



**AUTORITATEA AERONAUTICĂ CIVILĂ
A REPUBLICII MOLDOVA**

AMC-la Regulamentul ATCO

MIJLOACE ACCEPTABILE

de punere în CONFORMITATE (AMC)

la

**Regulamentul de stabilire a cerințelor și
procedurilor administrative referitoare la
certIFICATELE de controlori de trafic aerian**

Ediția 01/ septembrie 2019

1543 ORDIN
cu privire la aprobarea mijloacelor acceptabile de punere
în conformitate la Regulamentul de stabilire a cerințelor
și procedurilor administrative referitoare la certificatele
controlorilor de trafic aerian

În temeiul art. 7 alin.(3) subpct.1) lit.d) din Codul aerian al Republicii Moldova nr.301/2017 și punctului 10 subpct.1) lit.d.) din Hotărârea Guvernului Republicii Moldova nr.133/2019 cu privire la organizarea și funcționarea Autorității Aeronautice Civile, întru executarea atribuțiilor ce revin Autorității Aeronautice Civile în calitate de autoritate administrativă de certificare, supraveghere și control în domeniul aviației civile, în scopul asigurării implementării Hotărârii Guvernului nr.134/2019 cu privire la aprobarea Regulamentului de stabilire a cerințelor și procedurilor administrative referitoare la certificatele controlorilor de trafic aerian,

**DIRECTORUL AUTORITĂȚII
AERONAUTICE CIVILE**

Nr. 50/GEN. Chișinău, 6 septembrie 2019.

ORDON:

1. Se aprobă ediția 01 a mijloacelor acceptabile de punere în conformitate la Regulamentul de stabilire a cerințelor și procedurilor administrative referitoare la certificatele controlorilor de trafic aerian, conform anexei la prezentul ordin.
2. Autoritatea Aeronautică Civilă va pune la dispoziția tuturor persoanelor interesate anexa la prezentul ordin prin publicarea pe pagina web oficială www.caa.md, la compartimentul "Cadru Normativ/ AMC".
3. Prezentul ordin intră în vigoare la data publicării în Monitorul Oficial al Republicii Moldova.

Octavian NICOLAESCU

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REGULATION**AMC 1 Chapter IV Definitions****ABNORMAL SITUATION**

Abnormal situations may include:

- a) circumstances arising from human error or violation of rules both within the ATC and aircraft operation;
- b) serious weather or volcanic perturbations;
- c) and (c) technical system failures or malfunctions of aircraft and/or ATC ground-based systems.

PART.ATCO.AR REQUIREMENTS FOR THE COMPETENT AUTHORITIES**SUBPART A – GENERAL REQUIREMENTS****AMC 1 ATCO.AR.A.015 Means of compliance****GENERAL**

Alternative means of compliance (AltMoC) should contain a reference to the Acceptable Means of Compliance (AMC) to which such means of compliance provides an alternative, as well as a reference to the corresponding implementing rule of the Aviation code no.301/2017 (further on – the Aviation code) indicating as applicable the subparagraph(s) covered by the alternative means of compliance.

SUBPART B – MANAGEMENT**AMC 1 ATCO.AR.B.001(a)(2) Management system****TRAINING PROGRAMME AND RECURRENT TRAINING**

- a) The Civil Aviation Authority (further on - the CAA) should establish a training programme for its personnel and a plan for its implementation. The training programme should include, as appropriate to the role, current knowledge, experience and skills of the personnel, at least the following:
 - (1) organisation and structure of the aviation legislation;
 - (2) the Chicago Convention, its relevant annexes and documents, the applicable requirements of the Aviation code, its implementing rules and related Acceptable Means of Compliance, Certification Specifications and Guidance Material, as well as assessment methodology of the alternative means of compliance and the applicable national legislation;
 - (3) the applicable requirements and procedures; and
 - (4) areas of particular interest.
- b) The training program and plan should be updated, as needed, to reflect, at least, changes in aviation legislation and industry. The training program should also cover the specific needs of the personnel and the CAA.
- c) The CAA should ensure that its personnel, including its ATM/ANS inspectors, undergo recurrent training at regular intervals as defined by the CAA or whenever deemed necessary, in order to be kept up to date.

SUBPART C – OVERSIGHT AND ENFORCEMENT**AMC1 ATCO.AR.C.005 Oversight programme****AUDIT AND INSPECTION**

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- a) The audit and inspection of a certified training organisation should be conducted through checking of the facility for compliance, interviewing personnel and sampling relevant training courses to assess their conduct and standard.
 - b) Such audit and inspection should focus in addition to the items of AMC1 ATCO.AR.E.010 on:
 - (1) information on the competence of instructors and assessors;
 - (2) evidence of sufficient funding;
 - (3) adequacy of the facilities to the courses being conducted and to the number of persons undertaking training;
 - (4) synthetic training devices;
 - (5) documentation, in particular documents related to courses, information on the updating system, training and operations manual;
 - (6) training records and forms.

