



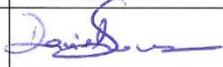
Direction de l'Aviation Civile
Grand-Duché de Luxembourg

NOTIFICATION OF CHANGES

Reference : DAC-NSA-101

NOTIFICATION OF CHANGES

PROCEDURE MANAGEMENT

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REVISION FOLLOW-UP

Document Version	Change identification	Date
1.0	Initial	16/03/2012
2.0	Introduction of FABEC procedure 04, definitions of FABEC change and limited scope FABEC change	20/08/2013
3.0	General review	10/01/2017



Table of Contents

1. GENERAL.....	3
1.1. DEFINITIONS	3
1.2. ABREVIATIONS	3
1.3. SCOPE.....	4
1.4. REFERENCED DOCUMENTS.....	4
2. PROCEDURE – NOTIFICATION OF CHANGES	5
2.1. GENERALITIES	5
2.2. GENERAL REQUIREMENTS	5
2.3. CHANGE MONTHLY LISTS.....	6
2.4. FORM AND FORMAT OF CHANGE NOTIFICATIONS	6
2.4.1. CHANGES NOT SUBJECT TO A REVIEW.....	6
2.4.2. CHANGES SUBJECT TO A REVIEW.....	8
2.5. NOTIFICATION AND REVIEW OF FABEC SAFETY RELATED CHANGES	8
2.6. CHANGE MANAGEMENT PROCEDURES OF THE ORGANIZATION	8
2.7. THE CHANGE REVIEW PROCESS OF DAC	9
2.8. INTEROPERABILITY	9
2.9. EC DOV OF SYSTEMS.....	10
2.10. EC DOV OR DSU	10
2.11. REVIEW OF EC DECLARATIONS	10
2.12. NOTIFICATION OF THE RESULTS OF A CHANGE REVIEW BY DAC/NSA.....	11
3. LIST OF TEMPLATES.....	11

1. GENERAL

1.1. DEFINITIONS

a) Changes subject to a review

Changes for which the severity assessment conducted in accordance with Annex II, point 3.2.4 of Implementing Regulation EU 1035/2011 determines a severity classification 1 or 2 for the potential effect of the hazard identified or the implementation of changes that requires the introduction of new aviation standards are subject to review by DAC/NSA;

b) Changes not subject to a review

Changes for which the severity assessment conducted in accordance with Annex II, point 3.2.4 of Implementing Regulation EU 1035/2011 determines a severity classification 3,4 or 5 for the potential effect of hazard identified are not subject to review unless DAC/NSA determines the need for a review.

c) Functional system

Means a combination of systems, procedures and human resources organised to perform a function within the context of ATM;

d) FABEC change

A safety-related change impacting the functional system in the FABEC area and impacting more than one ANSP in two or more FABEC states.

e) Introduction into service

The term "introduction into (or in) service" means variously: "introduction into operation(s)", "putting into operational service", "putting in operations", "making available for operational use", "implementation", "implementation into service", or "implementing for practical use". In essence these terms should be considered as interchangeable.

The term also covers the decommissioning of functional systems. Use of the various terms in this procedure is a reflection of the wording used in the related applicable regulations.

f) Limited scope FABEC change

A FABEC change which involves only two NSAs from two different states.

g) Safety Arguments

Means the demonstration and evidence that a proposed change to a functional system can be implemented within the targets or standards established through the existing regulatory framework consistently with the safety regulatory requirements;

1.2. ABBREVIATIONS



Direction de l'Aviation Civile
Grand-Duché de Luxembourg

NOTIFICATION OF CHANGES

Reference : DAC-NSA-101

ANSP	Air Navigation Service Provider
ATM	Air Traffic Management
ATFM	Air Traffic Flow Management
ASM	Airspace Management
DAC	Direction de l'Aviation Civile
DOC	Declaration of Conformity
DOV	Declaration of Verification
DSU	Declaration of Suitability for Use
EC	European Council
EU	European Union
FABEC	Functional Airspace Block Europe Central
IR	Implementing Rule
IOP	Interoperability
NSA	National Supervisory Authority
NSAC	National Supervisory Authority Committee
SMS	Safety Management System
TF	Technical File

1.3. SCOPE

The notification of changes to functional systems to the DAC/NSA as the competent authority for Luxembourgish airspace is required to enable the DAC/NSA to verify that the applicable regulatory requirements and their implementing arrangements are met.

