

 HELLENIC CAA	FLIGHT STANDARDS DIVISION INFORMATION BULLETIN	FSD/OPS/IB 04/2014
	Αποδέκτες: ΕΛΛΗΝΕΣ ΑΕΡΟΜΕΤΑΦΟΡΕΙΣ ΚΑΙ ΑΙΤΟΥΝΤΕΣ AOC	Τροποποίηση 4^η (Revision 4) 20/1/2017

Subject	Initial Issue of an Air Operator Certificate (AOC) AOC Variation AOC Suspension and Revocation
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SCOPE

This information Bulletin informs all potential Air Operator Certificate (AOC) applicants about the procedures and requirements of the HCAA for granting an EASA AOC in accordance with Regulation (EC) 216/2008 and its Implementing Rules.

This IB also gives all the necessary information to AOC holders concerning AOC variation, AOC Suspension and Revocation

Note: Any Lists/Forms etc referred in this Info Bulletin can be found at the official site of HCAA: www.HCAA.gr

Reason of amendment

Revision 2	Linguistic changes all over IB Changes in part B-Variation of an AOC
Revision 3	Several changes in order to align this IB with “HCAA OPS Procedures Manual Revision 2
Revision 4	Addition in “Chapter A.8 Audits” details concerning demonstration flight(s)

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PART A
Initial Issue of an Air Operator Certificate (AOC)

A.0. There are 12 clearly defined steps leading to AOC granting as per following diagram:



Figure 1: Steps for granting an AOC.

A.1. INITIAL CONTACT & PRE APPLICATION MEETING

Following a letter of intent by an applicant, the HCAA/D2 will schedule a so called “pre application meeting”. This meeting will take place at the HCAA/D2 premises where the applicant will be given a soft copy (CD, e-mail etc) of the «AOC Application Package» which includes the following:

1. EASA AOC Application Form & Specific Approval Application Form (if applicable)
2. Operations Manual Template
3. Compliance Report (List) for Operations Manual.
4. Approvals List.
5. Instruments, Communication and Navigation Equipment List (SubPart IDE list)
6. All relevant Information Bulletins.

Note: All the above documents could as well be downloaded from www.HCAA.gr

A briefing is given to the applicant at this meeting on the AOC certification process, including some guidance on the completion of the Application Form and documents. The Heads of the Operations and Airworthiness Sections of HCAA Flight Standards, or their delegates, are the personnel responsible to conduct and offer guidance at this pre application meeting. As a minimum, representing the applicant should be the candidate Nominated Persons of Flight Operations and Maintenance, the Accountable Manager and the Compliance Monitoring Manager.

At the pre-application meeting, besides the AOC related issues, the applicant should be informed about other obligations towards a successful procedure leading to Commercial Flights. In particular the applicant should be informed that must contact:

- a) HCAA/Air Transport & International Agreements Division (HCAA/D1) concerning the application and granting of the Operating Licence issued in accordance to Regulation (EC) No 1008/2008, and
- b) HCAA/Aviation Security Division (HCAA/D15) concerning Security Program approval etc.

It has to be very clearly explained to the applicant that granting of the AOC does not give the operator the right to commence commercial flights and that the other two domains (security and operating licence) must be satisfied.

The Applicant must also be informed at this time about the need for the designation of a person to act as the focal point for the company during AOC certification process. The designated person will serve as coordinator for the applicant during the Certification Process. This person will be responsible for assuring that all the findings issued by the HCAA are being directed to, and properly addressed by the appropriate personnel within the company. It will be much more efficient for the certification team to track the status of findings and comments through this person rather than several persons responsible for

specific areas. Another function of this coordinator will be to arrange the onsite visits and ensure that the appropriate company personnel will be present and available.

Note: HCAA/D2 informs in written as soon as possible (preferably immediately after the pre-application meeting takes place) both HCAA/D1 & HCAA/D15 about the expressed interest of some applicant to obtain an AOC. The letter to be send to these two divisions shall contain any contact information available concerning the applicant.

A.2.APPLICATION & APPLICATION MEETING

Any applicant for an AOC must apply by completing the official HCAA AOC Application Form for an EASA AOC and submit it to HCAA/Flight Standards Division accompanied with all relevant documents/manuals **listed in the Application Form**.

According to AMC1.ORO.AOC.100 of Regulation (EU) No 965/2012, this application should be submitted at least 90 days before the intended start date of operations, except that the Operations Manual may be submitted later, but not less than 60 days before the intended start date of operation.

But, as the date of operation is a rather abstract meaning and because AOC is not the only prerequisite to start operations (see above) all documentation should be submitted together with the application at least 90 days before that date.

In any case though, all applicants should be informed that experience has shown that AOC certification is a lengthy process and that no AOC has been granted by HCAA in less than 6 months from the date of the application. This should be taken into account by the applicant when planning its indented operations, but in any case the time frames of the procedure depends mainly on how much prepared the applicant is.

The Application Meeting, which officially starts the AOC certification process, should be arranged within one month of the Application submission (date of submission is considered the date of the protocol number given by D2 secretariat), **and should not be held unless it is verified that all documents required for the AOC issuance have been submitted and are of a satisfactory level**. In this case, the applicant is informed in written to submit the documents missing.

The Head of Flight Operations Section (after consultation with the Head of Airworthiness Section) invites in written the applicant for an **Application Meeting**.

The Application Meeting is only held if the appropriate personnel of the applicant are present. The operator's personnel in attendance should include at least candidates for the positions of the Accountable Manager, the Compliance Monitoring Manager and the rest nominated by the operator persons. The HCAA's personnel in attendance will be the Heads of Flight Operations and Airworthiness sections along with the assigned Certification Team. The Flight Standards Director, if he/she considers so, should attend any meeting between HCAA and AOC applicant.

The main objectives of the Application Meeting are:

- a) Introduce the Operator's Management personnel to HCAA Certification Team.

- b) Assure that the applicant understands the AOC certification process.
- c) Answer any questions the Applicant may have and visa versa.
- d) Distribute the documents/manuals to the appropriate operations and maintenance members of the Certification Team.
- e) Discuss and agree upon the target dates.

Note: At any time during the AOC Certification process “non formal” meetings may be held at the discretion of the Certification Process Coordinator.

A.3.HCAA CERTIFICATION TEAM AND RESPONSIBILITIES

Upon receipt and after official registration (protocol number is issued) of the application documentation, and before the Application Meeting, a “Certification Team” is assigned by the Director of Flight Standard Division (FSD) who is responsible for the AOC certification process of the new applicant Operator. (AMC1.ARO.GEN.310(a)-(b)(2))

Composition

The composition of the team will be tailored to the size and the complexity of the company, but shall include at least:

- 1 Flight Operations Inspector (FOI)
- 1 Cabin Safety Inspector (CSI), in case for passenger operations
- 2 Airworthiness Inspectors (AWI) (one Maintenance & one Avionics)

One of the above Inspectors shall be appointed as CPC (Certification Process Co-ordinator) by the Director of FSD. Even though, the knowledge, experience and background of the Inspectors assigned will be considered in the appointment of the team and matched to the type of aircraft and the complexity of the intended operation, the FOI should be appointed to act as CPC considering that D2/C is the proceeding Section for the granting of an AOC.

If required, the Certification Team shall call for an expert for specific topics, such as Dangerous Goods etc, whenever necessary.

Note: The FOI should have the relevant experience concerning the intended operation and be type rated accordingly.

If there is no type rated FOI in the HCAA, or one with equivalent experience (The Head of OPS Section will decide on that), then the assigned FOI shall attend a type rating course: either before the Certification or during the certification (at the same time with the Operator’s crew), but in any case before giving any relevant approvals.

Responsibilities

a) The FSDirector

- has the overall responsibility for the AOC certification process, and for the co-ordination of all necessary activities. He/she is responsible to the HCAA Governor,
- assigns the members of the certification team, in co-ordination with the Heads of involved Sections,
- ultimately decides on the severity level of a finding in case a disagreement between the Section Heads and the inspector(s) assigned,
- issues the needed approvals following the recommendations of the Section Heads.
- is the arbitrator if there is any conflict between the certification team and the applicant, and

- at the end of the AOC Certification process he/she is responsible to provide the HCAA Governor with a comprehensive and documented file of the certification.

b) Heads of Sections (Head of Airworthiness and Head of Operations)

- are responsible for the oversight of their Section activities, and can at any time ask for a meeting to be arranged between the certification team and the operator,
- review and decide upon the level of the findings and sign the appropriate form,
- review the relevant approvals based on the technical assessment of the team, and
- are in charge of the review of qualifications and competencies of the relevant Nominated Persons and managerial personnel of the Operators and lead the HCAA held interviews for these positions,

c) Certification Process Co-ordinator (CPC)

- Is the responsible person of the HCAA for confirming that all appropriate audits and inspections have been carried out
- reports to the relevant Section Heads on the status of the AOC certification process,
- is responsible for monitoring the progress of the AOC Certification Process and reviewing the current status,
- holds regular meetings with the members of the Certification Team to determine this. If there is a delay regarding the target date of the AOC issuance he/she informs the Heads of Sections, the FSDirector and management of the applicant for the delay, stating the reason for it,
- is responsible for distributing the specific tasks within the certification team,
- has the responsibility for co-ordination of all the team members' activities regarding the AOC certification process,
- reviews the findings of the different inspections and checks the documentation/manuals for accuracy before presenting them to the Section Heads,
- assures that the Findings are sent to the Applicant in a coordinated and timely manner.

