



User Guide for ATO Applicants	Doc #	UG.FCTOA.00009-001
	Approval Date	28/02 /2025

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	Name	Validation	Date
Prepared by:	Internal Information	Validated	28/02/2025
Verified by:	Internal Information	Validated	28/02/2025
Reviewed by:	Internal Information	Validated	28/02/2025
Approved by:	Internal Information	Validated	28/02/2025





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DOCUMENT CONTROL SHEET**Reference documents****a) Contextual documents**

Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008;

(EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91;

Commission Regulation (EU) 1178/2011 - Commission Regulation of 3 November 2011 laying down technical requirements and administrative procedures related to civil aviation aircrew pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council as amended;

Commission Regulation (EU) 2019/2153 – Regulation of 16 December 2019 on the fees and charges levied by the European Union Aviation Safety Agency, and repealing Regulation (EU) No 319/2014;

ED Decision 2020/005/R – Decision of the ED of 18 March 2020 on amending Acceptable Means of Compliance and Guidance Material to Annex I (Part-FCL), Annex VI (Part-ARA), Annex VII (Part-ORA), and Annex VIII (Part-DTO) to Commission Regulation (EU) No 1178/2011

Management Board Decision N° 01-2017 of 13 June 2017 on guidelines for the allocation of certification tasks to National Aviation Authorities and Qualified entities, and repealing Management Board Decision 01-2011

b) Internal documents

FO.FCTOA.00010 - Application for a Part-ORA ATO Approval
FO.FCTOA.00067 - ATO nominated person change notification
FO.FCTOA.00132 - ATO Change Request

EASA Form 143 - EASA Approved Training Organisation Certificate





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Abbreviations/Definitions

ATO: Approved Training Organisation

AReg: Commission Regulation (EU) No 1178/2011 of 3 November 2011 laying down technical requirements and administrative procedures related to civil aviation aircrew pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council

BR: Basic Regulation – Regulation (EU) 2018/1139 of the European Parliament and of the Council of 20 February 2008 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency, and repealing Council Directive 91/670/EEC, Regulation (EC) No 1592/2002 and Directive 2004/36/EC

EASA: European Union Aviation Safety Agency

FCL: Flight Crew Licensing

GM: Guidance Material

ECCAIRS2: European Co-ordination Centre for Accident and Incident Reporting Systems is a digital platform integrating European National Aviation Authorities.

OA Tool: Organisation Approval Tool - A business process management platform that supports all steps of the organisation approval lifecycle.

Part-FCL: Annex I of AReg

Part-ORA: Annex VII of AReg

RBO: Risk Based Oversight

SG: Organisation’s steering group as defined in this user guide.

UG: User Guide – Guidance for the implementation of regulations





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Record of Revisions		
Issue	Issue date	Change description
001	28/02/2025	First issue, replacing the initial draft.





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1 Introduction

This document provides specific guidance to Organisations wishing to apply for a Part-ORA ATO Certificate.

2 Scope

This document applies to approval of (Aircrew) organisations subject to a certification obligation when the Agency is the Competent Authority in accordance with Article 78 of Basic regulation (BR) and Aircrew Regulation (AReg) ORA.GEN.105 (1) (ii) or in case of re-allocation of tasks pursuant to Articles 64 and 65 of BR.

The Agency will provide oversight to such organisation through its unit under the Flight Standards Directorate and within the Aircrew and Medical Department (FS.3).

This User Guide, is not intended to replace or supersede any requirement under the scope of EU 1139/2018 and its Implementing Rules.

3 Organisation Approval Processes

3.1 Initial Approval

3.1.1 Application

When applying for an EASA ATO Certificate, the organisation will complete the EASA Application Form FO.FCTOA.00010, in accordance with the instructions therein. The Form can be downloaded from the EASA Website via this link

<https://www.easa.europa.eu/en/downloads>

The application shall be submitted to EASA Applicant Services through an email to the address specified in the form.

The following documentation shall be attached when submitting an application:

- a) Certificate of Incorporation, from which it is recognisable that the Applicant Organisation's Principal Place of Business is located outside of the territories of the EU Member States.
- b) The Organisation's Management System Documentation, containing not least information on the Safety Management System and Compliance Monitoring Function. The organisation's management system documentation may be included in a separate manual or in (one of) the manual(s) as required by the applicable Subpart(s) of the AReg. A cross reference should be included.
- c) Operations Manual
- d) Training Manual(s), covering all the training courses for which the organisation is seeking approval.
- e) The details of the proposed Nominated Persons along with their Resumes and Licence Information where relevant.
- f) The proposed List of Instructors
- g) Details on proposed training aircraft as applicable
- h) Details on proposed FSTDs as applicable
- i) Details on proposed Training locations and sites including the specification of the various locations and floorplans, as applicable.





