CAA Publication 8

Air Traffic Control Officer and Student Air Traffic Control Officer Licensing
Table of Contents

Amendment Record........................................................................................................................................ii

Foreword .......................................................................................................................................................... iii

Abbreviations .................................................................................................................................................. iv

1. Overview..................................................................................................................................................... 1

2. Isle of Man Legislation.................................................................................................................................. 1

3. Licence Validations........................................................................................................................................ 3

4. Unit Competency Scheme......................................................................................................................... 3

5. Isle of Man Airport ATC Safety Oversight Audits..................................................................................... 3

6. Use and Approval of Simulators................................................................................................................ 4

Annex A - Extant Articles of Part 19 of the Air Navigation (Isle of Man) Order 2015 for Holders of EU ATCO and Student ATCO Licences ......................................................... 5
## Amendment Record

<table>
<thead>
<tr>
<th>Version</th>
<th>Date</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>April 2018</td>
<td>Initial issue</td>
</tr>
</tbody>
</table>
Foreword

1. This CAA Publication identifies relevant legislation on the licensing of air traffic control officers and student air traffic control officers in the Isle of Man and the Isle of Man Civil Aviation Administration’s policy and guidance on the means of compliance.

2. This publication also clarifies the relationship to European Union licensing requirements and the respective roles of the Isle of Man Civil Aviation Administration and the UK Civil Aviation Authority.
# Abbreviations

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Full Form</th>
</tr>
</thead>
<tbody>
<tr>
<td>ATCO</td>
<td>Air Traffic Control Officer</td>
</tr>
<tr>
<td>CD</td>
<td>Crown Dependency</td>
</tr>
<tr>
<td>EU</td>
<td>European Union</td>
</tr>
<tr>
<td>ICAO</td>
<td>International Civil Aviation Organisation</td>
</tr>
<tr>
<td>IOM CAA</td>
<td>Isle of Man Civil Aviation Administration</td>
</tr>
<tr>
<td>UCS</td>
<td>Unit Competency Scheme</td>
</tr>
<tr>
<td>UK CAA</td>
<td>United Kingdom Civil Aviation Authority</td>
</tr>
</tbody>
</table>
1. Overview

1.1.1 The Isle of Man has a special relationship with the European Union (EU) provided under Protocol 3 to the UK’s Treaty of Accession to the European Community. Under Protocol 3, the Island is part of the customs territory of the Union; however, other EU rules do not apply to the Crown Dependencies (CD). Nevertheless, the Island supports regional aviation safety standardisation within Europe and may voluntarily apply specific items of EU aviation legislation to the Island, as is the case for Air Traffic Control Officer (ATCO) and student ATCO licensing.

1.1.2 The Isle of Man does not issue its own aviation personnel licences but, in accordance with International Civil Aviation Organisation (ICAO) requirements, validates ATCO and student ATCO licences and medical certificates that are issued by other ICAO States. The Isle of Man Civil Aviation Administration (IOM CAA) must also ensure compliance with the Island’s own legislative requirements on ATCO licensing, which includes the requirement that ATCO and student ATCO must hold an appropriate ATCO or student ATCO licence granted in a European Union (EU) Member State and be validated by the Isle of Man CAA.

1.1.3 Holders of EU ATCO and student ATCO licences have their own legal obligations to comply with relevant EU regulatory requirements, including any additional requirements specified by the competent authority for the EU license. The UK Civil Aviation Authority (UK CAA) is the competent authority with responsibility for the certification and oversight of UK issued EU ATCO and student licenses. The UK CAA has published CAP1251 - “Air Traffic controllers – Licensing”, which is a guidance document for ATCOs and ANSPs to assist in guiding them to the relevant requirements laid down in the EU ATCO Licensing Regulation. However, the IOM CAA, as the Island’s aviation safety regulator, has a direct interest in being assured that ATCO and student ATCO licensing is being appropriately delivered.

1.1.4 Consequently, both the IOM CAA and the UK CAA have their own but complimentary responsibilities and therefore co-operate on ATCO and student licensing matters.

2. Isle of Man Legislation

2.1 Part 19 of the Air Navigation (Isle of Man) Order 2015 provides the Island’s legislative requirements on ATCO licensing and currently replicates previous UK Air Navigation Order

---

1 Commission Regulation (EU) 2015/340
2 SI 2015/870 as amended by SI 2016/155
text which implemented the EU Community ATCO Licence Directive\textsuperscript{3}. This Directive has since been replaced by the EU ATCO Licensing Regulation which does not require detail to be implemented in national legislation as the content is directly applicable to EU Member States.