A.4.APPLICATION PRELIMINARY REVIEW & REPORT

A preliminary review of the application is carried out by the Certification Team to assess the main and key points of EASA AOC requirements and takes place after the application meeting.

This is conducted by a general review of the documents/manuals submitted by the applicant with the application. This review provides the applicant with timely initial feedback and assesses the applicants understanding of the requirements.

A special document is used to conduct and report on this review: the Preliminary Review Application Report. The review and report is completed by the CPC, after consultation with the Certification Team Members.

If as a result of this preliminary review any manual, or other document, appears to require extensive amendment they should be returned to the applicant formally in writing. The applicant will be required to re-review, and amend where necessary the entire manual, to ensure it now meets the requirements. A revised manual will then need to be formally submitted. Also, pages from the Conformance Report reflecting the revision need to be submitted.

The Preliminary Application Review Report is discussed and (after signed by the FSDirector) is given to the applicant, during the Application Review Meeting between the Certification Team Members and the Company's Management. This Report can be sent to the applicant by fax in the next couple of days following the Meeting as it has to be signed by the FSDirector.

The handling of the Preliminary Application Review Report to the applicant is the basic decision point of the AOC Certification process, as it consists the official notification from HCAA that the certification process will be continued further.

A.5. COMPLIANCE REPORT

The applicant must provide the Compliance Report for the organisation manuals (mainly OM) properly completed with the relevant information. The Compliance Report is a working document and its purpose is threefold:

- a) It assures that the applicant has reviewed and verified that all the Company Manuals are in compliance with the requirements.
- b) It assists the HCAA to efficiently assess the manuals and the applicant's organisation.
- c) It serves as part of the record for the assessment process as well as, it documents the areas of compliance and non-compliance.

Each item in the Compliance Report is checked against the information contained in the applicable manual where the applicant indicated. The content of the information is then reviewed for adequacy against the intent of the EASA Basic Regulation and its Implementing Rules.

The non-compliances which are found during this check are send to the applicant in written.

If the non-compliances found are more than a reasonable number then the whole manual and the compliance report are returned (actually the organisation is informed in written about this situation and is asked to come and get the manual(s) need to be thoroughly revised) to the applicant for a thorough review by the later. When the applicant reviews the manuals/compliance report and makes the necessary corrections/amendments etc, returns them in written to the HCAA.

Note: Some Compliance Report items cannot be fully assessed until the on site visit and demonstration flight phase take place.

The applicant is responsible for filling in the **REFERENCES** columns in the **Compliance Report Document**. The applicant should indicate in these columns where in the Manuals the required information is located by marking the relative column (A, B, C or D) with an [X] and by indicating the chapter and the paragraph of the referenced document in the "paragraph" column. In case the referred information is not included in one of the above manuals then the correct manual reference is written in the "comments" column.

Parts of the Compliance Report Document review maybe delegated to the Airworthiness Section, and conducted by the Maintenance Certification Team (i.e. Instruments, Communication and Navigation Equipment items). The information required is evidence (document references) that each piece of equipment is approved and installed per the applicable airworthiness criteria. It is not acceptable to just indicate that the required items

are “installed” in the aircraft. This part could be substituted by the submission of “Subpart-IDE Compliance”.

Note: Guidance on completing the Compliance List/Conformance Document correctly should be provided to the applicant at the Pre Application meeting.

Note: Some items may be not relevant with the status or the operations of the applicant. In this case these items are marked as N/A in the “comment” column.

A.6. DETAILED DOCUMENTATION REVIEW

Besides the Operations Manual which is reviewed using the method described in the previous paragraph [Operations Manual Part A (General), Part B (Aircraft operating matters) (one Volume of Part B Manual complete for each aircraft type), Part C (Route, Area, Aerodrome instructions and information), Part D (training)], the following documentation shall be reviewed:

1. Operator Management System Manual (OMSM) should be reviewed not only concerning non-compliances to the Regulations which shall be done using the Compliance Report, but also as a fully functional and effective Management System. This manual shall include also both Compliance Monitoring which should be reviewed not only concerning non-compliances to the Regulations (Compliance Report shall be used) but also as a fully functional and effective Compliance (“quality”) System) and Safety Management System-SMS (which should be reviewed not only concerning non-compliances to the Regulations (Compliance Report shall be used) but also as a fully functional and effective Safety Management System).
2. Statement of Compliance and Safety Policy (included in the OMSM)
3. Continuous Airworthiness Maintenance Exposition (CAME).
4. If the applicant decides to provide a Cabin Safety Procedure Manual (CSPM), this should be reviewed only to the extent the information contained in it is included also in the Operations Manual. And in this case an effective amendment system should be described in the manual so that the Operator makes sure that any changes in the OM affecting also CSPM is handled in such a way that ensures the consistency in all manuals.
5. If the applicant decides to provide a Ground Operations Manual (GOM) this should be reviewed only to the extent the information contained in it is included also in the Operations Manual. And in this case an effective amendment system should be described in the manual so that the Operator makes sure that any changes in the OM affecting also GOM is handled in such a way that ensures the consistency in all manuals.
6. The Aircraft Maintenance Programme(s) customized for applicable a/c
7. MEL(s) of all a/c
8. SubPart IDE list (completed by the Operator).

Deficiencies and/or omissions from any manual must be forwarded to the applicant in writing.

When the review of all Compliance List items shows no non compliances, and in general the manuals are found satisfactory the operator receives a letter that the manuals have been reviewed and are ready to be used. In addition, if the manuals are found satisfactory all the approvals included in the HCAA Approval List shall be granted. One single letter shall be issued for all Approvals.

Attention

The certification team should consider to give priority to some manuals which the operator need in case to proceed further to necessary actions which have to be completed before the AOC granting: e.i crew training etc. Such example is the OM. In this case, after the review of the OM finishes and it is satisfactory, the above mentioned letter should be send to the Operator before the completion of the review of the rest of the manuals stating that OM is ready to be used.

A.7 MANAGEMENT PERSONNEL

By reviewing and found satisfactory the Management System of the Operator, all relevant personnel is indirectly accepted: a) managerial personnel: Accountable Manager, Compliance Monitoring Manager, and b) nominated persons: Flight and Ground Operations Managers, Crew Training Manager and Continuing Airworthiness(*) Managers. The same applies for Safety Manager or other managers the Operator decides to nominate.

(*) The Continuing Airworthiness Manager need an acceptance given from HCAA/D2/A Section according to the procedures described in “HCAA Maintenance Procedures Manual”.

The managerial personnel as well as the nominated persons should also undergo an interview by HCAA. The interviews should be scheduled as soon as possible after the receipt of the application. The information submitted along with the results of the interview need to be evaluated against the relevant HCAA requirements.

No approval/acceptance is issued for any of these persons, as they are part of the Management System which is evaluated as a whole before granting an AOC.

Pursuant to article 7 (“proof of good reput”) of (EC) No 1008/2008, the applicant for the position of the Accountable Manager shall contact HCAA/D1 division and provide them with the relevant documentation. HCAA/D2 will proceed to the evaluation procedure only after receiving a letter of satisfaction from HCAA/D1. As Accountable Manager is the key person for Operator this should be done the soonest possible.

The Compliance Monitoring Manager should have attended a formal Quality Course (Compliance Monitoring), and be able to prove a sufficient background and experience in the Compliance Monitoring field.

All candidates, for any of the above positions, must prove that they have a thorough knowledge of all Safety Regulations, as well as, a Compliance System and Safety Management System comprehension.

Note: Information Bulletin FSD/OPS/IB/8/2014 “Managerial Personnel Requirements” gives detailed information about Regulation or/and HCAA requirements for all persons mentioned in this chapter.