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- j) Statement of Compliance – A document in tabular format e.g. a cross-reference table or matrix to provide evidence of documented implementation of compliance with the applicable requirements. Information on any proposed Contracted Activities

The ATO Oversight Section may request the applicant to prepare a business plan for the approval covering the size and scope of the activities for which the organisation is seeking approval.

The Applicant may ask for a quotation for initial approval. In such case, acceptance of the provided quote will be necessary before the application can be progressed.

In case an applicant wishes to have a preliminary exchange with the Agency before the application is submitted, EASA may consider organising a dedicated pre-application meeting to provide information on the following:

- Elements to ensure that an application meets the eligibility criteria
- Administrative arrangements
- Principles of procedures for oversight of approved organisations as applied by the Agency.

3.1.2 Investigation Team

Once an application is assessed as eligible, EASA will assign a Technical Investigation Approval Team to undertake the application approval process. The investigation team for an initial ATO approval shall comprise of not less than two members, one of which will be the assigned Team Leader.

3.1.3 Interaction

To keep an open communication for all parties involved and ensure the organisations collective competencies are addressed a steering group (SG) must be nominated by the organisation. The SG is responsible to provide the required feedback during the approval process and thereby should demonstrate the organisations combined expertise.

For each member of the SG the organisation will detail:

- Title
- Name
- Function
- Contacts: Email address, Phone number.

All email exchanges will take place between EASA assigned Team Leader and the Steering Group (SG). When the size of the SG is more than 3 members, one member shall be appointed as responsible for interaction with the Team Leader and will be the contact person between EASA and the ATO SG.

Communication and exchange of documents should mainly be done via the EASA online Organisation Approval Tool (OA Tool). The Applicant Organisation will be registered on the OA Tool as part of the approval process.

3.1.4 Initial Technical Investigation

The technical investigation is divided into two stages:





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Stage 1 - Document Review

The purpose of this stage is to review the organisation's setup and documentation to ascertain, prior to conducting the on-site audit, that the applicant shows compliance with the applicable requirements. This includes the review of the personnel requirements specifications, the analysis of the proposed Nominated Persons Résumés and their suitability for the role.

Stage 2 - On-site Audit

The on-site audit is conducted at the applicant's organisation and includes sampling of key processes, interviews with personnel and inspections of the organisation's facilities. Emphasis is placed on the following areas:

- Management system
- Personnel
- Facilities
- Aircraft fleet and FSTD
- Documentation

During the on-site audit the EASA Team will sample the training that is intended to be delivered by the Applicant Organisation.

3.1.5 Management of non-compliance

When a non-compliance is identified during the application process, the applicant organisation will be notified in writing of the corrections that are required.

3.1.6 Certification and issue

Following the completion of the Technical Investigation and the closure of any non-compliance, the Technical Investigation Team Leader will process a recommendation for the issuance of the ATO certificate.

3.2 Surveillance

EASA Competent Authority continuous oversight surveillance activities of ATOs range from documentation desktop reviews, remote audits to meetings and on-site visits. The type, scope and frequency of these activities are defined in each organisation oversight programme based on the organisation's overall risks and performance levels.

3.2.1 Principles of Risk Based Oversight

Risk Based Oversight (RBO) is a way of performing oversight allowing the Authority to prioritise and plan its oversight activities based on regulatory compliance, risk profiling and assessment of the safety performance.

EASA adopts a methodology to perform RBO, where:

- The oversight Programme is driven by the combination of risk profiles and safety performance.
- The oversight execution focuses on the management of risks and performance, besides ensuring compliance.

3.2.2 Planning

Following the principle of RBO, the result of the assessment will lead to the determination of the oversight programme and will define:





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- The Oversight Cycle duration
- Scope of oversight
- Frequency of onsite activities (audits, inspections, and unannounced inspections, as applicable) and remote meetings.

3.2.3 Meetings

Within the oversight cycle several meetings (usually remote) will be scheduled, to cover different organisation's processes. These meetings are scheduled on a regular basis and are planned for a typical duration of one hour each.

