



European Aviation Safety Agency – Rulemaking Directorate
Comment-Response Document 2012-18

Licensing and medical certification of air traffic controllers
Explanatory Note

CRD to NPA 2012-18 (A) – RMT.0153 (ATM.003(a)) & RMT.0154 (ATM.003(b)) – 01/10/2013

EXECUTIVE SUMMARY

This Comment-Response Document (CRD) contains the comments received on the Notice of Proposed Amendment (NPA) 2012-18 on licensing and medical certification of air traffic controllers (published on 22 November 2012), and the responses provided thereto by the Agency.

Given the importance of the subject and the significance of the novelties introduced, the Agency initially proposed a consultation period longer than the standard 3-month consultation with the aim to provide stakeholders with the necessary time frame in order to ensure constructive, coherent and consistent commenting.

On 16 January 2013 the Agency organised a workshop in Cologne which gave stakeholders the opportunity to discuss with the Agency's and the relevant rulemaking group's experts the proposed rules and their reasoning while the consultation was still ongoing. Both participants and the Agency evaluated the workshop as being very beneficial and a key contributor to better understand the proposals and their justification. Following the request of stakeholders the initial public consultation period was further extended until 29 April 2013.

As a result of the public consultation the Agency received 2 926 comments. The Agency expresses its appreciation to stakeholders who have provided not only their individual comments on the draft proposals, but expressed their coordinated views through the relevant European stakeholder groups. The Agency considers that the comments received contribute significantly to the production of balanced and efficient rules.

The Agency reviewed the comments and provided responses thereto with the contribution of experts who participated in the drafting of the subject proposals and of individuals and organisations who were not members of the initial rulemaking group. For this purpose the Agency organised focussed consultations comprising a series of thematic meetings with the aim to commonly identify and analyse the issues behind the comments and to establish guidance for the review of the proposals towards drafting the related Opinion.

The Agency trusts that the responses in this CRD satisfy the commentators insofar as they provide further clarification on the issues raised. In cases where (based on the comments received) the original proposal has been substantially reconsidered, the resulting text is also provided in the CRD in order to facilitate the understanding and the evaluation of the changes proposed in the responses to the comments. Such resulting text is, however, without prejudice to the final text to be proposed in the Agency's Opinion to be issued as the final step of the subject rulemaking activity.

| Applicability | | Process map | |
|-------------------------------------|---|---|------------|
| Affected regulations and decisions: | Rules for Air Traffic controllers' licences and certain certificates pursuant to Regulation (EC) No 216/2008 | Concept Paper: | No |
| Affected stakeholders: | Air traffic controllers; Aero-medical examiners; aero-medical centres; EASA; national supervisory authorities; air navigation service providers; air traffic controller training organisations | Rulemaking group: | Yes |
| Driver/origin: | Article 8c of the Basic Regulation | RIA type: | Full |
| Reference: | Commission Regulation (EU) No 805/2011 Annex 1 to the Convention on International Civil Aviation (Chicago Convention) EUROCONTROL Specification for the ATCO Common Core Content Initial Training- Edition 1.0 - Edition date: 21.10.2008 EUROCONTROL Guidelines for the Requirements for European Class 3 Medical Certification of Ai Traffic Controllers | Technical consultation during NPA drafting: | Yes |
| | | Publication date of the NPA: | 12/11/2012 |
| | | Duration of NPA consultation: | >3 months |
| | | Review group: | Yes |
| | | Focussed consultation: | Yes |
| | | Publication date of the Opinion: | 2013/Q4 |
| | | Publication date of the Decision: | 2014/Q1 |

Table of contents

| | |
|--|----|
| 1. Procedural information | 3 |
| 1.1. The rule development procedure | 3 |
| 1.2. The structure of this CRD and related documents | 5 |
| 1.3. The next steps in the procedure | 5 |
| 2. Overview of the changes resulting from the consultation..... | 7 |
| 2.1. Educational background of air traffic controller as a licensing requirement..... | 7 |
| 2.2. Minimum age requirement applicable to the air traffic controller licence | 7 |
| 2.3. Validity of unit endorsements and frequency of assessments | 8 |
| 2.4. ATS providers providing services to aircraft undergoing flight tests..... | 9 |
| 2.5. Language proficiency endorsement issues | 9 |
| 2.6. Instructor and assessor certification | 9 |
| 2.7. Qualification of the instructors in the context of training..... | 11 |
| 2.8. Transposition of the ATCO Common Core Content for Initial Training | 13 |
| 2.9. Arrangements between training organisations and air navigation service providers..... | 14 |
| 2.10. Remotely operated towers..... | 15 |
| 2.11. Requirements related to competent authorities | 15 |
| 2.12. Authority requirements on aero-medical certification | 16 |
| 2.13. Licensing authority vs competent authority in the medical domain..... | 18 |
| 2.14. Diabetes mellitus | 19 |
| 2.15. Fixed-time periods to wait for an aero-medical assessment | 19 |
| 2.16. Initial assessment vs revalidation of medical certificates | 19 |
| 2.17. Alignment with Part-MED | 19 |

1. Procedural information

1.1. The rule development procedure

The European Aviation Safety Agency (hereinafter referred to as the 'Agency') developed this Comment-Response Document (CRD) in line with Regulation (EC) No 216/2008¹ (hereinafter referred to as the 'Basic Regulation') and the Rulemaking Procedure².

This rulemaking activity is included in the Agency's Rulemaking Programme under RMT.0153 (ATM.003(a)) & RMT.154 (ATM.003(b)). The scope and timescale of the task were defined in the related Terms of Reference ATM.003(a)&(b).

On 22 November 2012 the Agency issued the Notice of Proposed Amendment (NPA) 2012-18 on licensing and medical certification of air traffic controllers.

On 16 January 2013 the Agency organised a workshop in Cologne which gave stakeholders the opportunity to discuss with the Agency's and the relevant rulemaking group's experts the proposed rules and their reasoning while the consultation was still ongoing. Both participants and the Agency evaluated the workshop as being very beneficial and a key contributor to better understand the proposals and their justification.