SUBPART D – ISSUE, REVALIDATION, RENEWAL, SUSPENSION AND REVOCATION OF LICENCES, RATINGS, ENDORSEMENTS AND AUTHORISATIONS

AMC1 ATCO.AR.D.001(a) Procedure for the issue, revalidation and renewal of licences, ratings, endorsements and authorisations

PROCEDURES

The CAA may develop procedures to allow privileges to be exercised by the licence holder for a maximum period of eight weeks after successful completion of the applicable examination(s) and assessment(s), pending the issue of the licence, rating or endorsement. Such procedures may cover licences, ratings and endorsements, but not the temporary authorisations.

SUBPART E – CERTIFICATION PROCEDURE FOR AIR TRAFFIC CONTROLLER TRAINING ORGANISATIONS

AMC1 ATCO.AR.E.001(a) Application and certification procedure for training organisations

VERIFICATION OF COMPLIANCE

- (a) The CAA should verify the applicant's compliance through an audit of the organisation, including interviews of personnel and inspections carried out at the organisation's facilities.
- (b) The competent authority should only conduct such audit after being satisfied that the application for a certificate complies with the applicable requirements.
- (c) The audit should include but should not be limited to the following areas:
 - (1) detailed management structure, including names and qualifications of personnel required by ATCO.OR.C.010, adequacy of the organisation and management structure;
 - (2) adequacy of number and qualifications of personnel;
 - (3) safety management and compliance monitoring with applicable requirements;
 - (4) adequacy of the facilities with regard to the organisation's scope of training;
 - (5) documentation on the basis of which the certificate shall be granted (organisation documentation as required by Part ATCO.OR, including manuals, training plans and course documentation).
- (d) In case of non-compliance, the applicant should be informed in writing of the corrections required.

AMC1 ATCO.AR.E.001(b) Application and certification procedure for training organisations

ISSUE OF A CERTIFICATE

- a) The attachment to the air traffic controller training organisation's certificate should specify the privileges that the air traffic controller training organisation has obtained to provide and conduct the corresponding training.
- b) The certificate should not be issued where a level 1 finding remains open. In exceptional circumstances, finding(s), other than level 1, should be assessed and

mitigated as necessary by the air traffic controller training organisation and a corrective action plan for closing the finding(s) should be approved by the competent authority prior to the issue of the certificate.

AMC1 ATCO.AR.E.010 Changes to the training organisations

GENERAL

- c) The CAA should be informed of any changes to personnel specified in Part ATCO.OR that may affect the certificate or the training approval attached to it.
- d) A simple management system documentation system status sheet should be maintained, which contains information on when an amendment was received by the competent authority and when it was approved.
- e) The CAA should receive from the organisation each management system documentation amendment, including amendments that do not require prior approval by the competent authority.
- f) Where the amendment requires the CAA approval, the CAA, when satisfied, should approve in writing.
- g) Where the amendment does not require prior approval, the CAA should acknowledge receipt of the notification in writing within 10 working days from receipt.

AMC1 ATCO.AR.E.010(a) Changes to the training organisations

CHANGES REQUIRING PRIOR APPROVAL

- a) Upon receipt of an application for a proposed change that requires prior approval, the CAA should, in due time:
 - (1) assess the proposed change in relation to the training organisation's certificate or the training approval attached or the management system of it, and the applicable requirements of Part ATCO.OR, as well as any other applicable requirements; and
 - (2) assess the actions proposed by the training organisation in order to show compliance;
- b) The CAA should, in due time, verify the compliance of the training organisation and, depending on the change, examine the need for prescribing any condition for the operation of it during the change.
- c) For changes requiring prior approval, the CAA may conduct an audit of the organisation in order to verify the training organisation's compliance with the applicable requirements.
- d) When notifying the training organisation in accordance with AMC1 ATCO.AR.E.010(c)(1), the CAA should also inform the organisation of the right of appeal, as exists under the applicable national legislation.

AMC1 ATCO.AR.E.015(d)(2) Findings and corrective actions

CORRECTIVE ACTION IMPLEMENTATION PERIOD

The corrective action implementation period included in an action plan granted by the CAA initially should not exceed three months. At the end of this period, and subject to the nature of the finding, the CAA may extend the three-month period subject to a satisfactory corrective action plan agreed to by the CAA.