2.2 Holders of EU ATCO and student ATCO licenses issued under the EU ATCO Licensing Regulation are considered to meet the Isle of Man legislative requirement that ATCO and student ATCO hold “an appropriate ATCO or student ATCO licence granted in a EU Member State”. Additionally, IOM CAA Exemption 14/2018 relieves holders of UK issued EU ATCO and student ATCO licences and medical certificates, air navigation service providers and approved medical examiners from the following requirements of Part 19 of the Air Navigation (Isle of Man) Order 2015 as the relevant standards are attained by the licence holder’s direct compliance with the EU regulation:

- Article 111 - Language proficiency: additional requirements.
- Article 112 - Language proficiency: ongoing requirements.
- Article 113 - Privileges of an air traffic controller’s licence and a student air traffic controller’s licence.
- Article 114 - Maintenance of validity of ratings and endorsements.
- Article 115 - Obligation to notify rating ceasing to be valid and change of unit.
- Article 116 - Air navigation service provider: maintenance of records.
- Article 117 - Requirement for medical certificate.
- Article 118 - Incapacity of air traffic controllers.

As per current UK legislative requirements, the following Articles (shown in full at Annex A) remain extant:

- Article 107 - Prohibition of unlicensed air traffic controllers.
- Article 108 - Prohibition of unlicensed student air traffic controllers.
- Article 109 - Acting as an air traffic controller: exceptions.
- Article 110 - Acting as an air traffic controller and a student air traffic controller.
- Article 119 - Fatigue of air traffic controllers.
- Article 120 - Acting under the influence of psychoactive substances or medicines.
- Article 121 - Failing exams, assessments or tests.
- Article 122 - Validation of air traffic controller’s licences (note: no UK equivalent).
- Article 123 - Definitions relevant to this Part and Schedule.

\textsuperscript{3} 2006/23/EC
3. **Licence Validations**

3.1 Article 122 of the *Air Navigation (Isle of Man) Order 2015* specifies the process for the application for and issuance of validations of ATCO and student ATCO licences. However, in the interests of reducing unnecessary bureaucracy, *IOM CAA Exemption 08/2018* relieves holders of UK issued EU ATCO and student ATCO licences and medical certificates from this requirement. Therefore, for the purposes of Article 144 of the Air Navigation (Isle of Man) Order 2015 (see below), such licences and medical certificates are automatically rendered as being validated without the need for the IOM CAA to issue a certificate of validation.

3.2 Article 144 provides the IOM CAA powers relating to the revocation, suspension and variation of certificates, licences and other documents. Consequently, the IOM CAA may, in exceptional circumstances, direct that a licence is no longer automatically rendered valid under Exemption 08/2018. However, it is expected that license procedures resultant from ATCO and ATC unit compliance with CAP 493\(^4\) and the EU ATCO Licensing Regulation would be applied in the first instance and negate the need to exercise the powers of Article 144.

4. **Unit Competency Scheme**

4.1 The Isle of Man Airport Unit Competency Scheme (UCS) details the processes at Isle of Man Airport for ensuring competence of all staff engaged in licensed duties and includes Unit Management, Controllers, On the Job Training Instructors and Assessors in accordance with the EU ATCO Licensing Regulation. The primary responsibility for oversight and approval of this document rests with the UK CAA.

5. **Isle of Man Airport ATC Safety Oversight Audits**

5.1 The IOM CAA has a direct responsibility for the oversight of air navigation service providers. Day to day surveillance, advice and guidance by the IOM CAA is supplemented by a formalised safety audit programme with audits taking place every 1-2 years on a risk and performance based schedule. These formal audits are conducted by the UK CAA on behalf of the IOM CAA under a contract with CAA International. During such audits the UK CAA may also fulfil their own obligations for oversight as the competent authority for UK issued EU ATCO and student licenses.

\(^{4}\) Manual of Air Traffic Services – Part 1
6. Use and Approval of Simulators

6.1 In accordance with UK legislation, the IOM CAA expects that no part of any examination, assessment or test undertaken for the purposes of the EU ATCO Licensing Regulation may be undertaken in a simulator unless that simulator has been approved by the UK CAA as being fit for its intended purpose.
Annex A - Extant Articles of Part 19 of the Air Navigation (Isle of Man) Order 2015 for Holders of EU ATCO and Student ATCO Licences

107. Prohibition of unlicensed air traffic controllers

(1) Subject to paragraph (3) and article 109 a person must not act as an air traffic controller, or hold himself or herself out, whether by use of a radio call sign or in any other way, as an air traffic controller unless—

(a) the person holds and complies with the privileges and conditions of a licence specified in paragraph (2);

(b) the licence contains a valid medical certificate; and

(c) the person has identified himself or herself in such a manner as may be notified.

(2) The licence referred to in paragraph (1)(a) is an appropriate air traffic controller’s licence granted in a Member State and revalidated by the Department in accordance with article 122.