The public consultation period was prolonged, following the request of stakeholders, and ended on 29 April 2013. As a result of the public consultation the Agency received 2 926 comments, whose distribution is shown in Table 1 and Figure 1 below.

| | | Pages | Segments | Segments commented | Comments | Users |
|---------------------|--|------------|----------|--------------------|-------------|-------|
| NPA 2012-18 (A) | Explanatory Note | 73 | 70 | 51 | 328 | 50 |
| NPA 2012-18 (B.I) | Draft cover Regulation and IR Part-ATCO, Part-ATCO.AR and Part-ATCO.OR | 54 | 83 | 81 | 1332 | 60 |
| NPA 2012-18 (B.II) | Part-ATCO.MED | 19 | 38 | 37 | 406 | 36 |
| NPA 2012-18 (B.III) | Appendices to Part-ATCO, Part-ATCO.AR and Part-ATCO.OR | 113 | 87 | 81 | 209 | 20 |
| NPA 2012-18 (B.IV) | AMC/GM to Part-ATCO, Part-ATCO.AR and Part-ATCO.OR | 45 | 44 | 35 | 323 | 38 |
| NPA 2012-18 (B.V) | AMC to Part-ATCO, SUBPART D, Section 2 (Initial training) | 299 | 89 | 89 | 179 | 7 |
| NPA 2012-18 (B.VI) | AMC/GM to Part-ATCO.MED | 28 | 41 | 34 | 122 | 25 |
| NPA 2012-18 (B.VI) | Regulatory Impact Assessment | 105 | 17 | 6 | 27 | 10 |
| Total | | 736 | | | 2926 | |

Table 1: Distribution of comments received to NPA 2012-18 through the sub-NPAs.

¹ Regulation (EC) No 216/2008 of the European Parliament and 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 (OJ L 79, 19.3.2008, p. 1), as last amended by Commission Regulation (EU) No 6/2013 of 8 January 2013 (OJ L 4, 9.1.2013, p. 34).

² The Agency is bound to follow a structured rulemaking process as required by Article 52(1) of the Basic Regulation. Such process has been adopted by the Agency's Management Board and is referred to as the 'Rulemaking Procedure'. See Management Board Decision concerning the procedure to be applied by the Agency for the issuing of Opinions, Certification Specifications and Guidance Material (Rulemaking Procedure), EASA MB Decision No 01-2012 of 13 March 2012.

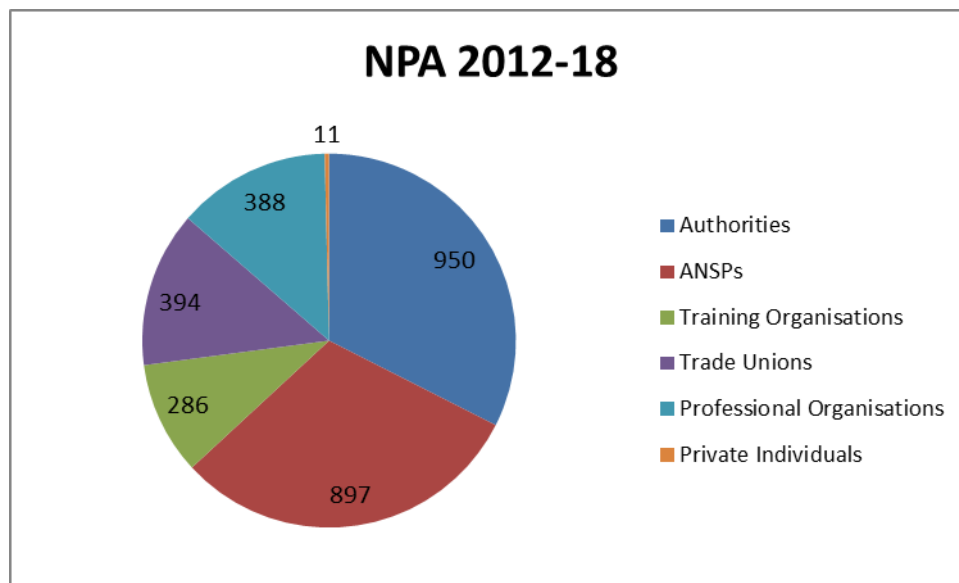


Figure 1: Distribution of the comments received according to stakeholder sectors.

The Agency concludes that the public consultation on NPA 2012-18 on the licensing and medical certification of air traffic controllers brought real benefits to the rulemaking activity. Stakeholders and interested parties provided valuable comments and alternative proposals accompanied with justifications and practical examples, which largely facilitated the review of the proposal.

The Agency reviewed the comments and provided responses to the comments with the assistance and contribution of experts who participated in the drafting of the subject proposals and of individuals and organisations who were not members of the initial rulemaking group. For this purpose, and to ensure balanced participation of experts, the Agency decided to hold thematic meetings on the proposed rules, including the accompanying Acceptable Means of Compliance (AMC) and Guidance Material (GM).

The thematic review meetings' aim was to commonly identify and analyse the issues behind the comments and to provide guidance to the Agency in the review of the proposals towards establishing its Opinion. Meetings have been held to enable open, constructive and targeted contributions and to ensure high effectiveness and focussed participation of experts according to their field of expertise.

The thematic meetings covered the following subjects:

- definitions and transitional arrangements;
- recognition of licenses, licensing and authority requirements related to the issue, and exchange of licences;
- provisional inability;
- requirements for unit endorsements and for unit competence schemes;
- requirements for training organisations;
- air traffic controller training;
- instructor and assessor certification.

The thematic meetings provided the Agency with a better understanding of the comments and the issues behind, and greatly contributed to the review of the proposal and to providing responses to the comments.

The process map on the title page contains the major milestones of this rulemaking activity.

1.2. The structure of this CRD and related documents

This CRD provides the full set of individual comments received to NPA 2012-18, and the responses provided thereto. In cases where (based on the comments received) the original proposal has been substantially reconsidered and amended, the resulting text is provided in the corresponding annexes to this CRD in order to facilitate the understanding and the evaluation of the changes proposed in the light of the responses to the comments. Such resulting text is, however, without prejudice to the final text to be proposed in the Agency's Opinion to be issued as the final step of the subject rulemaking activity.