A.8. AUDITS/INSPECTIONS

GM4 ORO.GEN.200(a)(6) Management system

AUDIT AND INSPECTION

(a) ‘Audit’ means a systematic, independent and documented process for obtaining evidence and evaluating it objectively to determine the extent to which requirements are complied with.

(b) ‘Inspection’ means an independent documented conformity evaluation by observation and judgement accompanied as appropriate by measurement, testing or gauging, in order to verify compliance with applicable requirements.

Checklists have been prepared for conducting both on site and in flight audits and inspections (for Airplane and Helicopter operations).

▪ Management System Audit (AMC1.ARO.GEN.310(a)-(e))

Note: the “MANAGEMENT SYSTEM” checklist shall be used.

The basis of auditing the Management System of the applicant is the HCAA Information Bulletin FSD/OPS/IB/3/2014 with title “Air Operator’s MANAGEMENT SYSTEM and MANAGEMENT SYSTEM MANUAL”.

Compliance Monitoring System and Safety Management System are part of the Management System.

Management System Audit is the main audit performed by HCAA and for this purpose a team of auditors should join the Principal FOI Inspector. The audit should have a two-steps approach:

Step 1: Assessment against EASA/ICAO Management System requirements framework. Are all the building blocks in place?

- Assessment should take place in HCAA/D2 premises and will focus on Management Documentation submitted by the applicant.
- Applicant's Accountable Manager, Safety Manager and Compliance Manager shall be present and audited.

Step 2: On-site assessment.

- It shall take place at Operators’ primary place of business, and
- It shall involve interactions with different people in the organisation (both managers and staff)
- Talking to Managers and Staff provides intelligence on the safety culture.

It is obvious that some aspects of the Management System, like SMS and Compliance Monitoring cannot be checked before the commencement of operations. The inspectors must make a good estimation of what can be checked at this time and what cannot.

- **Training Audit/Inspections**

Note: the “TRAINING” checklist shall be used

Regarding Training and Checking Observations, it is highly desirable to attend portions of the conversion training conducted by the applicant such as company Operations Manuals indoctrination, CRM, Emergency and safety equipment training and Differences or Familiarisation training.

Attending the Emergency and safety equipment practical training (Flight Crew, Cabin Crew and Crew members other than flight crew) will allow the facilities to be evaluated, if not previously evaluated, as well as observing the company designated check persons. Attending theoretical portions of the training will serve to confirm that the instructors are “suitably qualified” as indicated by their training and experience.

If applicant flight crews are attaining new type ratings, on an aircraft type already operated on the Greek register, there is no need to attend this part of the conversion course training as it is conducted at an approved ATO, or the Operator’s approved training facility. The Flight Operations Inspector assigned to the team should normally have previous experience on the type of aircraft to be operated or a similar a/c.

For Flight Operations Inspectors involved with helicopter operations, they should normally have a type rating in the helicopter to be operated or equivalent experience in the helicopters Designated Group (e.g. Multi Engine or Single Engine Turbine or Single engine Piston helicopters).

When the aircraft is new to HCAA registry, for the Flight Operations Inspector assigned, to attend the type rating course with the applicant’s pilots. Other parts of the flight crew conversion course such as Line Flying under Supervision and Line Checks should be scheduled to be observed, during the beginning of operations. For flight crews joining the company, and holding applicable type ratings, portions of their conversion course (company procedures, CRM, ground/simulator training and OPC) should be observed.

For cabin crews, in addition to the training previously stated, other parts of the Initial and or Conversion/Differences training (including aircraft visit and familiarisation flights) should be observed.

- **Ground Operations Inspections**

Note: the “Ground Operations” checklists shall be used.

The Ground Inspection checklist is designed to cover Flight preparation, Documentation, Equipment, Execution of Flight, and Post-flight activities and should be scheduled preferably together with the flight inspections.

- **Flight Inspections**

Note: the “In Flight” checklists shall be used.

The Checklists are: for Airplanes **Flight Inspection (Flight Deck & Cabin)** and for Helicopters **Flight Inspection**.

The first flight inspection for granting an AOC, is the demonstration flight(s) and it is mandatory. During the demonstration flight also AWInspector(s) should be present to accomplice procedural requirements according to HCAA Airworthiness Procedures Manual.

▪ **Emergency evacuation/Ditching demonstration**

Regarding Emergency evacuation and Ditching, operator shall provide HCAA inspector with data from reliable analytical methods or from previous demonstrations by the aircraft manufacturer or other operators of the same type and model of aircraft in order to indicate adequacy in emergency evacuation capabilities and that procedures, equipment and training for a ditching situation are adequate.

The documentation provided by the operator shall include:

- aircraft concerned manufacturer’s emergency procedures.
- aircraft concerned operator’s emergency procedures,
- aircraft concerned list of emergency equipment.
- flight and cabin crew member emergency evacuation training ,
- flight and cabin crew member emergency equipment training,
- flight and cabin crew member ditching training ,
- airworthiness certification covering ditching (where applicable)

If the data provided (as above) do not satisfy the adequacy of applicant's emergency evacuation capability and procedures, equipment and training for a ditching situation, an emergency evacuation demonstration and/or a simulated ditching demonstration is required.

Guidance for the demonstrations:

A. Emergency evacuation demonstration

The operator shall demonstrate the adequacy of aircraft emergency procedures, crew member emergency evacuation training and emergency equipment.

Specific points to be noted during an evacuation demonstration are:

- adherence by crew members to the execution of assigned duties and responsibilities both in the aircraft and on the ground;
- location of each crew member during the evacuation;
- the effectiveness of the pilot-in-command in the exercise of command responsibilities;
- the succession of command in the event of casualties;
- the effectiveness of crew members in performing their assigned evacuation duties;
- shortcomings, deficiencies or delays encountered.

In making their report on the demonstration, inspectors should record the following from the time each phase of the evacuation demonstration begins:

- time to open each approved exit door;
- time to deploy and inflate emergency evacuation slides;
- time before the slide receives its first evacuees;
- time for first evacuees to leave over-the-wing exits;
- total number of persons evacuating each exit.

If the applicant cannot satisfactorily demonstrate emergency evacuation for each particular type, model and configuration of aircraft, should be required to take steps to correct the deficiency which could include the following:

- revising evacuation procedures;
- improving crew training;
- modifying or changing the equipment used;
- changing the passenger compartment arrangement; and
- reducing total passenger seating capacity.

B. Ditching demonstration

Ditching demonstration will take place for each aircraft type, model and configuration which will be operated on extended flights over water. HCAA inspectors should first determine whether the aircraft has an airworthiness certification covering ditching. If the aircraft is not certificated for ditching, extended flights over water should not be authorized. Specific points to be noted and evaluated during a simulated ditching demonstration are:

- adequate preparation of the passengers and aircraft for a premeditated ditching conducted.
- adequate items of emergency equipment, i.e. life rafts, inflatable slides, life jackets, medical kits, first aid kits and emergency locator transmitter (ELT), carried on board in sufficient number.
- emergency equipment properly stowed and could it be readily removed or ejected from the aircraft in the time specified.
- means provided and utilized to prevent emergency equipment from drifting away from survivors.
- slides, life jackets and life rafts inflate fully within acceptable time limits; the slides deploy properly; and other emergency equipment function properly.
- the emergency exits to be utilized selected, and could such exits be opened readily.
- emergency procedures and related checklists adequate, and they properly used by the crew members.
- the crew properly trained.
- crew members familiar with and they adhere to the timely execution of their assigned duties and responsibilities.
- crew members, using available emergency equipment and following the procedures outlined in the operations manual, facilitate the evacuation of the aircraft under the critical conditions expected during the short period of time the aircraft would remain afloat.
- adequate safety precautions followed by the crew members to prevent possible injury to passengers or themselves.

In the observation of the demonstration, to assist in the assessment of the ditching demonstration, the HCAA inspectors should record the following:

- time from start of the simulated ditching demonstration until each exit door or emergency exit to be utilized was opened;
- time when each life raft was launched;
- time required to inflate each life raft; and
- time when life rafts were boarded by all passengers and crew members.

Any deficiencies identified during the evaluation conducted by the HCAA certification team or noted during the ditching demonstration regarding the evacuation procedures or related emergency equipment, such as inflatable slides, emergency exits and life rafts, are to be rectified by the applicant. This may require additional evaluation or demonstrations before these emergency procedures can be considered acceptable by the HCAA certification team.

▪ **Inspection results and follow-up**

An inspection could discover a number of findings such as, the non-adequacy of a procedure to the operation, unsatisfactory implementation of a procedure, or lack of training.