1.4. REFERENCED DOCUMENTS

Document	Issue
Commission Implementing Regulation (EU) N°1034/2011	17/10/2011
Commission Implementing Regulation (EU) N°1035/2011	17/10/2011
Regulation (EC) No 552/2004	10/03/2004
Manual for the Common Activities of the FABEC NSAs	Released version
FABEC NSAC Manual - Procedure 04: Notification and Review of FABEC Safety Related Changes	Released Version

2. PROCEDURE – NOTIFICATION OF CHANGES

2.1. GENERALITIES

As required by Commission Implementing Regulation (EU) N°1034/2011 dated from the 18th October 2011, organizations providing Air Navigation Services, ATFM services or ASM services in Luxembourg airspace (hereafter called “organisation”) shall notify to the DAC/NSA of all planned safety-related changes.

The notification shall take place as per administrative procedure described in this document.

The notification of changes to functional systems to the DAC/NSA as the competent authority for Luxembourg is required to enable the DAC/NSA to verify that the applicable regulatory requirements and their implementing arrangements are met.

In certain cases, following the notification of the change, the DAC/NSA will perform a review of the safety arguments associated with the notified change. To allow such reviews to be undertaken with the necessary rigor and effectiveness a generic period to be respected has been set for the notification prior to the planned implementation of the change.

Since reviews need to be conducted in a manner commensurate with the level of risk posed by the new functional systems or by the proposed changes to existing functional systems, early information of the DAC/NSA of changes with high impact is recommended.

The introduction into service of the changes subject to review are subject to acceptance by the DAC/NSA in accordance with the article 10 (3) of the (EU) N° 1034/2011.

2.2. GENERAL REQUIREMENTS

All changes shall be notified to DAC/NSA by e-mail to: nsa@av.etat.lu. In parallel, a paper version shall be sent by mail to the attention of the Director of DAC; c/o Head of NSA:

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

All planned changes shall be notified as soon as possible¹ to the DAC/NSA but, in any case, not later than 6 weeks prior to planned date of implementation. If planned changes have been subject of safety assessment and mitigation methodology and procedures different from those accepted by DAC/NSA as part of the SMS of the organisation, this must be specifically mentioned on the change notification.

¹ « As soon as possible » meaning a point in time at which the required data for the notification of a planned change is available to allow submission to the DAC/NSA. Early notification of planned changes will facilitate planning of DAC/NSA activities and the timely completion of possible reviews and thus preventing delays in the project planning of the submitting organization.

In those cases, a longer notification period is highly recommended to allow the DAC/NSA to review:

- the notified change;
- the safety assessment and mitigation methodology, and;
- the procedures used.

Planned changes that cannot meet the 6 weeks' prior notification period shall be notified immediately after the decision for change has been taken. The notification shall be supported by a justification for not respecting the 6 weeks' notification period.

Upon reception of the change notification, the DAC/NSA will check completeness of the submitted documentation supporting the planned change and inform the organisation within 10 working days of its findings and intent:

- a) If DAC/NSA finds the documentation supporting the notification of the planned change to be insufficient, the notification period will be suspended until the file is considered complete.
- b) If the DAC/NSA determined that a notified change is not subject to a review, the concerned change may be implemented.
- c) If the DAC/NSA determined that a notified change is subject to review, the introduction into service of the change requires an acceptance by the DAC/NSA.

If the complexity, the impact or extent of the notified change justifies a period of review that exceeds the planned introduction into service date, the DAC/NSA will inform the organization forthwith.