The structure of this CRD is outlined below.

| CRD 2012-18 'Explanatory Note' | | |
|--------------------------------|---|---|
| Annex A | Comment-Response Document to NPA 2012-18 (A) 'Explanatory Note' | |
| Annex B.I | (a) | Comment-Response Document to NPA 2012-18 (B.I) |
| | (b) | Extracts of resulting text of NPA 2012-18 (B.I) 'Draft Cover Regulation + IR Part-ATCO, Part-ATCO.AR and Part-ATCO.OR' |
| Annex B.II | (a) | Comment-Response Document to NPA 2012-18 (B.II) |
| | (b) | Resulting text of NPA 2012-18 (B.II) 'Part-ATCO.MED' |
| Annex B.III | (a) | Comment-Response Document to NPA 2012-18 (B.III) |
| | (b) | Extracts of resulting text of NPA 2012-18 (B.III) 'Appendices 1 and 10 to draft Commission Regulation (EU) No .../... (Part-ATCO, Part-ATCO.AR and Part-ATCO.OR)' |
| Annex B.IV | (a) | Comment-Response Document to NPA 2012-18 (B.IV) |
| | (b) | Extracts of resulting text of NPA 2012-18 (B.IV) 'AMC/GM to Part-ATCO, Part-ATCO.AR and Part-ATCO.OR' |
| Annex B.V | (a) | Comment-Response Document to NPA 2012-18 (B.V) |
| | (b) | Resulting text of NPA 2012-18 (B.V) in the form of change matrices including IRs and AMC to Part-ATCO, SUBPART D, Section 2 (Initial Training) ³ |
| Annex B.VI | (a) | Comment-Response Document to NPA 2012-18 (B.VI) |
| | (b) | Resulting text of NPA 2012-18 (B.VI) 'AMC/GM to Part-ATCO.MED' |
| Annex C | Comment-Response Document to NPA 2012-18 (C) 'Regulatory Impact Assessment' | |

1.3. The next steps in the procedure

Stakeholders are invited to provide reactions to this CRD regarding possible misunderstandings of the comments received and the responses provided.

³ This file, including the entire ATCO IT Common Core Content proposed separately in NPA 2012-18 (B.III) Appendices 3 to 9 as IRs and in 2012-18 (B.V) as AMC, displays the changes introduced as a result of the comments received during the consultation period. The cover page provides an explanation on how to read and decode the changes introduced.

Such reactions should be received by the Agency not later than **15 November 2013** and should be submitted using the automated **Comment-Response Tool (CRT)** available at <http://hub.easa.europa.eu/crt>⁴.

The Opinion, which contains the proposed repeal of Commission Regulation (EU) No 805/2011 of 10 August 2011 laying down detailed rules for air traffic controllers' licences and certain certificates pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council, is addressed to the European Commission and will be published in no less than two months after the publication of this CRD.

The Decision containing CS, AMC and GM will be published by the Agency when the related Implementing Rule(s) is (are) adopted by the Commission.

⁴ In case of technical problems, please contact the CRT webmaster (crt@easa.europa.eu).

2. Overview of the changes resulting from the consultation

2.1. Educational background of air traffic controller as a licensing requirement

ATCO.B.001(b) sets out the prerequisites for obtaining a student air traffic controller licence. In this regard no consensus has been reached in the rulemaking group, and the Agency proposed two options with the view to hearing from stakeholders which option they would find more appropriate and for what reasons. The difference between the two options is maintaining (option B) or not (option A) the educational requirement as a prerequisite for the issue of a student air traffic controller licence.

Based on the outcome of the consultation the Agency decided to choose option A, so the educational requirement is not anymore considered as a prerequisite for the issue of the licence. The Agency believes that this requirement does not bring any added value in relation to safety, as the applicant has to demonstrate his/her appropriate educational background at the same time when the licence is being issued, following successful completion of the Initial Training, which together with the language proficiency of the applicant is the most significant proof that the privileges of the student air traffic controller licence could be safely exercised.

The Agency believes that this approach does not undermine the relevant essential requirement stating that a person undertaking training as an air traffic controller or a student air traffic controller shall be sufficiently mature educationally. On the contrary, with the proposed associated GM regarding the maturity of air traffic controller this Implementing Rule would finally put this important subject into the appropriate framework.

Besides, the fact that applicants in most cases also participate in very strict selection procedures before being admitted to Initial Training, and that completing Initial Training is very demanding, reinforces the argument that it does not seem to be appropriate to check the educational background of the applicant at the stage of issuing a licence.

2.2. Minimum age requirement applicable to the air traffic controller licence

The provisions of ATCO.B.005 are governing the privileges and prerequisites of the air traffic controller licence where, compared to Regulation (EU) No 805/2011, the minimum age to be issued with an air traffic controller licence is removed. This solution results in the minimum age of 18 years old, in practice aligned with the age to become a student air traffic controller and introduces harmonisation throughout the Member States.

The Agency has come to this conclusion based on an in-depth analysis of the comments received during the consultation process, the review meetings held, and the responses received to the questionnaire which was launched in parallel to the NPA consultation. The reasons for lowering the required minimum to be issued with an air traffic controller licence are summarised below.

- (i) 18 years of age is in almost all Member States the age of maturity. There is no substantive reason for which safety could be affected in case a person being 18 years of age exercises the privileges of an air traffic controller licence, provided that the person meets the rest of the requirements and has demonstrated to be competent by the successful completion of a unit endorsement course.
- (ii) Unfairness and inconsistencies exist today due to the gap between the minimum age to become a student air traffic controller and the minimum age to be issued with an air traffic controller licence, since the duration of the unit endorsement courses varies significantly from one unit to another. The responses to the questionnaire on the ATCO minimum age showed that the duration of the unit endorsement course could vary from an average minimum of 3 months until a maximum that could even exceed 24 months. Therefore, it is not reasonable to allow a person to become a

student air traffic controller at the age of 18 and at the same time to allow him/her to be issued with an air traffic controller licence only 3 years later, especially when provisions have been established on the maximum period of time a student air traffic controller could remain 'current' without exercising the privileges of the licence in order to commence unit training.

- (iii) The analysis of the responses given by those Member States that did not use their right to derogate from the age of 21 leads to the conclusion that no safety reason was present. Instead, the reasons were related to the historical fact that ICAO Annex 1 establishes the minimum age to become air traffic controller at the age of 21 years. The other apparent reason for not derogating is that simply 'there was no need to' due to the fact that in those countries the duration of the unit training is such that the gap between the issue of the student licence and the air traffic controller licence is not significant. Lowering the minimum age to become an air traffic controller should not affect at all the way these Member States were dealing with the issuing of licences.

The Agency, therefore, concludes that there is no substantive reason, moreover there is no safety-related reason, for maintaining the age to become an air traffic controller at the age of 21 years, and proposes to align it with the standard age of maturity existing in the Member States and indirectly with the minimum age to be issued with a student air traffic controller licence. In any case, irrespective of this indirect alignment with regard to the age, the principles remain since it is necessary to be issued with a student air traffic controller licence prior to the issue of the air traffic controller licence.

It should be noted that this proposal maintains and institutionalises the already existing difference compared to the ICAO Annex 1 requirements and, therefore, requires a notification to this end. In parallel, the Agency would be ready to initiate any necessary action towards ICAO to suggest exploring the possibility to align Annex 1 with this initiative.