PART ATCO.OR - REQUIREMENTS FOR AIR TRAFFIC CONTROLLER TRAINING ORGANISATIONS AND AERO-MEDICAL CENTERS

SUBPART B — REQUIREMENTS FOR AIR TRAFFIC CONTROLLER TRAINING ORGANISATIONS

AMC1 ATCO.OR.B.005 Means of compliance

DEMONSTRATION OF COMPLIANCE

In order to demonstrate that the Implementing Rules are complied with, a safety (risk) assessment should be completed and documented. The result of this safety (risk) assessment

should demonstrate that an equivalent level of safety to that established by the Acceptable Means of Compliance (AMC) adopted by the CAA is reached.

AMC1 ATCO.OR.B.010(a) Terms of approval and privileges of a training organisation certificate

The management system documentation should contain the privileges and detailed scope of activities including the contracted ones for which the training organisation is certified, as relevant to the Regulation on laying down requirements and administrative procedures relating to air traffic controllers' certificates, approved through the Government Decision no.134/2019 (further on – Regulation).

AMC1 ATCO.OR.B.015 Changes to the training organisation

GENERAL

- a) Training organisations should inform the CAA of any changes to personnel specified Part ATCO.OR that may affect the certificate or the training approval attached to it.
- b) Training organisations should send to the CAA each management system documentation amendment. Where the amendment requires the CAA approval, the training organisation should receive it in writing.

SUBPART C — MANAGEMENT OF AIR TRAFFIC CONTROLLER TRAINING ORGANISATIONS

AMC1 ATCO.OR.C.001(b) Management system of training organisations

SAFETY POLICY

The safety policy should:

- a) be endorsed by the accountable manager;
- b) clearly identify safety as the highest organisational priority over commercial, operational, environmental or social pressures;
- c) include a commitment to:
 - (1) improve towards the highest safety standards;
 - (2) comply with all applicable legal requirements, meet all applicable standards and consider best practices;
 - (3) provide appropriate resources; and
 - (4) enforce safety as the primary responsibility of all managers and staff;
- d) be communicated, with visible endorsement, throughout the organisation;
- e) include safety reporting and just culture principles;
- f) enhance and embed safety culture and safety awareness; and
- g) be periodically reviewed to ensure it remains relevant and appropriate to the training organisation.

AMC1 ATCO.OR.C.001(c) Management system of training organisations

IDENTIFICATION OF AVIATION SAFETY HAZARDS

For training organisations not providing on-the-job training, the hazard identification process may be limited to a demonstration that there are no hazards directly identified. However, the training should be designed so as to ensure future safe operations.

AMC1 ATCO.OR.C.001(d) Management system of training organisations

PERSONNEL

A training organisation should demonstrate that:

- a) a list of activities with relevant needed competence has been established;
- b) their personnel have the relevant competence needed to fulfil the activities they are required to perform;
- c) their personnel maintain a level of competence through training as appropriate;

- d) their theoretical and practical instructors are qualified in accordance with Part ATCO, Subpart C;
- e) their practical instructors either hold an OJTI endorsement or an STDI endorsement;
- f) their assessors hold an assessor endorsement; and
- g) their synthetic training device instructors and assessors demonstrate knowledge of and receive refresher training in current operational practices.

AMC1 ATCO.OR.C.001(e) Management system of training organisations

PROCESSES

Training organisations should demonstrate that the management system:

- a) policies, processes and procedures are monitored to ensure they are current and subject to periodic review and amendment, when necessary, to maintain their continued accuracy and suitability;
- b) allows for the impromptu recognition and initiation of improvements to policies, processes and procedures between periodic reviews;
- c) controls, records and tracks changes to all of the management system policy, process and procedure documents;
- d) includes a master record index that lists all the policies, processes and procedures; and
- e) includes as a minimum the following:
 - (1) master record index;
 - (2) training provider certificate;
 - (3) management structure;
 - (4) staff role profiles including accountabilities and responsibilities;
 - (5) training manuals, plans and courses;
 - (6) evidence of regulatory compliance;
 - (7) change control process;
 - (8) safety management manual;
 - (9) course design documents;
 - (10) instructor/assessor qualification and competence records.

AMC1 ATCO.OR.C.001(f) Management system of training organisations

COMPLIANCE MONITORING

- a) The implementation and use of a compliance monitoring function should enable the training organisation to monitor compliance with the relevant requirements of the Regulation;
- b) Training organisations should specify the basic structure of the compliance monitoring function applicable to the activities conducted;
- c) The compliance monitoring function should be structured according to the activities of the training organisation to be monitored.

AMC2 ATCO.OR.C.001(f) Management system of training organisations

COMPLIANCE MONITORING

The person designated for the compliance monitoring function should be responsible for the review and continuous improvement of the established management system's policies, processes and procedures. The following tools are essential to the ongoing continuous improvement process:

- a) organisational risk profile;
- b) risk management plan;
- c) coherence matrix;
- d) corrective and preventive action reports; and (e) inspection and audit reports.