A specific **Finding Form** is to be filled out, for each discrepancy, deficiency or non-compliance found during the inspection. The Findings, after being evaluated by the Head of Flight Operations Section (or the Head of Airworthiness Section, accordingly) and entered in to the HCAA data base, will be forwarded to the Operator.

The operator must propose to HCAA (for agreement) an appropriate corrective action with an implementation plan for each finding (route cause, corrective actions and demonstration of the corrective action implementation), within the assigned time frame.

Prior to closure of the finding the assigned inspector(s) must verify the corrective action.

No findings shall be “open” for the AOC to be granted.

A.8 APPROVALS

a. Specific Approvals

Upon receiving an application for the issue of a specific approval or changes thereof, the HCAA shall assess the application in accordance with the relevant requirements of Annex V (Part-SPA) and conduct, where relevant, an appropriate inspection of the operator.

When satisfied that the operator has demonstrated compliance with the applicable requirements, the competent authority shall issue or amend the approval.

b. Approvals

The Certification Team should determine (by using the “HCAA Approvals list [A] or [H]”) early in the certification process which approvals are applicable for the specific operation of the applicant and all necessary letters shall be issued. A letter including more than one (even all together) applicable approvals may be issued. The whole process must be verified by the CPC and the Approval letter(s) shall be signed by FSD. Some approvals (such as training programmes) may have to be issued before others. The issuance of the approvals is not just a administrative act, but a thorough check of the relevant documents / training / manuals.

A.9. CERTIFICATION FILE AND CPC RECOMMENDATION

When the verification process (certification process) is complete, the person with overall responsibility (CPC), shall present to the Director of Flight Standards and the Heads of Operations and Airworthiness a full verification file which contains the application, the evidence of the result of all investigations or assessments which are required before the

operator certificate is issued and a written recommendation. Approvals issued should be attached to the recommendation.

A.10. AOC ISSUANCE

Once the Certification Team has verified that there are no open findings and no non-compliances in general, the AOC may be prepared. The AOC is consisted of two parts: The “AOC Form” (EASA Form 138) and the “Operations Specifications Form” (EASA Form 139) which is attached to the AOC Form.

The Air Operator Certificate and Operations Specifications (OpsSpecs), will be prepared by the CPC and will be presented to the Operations Section Head, according to the Certification File prepared and the suggestions made by the Certification Team.

The Director of Flight Standards signs the Operations Specifications Form (the number of the original copies signed is the same with the number of the true copies of the AOC as described below). After this, the AOC is forwarded (accompanied by one of the signed copies of the Operations Specifications), through the HCAA hierarchy, to the Governor for signature. This AOC Form consists the ORIGINAL AOC. The Original AOC bears the hierarchy signatures which include at least the signatures of: the paper drafter/Inspector(s), the Head of Ops Section, the Head of AWT Section, the FSDirector, the Director General for Air Transport, the Deputy Governor, the Governor).

After the signature of the original AOC, a number of true copies of the original (signed by the general secretariat of Civil Aviation Authority) is issued. The number (n) of the original copies is $n=x+4$, where x is the number of aircraft operated by the Operator (*). x+2 copies of the AOC and OpsSpecs are given to the Operator, one is placed in the certification file (AOC FILE) held in the Flight Standards Directorate Library and the last one is placed in the AOC file kept in the office of the Head of Flight Ops.

(*) True copies of the original are to be on board each aircraft.

Registration of AOCs

The original copy of every AOC issued, must be kept in the HCAA register of AOCs. The Head of Operations Section is responsible for keeping the AOC Register up to date.

A.11 PROCEDURE DISCONTINUANCE

If during the certification procedure, the Operator is not responding to its obligations arising from this chapter, the CPC shall recommend the official cease of the procedure.

In any case, if 6 or more months have passed since the last official communication with the operator (operator's liability), the CPC shall recommend the cease of the certification procedure.

FSDirector announces to the Operator the decision of stopping the procedure in written. After that the Operator may come back with a new Application if interested. It is at the discretion of the Head of Flight Ops in cooperation with the CPC, which of the already submitted documentation will be accepted as submitted for the new Application.

PART B

Variation of an AOC

B.1 INTRODUCTION

Note: For the purposes of this Chapter “AOC Variation” means any changes made to the AOC including the Operations Specifications, regardless of the different process which is required by this Manual and is applied for the issuance of a new revision of AOC or a new version of Operations Specifications (AOC is signed by the HCAA Governor while Ops Specs is signed by FSDirector).

The holder of an AOC, issued in accordance with Regulation (EC) 216/2008 and its Implementing Rules, when wishes to alter any of the elements listed below on its AOC, (All applications to vary an AOC are made to the FSDirector and are processed by the Operations Section Head, as required), must apply in writing for a variation to its AOC.

An AOC Variation Application is required for any of the following changes:

- a) Name of the Operator or address (principal place of business) of the operator is changing.
- b) Operational Points of contact of the Operator
- c) Type of operation (e.g.: adding Cargo)
- d) New Type aircraft is added
- e) Same Type aircraft is added or removed
- f) Authorised Area of Operations is modified
- g) Special Limitations are added or removed
- h) Special Authorisations/Approvals are added or removed (e.g. CAT II/III, DG)

B.2. PROCESS

Application for AOC Variation

The AOC Variation is handled as “changes requiring prior Approval from the HCAA” as described in detail in Information Bulletin IB/FSD/OPS/3/2014 (“Operator’s Management System”).

An operator’s written application for the variation of its AOC, including **all** the documentation associated with the specific reason for the AOC variation, must be submitted **at least 30 days prior** to the intended date of the operation.

For the application must be used the special HCAA Form (AOC Variation Form) attached to a letter addressed to the HCAA FSD. The rest of the required documentation need to be submitted/attached is described in Information Bulletin IB/FSD/OPS/3/2014 (“Operator’s Management System”).

An application to vary an AOC is assessed by the FOI assigned to the specific Operator to determine the completeness of all the required documentation. The FOI contacts/informs also the respective AWI in case the variation requires that. If the documentation is not complete a letter will be prepared returning the application to the operator outlining the missing documents.