2.3. Validity of unit endorsements and frequency of assessments

ATCO.B.020(c) is dealing with the validity of the unit endorsements, where the changes proposed compared to Article 12 of Regulation (EU) No 805/2011 are due to the discrepancy between the 12-month validity of the unit endorsement and the 3-year (maximum) period applicable to the competence assessment of the air traffic controller by Annex II, Part C, to revalidate (extend its validity according to the previous terminology) the said endorsement. The experts considered that this discrepancy is causing practical implementation problems and has led to considerable differences in the implementation amongst Member States. Moreover, the possible decoupling of the validity of the unit endorsement from the means to check the competence of the air traffic controller is considered inappropriate to ensure the same level of safety in a continuous manner.

The NPA considered the diversity of the air traffic control units, their different needs and different activities and concluded that certain flexibility needs to remain with the air navigation service provider when establishing the validity of the unit endorsements. Therefore, it has been proposed that the validity of the unit endorsement should be defined in the unit competence scheme and correlate to the frequency of the assessments, with a maximum period of validity fixed at 3 years, which has been the time limit in Regulation (EU) No 805/2011 for the frequency of the assessments.

Based on the evaluation of the comments received during the consultation, the Agency concludes that even though there is a number of commentators voicing their opinion against the 3-year period as being too long, the view according to which flexibility at the unit level is the good way forward prevails, since it allows ANSPs and units to set their own validity period and align the assessments.

The Agency, therefore, maintains its original proposal with some editorial changes in order to clarify that the assessment is a prerequisite of the revalidation, therefore two time

frames need to be identical, for the reason of administrative simplicity and legal certainty. Thus, the successful assessment shall take place within 3 months prior to the expiry date of the unit endorsement and is a prerequisite for revalidation of the endorsement.

2.4. *ATS providers providing services to aircraft undergoing flight tests*

During the consultation period of this NPA the Agency has been made aware of the specific needs of ATS providers which provide ATS services to flight test, and in particular when those flight tests are carried out in controlled or non-controlled airspace shared with other airspace users, which are also specifically addressed in NPA 2013-08.

While most of the requirements of the proposed draft Regulation are applicable, the Agency recognises the potential need for additional requirements, especially in the field of training (more specifically: unit training), which ensure the ability of the air traffic controllers to provide air traffic control services to aircraft carrying out flight tests.

Therefore, the Agency proposes that, when relevant, such air traffic controllers are required to meet additional requirements to those of the regular unit endorsement course. To this end only specific performance objectives are set out and further details of the specific training is provided in GM in order to assist affected ATS providers to establish the necessary training.

2.5. *Language proficiency endorsement issues*

Although the Note attached to ICAO Annex 1 states that 'The language proficiency requirements are applicable to the use of both phraseologies and plain language', the Agency accepts the comments insofar as requiring conformity with the level 4 criteria and applying the holistic descriptors and the rating scale to phraseology is not appropriate; therefore, the reference to phraseology in ATCO.B.030(b) is deleted. The proposed AMC and GM are adapted in order to reflect this change. At the same time it must be acknowledged that communication issues are amongst the biggest contributing factors to occurrences; therefore, and as a consequence of this change, the Agency reviewed the AMC level refresher training requirements with the view to ensuring regular refresher training on communication tools and means.

Regarding the validity of the language proficiency endorsement, and taking into account the view of most of the commentators, the Agency proposes to reduce the 9-year revalidation requirement for level 6 language proficiency for the English language only and thus to exempt the local or national languages from this requirement. The Agency believes that this proposal is in principle also in line with those comments which requested an exemption for the native speakers, even though this term is not used in the proposed text as it is not clearly definable who should be considered native speaker.

2.6. *Instructor and assessor certification*

The requirements established for instructor and assessor certification have triggered many comments which urge the Agency to reformulate and simplify its initial proposal along the following lines.

The privileges of the STDI endorsement are amended in order to clarify that it is the practical nature of the training required for a given subject which requires the involvement of an STDI and not the device or tool used for the training.

The validity of both the instructor and assessor endorsements are revised by accepting the comments proposing the simplification of the revalidation requirements by limiting them to the successful completion of the approved refresher training.

The requested clarification concerning the different treatment of assessments leading to the issue, revalidation or renewal of a licence, rating or endorsement and assessments or continuous assessment during training is ensured via the amended definition of the term 'assessment'. This ensures that only 'final' assessments leading to the issue, revalidation

or renewal of a licence, rating or endorsement are under the scope of the requirements relevant to the assessment and thus require the involvement of an assessor.

The single term 'assessor' has been kept for the category of personnel that is empowered to assess the practical skills of air traffic controllers. This does not prevent the establishment or maintenance of other categories of personnel at national level, provided that those categories do not interfere with the privileges of the assessor category established based on common requirements at EU level. The Agency sees no interference with the common rules if Member States wish to maintain several categories within the assessor category, based on experience requirements, or similar, leading potentially to different benefits, provided that the common qualification requirements are met for all categories. It is also important to highlight that these rules do not regulate the qualification or other requirements of examiners. The term 'examiner' is not used in the draft Regulation; reference is made, however, to 'examinations' which refer to the validation of theoretical knowledge and understanding, as defined in Article 3.

Several comments suggested not to require a valid unit endorsement from the assessors relevant for the unit they assess. Some suggested another approach, namely to require assessors to be at the same time OJTI with certain experience requirement. The issue has been widely discussed at the thematic review meeting, from which the Agency concluded that even though there are important safety-related factors in favour of requiring that assessors hold the unit endorsement of the unit they will assess, such requirement would be too stringent and in many cases impossible to comply with (small units, independent assessors from those persons who have been involved in the training, introduction of a new service or changing the service provider for an existing service, assessments performed as part of the competent authority's safety oversight activity), which then would warrant the need for many different exemptions. Considering the nature of those issues requiring exemptions, as well as the relevant safety objectives set out by the essential requirements which are to be implemented, the Agency proposes a different approach for assessors.

As a basic criterion for the application for an assessor endorsement the Agency proposes to require that applicants have exercised the privileges of an air traffic controller licence for at least 2 years and have successfully completed an approved assessor course, during which the required knowledge and skills are taught using theoretical and practical methods, and have been appropriately assessed within the year preceding the application. By establishing these basic requirements the particular situation for Initial Training assessments could be simplified. The Agency doesn't see anymore any particular difficulty for training organisations providing Initial Training only in requiring qualified assessors for the assessment of practical skills for Initial Training. Therefore, the need to empower STDIs undergoing assessor training to act as assessors during Initial Training does not exist anymore; STDIs without a valid unit endorsement can now obtain the assessor endorsement.

