






Civil Aviation Authority
Grand-Duchy of Luxembourg

**SUSPENSION AND REVOCATION
OF ATCO LICENSES, RATINGS AND
ENDORSEMENTS**

DAC-NSA711

SUSPENSION AND REVOCATION OF ATCO LICENSES, RATINGS AND ENDORSEMENTS

PROCEDURE MANAGEMENT

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1. GENERAL

1.1. Scope

If during oversight activities performed in accordance with the regulation (EU) 2015/340, ATCO.AR.C.001 the DAC/NSA discovers a non-compliance with the applicable requirements by a person holding a licence issued by the DAC in accordance with the regulation (EU) 2015/340, the DAC/NSA shall raise a finding, record it and communicate it in writing to the licence holder, as well as to the concerned Air Navigation Service Provider or employing organisation.

As consequence, the DAC/NSA may suspend or revoke the licence, rating or endorsement, as applicable, when a safety issue has been identified and shall take any further enforcement measures necessary to prevent the continuation of the non-compliance.

1.2. Referenced documents

Document	Issue
Regulation (EC) 216/2008	Latest amendment
Regulation (EU) 2015/340	20/02/2015

2. SUSPENSION AND REVOCATION OF ATCO LICENCES, RATINGS AND ENDORSEMENTS


The DAC/NSA shall **suspend or revoke** a licence, rating or endorsement in particular in the following circumstances, where an ATCO or Student ATCO is:

- a) exercising the privileges of his licence and is no longer complying with the applicable requirements of the (EU) Regulation 2015/340, Part ATCO;
- b) obtaining a student air traffic controller or an air traffic controller licence, rating, endorsement or certificate by falsification of submitted documentary evidence;
- c) falsifying the licence or certificate records;
- d) exercising the privileges of the licence, rating(s) or endorsement(s) under the influence of psychoactive substances.

Additionally, the DAC/NSA may suspend the licence in the case of provisional inability not being terminated according to the procedures referred to in ATCO.A.015(e).

The **duration of a suspension** is determined by the time necessary to solve the faulty condition that led to the suspension.

The conditions and the procedure to be followed in order to suspend and revoke an ATCO licenses, ratings and endorsements are mentioned on the **chapter 4** of this procedure.

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3. DECISION MAKING PROCESS FOR THE REVOCATION, SUSPENSION OF ATCO LICENCES, RATINGS AND ENDORSEMENTS

3.1. General

Subject matter experts shall give advice to the Director DAC regarding the suspension or revocation of an ATCO licence, rating and endorsements in accordance with the Just Culture policy established within the Competent Authority.

3.2. Right of Appeal and Notification of Decisions

The concerned licence holder has the right to appeal against the decision of the DAC by introducing a *“recours en réformation”* (appeal to reverse a decision) before the administrative tribunal. This appeal has to be done within 3 months after the notification of the decision. The notification of the decision is made by a sealed and registered letter with proof of receipt, and is considered being achieved in case of acceptance or refusal of the registered letter by the licence holder.

4. CONDITIONS AND PROCEDURES FOR THE SUSPENSION/REVOCATION OF ATCO LICENCES, RATINGS AND ENDORSEMENTS

4.1. Suspension or revocation of a Rating and/or Endorsement

A specific rating and/or endorsement may be suspended or revoked under the conditions described under point 2 of this procedure.

In cases of suspension or revocation of a rating and/or endorsements, the DAC Licensing Office on behalf of the DAC/NSA shall inform the licence holder via sealed and registered letter with proof of receipt of the decision and of his/her right of appeal. The suspension or revocation of an endorsement shall also be notified to the relevant ANSP.


Additionally, the DAC/NSA shall also suspend or revoke a rating and/or an endorsement upon written request of the licence holder. In this case, a rationale shall be given.

4.1.1. Suspension of a Rating

When the licence holder has been notified that a rating of his/her licence has been suspended, The DAC licensing Office, in coordination with the license holder, shall mark:

- “Rating “X¹” suspended on [date] until further notice”, or;
- “Rating “X” suspended on [date] until [date] on the relevant licence.

¹ The “X” mentioned in the chapter 4 is to be replaced by the relevant Rating and/or Endorsement as described on the Regulation (EU) 2015/340, where applicable.