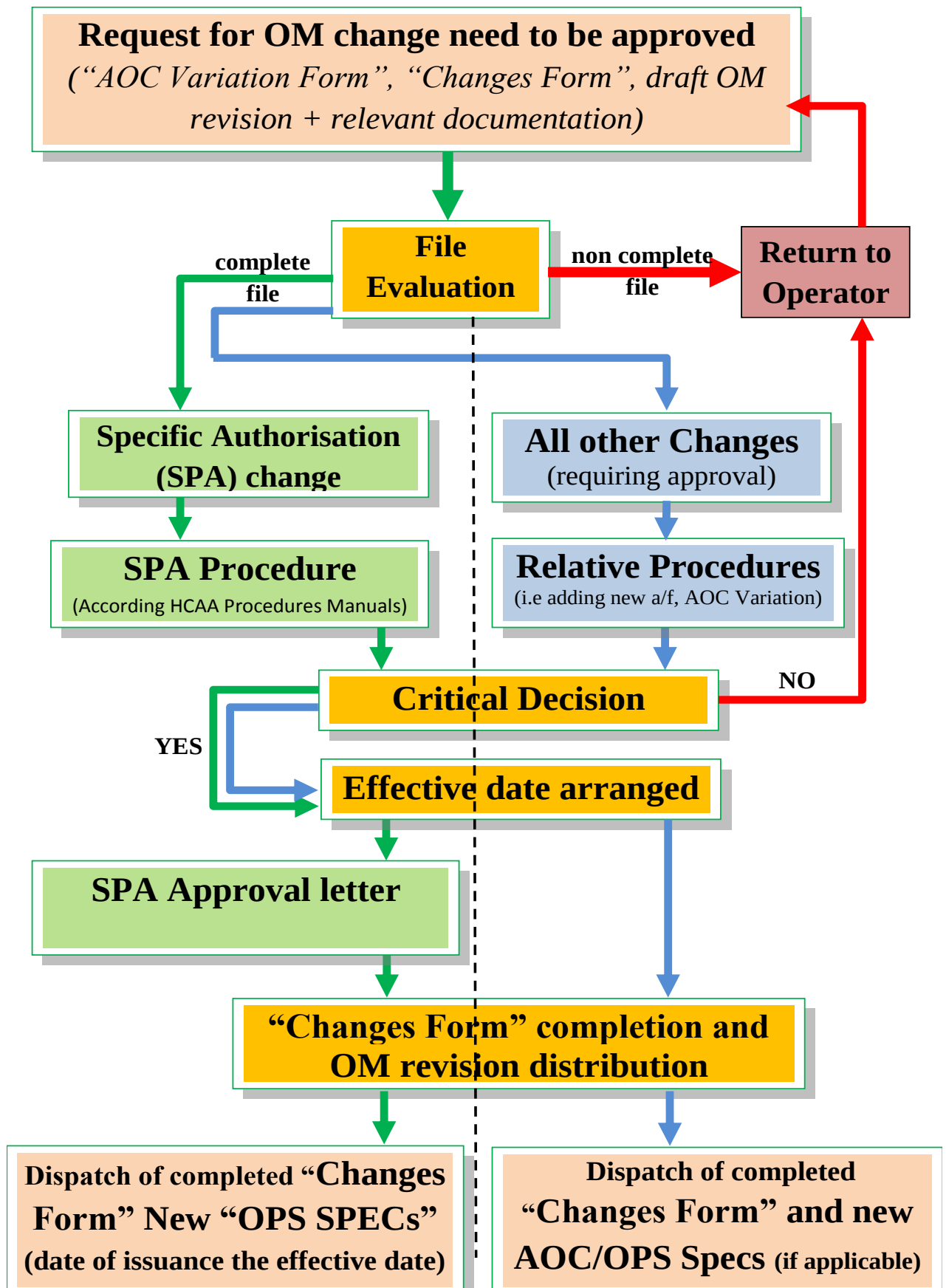


Figure 2: Procedures for an AOC Variation:

AOC Variation Report

After the AOC variation is evaluated a report is written by the Operations Inspectors assigned. If the assigned Inspectors recommend the variation to be issued, the Section Head will forward this report with his consent to the FSDirector.

If the inspectors assigned do not recommend the variation, the report forwarded to the Head of Flight Operations Section should state the results of the inspection and the reasons for not recommending the variation.

HCAA will inform the Operator of their decision on the AOC Variation within 30 days of receiving an acceptable application.

AOC Issuance

The Air Operator Certificate and Operations Specifications, with the variation(s) incorporated, will be prepared by the Operations Section Head (or a person he designates).

If the Variation includes changes of the AOC Form elements (e.g. Operator's address, expiration date, change of Type of Operation etc) then the AOC will be forwarded and signed by the Governor following the procedure described in Part A of this Info Bulletin.

If the Variation includes only changes of the Operations Specifications, then the Director of Flight Standards signs the new Operations Specifications. In this case the number and date of Ops Specs will change. When only the Operations Specifications need to be changed, the FSDirector signs all the true copies.

Assigned Inspectors

Normally the inspectors assigned to evaluate the AOC Variation will be the same Inspectors previously assigned to monitor the continued competence (surveillance) of the Operator. If the AOC Variation involves a task which the previously assigned Inspectors have no experience in (e.g. CAT II/III, ETOPS, e.t.c.) an Inspector with that particular experience will be included in the assigned team to assist with the evaluation of the AOC variation. Only if inspectors, other than the ones already assigned for the continuous monitoring of the particular Operator, are needed, a written assignment is issued.

Inspections/Audits

The techniques/procedures to conduct an Inspection/Audit will be the same as outlined in the procedure for Initial Issuance of an AOC. This Chapter outlines the documents and inspections/audits required for each type of AOC Variation.

On receipt of the application the HCAA will conduct such Audits/Inspections as are necessary to ensure that the Operator has adequately addressed all aspects of the requested variation. It is critical that the full implications of the AOC Variation have been adequately addressed by the Operator themselves first: a risk assessment shall be carried out as described in Operator's SMS.

During the evaluation of the AOC Variation the continued adequacy of the Compliance Monitoring System shall also be reviewed. If an operator's Compliance System is found deficient for the operations currently approved and conducting, the request for the variation will be denied. In the interest of safety an Operator will not be allowed to vary its AOC, which would normally expand its operations, until an acceptable, functioning Compliance Monitoring System is achieved.

B.3. TYPES OF AOC VARIATIONS

The following outlines the documents and inspections/audits required for each type of AOC Variation.

Note: In all following cases (except that of § B.3.1) the Safety Manager of the Operator shall evaluate the possible risks the change may cause to the Operator and assess them in accordance with Operator's SMS. This has to be clearly stated in the Application Form (in the special place reserved for this).

B.3.1 CHANGE OF NAME OR ADDRESS OF THE OPERATOR'S PRINCIPAL PLACE OF BUSINESS

If only the name of the operator has changed all documents/manuals/certificates affected by this change should be resubmitted with the new name. The AOC should not be varied until at least the following items reflect the new name: Registration Certificate(s), Insurance Certificate(s), Lease Contract(s) and Noise Certificate(s).

Other items such as the existing operations manuals and MEL could be authorised for a defined period of time until the reproduced copies reflect the new name. A letter will be issued to the Operator stating this allowance if applicable.

If the principal place of business changes part of "Management System" inspection will be carried out to determine if the new facilities meet the requirements.

B.3.2 TYPE OF OPERATION IS CHANGED

The type of operation refers to Cargo, Passenger or other type of operation. A change from Cargo only to Passenger operations is a major AOC variation and involves practically a "complete recertification". A Compliance Report need to be submitted by the applicant to assure that all the passenger related items of the requirements have been addressed. The steps for Initial AOC issuance will be followed to assure that this AOC variation is processed thoroughly. This variation shall take longer than the estimated 30 days for other types of variations. Therefore the applicant should be notified accordingly at the time of application.

At least the following inspections shall take place:

- a) Management System (review)
- b) Training-Cabin (conversion etc)
- c) Flight (both cabin and flight deck)

Most probably a “operation type change” will be asked by an Operator together with “adding a new aircraft type”. In this case all relevant inspections shall be combined.

B.3.3 NEW TYPE AIRCRAFT IS ADDED ON THE AOC (Dry Lease or Purchase)

Note: *The following Guidance is applicable to aircraft operated dry. Oversight of Wet lease operations is primarily the responsibility of the Lessor’s Competent Authority.*

If the Application refers to addition of a new type of aircraft, the first inspection should be made to the results of the Operator’s internal evaluation process. If the Operator has not fulfilled or is not aware of its responsibilities the process will be either delayed or not approved. The operator’s written procedures should clearly indicate who the responsible management person(s) is and should have at least addressed the following:

a) Flight Crew Considerations

Training

As the added aircraft is of a different type the flight crew must undergo a Type Rating course at an approved ATO or the Operator’s approved training facility, followed by the Operator’s conversion course. The Operations Manual Part D will need to have been amended to include the new type of aircraft along with its type-rating syllabus. If the flight crews are intended to operate more than one type their training and checking must conform to ORO.FC.240 “Operation on more than one type or variant”. The Operations Manual Part D shall be revised if these procedures have not yet been included.

To conduct the Line Flying under Supervision and Line Check portion of the Conversion Course, Commanders with experience in the type will need to be used from outside the company (if none within the company, holds an applicable Type Rating and have sufficient experience). These Commanders need to satisfy the requirement of ORO.FC.230 (c)(2).

Note: *It is important that these LTC/LCC’s, if contracted, undergo the appropriate portions of the Company’s conversion course.*

Simulator (FSTD)

The simulator chosen for the training should be compatible with the cockpit configuration and equipment of the specific aircraft being acquired. A comparison between the simulator and aircraft should already have been accomplished by the operator’s management to determine acceptability. For this reason a “Suitability Report” shall be filed.

The nominated Training Manager shall submit: a) the FSTD Qualification Certificate, b) the Evaluation report for the specific FSTD completed by the ATO, and c) the Operator’s Suitability Assessment.

Before the initial Type Rating training begins, determination has be made whether any difference or familiarisation training is required to be added to the conversion course. If it is determined that differences training is required the simulator may not be fit for use in recurrent training. It is important for the Operator considers, these issues, before applying for new aircraft type induction.

b) Cabin Crew Considerations

Cabin Crew members will need to complete the conversion course for the new type before being assigned duties on the aircraft. Prior to this, a revised cabin crew-training manual will need to be submitted (if used by the Operator). All necessary training should be done for the new a/c type.

c) Documents

The Operator should address and submit at least the following documents/items:

- OM Part A items applicable to new type
- OM Part D Training for Flight Crew, Cabin Crew and Crew members other than flight crew (as applicable)
- OM Part B for new type
- ATO facility utilised/Operator's type rating facility for approval
- Program for satisfying crewing of inexperienced crewmembers
- Letter from operator requesting "user approval" of Simulator
- Flight Crew and Cabin Crew operation of multiple types, if applicable
- Operator's Control Center Training for the new type
- Ground handling capability/contract for the new type
- Passenger Handling for the new type (seating configuration at check in etc)
- Compliance Monitoring System amendment to include the new type
- MMEL/MEL
- AFM/Checklists/ FCOM
- Lease Contract, Insurance
- SubPart-IDE compliance

d) Airworthiness Considerations

The equipment requirements of subpart CAT.IDE will be addressed and any differences between the aircraft and the requirements will be made known to HCAA for determination of acceptability. The length of the lease will be one factor in this determination. A SubPart-IDE compliance shall be submitted by the Operator.

e) Management Responsibilities

General

During the lease/purchase decision the nominated persons will assure that the Accountable Manager, and any other persons financially involved, understand the economic consequences of acquiring an aircraft with different cockpit/cabin configurations. It should be made known that the more extensive these differences are, the more costly it will be regarding training and or reconfiguration costs.