Since, however, these basic assessor requirements do not specify any operational experience, the required operational experience for certain assessments has to be further detailed in the provisions on assessor privileges. In order to exercise the privileges of the assessor endorsement it is now required to have at least 2 years' experience in the rating and rating endorsement(s) relevant to the assessment. In addition, the Agency is proposing to require that the persons holds the associated unit endorsement for 1 year when the assessment is leading to the issue, revalidation and renewal of a unit endorsement. It is important to mention that in such case, and for the purpose of ensuring supervision in the operational working position, the assessor shall also have an OJTI endorsement, or an OJTI with the valid unit endorsement appropriate to the assessment shall be present.

Specific provisions are proposed to limit the assessor privileges in case of vested interest and for establishing a temporary assessor authorisation, with associated GM, to cover

exceptional situations when compliance with the relevant unit endorsement criteria is not possible.

2.7. Qualification of the instructors in the context of training

Despite being commented by one individual stakeholder, the Agency believes that the objectives of performance-based rulemaking are fully met with the subject proposal. The proposed rules are based on the relevant provisions and essential requirements of Regulation (EC) No 216/2008 and not on how training is currently provided in a great number of organisations, as the comment suggests. The Agency also believes that the proposed rules will not prevent innovation and better performance in this important domain. Moreover, the detailed scrutiny of the comments received has also provided the Agency with further helpful proposals on how certain provisions can be better allocated to AMC/GM material, as this comment also underlines. However, that particular comment on entrusting a major part of the practical air traffic controller training to instructors having never worked themselves in this profession is very subjective and the majority of stakeholders will object to it.

The relevant essential requirements distinguish clearly between theoretical instructors and instructors on practical skills, but amongst them only instructors on practical skills are required to hold a certificate based on Article 8c(8) of the said Regulation. Regarding the instructors on practical skills the essential requirements offer the possibility to act as an instructor on practical skills with a non-valid air traffic controller licence ('have been entitled to act as an air traffic controller').

In order to implement the second requirement, including the options offered, the aspects of practical training needed to be further analysed. However, and contrary to the comment, it is not this draft Regulation which redefines the subjects for the acquisition of which practical instruction is required. Initial Training is divided into basic and rating training, both of which comprise of subjects, subject objectives, topics and subtopics defined initially in the EUROCONTROL document 'Specification for the ATCO Common Core Content Initial Training (CCC)' and transposed — for the purpose of NPA 2012-18 — into the EASA system of Implementing Rules and Acceptable Means of Compliance. Within the CCC each objective bears a taxonomy level, which relates to the level of complexity of the task. The CCC defines that objectives within the ATM subject at taxonomy level 3 or higher are practical by nature and should be achieved through the use of a part-task trainer or a simulator. The CCC has been the basis of air traffic controller training in Europe since 2004 and is widely acknowledged and used through the ATM community. Since its transposition into the IRs and AMC, NPA 2012-18 did not change the nature of the requirements, it is considered that there is sufficient guidance on where to draw the line between theoretical and practical training.

The Agency trusts that even the commentator does not question that on-the-job training is practical by its nature, and requires instructors providing training and supervision at a working position to hold an air traffic controller licence as well as a valid unit endorsement. Such requirement results directly from the nature of the instruction undertaken, as well as from its implications regarding the responsibility for the safety of air traffic, which rests in such cases with the OJT instructor.

As a second step, the criterion of 'having been entitled to act as an air traffic controller' had to be translated into an Implementing Rule, which led to the proposal in NPA 2012-18, namely to differentiate two subcategories for practical instructors: the traditional on-the-job training instructor (OJTI) for which function holding a valid air traffic licence is indispensable, and the synthetic training device instructor (STDI) which offers a career possibility for air traffic controllers who don't have any more a valid unit endorsement, for example due to medical reasons or retirement.

Following this split it had to be considered what privileges to entrust to the synthetic training device instructors, which do not hold anymore a valid unit endorsement. They of

course cannot be responsible for live traffic, but instructing on synthetic training devices was considered to be the way forward, which does not adversely affect the current high level of safety. Both categories, i.e. OJTI and STDI, are required to hold a certificate demonstrating the practical instructional skills, which is proposed to take the form of a licence endorsement. Such endorsements, issued on common criteria, are then subject to mutual recognition within the EU.

Detailed qualification criteria as well as the privileges for both categories have been proposed in the said NPA, some of which have been commented to a certain extent by stakeholders; however, the need for requiring a licence as air traffic controller, which is regarded as the proof of the relevant operational experience and is considered as an important factor towards ensuring safety, has only been questioned by a single stakeholder.

More than just a proof of the relevant operational experience, the air traffic controller licence is the only means which attests that the person in question has ever acquired operational experience (since without a licence no ATC service provision is allowed). Throughout the expert level discussions it has not been possible to 'replace' or 'exchange' the requirement for an air traffic controller licence by other means and to establish equivalence with the 'package provided by the licence' at Implementing Rule level.

One commentator considers that the above approach prevents innovation in air traffic controller training. The Agency, however, believes that the current draft enables training organisations to make use of a wide variety of training and assessment methods, techniques and media, so it is difficult to understand how innovation in training would not be possible. The draft IR does not advocate or oblige any training organisation to arrange its training so that 'theoretical knowledge precedes practical training' or that practical training 'develops by adding complexity to the traffic picture'. Training organisations are free to structure, order and combine their training events in any manner. The point at which a distinction is made is the need for separate examinations and assessments.

It does not automatically mean that if an organisation structures its training in a particular way then the qualifications of the training personnel can be changed. It is true that some system functionalities and processes may be taught by non-ATC personnel (or for that matter using other methods, e.g. WBT); however, the integration of these functionalities into the acquisition of air traffic controller competencies remains the primary reason why there is a requirement for clear STDIs and OJTIs qualifications.

Regarding the primary function and role of air traffic controllers, which is to ensure safety while providing air traffic services, it is difficult to argue that the same approach and understanding at the level of the required complexity could be achieved by personnel who have, in most cases, never exercised the task themselves.

Air traffic controller training, as proposed in NPA 2012-18, follows the method of competency-based training, although the level of details established in the common rules varies between the different types of training. This is due to the fact that harmonisation of training requirements is considered the basis of mutual recognition of licences. Thus, without common requirements there are no objective grounds to establish the principle of mutual recognition. The level of details is, therefore, extremely important for Initial Training, which leads to the issue of the mutually recognised student air traffic controller licence.

Although via the transposition of the already existing and applicable CCC requirements there are requirements in NPA 2012-18 which link certain training elements to the use of a specific level of synthetic training devices, this approach is not driven by attaching the use of certain training tools or means to defined instructor qualifications. On the contrary, the identification of the required instructor qualifications is driven by the complexity of the skills and competencies to be taught and acquired by the end of the training.