2.3. CHANGE MONTHLY LISTS

A complete list containing all planned changes to the organisation functional system shall be sent to the DAC/NSA by means of a monthly list. This list is not considered as the formal notification of the planned changes.

2.4. FORM AND FORMAT OF CHANGE NOTIFICATIONS

2.4.1. CHANGES NOT SUBJECT TO A REVIEW

The notification of such changes shall contain as a minimum the following information:

- a) A description of the planned change;
- b) the planned date of introduction into service;
- c) the determined severity classification.

The DAC/NSA may request additional information to allow it to form an opinion on the planned change. Based on the information received, the DAC/NSA may disagree with the determined severity



Direction de l'Aviation Civile
Grand-Duché de Luxembourg

NOTIFICATION OF CHANGES

Reference : DAC-NSA-101

assessment and/or on the need for a safety review. In this case, the DAC/NSA will formally notify the concerned organization about the NSA decisions.

2.4.2. CHANGES SUBJECT TO A REVIEW

The notification of such changes should also contain, in addition to the information mentioned on point 2.4.1 of this chapter, as a minimum, the following information:

- a) A signed off copy of the final safety arguments associated with the change.
- b) A full set of safety documents supporting the safety arguments, such as risk assessment and mitigation documentation.
- c) Evidence that the safety requirements identified have been implemented, where appropriate.
- d) Declarations of verification of systems (DoV) associated with the change, where applicable.
- e) Declarations of conformity (DoC) or suitability for use (DSU), where applicable.
- f) A transition plan for the introduction in operation, where appropriate.
- g) The plan for post-implementation monitoring, where appropriate.

It is understood that some of the information required may only become available in the course of the development and implementation of the project supporting the change.

In these cases, the notification of the change however should not be delayed until the very last moment and organisations are encouraged to agree with DAC/NSA a planning for the provision of the required data in parallel with the project evolution.

2.5. NOTIFICATION AND REVIEW OF FABEC SAFETY RELATED CHANGES

See latest version of the Procedure 04 (Notification and Review of FABEC Safety Related Changes) of the FABEC NSAC Manual.

2.6. CHANGE MANAGEMENT PROCEDURES OF THE ORGANIZATION

The internal change management procedures of the organization require acceptance of the DAC/NSA and will subsequently be subject to regular safety regulatory audits in the framework of the on-going safety oversight of the organization. In that context a sample of notified changes considered not subject to a review may be reviewed for compliance with:

- a) this procedure;
- b) the requirements for safety assessment of Regulation (EU) 1035/2011;
- c) the relevant procedures of the SMS of the organization concerning the safety assessment of changes not subject to a review.

2.7. THE CHANGE REVIEW PROCESS OF DAC

The DAC/NSA will review the safety arguments of the proposed change in accordance with the criteria specified in article 10, paragraph 2 of Regulation (EU) 1034/2011:

The DAC/NSA will:

- a) Consider the safety objectives, safety requirements and other safety-related conditions that are related to the changes under consideration identified in:
 - i. DOVs referred to in article 6 of Regulation (EC) N° 552/2004.
 - ii. DOCs or DSUs of constituents of systems referred to in article 5 of Regulation (EC) N° 552/2004, or
 - iii. Risk assessment and mitigation documentation established in accordance with the applicable safety regulatory requirements.

- b) Identify additional safety-related conditions associated to the implementation of the changes, wherever needed;

- c) Assess the acceptability of safety arguments presented, taking account of:
 - i. The identification of hazards;
 - ii. The consistency of the allocation of severity classes;
 - iii. The validity of the safety objectives;
 - iv. The validity, effectiveness and feasibility of safety requirements and any other safety-related conditions identified;
 - v. The demonstration that the safety objectives, safety requirements and other safety-related conditions are continuously met;
 - vi. The demonstration that the process used to produce the safety arguments meets the applicable safety regulatory requirements.