(3) A person may act as an air traffic controller if the person holds a valid air traffic controller’s licence validated under this Order which is not an appropriate licence if that person is supervised in the same manner as the holder of a student air traffic controller’s licence

(4) A licence is an appropriate air traffic controller’s licence if it includes valid ratings, endorsements and certificates that authorise the holder of the licence to provide at the aerodrome or place the type of air traffic control service for the sector for which, or the operational position at which, it is being provided.

108. Prohibition of unlicensed student air traffic controllers

(1) Subject to article 109, a person must not act as a student air traffic controller, or hold himself or herself out, whether by use of a radio call sign or in any other way, as a student air traffic controller unless—

(a) the person holds and complies with the privileges and conditions of a licence specified in paragraph (2);

(b) the licence contains a valid medical certificate; and

(c) the person has identified himself or herself in such a manner as may be notified.
(2) The licence referred to in paragraph (1)(a) is a valid student air traffic controller’s licence granted in a Member State and validated by the Department in accordance with article 122.

109. Acting as an air traffic controller: exceptions

A licence is not required by a person who acts in the course of the person’s duty as a member of Her Majesty’s naval, military or air forces or a visiting force.

110. Acting as an air traffic controller and a student air traffic controller

For the purposes of this Part and Schedule 10 —

(a) a person acts as an air traffic controller —
   (i) by providing an air traffic control service; or
   (ii) by supervising a student air traffic controller,
   or by doing both; and

(b) a person acts as a student air traffic controller by providing an air traffic control service under the supervision of an air traffic controller.

119. Fatigue of air traffic controllers

A person must not act as an air traffic controller or a student air traffic controller if the person know or suspect that he or she is suffering from or, having regard to the circumstances of the period of duty to be undertaken, is likely to suffer from, such fatigue as may endanger the safety of an aircraft to which an air traffic control service may be provided.

120. Acting under the influence of psychoactive substances or medicines

A person must not exercise the privileges of a student air traffic controller’s licence or an air traffic controller’s licence whilst under the influence of any psychoactive substance or medicines which might render the person unable to exercise the privileges of his or her licence safely and properly.

121. Failing exams, assessments or tests

A person who, when last examined, assessed or tested for the purposes of this Part, failed the examination, assessment or test must not act in the capacity for which the examination, assessment or test would have qualified the person had it been passed.
122. Validation of air traffic controller’s licences (see exemption 08/2018)

(1) An application by the holder of an air traffic controller’s or a student air traffic controller’s licence issued by the national supervisory authority of a Member State to have the licence, rating, endorsement or medical certificate validated by the Department must be made in writing to the Department.

(2) The Department must validate a —

(a) licence and any associated rating;
(b) rating endorsement;
(c) language endorsement; and
(d) medical certificate,

issued in accordance with the provisions of the air traffic controllers’ directive by the national supervisory authority of a Member State if it is satisfied that the holder meets the requirements of the air traffic controllers’ directive.

(3) The Department must issue a certificate of validation to the air traffic controller upon being satisfied as set out in paragraph (2).

(4) An air traffic controller whose licence has been validated by the Department must make an application in writing to the Department for approval of a unit training plan.

(5) The Department must inform the applicant within six weeks of receipt of the application whether it approves the plan.

(6) When establishing the unit training plan referred to in paragraph (4), the training provider must take account of the competencies and experience of the licence holder.

123. Definitions relevant to this Part and Schedule 10

(1) In this Part and Schedule 10—

“language proficiency rating scale” means the language proficiency rating scale set out in Annex III of the air traffic controllers’ directive;

“on-the-job training instructor” means a person who holds an on-the-job training instructor endorsement;
"on-the-job training instructor endorsement” means the endorsement described in article 9 of the air traffic controllers’ directive;

“unit competence scheme” means a scheme indicating the method by which the unit maintains the competence of its licence holders;

“unit training plan” means a plan detailing the processes and timing required to allow the unit procedures to be applied to the local area under the supervision of an on-the-job training instructor;

“valid medical certificate” means a medical certificate issued under article 117(1) or validated by the Department under article 122.

(2) A reference in this Part to the holder of an air traffic controller’s licence or a student air traffic controller’s licence includes a reference to the holder of a licence that has been validated by the Department under article 122.

(3) The following expressions defined in article 2 of the air traffic controllers’ directive have the same meaning when used in this Part: “air traffic control service”, “air navigation service provider”, “language endorsement”, “rating endorsement”, “sector” and “unit endorsement”.

(4) References in this Part to the provisions of articles 6 and 7 of, and the Annexes to, the air traffic controllers’ Directive 2006/23/EC of the European Parliament and of the Council are references to those provisions as amended from time to time.