3.2.4 Audits

Audits can be on-site or remote. A remote audit consists of a desktop documented review of the organisation's processes and a verification through on-line meetings.

On-site audits cater for a verification, by sampling, of the compliance of the organization to the applicable requirements and to verify the effectiveness of the organisation processes, the adequacy of facilities, equipment, and training standards. The audit may also include a review of contracted organisation, to determine continued compliance with the applicable requirements.

If the training takes place at more than one location the audit team may need to visit the different training locations.

3.2.5 Inspections

The oversight actions include inspections.

These are focused reviews aimed at reviewing specific organisation processes and include one or more of the following elements:

- Desktop reviews;
- On-site visit with targeted scope including , but not limited to:
 - Training delivery observation, in full or limited to ramp, to review training delivery, aircraft or FSTD status and documentation, crew documentation (licences and/or t logbooks) and any other relevant item.
 - Organisation's processes review
 - Records sampling
- Remote Meetings with the organisation personnel

Inspections days are normally agreed with the organisation. When deemed necessary by the Authority for oversight needs, an inspection may be performed without any previous coordination with the ATO (unannounced inspection).

The Organisation shall grant access to the EASA Team in accordance with ORA.GEN.135 (a)(2).

Results of inspections, including findings, will be captured in the OA tool.

4 Information on ATO processes

This chapter provides information on the expected level of implementation of specific ATO processes to ensure a common reference for the applicants. Individual needs will be considered and discussed during the initial, change and continued oversight activities.





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4.1 Scope of Approval

The Certificate issued by EASA in accordance with Part-ORA have some limitations in scope, given the status of the Agency.

As an example, the following courses cannot be included in the list of approved training:

- Examiner Standardisation courses
- Type rating and type rating instructor courses for aircraft listed under Annex I of EU 2018/1139
- Approval to conduct theoretical examinations for licenses.
- Approval to conduct language assessments
- Approval to conduct operator training (example: CRM training etc.)

Certain privileges may be sought and obtained directly from an EASA member State National Aviation Authority.

4.2 Changes

Any change affecting the organisation shall be dealt with, by the ATO, through a common process that clearly identifies at least the following:

- Reason for the change
- Regulatory requirement affected, as applicable
- Risk assessment
- Compliance assessment
- Affected documentation and
- Identification whether the change requires, or not, prior approval.

4.2.1 Changes requiring prior approval

For changes which require a prior approval the applicant needs to apply through one of the following forms:

- FO.FCTOA.00067 for changes of Nominated Personnel
- FO.FCTOA.00132 for changes conducted according to identified protocols (this form is not readily available on-line and requires special conditions to be used)
- FO.FCTOA.00010 for any other change (addition of a course, location, FSTD etc)

Prior implementing the prospective change, the ATO shall receive positive feedback from the Agency. When evaluating changes, the Agency may conduct desktop, remote and on-site audits before granting the approval.

A change affecting the certificate always requires prior approval.

A change affecting the processes and procedures to deal with changes not requiring prior approval (see next paragraph) always requires prior approval (GM1 ORA.GEN.130(a), item b) .

Examples of other changes requiring prior approval are mentioned in ORA.GEN.130 and relevant AMCs/GMs.

4.2.2 Changes not requiring prior approval

When applying for an ATO Certificate, the organisation shall include in its management system documentation a procedure dealing with changes that do not require prior approval.

This procedure shall define the scope of such changes and describe how they will be managed and notified.

In particular, the ATO shall specify:

- The scope of such changes
- The process followed to initiate, plan, and implement the changes





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- The notification lead-times to the Agency.

The scope of these changes shall not include any of the changes relevant to the paragraph above.

Typically, the scope of such changes may include:

- List of Instructors
- Modifications to the Fleet: new aircraft within the same class or type.
- Changes to manuals not including any change which would induce directly or indirectly a change to the conditions associated with an item requiring a prior approval.
- minor verbiage change of paragraph positioning in the organisation's manuals.

The processes and procedures to deal with changes not requiring prior approval and any change of such processes and procedures shall be approved by the Agency.

4.3 Contracted activities

Contracted activities, as referred in ORA.ATO.205 and applicable AMCs/GMs, include those activities within the organisation's scope of approval that are performed by another organisation either itself certified to carry out such activity or if not certified, working under the contracting organisation's approval.