Flight Operations Manager and Training Manager

Once a candidate aircraft has been located the Flight Operations Manager in conjunction with the Crew Training Manager will compare the differences in regards to cockpit, systems, equipment, procedures and cabin configuration as described above and their effect on crew scheduling. The cost of addressing these differences will be calculated and presented to the Accountable Manager and a decision will be made to proceed with acquiring the aircraft or to continue to search for a better candidate.

Maintenance Manager

The Maintenance Manager will become involved if consideration is given to relocating certain cabin equipment for the aircraft to be considered the same type for the cabin crews. Also, he will decide if any additional training for maintenance personnel will be required depending on the aircraft's systems differences. This information will also be passed to the Accountable Manager in the decision process.

Compliance Monitoring Manager

The CMM shall deal with all possible compliance issues and perform all audits according to the Compliance Monitoring System.

Safety Manager

The Safety Manager shall evaluate any possible risks the expansion of the operations may cause to the Operator and assess them in accordance with Operator's SMS.

f. Inspections

After all the above have been checked/evaluated a Flight/Ramp Inspection shall be performed.

The checklist "adding new aircraft" shall be used and signed by the inspector(s).

The space provided as "notes" in this checklist could replace the need for a separate "Report Form".

B.3.4 SAME TYPE AIRCRAFT IS ADDED (DRY LEASE)

If the Application is to add the same type, or variant of the same type, operated the first inspection should be of the results of the operator's internal evaluation procedures. If the operator has not fulfilled or is not aware of his responsibilities the process will be either delayed or not approved.

The checklist "adding new aircraft" shall be used.

Note: *The following Guidance is applicable to aircraft operated dry. Oversight of Wet lease operations is primarily the responsibility of the Lessor's Competent Authority and address in detail in another chapter of this Manual.*

The operator's written procedures should clearly indicate who the responsible management person(s) is and should have at least addressed the following:

a) Flight Crew Considerations

If the added aircraft is of the **same type and of a different variant** the Operator must address requirements for Differences Training according to ORO.FC.125. Differences Training shall include acquisition of additional knowledge and will also include training on a flight training device, a flight simulator or the aircraft. An assessment will be conducted, against the comparison aircraft currently operated, to determine the extent of training required. The assessment will address the Aircraft in General, Systems, Manoeuvres and determine the Procedures and Handling Characteristics effects, if any. A proposal will then be submitted to address the “credit”, if any, applied to the recurrent training, checking and recent experience of one variant as being valid for another variant.

If the added aircraft is of the **same type and of the same variant or “similar variant”** Differences Training, or as a minimum, Familiarisation Training will be required. Familiarisation Training includes the acquisition of additional knowledge without the use of a training device. The level of training required will then be categorised as Differences Training or Familiarisation Training depending on the requirement of a training device.

b) Cabin Crew Considerations

The following will be assessed on the added aircraft

- Emergency exit operation
- Location and type of portable safety equipment
- Type/Variant specific emergency procedures

The factors for assessing the items above will be as follows

1. Emergency exit operation must be similar in the following operations:

- a) Exit arming/disarming
- b) Direction of movement of the operating handle
- c) Direction of exit opening
- d) Power assists mechanism
- e) Evacuation assist means e.g. slides

2. Location and type of portable safety equipment must be similar

Type of portable safety equipment will be assessed and determined as similar if the equipment requires the same method of operation.

Location will be assessed as similar only if all the portable safety equipment is in the same location. In exceptional circumstances substantially the same location could be acceptable.

Portable safety Equipment includes:

Fire fighting equipment	Megaphones
Protective Breathing Equipment	First aid equipment
Oxygen Equipment	Survival and Signalling equipment
Crew life jackets	Other safety equipment where applicable
Torches	

3. Type/Variant specific emergency procedures must be similar for the following:

- a) Land and water evacuation**
- b) In-flight fire**
- c) Decompression (airplanes)**
- d) Pilot incapacitation**

If the assessment of the added aircraft is not found similar, per the above criteria, in all areas (Emergency exit operation, Location and type of portable safety equipment, Type/Variant specific emergency procedures) the aircraft will be considered a different Type. Cabin Crew members and Crewmembers other than flight crew, as applicable, will then complete the conversion course for the added aircraft before being assigned duties on the aircraft. The cabin crew member recurrent training will also include the new type.

If the cabin crew members and Crewmembers other than flight crew, as applicable, are already operating on the maximum number of types allowed, by ORO.CC.250, or to reduce training costs, the company will consider alternative options. These options could include relocating certain emergency equipment, if this is was factor in new type determination, or adjusting cabin crew assignments so only certain crew will be qualified and assigned to the new type.

c) Airworthiness Considerations

The equipment requirements of subpart CAT.IDE will be addressed and any differences between the aircraft and the requirements will be made known to HCAA for determination of acceptability. The length of the lease will be one factor in this determination.

d) Management Responsibilities

General

During the lease/purchase decision the nominated persons will assure that the Accountable Manager, and any other persons financially involved, understand the economic consequences of acquiring an aircraft with different cockpit/cabin configurations. It should be made known that the more extensive these differences are, the more costly it will be regarding training and or reconfiguration costs.

Flight Operations Manager and Training Manager

Once a candidate aircraft has been located the Flight Operations Manager in conjunction with the Crew Training Manager will compare the differences in regards to cockpit, systems, equipment, procedures and cabin configuration as described above and their effect on crew scheduling. The cost of addressing these differences will be calculated and presented to the Accountable Manager and a decision will be made to proceed with acquiring the aircraft or to continue to search for a better candidate.

Maintenance Manager

The Maintenance Manager will become involved if consideration is given to relocating certain cabin equipment for the aircraft to be considered the same type for the cabin crews. Also, he will decide if any additional training for maintenance personnel will be required depending on the aircraft's systems differences. This information will also be passed to the Accountable Manager in the decision process.

Compliance Monitoring Manager

The CMM shall deal with all possible compliance issues and perform all audits according to the Compliance Monitoring System.

Safety Manager

The Safety Manager shall evaluate any possible risks the expansion of the operations may cause to the Operator and assess them in accordance with Operator's SMS.

e. Inspections

After everything has been checked at least a Ramp Inspection shall be performed. If the inspector considers so, a flight Inspection should take place.

The checklist "adding new aircraft" shall be used and signed by the inspector(s).

The space provided as "notes" in this checklist could replace the need for a separate "Report Form".

3.3.5 VARIATION IN AUTHORISED AREA OF OPERATIONS

If the Application for AOC Variation is requesting an expanded area of operations the first inspection should be of the results of the operator's internal evaluation procedures (risk assessment). The operator's procedures should clearly indicate who the responsible management person is and the operator's procedures have at least addressed the following (The same procedures should be applied when adding a new route):

- ✓ The adequacy of the implemented method of "Operational Control" and if any modifications are needed to include the new area of operations. The Operations Manual if needed should be modified to reflect any required changes.
- ✓ The general suitability of the aircraft to be used, in particular:
 1. The performance capability of the aircraft with regard to the terrain
 2. The need for any special equipment
 3. The aircraft systems, and the level of redundancy of those systems in regards to extremes of weather and climate
 4. The need for any additional dispatch restrictions with regard to the MEL
- ✓ Any special training required for exposure to new weather/climatic conditions, or special rules (e.g. MNPS, ETOPS, RNAV)
- ✓ Any non-standard ATC requirements such as: new phraseology, altitude clearances in meters, different measurements for altimeter settings, wind speed, visibility.
- ✓ Navigation and communication facilities available over the routes proposed and the associated equipment of the aircraft.
- ✓ The adequacy of aerodromes or heliports within the proposed area and the availability of current maps, charts, and associated documents or equivalent data.
- ✓ The availability of adequate search and rescue facilities and the need to carry special survival equipment and need for any training in its use.

