 2005, laying down Common Requirements for the provision of air navigation services

Other regulations considered

- Commission Regulation (EC) 2042/2003 of 20 November 2003 on the continuing airworthiness of aircraft and aeronautical products, parts and appliances, and on the approval of organisations and personnel involved in those tasks (in particular Annex II, “Part-145”)

Documents establishing best practices for the certification or approval of organisations

- EASA Organisations Certification Procedure, adopted on 3 February 2004 by means of the EASA Management Board Decision 3-2004 concerning the general principles related to certification procedures to be applied by the EASA Agency for issuing certificates for organisations.
- EASA Internal Working Procedure for Maintenance Organisation Approval (MOAP), Issue 1, 20 December 2004
- EASA Internal Working Procedure for Type Certification (TCP), issue 1, 20 December 2004
- EASA Internal Working Procedure for Certification support for Validation of EASA Certificates in third countries (CSV) and test witnessing /conformity inspections, Issue 1, 23 August 2005.
- ISO/IEC Guide 62:1996, General requirements for bodies operating assessment and certification/registration of quality systems. First Edition, 1996
- ISO/IEC Guide 66:1999, General requirements for bodies operating assessment and certification/registration of environmental management systems. First Edition, 1999
- IAF Guidance on the Application of ISO/IEC Guide 66, Issue 2, December 2001

Other documents

- EUROCONTROL Guidance material for ANSP compliance with the Common requirements for ANS provision – All volumes – Released Issue;

- ESARR 1 Advisory Material, Guidance 3 (EAM 1 / GUI 3), Guidelines for Safety Regulatory Auditing, Draft, Edition 0.1, 1 August 2005;

- UK Civil Aviation Authority, Proposed Methodology for the Certification and Designation of Air Navigation Service Providers required in accordance with European Legislation. 6 June 2005.