The Agency agrees that in this context a distinction need to be made between courses that teach generic skills (i.e. some elements of the instructor and assessor training) and ATC-specific courses. It is true that most of the skills of an instructor or assessor are exportable into other non-ATC environments, making it possible for non-ATC personnel to be involved in the teaching of this course. The same logic does not apply to practical ATC training because the skills being taught bear no resemblance to other non-ATC environments. It would be akin to advocating that it is acceptable for someone who holds a motor car driving licence to teach a student to fly a plane because the basics of transport are the same.

Instructors on practical skills need to be certified and for this purpose, amongst other criteria, they shall hold or have held an air traffic controller licence. Regarding practical skills training, the CCC is giving guidance on the delimitation for the purpose of Initial Training, while there is no question about the practical nature of on-the-job training.

It seems that many stakeholders misinterpreted the proposal in NPA 2012-18 on STDI qualifications and considered that it links the use of a tool or training device for whatever purpose with the involvement of an endorsed STD instructor. This is, however, not the case. The intention of the draft proposal was and still is to establish requirements to be met by instructors on practical skills, both on STDs and on OJT. It is the training requirements themselves which specify the distinction between theoretical and practical subjects and establish the need for the use of certain training tools.

Taking into account those clarification needs the Agency amends its proposal with regard to the STDI qualifications in order to avoid those interpretations, according to which the use of STDs would at all times require an endorsed STD instructor. Such amendments do not, however, disregard neither the need for qualification requirements for instructors on practical skills meeting Regulation (EC) No 216/2008 nor the established and already applicable requirement to impart certain practical skills by certain training tools.

Following the evaluation of the comments received, as well as the expert discussions during the review of the comments, it is considered that this approach is:

- (i) in line with the views of the majority of the stakeholders and experts;
- (ii) takes due account of the objectives of the Basic Regulation, namely to ensure a high and uniform level of safety;
- (iii) establishes proportionate requirements for practical instructors; and
- (iv) ensures a level playing field in terms of training tools used in air traffic controller training.

2.8. Transposition of the ATCO Common Core Content for Initial Training

Several comments were submitted particularly by training organisations and ANSPs as regards the approach and the methodology for the transposition of the EUROCONTROL Specification for the ATCO Common Core Content Initial Training into the EU law. The large majority of these comments expressed the wish to have the ATCO CCC IT not transposed but referenced in the EU law, as it is already the case in Regulation (EU) No 805/2011. The rationale for the transposition is explained and justified in the Regulatory Impact Assessment attached to the NPA; the Agency is of the opinion that despite the indication in the aforementioned comments, the proposed approach remains most valid to ensure that the related Essential Requirements of the EASA Basic Regulation are met while promoting further harmonisation as well as the mobility of air traffic controllers.

In order to provide more flexibility as regards future updates and taking into account comments received on this subject, the Agency has decided to introduce a change to the proposed methodology for the transposition, as follows:

Subjects, topics and subtopics are transposed into Implementing Rules, as it was proposed with the NPA.

Subject objectives (previously transposed in Implementing Rules) and training objectives are transposed into AMC. The AMC now include also the subject, topics and subtopics (IRs) referred to the subject objectives and training objectives, with the indication of their different regulatory status. With this approach all the Common Core Content is available in a single source document in order to facilitate its reading, as requested by several stakeholders.

It is to be recalled that these transposed training provisions have been subject to a substantial revision undertaken in close cooperation between the Agency and the EUROCONTROL ATCO Common Core Content Training (ACCCT) Task Force to update the Initial Training with the latest developments introduced in ATS and more in general ATM/ANS practices and regulations, as well as to include necessary changes resulting from the comments made on the NPA. The final results of this review and update activity are made available to the public with the publication of this CRD. Mapping matrices showing the changes introduced in comparison with the Initial Training content published in NPA 2012-18 (B.III), Appendix 3 to 9, and in NPA 2012-18 (B.V) are also provided.

The content of the Initial Training included in NPA 2012-18 (B.V) will still be subject to additional modifications before its publication in the related Agency Decision. As indicated by several comments from stakeholders, the Agency recognises the usefulness to reintroduce the indication of common and repetitive objectives next to each training objective. Moreover, as regards the content of training objectives, it will be necessary to replace references to ICAO provisions with relevant EU legislation, like for instance the complete set of the so-called SERA legislation or the Aerodromes-related legislation, which would enter into force and become applicable upon publication of the related Decision.

2.9. Arrangements between training organisations and air navigation service providers

In order to ensure that the person undertaking training is appropriately trained and competence is acquired, on-the-job training shall always be provided in a real life traffic situation where an appropriately qualified instructor who also holds the valid unit endorsement associated to the training is present.

The previous statement implies that the training is delivered at the exact same time the service is provided, and this situation implies that the training organisation responsible for delivering the training is also the air navigation service provider that provides the air traffic control service, and the instructor delivering the training is employed as an air traffic controller by the ANSP.

By analogy, the same may be applicable to refresher and conversion training, depending on the subjects being taught. For example, refresher training on human factors would not necessarily imply the need of such agreement. On the contrary, for the purpose of conversion training the reference to the operational environment specific to the ATC unit warrants such arrangement.

Therefore, and in order not to explicitly prevent such situations, the Agency included the requirement to establish arrangements between training organisations and ANSPs to enable training organisations, which are themselves not providing ATC service, to provide unit and continuation training. The terms of these arrangements shall be clearly defined in order to ensure safety and to define responsibilities when delivering training requires at the same time live traffic situation and air traffic control service provision.

During the consultation the Agency received several comments stating that such arrangements should not be possible and only training organisations who are also ANSPs could be authorised to provide such types of training. After thorough consideration of the comments, the Agency decided to maintain the proposed approach with the required

clarifications in the text since it is not considered appropriate to prevent, by means of law, two different organisations from establishing the terms for the arrangement suitable for such purpose.

2.10. Remotely operated towers

The Agency used NPA 2012-18 also to address possible effects of the remote tower operations concept on future air traffic controller licensing with the aim to identify how such operating methods could be best handled from the regulatory point of view.

The questions made through the NPA were related to several aspects regarding the remote tower operations, focused on both the administrative element (necessity for a new rating endorsement and unit endorsements associated to the remote operation) and the training objectives (harmonisation and duration).

The Agency is very pleased to note the high number of responses provided to these NPA questions, which will provide important information on the eventual future regulatory measures on this subject. The various nature of the arguments and responses received, and the fact that a considerable number of them stated that the concept of remote tower operations is, at this point in time, not mature enough, reinforce the need to treat this important issue in a precise manner as a separate rulemaking task which is included in the 2014–2017 Rulemaking Programme under RMT.0624 & RMT.0625 'Remote tower operations', scheduled to start in 2014/Q1.

