

## **7.15 (Re)-Certification process for Air Navigation Service Providers**

This procedure is applicable to the DAC/NSA and ANSPs subject to (re)-certification by the DAC/NSA in accordance with the applicable national law (*Règlement Grand-Ducal du 27 Septembre 2012*) and all relevant SES regulations and defines the process to be followed by both parties.

### **7.15.1 Procedure**

The application for (re)-certification as an ANSP needs to be submitted by the owner(s) or by a person responsible for the organisation at least 9 months before the expiration date of the previous certificate and shall contain all the data described in the annex of this procedure. This application shall be completed and sent by registered mail to:

Direction de l'Aviation Civile (DAC)  
4, rue Lou Hemmer  
L-1748 Luxembourg

Within one (1) month from the date of receipt of the application, the DAC/NSA shall acknowledge receipt of the request for a recertification process by registered letter. During the next 30 working days, the DAC/NSA shall define the verification process specifying all activities to be performed and inform the applicant accordingly.

The verification process shall include the following activities:

- Analysis of the documents enclosed with the application
- Verification of compliance with the regulatory requirements described in (EU) 1035//2011 laying own the common requirements for the provision of air navigation services.
- Verification of compliance with the regulatory requirements described in (EU) 1034/2011, article 6.1 (a) and the applicable national law (*Règlement Grand-Ducal du 27 Septembre 2012*).

The verification of compliance with all relevant safety regulatory requirements shall be performed according to the dispositions of the (EU) 1034/2011, article 7 (Safety regulatory audits) and as described on the DAC/NSA Audit Manual (version 3.0).

If, after the verification process the the applicant meets all the applicable regulatory requirements, a new certificate shall be granted at latest three (3) months before the expiration of the previous certificate.

The granted certificate shall contain the information mentioned in the point 1 of the Annex II of the (EC) 550/2004 and may also include additional conditions in accordance with (EC) 550/2004, annex II, point 2, (A) to (G). In case of recertification audits, the new certificate shall be valid for a renewal period of 6 years. An initial certificate shall be issued for a validity period of 2 years.

If a national supervisory authority finds that the holder of a certificate no longer satisfies the common requirements or the conditions attached to the certificate, it shall take appropriate measures while ensuring continuity of services on condition that safety is not compromised. Such measures may include the revocation of the certificate.

**Annex I – List of documents to be provided to the DAC/NSA:**

1. General description of the applicant, specially describing the air navigation services provided.
2. Description of the legal status as well as the ownership structure as required by the Point I of Annex II of the (EU) 1035/2011
3. Description of the organisational structure and management as required by the point 2.1 of Annex I of the (EU) 1035/2011
4. General description of the facilities.
5. Safety Management Manual (for ATS and CNS)
  - a. This manual shall be compliant with the requirements set by the point 3.1 of the Annex II of the (EU) 1035/2011.
  - b. Risk Assessment and Mitigation strategy shall be compliant with the requirements set by the point 3.2 of the Annex II of the (EU) 1035/2011.
6. An ISO 9001 certificate issued by an accredited organization or a Quality Management Manual describing in depth the Quality Management System, in accordance with annex I, point 3.2 of the (EU) 1035/2011.
7. Operations manuals relating to the provision of the air navigation services as required in (EU) 1035/2011, annex I, point 3.3
8. Security Management Manual as required in (EU) 1035/2011, annex I, point 4.
9. Description of the Human Resources policy for the recruitment and training of personnel as required in (EU) 1035/2011, annex I, point 5.
10. Organisation Business Plan and an Annual Plan together with the financial statements showing its economic and financial capacity as required in (EU) 1035/2011, annex I, point 2.2 and point 6.1.
11. Demonstration that it is undergoing an independent financial audit on a regular basis as required in article 12 of the (EC) 550/200 and (EU) 1035/2011, annex I, point 6.2
12. Demonstration of Liability and Insurance Cover as required in (EU) 1035/2011, annex I, point 7.
13. User consultation process as required in (EU) 1035/2011, annex I, point 8.1
14. A DAC template document duly filled-out containing the following :
  - a. Cross-reference table between the annexes of the Common Requirements (EU) 1035/2011 and the documents mentioned on point 2 to 14.
  - b. Questions to be answered by the applicant explaining how to ensure compliance with the common requirements set by (EU) 1035/2011
15. Procedure - Management of Changes to functional systems.
16. Procedure for the management of amendments to all documents listed in this annex.

**Note:** The template mentioned at point 14 of this annex is available in Chapter 12.