AMC1 ATCO.OR.C.001(g) Management system of training organisations

SIZE, NATURE AND COMPLEXITY OF THE ACTIVITY

- a) A training organisation should be considered as complex when it has a workforce of more than 20 full-time equivalents (FTEs) involved in the activity subject to Aviation code and its Implementing Rules.
- b) A training organisation with up to 20 FTEs involved in the activity subject to Aviation code and its Implementing Rules may also be considered complex based on an assessment of the following factors:
 - (1) the extent and scope of contracted activities subject to the certificate, in terms of complexity; and
 - (2) the different types of training provided, in terms of risk criteria.

AMC1 ATCO.OR.C.005 Contracted activities

- a) Training organisations may decide to contract certain parts of their activities to external organisations.
- b) A written agreement should exist between the training organisation and the contracted organisation clearly defining the contracted activities and the applicable requirements.
- c) The contracted safety-related activities relevant to the agreement should be included in the training organisation's compliance monitoring programme.
- d) Training organisations should ensure that the contracted organisation has the necessary authorisation or approval when required, and commands the resources and competence to undertake the task.

AMC1 ATCO.OR.C.015(a) Facilities and equipment

- a) General areas
A training organisation should have access to facilities appropriate to the size and scope of the intended operations provided in an environment conducive to learning.
- b) Training areas
For training organisations providing theoretical training, the facilities should also include sufficient suitably equipped classroom areas.

AMC1 ATCO.OR.C.015(b) Facilities and equipment

SPECIFICATIONS FOR SYNTHETIC TRAINING DEVICES

- a) Synthetic training devices used for training should be classified according to one of the following classifications:
 - (1) simulator (SIM);
 - (2) part-task trainer (PTT).

- b) Synthetic training device (STD) criteria

If an STD is used for training, it should be approved by the competent authority as part of the course approval process for any training plan. Training organisations should demonstrate how the STD will provide adequate support for the intended training, in particular, how the STD will meet the stated objectives of the practical training exercises and enable the performance objectives to be assessed to the level determined in the training programme. This demonstration and the related documentation should include the following relevant criteria:

- (1) the general environment, which should provide an environment in which STD exercises may be run without undue interference from unrelated activities;
- (2) the STD layout;
- (3) the equipment provided;
- (4) the display presentation, functionality, and updating of operational information;

- (5) data displays, including strip displays, where appropriate;
- (6) coordination facilities;
- (7) aircraft performance characteristics, including the availability of manoeuvres, e.g. holding or instrumental landing system (ILS) operation, required for a particular simulation;
- (8) the availability of real-time changes during an exercise;
- (9) the processes by which the training organisation can be assured that staff associated with the training conducted with the use of an STD are competent;
- (10) the degree of realism of any voice recognition system associated with the STD; and
- (11) where a simulator is an integral part of an operational ATC system, the processes by which the training organisation is assured that interference between the simulated and operational environments is prevented.

The extent to which the STD achieves the above criteria will be used to determine the adequacy of the STD for the proposed use. As a general principle, the greater the degree of replication of the operational position being represented, the greater the use will be possible for any particular training.

c) STD used for pre-on-the-job training

When an STD is used for pre-on-the-job training and the training time is counted as operational training, the STD classification should be a full-size replica of a working position, including all equipment, and computer programmes necessary to represent the full tasks associated with that position, including realistic wind at all levels to facilitate SRA. In the case of a working position at a tower unit, it includes an out-of-the-tower view.

AMC1 ATCO.OR.C.020(a);(b) Record keeping

Training organisations should maintain the following records:

- a) Records of persons undertaking training:
 - (1) personal information;
 - (2) details of training received including the starting date of the training, as well as the results of the examinations and assessments;
 - (3) detailed and regular progress report forms;
 - (4) certificate of completion of training courses.
- b) Records of instructors and assessors:
 - (1) personal information;
 - (2) qualification records;
 - (3) records of refresher training for instructors and assessors;
 - (4) assessment reports;
 - (5) instructional and/or assessment time records.

Training organisations should submit training records and reports to the competent authority as required.

AMC1 ATCO.OR.C.025 Funding and insurances

SUFFICIENT FUNDING

To demonstrate compliance with the requirement on the availability of sufficient funding, training organisations may be required to present an economic study identifying the minimum amount necessary to ensure that the training is conducted in accordance with the applicable requirements.

AMC2 ATCO.OR.C.025 Funding and insurances

SUFFICIENT INSURANCE COVER

To demonstrate compliance with the requirement on sufficient insurance cover, training organisations may be required to provide a deposit of an insurance certificate or other evidence of valid insurance. The insurance cover should be established by taking into account the nature of the training provided, the frequency and the fees applicable to the training courses.