2.11. Requirements related to competent authorities

A significant number of commentators requested the Agency to align as much as possible the provisions related to competent authorities with the existing ones relevant to other aviation domains (e.g. aircrew and air operations, and the provisions on aerodromes which are currently being adopted (based on EASA Opinion No 01/2013)) and the proposed ones on requirements for the ATM/ANS providers and safety oversight thereof (NPA 2013-08), unless there is a sector-specific reason for them to be different due to the fact that in many cases the authority responsible for the oversight of ANSPs and training organisations is the same body for more than one aviation domain. Following this principle the text has been reviewed with the aim to clarifying certain obligations and without compromising the safety while reducing the burden on the competent authorities.

Article 4 on competent authority has been modified to specify who the competent authority is:

- within a functional airspace block or in the case of cross-border service provision;
- for the licencing of air traffic controllers;
- for the certification and oversight of air traffic controllers training organisations;
- for the oversight of the requirement laid down in Part-ATCO relevant to air navigation service providers; and
- for aero-medical centres (AeMCs) and for aero-medical examiners (AMEs).

In addition to that, the provision requiring Member States to ensure the necessary capability of the competent authority to conduct the assigned tasks and the requirements on conflict of interest to be avoided by the competent authority personnel have been amended. These provisions are aligned with the similar ones on the subjects already in force.

Part-ATCO.AR establishes the administrative requirements applicable to the competent authorities with responsibility for licensing and medical certification of air traffic controllers. The material developed defines:

- (a) the requirements for the competent authorities' management systems;

- (b) the authority requirements in relation to continuing safety oversight of the regulated persons and organisations;
- (c) the requirements for the air traffic controller licencing;
- (d) the requirements for the issuing, maintaining, amending, suspending or revoking certificates for air traffic controllers' organisations.

Based on a proposal received with regard to the provision on personnel, ATCO.AR.A.005 has been revised to clarify that personnel authorised by the competent authority to conduct assessments leading to the issue, revalidation and renewal of a unit endorsement need to meet the assessor privileges requirements, with the exception of holding the unit endorsement associated with the assessment for an immediately preceding period of at least 1 year, provided that they are familiar with the current operational practices and procedures of the unit where the assessment is taking place.

The Implementing Rule dealing with the means of compliance alternative to the AMC issued by the Agency has been divided into two separate provisions, namely ATCO.AR.015 and ATCO.OR.010. The associated AMC and GM have been amended to reflect this split and to clarify some references.

Based on a proposal received a new provision mirroring the requirements of ATCO.OR.A.040 is created with the criteria for the reaction to safety problems. The Agency agrees that the requirement to allow for immediate reaction to established causes of accidents and serious incidents needs to be established following the alignment with a similar provision existing already in the field of aircrew, air operations and aerodromes.

The option for the certificate to be issued for each type of training or in combination with other air navigation services has been removed. A commentator proposing this amendment argued that the certification of air traffic controllers' training organisation is different from the certification of an air navigation service provider, meaning that different certification processes are to be followed on a different legal basis and different requirements are to be met. Furthermore, the introduction of the mandatory certificate format facilitating the mutual recognition makes the combination of the type(s) of training with air navigation services not possible.

Taking into account the changes on instructor and assessor certification, some of the parts in the (student) air traffic controller licence format have been redrafted following the specifications for personnel licences as required by ICAO Annex 1. Several comments were received on the size of the licence. The Agency considers that moving towards a common European electronic licence would necessitate more thorough discussion at EU level as it should be facilitated by a database where the privileges are stored and maintained, including the necessary software, sharing of information and personal data between Member States. Therefore, since such database is not included in the scope of NPA 2012-08, the Agency can only take note of the proposals. The commentators are kindly requested to consider a more detailed rulemaking proposal on the issue.

2.12. Authority requirements on aero-medical certification

The paragraphs, rules as well as AMC material referring to general authority requirements, aero-medical centre and aero-medical examiner certification and oversight, medical assessors in competent authorities, referral of the medical decision on fitness of pilots to the licensing authority, record keeping and enforcement measures are not detailed in Subpart F of the Authority Requirements but are included as references to Subpart ARA.GEN, ARA.AeMC and to nine individual paragraphs of ARA.MED of the Aircrew Regulation⁵.

⁵ Commission Regulation (EU) No 290/2012 of 30 March 2012 amending Regulation 1178/2011 laying down technical requirements and administrative procedures related to civil aviation aircrew pursuant to Regulation (EC) 216/2008 of the European Parliament and the Council (OJ L 100, 5.4.2012, p. 1).

The reference has been included because the system of aero-medical certification of air traffic controllers needs to be the same as the system created for pilots, taking into account that aero-medical examiners and aero-medical centres already holding a certificate to examine and assess pilots may wish to extend their privileges to the examination and assessment of air traffic controllers and vice versa. It would create an unnecessary burden on AMEs and AeMCs if the rules for certification and maintenance of the certificate were different, e.g. different provisions for record keeping or different procedures for oversight from the side of the competent authority.

Some European competent authorities have only one Medical Department and their medical assessors certify and oversee AMEs and AeMCs with the privilege to issue class 1, class 2 and class 3 medical certificates. These authorities need to have one single set of procedures to deal with medical certification and oversight of AMEs and AeMCs and for dealing with individual cases of pilots and air traffic controllers who do not fully meet the requirements and are referred to the competent authority.

While several national competent authorities supported the reference to Part-ARA of the Aircrew Regulation, there was also a number of comments saying that all rules with regard to air traffic controllers licensing and medical certification should be included in this Regulation. The reasoning was that there was no opportunity to comment on the rules in Part-ARA and that these rules will be easier to be found if they were all in one set of rules for air traffic controllers.

