

## Complex versus Non-Complex ATOs

*This notice is for information only. It can be used as guidance and/or Awareness.*

### Applicability:

Licencing	
Medical	
Training organisation	ATOs providing LAPL and PPL instruction
FSTD	

### Aircraft Category:

Airplane <input checked="" type="checkbox"/>	Helicopter <input checked="" type="checkbox"/>	Sailplane <input checked="" type="checkbox"/>	Balloon <input checked="" type="checkbox"/>	Airship <input checked="" type="checkbox"/>
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### 1. Introduction

There is some misunderstanding regarding the definition and requirements for complex and non-complex organisations, active in civil aviation. This Information Notice provides guidance and legal references to organisations that are applying for an ATO certificate.

### 2. Complex versus non-complex organisations

2.1. Initially, the BCAA will consider an ATO as complex, unless it is proven otherwise. The BCAA shall assess the organisation taking into account the size, nature and complexity of its activity.

2.2. An ATO that is only providing training for the Light Aircraft Pilot License (LAPL), Private Pilot License (PPL), Sailplane Pilot License (SPL) or Balloon Pilot License (BPL) and the associated ratings and certificates will always be considered as non-complex.

2.3. The associated ratings and certificates of LAPL, PPL, SPL and BPL licenses are all possible ratings that can be added to these licenses.

- Type ratings, e.g. R22, B206, EC120, AS355, Cessna SET, PC7;
- Class ratings, e.g. SEP, TMG, MEP;
- Group ratings, e.g. Group 1, 2, 3, 4;
- Additional ratings, e.g. Night, Sailplane towing, Acrobatics, EIR;
- Instrument rating, e.g. IR;
- Instructor certificate, e.g. FI.

2.4. Training performed on a 'complex' aircraft, as defined in Article 3 section (i) of the regulation (EC) 216/2008 as amended, can only be performed within a 'complex' ATO.

2.5. The main differences between a 'non-complex' and a 'complex' ATO reside in the legal requirement of the management system which includes both compliance monitoring system and safety management system.

2.6. A 'complex' ATO shall have a management system that correspond to the size of the organisation and the nature and complexity of its activities, taking into account the hazards and associated risks inherent in these activities.

## 2.7. Safety Management system (SMS)

### 2.7.1 Safety Management system (SMS) for 'Complex organisation'

The SMS for a 'complex' organisation should include at least the following :

- A safety manager
- A safety review board
- A safety action group, if needed
- A safety policy
- A SMS including :
  - Hazard identification processes
  - Risk assessment and mitigation processes
  - Internal safety investigation
  - Safety performance monitoring and measurement
  - Management of change (MOC) process
  - Continuous improvement
  - Emergency response plan (ERP)
- Training on safety to all personnel and training records on those trainings
- Communication on safety to all personnel
- A SMS manual which describes all the above.

### 2.7.2 Safety Management System (SMS) for 'Non-complex organisation'

The SMS for a 'non-complex' organisation should include at least the following :

- A safety manager
- A 'Management of change (MOC)' procedure
- Hazard checklists or similar risk management tool processes integrated into the activities of the organisation
- Responsibilities for the hazard identification, risk assessment and mitigation within the organisation
- A safety policy
- An Emergency Response Plan (ERP)

## 2.8 Compliance Monitoring system (CMS)

A compliance monitoring system shall be put in place in any ATO regardless if the organisation is 'complex' or 'non-complex'. At this moment there is no difference in the legal requirements between the two types of organisation regarding the CMS.

The goal of CMS is to monitor if the organisation remains compliant towards the applicable legal requirements.

It shall include at least the following :

- A compliance monitoring manager.
- Compliance monitoring auditors (internal or external) if needed and depending of the complexity of the organisation.
- A CMS which monitor :
  - Privileges of the organisation;
  - Manuals, logs and records;
  - Training standards;
  - Management system procedures and manuals.

- CMS documentation which should include :
  - Schedule of the monitoring programme;
  - Audit procedures;
  - Reporting procedures;
  - Follow-up and corrective action procedures;
  - Recording system.
- Training of personnel involved in the compliance monitoring.
- Briefing over the CMS for the organisation personnel.

### 3. Fees

The fee for the ATO, as required in the Royal Decree of 14/02/2001, does not only take into account the complexity of the ATO. Other factors like the number of training programs that are approved, the number of students in training and training locations are influencing factors that will determine the fees that will be charged to the ATO.

### 4. Reference in legislation

#### 4.1 European regulation (EU) No. 1178/2011 as amended

- AMC1 ORA.GEN.200(b) – Size, nature and complexity of the activity

##### 4.1.1. Safety Management System (SMS)

- AMC1 ORA.GE.200(a)(1);(2);(3);(5) – Non-complex organisations – General
- AMC1 ORA.GEN.200(a)(1) – Complex organisations – Organisation and accountabilities
- GM1 ORA.GEN.200(a)(1) – Safety Manager
- GM2 ORA.GEN.200(a)(1) – Complex organisations – Safety action group
- AMC1 ORA.GEN.200(a)(2) – Complex organisations – Safety policy
- GM1 ORA.GEN.200(a)(2) – Safety policy
- AMC1 ORA.GEN.200(a)(3) – Complex organisations – Safety risk management
- GM1 ORA.GEN.200(a)(3) – Internal occurrence reporting scheme
- AMC1 ORA.GEN.200(a)(4) – Training and communication on safety
- GM1 ORA.GEN.200(a)(4) – Training and communication on safety
- AMC1 ORA.GEN.200(a)(5) – Organisation’s management system documentation
- GM1 ORA.GEN.200(a)(5) – Organisation’s management system documentation
- AMC1 ORA.GEN.200(a)(5) – Complex organisations – Organisation’s safety management manual

##### 4.1.2 Compliance Monitoring System (CMS)

- AMC1 ORA.GEN.200(a)(6)
- GM1 ORA.GEN.200(a)(6)
- GM2 ORA.GEN.200(a)(6)

#### 4.2 National regulation

- Royal Decree of February 14<sup>th</sup>, 2001 : Fees

## 5. Useful links and documentation

- ECAST – <http://easa.europa.eu/essi/ecast/>
- EEAST – <http://easa.europa.eu/essi/ecast/>
- EGAST – <https://easa.europa.eu/essi/egast/>
- SKYbrary – <http://www.skybrary.aero/>
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## 6. Cancellation

This Information Notice shall remain in force until further notice or being superseded.