The process to deal with such activities shall be described in the organisation manual and shall address, for each contracted activities, at least the following:

- List of all contracted activities, detailing their scope and nature
- The relevant written agreement(s), including the contractor's approval certificates, as applicable
- The inclusion of each contracted activity in the compliance monitoring program
- The inclusion of the contracted activities in the safety management programme
- The procedures to ensure that the contractors are accessible, available, and capable to undertake the task
- The assurance that the contracted organisation will provide access to EASA for the conduct of oversight of the contracting ATO.

4.4 Occurrence reporting

Organisations under EASA oversight are typically located outside the EU Member States. Therefore, the organisation has an obligation to report occurrences according to the specific national procedures. In addition, the organisation shall comply with ORA.GEN.160 requirements and ensure that occurrences are reported to EASA using the EU reporting system (ECAAIRS2) portal: <https://aviationreporting.eu/> Additionally, the organisation shall ensure that the timeframes specified in part ORA are adhered to. For each occurrence, the organisation shall provide a follow up and the feedback from the SMS system (SAGs, SRBs as applicable).

4.5 Process-based approach

Part-ORA approvals are centered on organisations and their management system. ORA.GEN.115 (b) requires an applicant not only to demonstrate compliance, but "how" the compliance condition is achieved. This implies that, instead of focusing on the product or an individual in isolation, the attention is on the underlying processes leading to a certain result or deliverable. The Organisation, therefore, shall identify its key processes for management and operations and provide a systematic description, being able to identify at least:

- Process owner (responsible person/function)
- Inputs
- Actions and interactions (who does what, how, how often...)
- Outputs





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- Interfaces with other processes
- Records (as applicable).

Experience in oversight have shown a tendency to try to comply with a regulatory requirement only by copying the regulation text in the organisation's manuals. This is, in principle, not acceptable.

As an example, is not uncommon to find the following sentence, when referring to the Accountable Manager responsibilities:

"The accountable manager, who has the authority for ensuring that all activities can be financed and carried out in accordance with the applicable requirements".

The above sentence presents two main issues: it is a copy of the regulation without any reference to the concerned Organisation and does not provide any information on how the tasks relevant to the responsibility of the Accountable Manager is performed.

This would need a continuous sampling of the process, to verify compliance and would not provide any predictability, necessary for the continued validity of the approval as per EASA Form 143, Issue 2.

The regulation allows each organisation to follow their own established processes, tailored to the size, scope and complexity of the organisation, provided it is possible to demonstrate they are compliant with the regulation.

This means that one small organisation may have a simple budgeting exercise based on the projection of past years/season projected to the next year/season whereas a large corporation may implement a complex, multi-owner, multi-step process to establish financial viability for the next 5 years.

An explanation of the processes or the cross reference to other organisation's units processes used to comply with the regulatory requirements should be contained in the ATO documentation to allow an understanding and assessment from the Competent Authority.

The description of key processes will also permit the identification of the critical process steps for the benefit of internal compliance management (auditing) and performance verification (key performance indicators).

4.6 Personnel requirements

The ATO Nominated persons shall be appointed by the organisation for each necessary positions, in accordance with the requirements of EU 1178/2011 applicable to the ATO.

The organisation shall describe the personnel requirement describing the level of competence necessary for the post, considering the minimum requirements described in the regulation.

The competence profile description shall enable the organisation to identify at least:

- Education
- Qualification
- Experience
- Any additional element

to be demonstrated by the individual called to cover a specific function/post or nominated person's role.

In certain cases the regulation provides prescriptive elements (number of flight hours, certificates etc), in other expressions such as "*adequate*" or "*sufficient*" may be present in the implementing rules or in the AMC/GM. The ATO should avoid using such terms as they are intentionally vague to allow the organisation to define their own specification tailored to the nature, scope, and size of activity.

Once those elements are defined by the ATO, it would be easy to verify the suitability of an individual for a certain post as well as the identification of new candidates, should a change be necessary.





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In terms of responsibility, the ATO shall ensure that clear reporting lines are documented and established and the main tasks are described ensuring that there are no conflicting responsibilities in the description and/or in the implementation.

4.7 Instructors

The instructors delivering training for an ATO approved according to Part-ORA shall hold a certificate for instruction issued in accordance to Part-FCL, subpart I. Typically the instructors hold dual licenses: one issued by the local Authority and one issued by an EASA Member State.

In case of instructors holding only a non EASA, ICAO Annex I compliant license, the Instructors may still obtain a certificate in accordance to Part-FCL subpart I FCL.900 (c).

The limits of utilisation of such certificates are explained in Part-FCL subpart I, FCL.900 (c).