The text in Subpart F has not been changed for the reasons provided above and in addition because:

- (i) the reference in Subpart F includes Subpart-ARA.GEN which details the rules on how to deal with Alternative Means of Compliance, e.g. how to evaluate them and notify the Agency if AltMoCs are implemented in a Member State. If medical AltMoCs are used by a competent authority the procedure for evaluation and administration should be the same as for air traffic controllers and pilots. ARA.GEN also provides the general rules on the management system and record keeping, the latter being specifically important due to the sensible medical data of medical certificate holders that will be kept by the competent authorities. The specific paragraphs that provide further rules with regard to medical in Subpart ARA.MED are based on these general rules;
- (ii) the integration of all the rules that are referenced in Subpart F of the Regulation on the licensing and medical certification of air traffic controllers would result in major amendments to the general authority requirements because the general rules are presented in different ways in both regulations. Although this could be done, a new difficulty would arise from keeping the rules aligned over time. While a copy-paste can be done today, the rules will not be amended at exactly the same time in the future, and while changes may be made to one rule the other one will not change. This leads to slightly different rules over time which will be a problem for AMEs, AeMCs and authorities where the medical assessor deals with air traffic controllers and pilots;
- (iii) stakeholders with an interest in the licensing of air traffic controllers will not have commented on Part-ARA in the Aircrew Regulation. However, Part-ARA is presently under revision and an NPA will be produced in early 2014. Comments to this NPA will be welcome and will be considered with a view to medical certification of air traffic controllers and pilots;
- (iv) some commentators expressed the concern that the rules for authorities may be difficult to find if they are not published in one set of rules. This eventual shortcoming could be mitigated by a technical publication by the Agency which would include a full copy of the rules in Part-ARA that are relevant to medical certification.

In summary, the Agency is of the opinion that it is an advantage for the competent authorities to have to deal with only one set of rules for medical certification. This is specifically advantageous for competent authorities that chose to have only one Medical Department and only one Medical Assessor dealing with the medical certification of pilots and air traffic controllers. It is not possible to keep the rules in line if they are published in two regulations, and the risk of inconsistent rules for the same persons with the same roles has been considered as being too high.

2.13. Licensing authority vs competent authority in the medical domain

The definition for licensing authority is in ATCO.MED.A.010 and reads: 'Licensing authority' means the competent authority of the Member State that issued the licence, or to which a person applies for the issue of a licence, or, when a person has not yet applied for the issue of a licence, the competent authority in accordance with this Part.'

Several comments asked not to use the term 'licensing authority' and stick to 'competent authority' only. These comments were not accepted for the following reason:

The competent authority for an AME is the authority that issued the AME certificate and the competent authority for an air traffic controller is the authority that issued the air traffic controller licence. These authorities are not identical in cases where an air traffic controller undergoes the aero-medical assessment with an AME in another Member State.

According to ATCO.MED.025 the AME has to send all documentation and a copy of the medical certificate to the licensing authority. The term 'licensing authority' has been introduced here to clarify that in cases where the competent authorities of the AME and the air traffic controller are not the same, the documentation has to be sent to the authority that issued the air traffic controller licence and not to the authority that issued the AME certificate. If the term 'licensing authority' was to be avoided, the text in ATCO.MED.025(b)(4) would read: '...submit without delay to the "competent authority of the Member State that issued the licence, or to which a person applies for the issue of a licence, or, when a person has not yet applied for the issue of a licence, the competent authority in accordance with this Part" a signed, or electronically authenticated report...'. This wording will not be understandable in many cases where the term 'licensing authority' is used, specifically in Subpart B where the AME is required to refer an air traffic controller to the licensing authority for a decision on fitness.

Taking into account the fact that the competent authority that issued the AME certificate and the competent authority that issued the air traffic controller licence is not necessarily the same authority, it is important to ensure that only one authority, namely the licensing authority of an air traffic controller, receives the documentation of aero-medical assessments sent by the AMEs and AeMCs to the medical assessor of an authority. The same applies in cases where the applicant for a medical certificate is referred to the licensing authority for the following reasons:

- (i) Data protection and medical confidentiality: Medical data should not be sent to an authority that has no dealings with air traffic controllers and it has to be ensured that only the medical assessor of the competent authority that issued the licence is involved.
- (ii) The medical history of a person is relevant when evaluating and assessing medical fitness in difficult cases. This file will be handled by the medical assessor in the competent authority that issued the air traffic controller licence. If the air traffic controller wishes to change his/her competent authority, the medical file shall be sent to the new 'licensing authority'.
- (iii) The AME must be clear as to which competent authority is to be involved if the applicant for a medical certificate holds his/her licence in another Member State and where information on previous medical findings can be obtained, if necessary for the decision on the applicant's fitness.

In summary, it was considered that the term 'licensing authority' is a clear way to state that all medical issues of applicants for class 3 medical certificates should be dealt with by the medical assessor of the competent authority that issued the air traffic controller licence, or when a person has not yet applied for the issue of a licence, the competent authority in accordance with Part-ATCO.MED.

2.14. Diabetes mellitus

The Agency asked for the opinion of stakeholders on the aero-medical assessment of air traffic controllers who present with insulin treated diabetes mellitus (IDTM). This assessment was to allow the issue of a class 3 medical certificate in individual cases and under close control. The comments received ranged from general agreement supported by scientific articles from renowned journals to strict rejection pointing out that hypoglycaemias cannot always be predicted or avoided. Some comments also mentioned the fact that accepting IDTM for medical certification would not be in line with ICAO Annex 1.

The Agency decided to take a decision after the European Diabetes Panel is held in February 2014. The Panel is being organised by CAA UK with the support of the Agency to get the scientific opinions of specialists in the field and to include the outcome of the Panel discussions in the development of a Concept Paper. This Concept Paper will be presented to the Advisory Bodies of the Agency for discussion and for a recommendation on the way forward.

2.15. Fixed-time periods to wait for an aero-medical assessment

The Agency asked for the opinion of stakeholders on fixed-time periods to wait for an aeromedical assessment after surgery or for the recovery time after some specific events, such as heart infarction. The comments received did not provide a clear picture and, therefore, these time periods were not deleted on a general basis but reviewed individually. The result is that some waiting periods remained unchanged while others were either shortened or deleted.

2.16. Initial assessment vs revalidation of medical certificates

The Agency also asked for the opinion of stakeholders on the differences between initial medical certification and revalidation of medical certificates. As mentioned for the waiting periods, the comments did not provide a clear picture and the same approach has been taken. After review of the differences of the rules on a case-by-case basis some differences were abolished while others were kept.

The fixed waiting times for an aero-medical assessment after surgery or after specific medical conditions as well as the differences of rules for initial certification and revalidation of a medical certificate will be reviewed again in a new rulemaking task including full consultation on this specific issue.

2.17. Alignment with Part-MED

Several commentators asked for an alignment of Part-ATCO.MED with Part-MED. These comments were made to all Subparts and were dealt with considering the common aspects of the rules for FCL and ATCO (Subparts A and C) and the very specific ATCO medical aspects (Subpart B). Alignments were made where it has been possible without major changes when compared to the NPA text, while it was indicated that further alignments may be considered in a new rulemaking task in order to offer full consultation. All stakeholders involved should be included in this consultation because the comments on an alignment on Subpart B were not always to align Part-ATCO.MED with Part-MED but also the other way round.