- d) Verify the process used by the organization to produce the safety arguments in relation to new functional system or changes to existing functional systems under consideration;

- e) Identify the need for verification of on-going compliance;

- f) Include any necessary coordination activities with the authorities responsible for the safety oversight of airworthiness and flight operations

2.8. INTEROPERABILITY

The introduction into service of systems mentioned below, or constituents as identified in the IRs for IOP drawn up according to article 3 of Regulation (EC) N°552/2004 on interoperability, is subject to the delivery by the organization to the DAC/NSA of respectively a EC DOV for systems, or a EC DOC or DSU for constituents.

2.9. EC DOV OF SYSTEMS

A DOV, drawn up and submitted by the organization, shall confirm compliance with the Essential Requirements (Annex II of Regulation (EC) N°552/2004) and the relevant IRs for IOP.

The DOV need to be accompanied by a technical file. The elements of the technical file are set out in Annex IV of Regulation (EC) N°552/2004 on IOP. A copy of the TF must be kept by the organization throughout the service life of the system. It must be sent to any other EU member state which so requests.

The organization must keep the DOV of the system up to date with the system's actual configuration, i.e. collection of new DSU/DOC, test records and relevant installation configurations in case of a change of a constituent that not automatically results in the delivery of a new DOV for the whole system.

Systems subject to submission of a DOV are:

1. Systems and procedures for airspace management.
2. Systems and procedures for air traffic flow management
3. Systems and procedures for air traffic services, in particular flight data processing systems, surveillance data processing systems and human-machine interface systems;
4. Communications systems and procedures for ground-to-ground, air-to-ground and air-to air communications
5. Navigation systems and procedures
6. Surveillance systems and procedures
7. Systems and procedures for aeronautical information systems
8. Systems and procedures for the use of meteorological information.

2.10. EC DOV OR DSU

EC DOCs and DSUs drawn up by the manufacturer of the constituent or by its authorized representative established in the European Union and submitted by the organization, shall ensure that the manufacturer has applied the provisions laid down in the Essential requirements (Annex II of Regulation (EC) N°552/2004) and in the relevant implementing rules for interoperability.

2.11. REVIEW OF EC DECLARATIONS

The TF accompanying an EC DOV is not subject to a formal acceptance by the DAC/NSA. If DAC/NSA ascertains that a system or a constituent accompanied with the required EC declaration does not comply with the essential requirements and/or relevant implementing rules for interoperability, it will, with due regard to the need to ensure safety and continuity of service, take all measures necessary to

restrict the area of application of the constituent or the system concerned or prohibit its use and inform immediately the Commission of any such measures, indicating the reasons.

2.12. NOTIFICATION OF THE RESULTS OF A CHANGE REVIEW BY DAC/NSA

The organization submitting the proposed change will be notified on behalf of the Director of DAC by the Head of the NSA, or his representative, of the results of the review as soon as possible after completion of the review.

The notification of the review results may have the following format:

- a) Final acceptance of the change under consideration: The organization may implement the change as planned, into operational service;
- b) Acceptance of the change under consideration, with conditions or limitations. In which case:
 - I. The organization will submit evidence to DAC/NSA that the conditions or limitations are respected;
 - II. The organization will provide DAC/NSA with all necessary information concerning the conditions and limitations and the introduction into service may be monitored;
 - III. The organization will cease the implementation of the change, if one or more of the conditions or limitations are not (or no longer) met and will inform the DAC as soon as possible.
- c) No acceptance of the change under consideration, with supporting reasons for the non-acceptance.
- d) The review results that questions remain open regarding safety related issues, which need to be clarified before approval. The implementation of the change might have to be delayed and the service provider should be notified accordingly. Afterwards the final review results shall be notified according points a), b) or c).

3. LIST OF TEMPLATES

DAC-NSA-101-1	Change Review Assessment	Released Version
DAC-NSA-101-2	Change Review Report	Released Version