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A copy of the relevant licence shall be stored in the ATCO personnel file. The suspension of a rating may lead to the suspension or revocation of an ATCO licence (See chapter 4.3).

Once the suspension is terminated and the faulty condition that led to the suspension of the rating is solved, the DAC Licensing Office shall issue a new ATCO Licence with the rating previously suspended.

4.1.2. Revocation of a Rating

When the licence holder has been notified that a rating of his/her licence has been revoked, The DAC licensing Office, in coordination with the license holder, shall mark:

- Rating “X²” revoked on **[date]**.

The DAC licensing office will issue a new ATCO licence without the revoked rating. The relevant licence shall be stored in the ATCO personnel file.

A revocation of a rating may lead to the suspension or revocation of an ATCO licence (See chapter 4.2).

4.1.3. Suspension of an Endorsement

When the licence holder has been notified that an endorsement of his/her licence has been suspended, The DAC licensing Office, in coordination with the license holder, shall mark:

- Endorsement “X” suspended on [date] until further notice” or;
- Endorsement “X” suspended on [date] until [date] on the relevant license.

A copy of the relevant licence shall be stored in the ATCO personnel file. The suspension of an endorsement may lead to the suspension of a licence (See chapter 4.2).

Once the suspension is terminated and the faulty condition that led to the suspension of the endorsement is solved, the DAC Licensing Office shall issue a new licence with the endorsement previously suspended.

4.1.4. Revocation of an Endorsement


When the licence holder has been notified that an endorsement of his/her licence has been revoked, The DAC licensing Office, in coordination with the license holder, shall mark:

- Endorsement “X” revoked on **[date]**;

The DAC licensing office will issue a new ATCO license without the revoked endorsement. The relevant licence shall be stored in the ATCO personnel file.

The revocation of an endorsement may lead to the suspension or revocation of an ATCO licence (see chapter 4.2).

² See note 1, page 4

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4.2. Suspension or revocation of a Student ATCO Licence

A student ATCO licence may be suspended or revoked under the conditions described under point 2 of this procedure.

In cases of suspension or revocation of a (Student) ATCO licence, the DAC Licensing Office on behalf of the DAC/NSA shall inform the licence holder via sealed and registered letter with proof of receipt of this decision and of his/her right of appeal. The suspension or revocation of a (student) ATCO licence shall also be notified to the relevant ANSP.

The DAC/NSA shall also suspend or revoke a (student) ATCO licence upon written request of the licence holder. In this case a rationale shall be given.

4.2.1. Suspension of a Student ATCO Licence

When the student licence holder has been notified that his/her licence has been suspended, The DAC licensing Office, in coordination with the license holder, shall mark:

- License suspended on **[date]** until further notice;
- License suspended on **[date]** until **[date]** on the relevant licence.

A copy of the suspended licence shall be stored in the ATCO personnel file. In this case, the licence shall remain the property of the licence holder.


Additionally, following the successful completion of a unit endorsement course, the student ATCO licence shall be returned to the DAC Licensing Office, replaced by an ATCO license and stored in the ATCO personnel file.

4.2.2. Revocation of a Student ATCO Licence

When the student licence holder has been notified that his/her licence has been revoked, he/she shall immediately return the licence to the DAC via the most expeditious means. The DAC licensing Office, in coordination with the license holder, shall mark:

- Licence revoked on **[date]**; on the relevant licence.

The student ATCO license will be store it in the ATCO personnel file.

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4.2.3. Suspension of an ATCO license

When the licence holder has been notified that his/her licence has been suspended, The DAC licensing Office, in coordination with the license holder, shall mark:

- Licence suspended on **[date]** until further notice; or;
- License suspended on **[date]** until **[date]** on the relevant licence.

A copy of the suspended licence shall be stored in the ATCO personnel file.

4.2.4. Revocation of an ATCO license

When the licence holder has been notified that his/her licence has been revoked, he/she shall immediately return the licence to the DAC via the most expeditious means. The DAC licensing Office, in coordination with the license holder, shall mark:

- Licence revoked on **[date]** on the relevant licence and store it in the ATCO personnel file.