Documents

- Part A modifications, if applicable, need to be submitted and reviewed
- Part C revision adding categorisation of new airports added
- Training records review if area of operations adds any Category airports
- Maps/Charts/Approach plates for the area need to be verified available
- Passenger Handling/Ground operations support need verification that contract includes modified area or company's personnel are in place.
- MEL revision if applicable Verification that a company review of aircraft performance/fuel reserves is adequate
- Revised Compliance Monitoring System (Management System)

B.3.3.6 SPECIAL LIMITATIONS ARE ADDED OR REMOVED

Upon the Operator's request, certain special limitations, on the AOC, are removed taking into consideration the Operator's compliance with the requirements to conduct specific operations: {i.e. Night VFR, Day VFR Only etc.}

B.3.3.7 SPECIAL AUTHORISATIONS/APPROVALS ARE ADDED OR REMOVED

Upon the operator's request (Application), special Authorisations/Approvals can be granted, following the relevant procedures described in HCAA Operations Procedures manual.

For example:

- a) Adding an authorisation for CAT II/III requires an evaluation that takes into consideration the requirements outlined in subpart SPA.LVO. This is considered a major AOC variation. The Compliance List (report) containing all the requirements of SPA.LVO, as applicable, is required to be submitted by the applicant. The applicant should be informed that this process will take longer than 30 days. The separate "Procedure for Issuing CAT II/III" may be utilised.
- b) Adding an authorisation for the transport of Dangerous Goods requires an evaluation that takes into consideration the requirements outlined in Subpart SPA.DG. This is considered a major AOC variation.

B.3.3.8 List of Approvals (re-issue)

Whenever during the procedures described in this Part, the list of approvals described in Part A (A8 in paragraph b) changes, a new (replacement) List is issued.

PART C

RESTRICTION, SUSPENSION OR REVOCATION OF AN AOC

C1. FINDINGS

During an inspection an inspector might record findings of different levels of severity in any one of the Checklists HCAA uses.

HCAA classifies findings into two levels as follows (ARO.GEN.350):

- A level 1 finding is issued by HCAA when any significant non-compliance is detected with the applicable requirements of Regulation (EC) No 216/2008 and its Implementing Rules, with the organisation's procedures and manuals or with the terms of an approval or certificate which lowers safety or seriously hazards flight safety.

The level 1 findings shall include (among others):

- (1) failure to give the competent authority access to the organisation's facilities as defined in ORO.GEN.140 during normal operating hours and after two written requests;
- (2) obtaining or maintaining the validity of the organisation certificate by falsification of submitted documentary evidence;
- (3) evidence of malpractice or fraudulent use of the organisation certificate; and
- (4) the lack of an accountable manager.

In the case of level 1 findings HCAA:

takes immediate and appropriate action to prohibit or limit activities, and if appropriate, it shall take action to revoke the certificate or specific approval or to limit or suspend it in whole or in part, depending upon the extent of the level 1 finding, until successful corrective action has been taken by the organisation.

- A level 2 finding is issued by the competent authority when any non-compliance is detected with the applicable requirements of Regulation (EC) No 216/2008 and its Implementing Rules, with the organisation's procedures and manuals or with the terms of an approval or certificate which could lower safety or hazard flight safety.

When a finding is detected during oversight or by any other means, HCAA, without prejudice to any additional action required by Regulation (EC) No 216/2008 and its Implementing Rules, communicate the finding to the organisation in writing and request corrective action to address the non-compliance(s) identified.

In the case of level 2 findings, HCAA:

(i) grants the organisation a corrective action implementation period appropriate to the nature of the finding that in any case initially shall not be more than three months. At the end of this period, and subject to the nature of the finding, HCAA may extend the three-month period subject to a satisfactory corrective action plan agreed by the competent authority; and

(ii) assess the corrective action and implementation plan proposed by the organisation and, if the assessment concludes that they are sufficient to address the non-compliance(s), accept these.

Where an organisation fails to submit an acceptable corrective action plan, or to perform the corrective action within the time period accepted or extended by the competent authority, the finding shall be raised to a level 1 finding and action taken as laid above.

HCAA records all findings it has raised or that have been communicated to it and, where applicable, the enforcement measures it has applied, as well as all corrective actions and date of action closure for findings.

C2. GENERAL

In case the Operator (the following list is indicative and not exhausting):

- Has Level 1 finding(s) which affect the terms the AOC has been granted and cannot be resolved immediately,
- Fails to submit corrective actions, for findings issued, by the resolution dates,
- Fails to implement HCAA “accepted” corrective actions, or
- There are findings raised in a repetitive basis, or similar findings are raised again in short period after the previous ones have been rectified,
- The accountable manager is denied sufficient funds, manpower or influence to rectify deficiencies,
- The Management System fails to assess safety risks related to identified hazards,
- The Compliance Monitoring System fails to show compliance of the Operator with (EC) 216/2008 and its Implementing Rules, etc

the AOC cannot remain valid and must be varied, suspended or revoked since HCAA can no longer be satisfied that the operator can maintain safe operation according to the requirements under which the AOC was granted.

When safety concern arises the inspector(s) assigned to monitor the operator or/and the Head of Flight Operations or/and the Head of Airworthiness section may trigger the procedure shown in Figure 3.

It is in any case intelligible that Inspector(s) and Head of Flight Operations Section are expected, after due inquiry and consideration of the case, to exercise good judgement and obtain evidence to support their findings (Photocopies, photographs, statements etc).

The restriction/suspension/revocation when sent to the Operator and shall contain:

The effective date, the reasons for the restriction/suspension/revocation, the conditions time limit for which they may be rectified, if allowed, and the obligation of the Operator to return the original copies of the AOC to HCAA.

Effective date of the AOC restriction/suspension/revocation is considered to be the date the Operator formally receives it.

In case the non compliance has a major impact on safety all relevant parties must be informed immediately (orally, by phone, or fax) and suspension letter stating the restriction/suspension elements will be send, to the Operator, by fax or registered e-mail, as well as, to the other above mentioned recipients.

The official letter of the AOC restriction/suspension/revocation will follow signed by the HCAA Governor in due time.

The decision to restrict, suspend, or revoke an AOC can be the result of any particular inspection occurring during the year.

The AOC holder, as well, can apply for restriction(variation)/suspension/revocation of its AOC. The AOC holder applies to Flight Standards Division for the restriction/ suspension/ revocation of his AOC, giving the reasons for this decision. Flight Standards Division proceeds to the restriction/suspension/revocation of the AOC taking into consideration the reasons presented by the AOC holder.

C.3. RESTRICTION

Restriction means that the scope of operations as specified in the AOC Operations Specifications could be restricted with a variation to the AOC.

Restriction can be used by HCAA, as a tool, to ensure continuance of safe operations when the findings' nature is such that it does not affect the aggregation of operations, but the safety issue it raises is limited to a particular area that can be rectified by restriction to the Operation Specifications of the AOC.

This, for example, could take the form of removing an authorisation; such as Low Visibility Operations or the capability to carry Dangerous Goods, if it is determined that these parts of the operation are no longer conducted safely.

The FSDirector sends a restriction letter to the Operator and new Operations Specifications are issued according to the said procedures. The Governor must also notified in written for any such actions are taken.

The operator must inform HCAA, in writing, of the corrective actions taken, once accomplished, to satisfy the lifting of the restriction. Operations should not resume until the necessary inspections have taken place and corrective actions satisfactorily implemented. In particular checks on staffing, compliance system, and crew recency, also a maintenance state of the aircraft by the Airworthiness Section, should be carried out.

Once the assigned Inspector(s) have been satisfied with the inspections, a recommendation by the inspector(s) needs to be forwarded to the FSD through the Section Heads. The AOC Holder may not resume full operations until the OpsSpecs is given back with the restricted item(s) lifted.

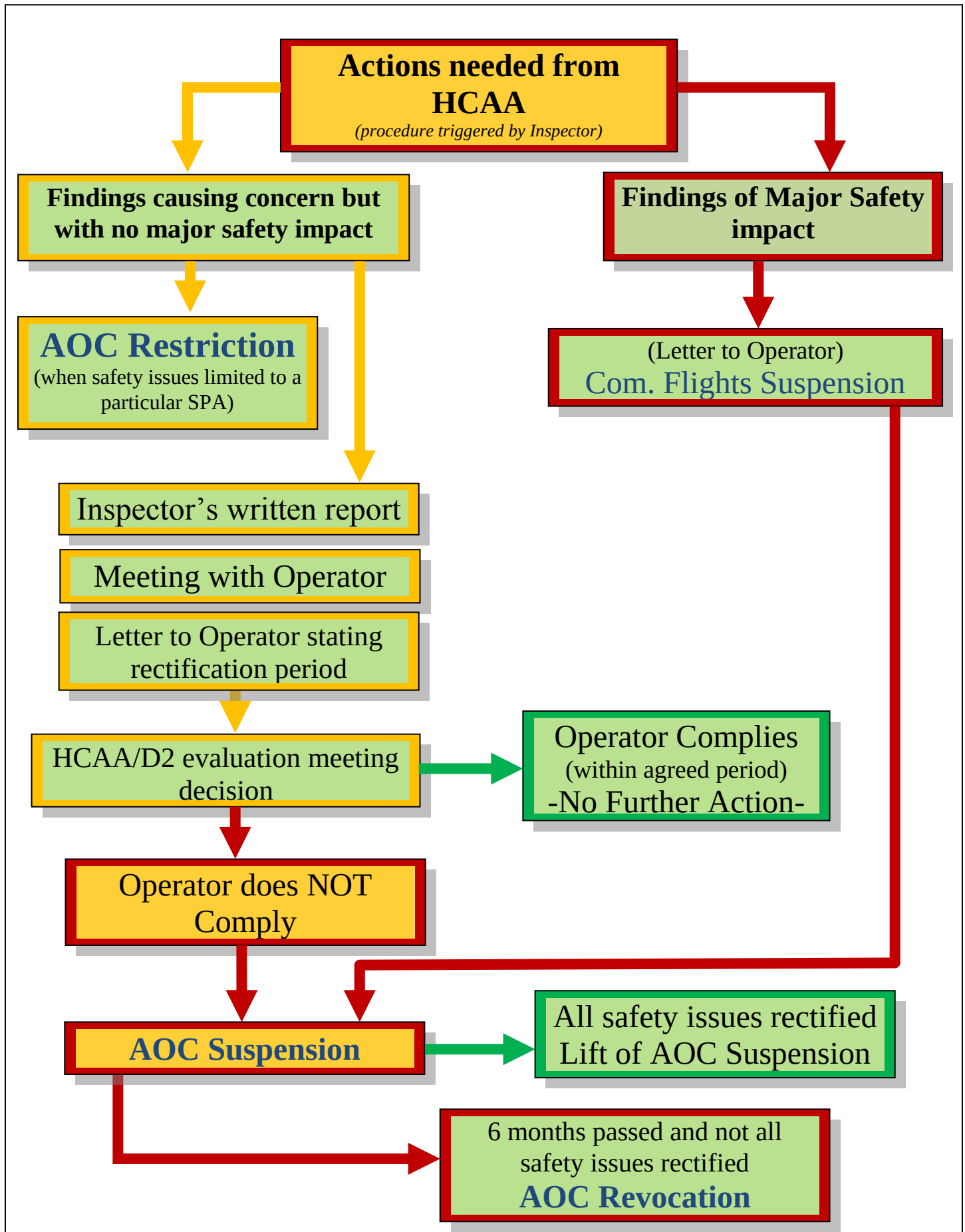


Figure 3: Process for AOC Restriction, Suspension and Revocation

C.4. SUSPENSION

When the AF's nature is such, that the safety issue it raises cannot be rectified by restriction to the Operations Specifications of the AOC as stated above, HCAA proceeds for an AOC suspension.

Suspension involves discontinuance of all the operations of the AOC holder stated by the Operations Specifications.

- In case of findings that DO NOT constitute an immediate threat to safety (AF Level 1), that means in cases of findings of Level 2 (as well as other cases as mentioned above in C.1), these steps apply:

Step 1

The FSDirector invites the Operator, the Head of Flight Operations Section, the assigned Inspector(s) and whoever else HCAA considers to be relevant to the subject, to a meeting. At the meeting FSDirector presents to the Operator the situation and his intention to proceed to an AOC suspension if the Operator does not comply. The Operator presents its case and gives its reasoning. Minutes of this meeting are held.

After the meeting FSDirector sends a letter to the Operator, making reference to the recorded findings and provides a specific period to comply. This letter consists of a warning, that in case of further delay to comply, the Operator will receive the HCAA Governor's Decision of the AOC Suspension. If considered necessary FSDirector can refer to the specific corrective actions which must be taken by the Operator.

Step 2

In case the Operator does not comply with the given rectification period the Decision of Suspension is sent to the Operator (*). A warning will be given, as well, that in case of no compliance within 6 months HCAA will proceed to the revocation of the AOC.

() Note: As the Governor's Decision takes some days to be transacted, in the meanwhile a Fax is sent to the Operator and all the interested parties (airports, etc) prohibiting all commercial flights till the Decision is sent.*

Step 3

If the operator rectifies the recorded non-compliance within a period of six months a full AOC certification process **and a demonstration flight, if necessary, shall take place.** Once, the assigned inspector(s), have satisfactorily accomplished all inspections, a written recommendation by the Inspector(s) involved, will be forwarded to the Head of Flight Operations Section.

The Head of Flight Operations Section will state in writing to the FSDirector, his/her consent to the recommendation and the FSDirector informs the HCAA hierarchy.

After the above mentioned procedure and when all of the HCAA hierarchy agrees, the Governor of HCAA lifts the AOC Suspension.

The AOC Holder will not resume operations until in receipt of its suspended AOC.

NOTE(1): A further delay in the conformance of the Operator may be acceptable in cases of findings that do not immediately affect flight safety (e.g. poor record keeping, not complete training e.g. regarding CRM but not type rating) but only providing that the Operator has satisfied HCAA that he makes efforts to rectify the recorded non compliances.

Whether the AOC Suspension will continue for more time or not will be decided by the HCAA Governor, after taking into account the recommendations of the inspector(s) assigned, the Head of Flight Operations Section and the FSDirector.

NOTE (2): An AOC cannot remain suspended indefinitely. If the appropriate steps are not taken by the operator to reinstate the AOC, action to revoke the AOC must be commenced.

- In case of findings that constitute an imminent threat to safety (AF Level 1), these steps apply:

Step 1

The inspector(s), who observe the finding, records it, briefs the Operator and informs **immediately the FSDirector and the Head of Flight Operations Section.**

Step 2

A. If the FSDirector and the Head of Flight Operations Section agree with the inspector(s) in regard with the level 1 finding, HCAA Governor will be informed and a letter stating that all commercial flights are suspended is issued immediately by FSD and sent by fax or to the Operator. All Greek Airport Authorities and HCAA Departments are to be informed as well. If the Operator operates from abroad the relevant Authorities will be recipients of this fax. An official “AOC Suspension” decision, signed by HCAA Governor, will be issued in due time.

B. In case the FSDirector and the Head of Flight Operations do not agree with the inspector(s) in regard with the level 1 finding, HCAA Governor will be informed.

- If HCAA Governor decides to consider the level of the finding as 1 then the procedure described above will be followed.
- If HCAA Governor decides not to consider the level of the finding as 1, further guidelines/instructions, through FSDirector will be given to Inspector(s) involved

Step 3

Same as Step 3 above.

C.5. REVOCATION

If an immediate safety concern or the appropriate steps were not accomplished satisfactorily to lift a suspension, the AOC should be revoked.

Some examples of reasons (not an exhaustive list) for revoking an AOC are as follows:

- No action taken to reinstate the AOC within the specified time after a suspension.
- Discovery of safety issue violations knowingly committed and known to management.
- Evidence that Accountable Manager is not able to properly finance operations to a minimum safe level.
- Operations conducted without a valid or suspended AOC.

A formal letter outlining the reasons for the revocation will be signed by the Governor and send to the Operator. It should also state the requirement for the operator to return to the Original AOC status.

If the former AOC Holder desires to recommence commercial operations a new AOC application will be submitted and the entire Initial AOC issuance process will be followed.

C6 OTHER ISSUES

An AOC may be revoked not only in cases where safety issues have been raised.

An AOC shall be suspended also in the case the Operator for long time:

- a) has no aircraft left in it, or
- b) has abstain from operations.

In these cases “long time” should be considered any period more than 3 months.

An AOC may not be suspended for the above reasons for a period up to 6 months if the operator submits a well documented excuse. In this case the real interest of the Operator to continue operations must be justified in a meeting where at least the FSDirector, the Heads of Operations and Airworthiness Sections are present on behalf of the HCAA and the Accountable Manager on behalf of the Operator.

NOTE. If, for any reason, an AOC is suspended for 6 months then a revocation is initiated.

NOTE. If the Operator in this period of 6 months (AOC suspension period) wants to get the AOC back, shall provide an “AOC Application Form”.

*Ο Προϊστάμενος
Διεύθυνσης Πτητικών Προτύπων*

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