

CRNA GORA
MONTENEGRO

Agencija za civilno vazduhoplovstvo - Civil Aviation Agency



Technical Publication – **TP01**

AIR OPERATOR CERTIFICATE (AOC)
FIRST CERTIFICATION

Guidance Material (GM)

FOREWORD

1. Purpose

This Guidance Material (GM) describes the process of applying for and obtaining an Air Operator Certificate (AOC) to conduct commercial air transport operations under COMMISSION REGULATION (EU) No 965/2012 of 5 October 2012. The certification process may appear to be a complex undertaking, particularly to a “first-time” operator. This GM provides basic information applicable to the certification process.

This GM will assist the applicant in completing the “five phase certification process” with minimal delays and complications. Additional information will be found in the related documentation as referenced under paragraph 2 and 3 below.

2. Related Regulations

Appendix 3 shows a list of related regulations applicable to the AOC first certification process.

3. Background

The CAA recognizes the responsibility of Commercial Air Transport Operators to provide air transportation with the highest possible degree of safety in the public interest. The certification process is designed to ensure that prospective AOC holders understand and are capable of fulfilling this duty. When satisfactorily completed, the certification process should ensure that the operator is able to comply with the Law on air transport and other applicable civil aviation regulations, and the international standards pertaining to the operation of aircraft as published in relevant Annexes to the Convention on International Civil Aviation Organization (ICAO).

There are **five** phases in the air operator certification process. Each phase is described in sufficient details to provide a general understanding of the entire certification process. The five phases are:

- 1) Pre-application,**
- 2) Formal Application,**
- 3) Document Evaluation,**
- 4) Demonstration and Inspection,**
- 5) Certification.**

In some cases, the guidance and suggested sequence of events in this GM may not be entirely
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appropriate. In such situations, the CAA and the operator should proceed in a manner that considers existing conditions and circumstances. The operator, however, should not expect to be certificated until the CAA is assured that Law on air transport, its implementing Regulations and the applicable EU regulations will be complied with in an appropriate and continuing manner.

The five phases are to be seen as steps. In order to continue the certification process, the previous phase shall be completed. Therefore no continuation of the certification process will be undertaken if not all points, articles and individual tasks are completed in the previous certification phase.

PHASE 1 PRE- APPLICATION PHASE	PHASE 2 FORMAL APPLICATION PHASE	PHASE 3 DOCUMENT EVALUATION PHASE	PHASE 4 DEMONSTRATION AND INSPECTION PHASE	PHASE 5 CERTIFICATION PHASE
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The Guidance Material (GM) has been written to give an overview about the Air Operator Certificate (AOC) five phases certification process in general. The five phases certification process is a standard published by the International Civil Aviation Organization (ICAO). Each phase must be completed before starting the next one.

An application for an AOC is a time consuming and expensive work. This work is very often underestimated by applicants. CAA accepts an AOC application by AIR (EASA) OPS standards only. All application forms must be duly signed by the people requested in original, electronic signatures are not accepted.

The project may be delayed because of other applications already in progress or due to the quality of the submissions or missing parts. Even if one of the proposed post holders has missed the necessary score in the assessment, a project could get further delay until all management personnel has been accepted.

If an applicant has the need for further information, please write to the following address:

Civil Aviation Agency of the Montenegro

Josipa Broza Tita bb, 81000 Podgorica

E-mail: acv@caa.me

Fax: +382 20 625 517

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1. PRE-APPLICATION PHASE

The operator is informed by the CAA to acquire the required information through the official website (www.caa.me) in order to follow the available guidance material. If the prospective operator intends to proceed with certification, Application for an Air Operator Certificate and Form 4 related to the intended management functions (e.g. nominated persons-post holders) shall be mailed to the applicant or downloaded by the applicant from the official CAA website.

Application for an Air Operator Certificate and Form 4 should be completed, signed by the Accountable Manager, and returned to CAA. Additionally the operator will submit the plan of intended infrastructure, a presentation of the network and a written statement of fulfilling the required legal matters. AIR OPS (PART-ORO (ORO.AOC.135)) establishes basic management positions and the minimum qualifications for air operators proposing to conduct commercial air transportation operations. Individuals assigned to the required management positions are expected to have a thorough knowledge of the national and international regulations, operating provisions (GM2 ORO.AOC.135(a)). Form 4 must contain resumes of the qualifications, their title, licenses (including license numbers), ratings, and aviation experience/education for each of the required management positions , or their equivalent:

- Accountable Manager (AM)
- Nominated person for Flight Operations (FO)
- Nominated person for Ground Operations (GO)
- Nominated person for Crew Training (CT)
- Nominated person for Continuing Airworthiness (CAM)
- Safety Manager
- Compliance Monitoring Manager

Depending of size, scope of operation and management system of prospective operator, other positions may be appointed. Prospective operator may fill Form 4 for this positions or notified CAA on different way of the qualifications, licenses (including license numbers), ratings, and aviation experience/education for each of the these management positions.

- Deputy Accountable Manager (*If any*)
- Deputy Post Holder Flight Operations (*If any*)

- Deputy Post Holder Ground Operations *(If any)*
- Deputy Post Holder Crew Training *(If any)*
- Deputy Continuing Airworthiness Manager *(If any)*

CAA personnel will review the Application for an Air Operator Certificate, Form 4 and all other submitted documents. If the information is incomplete or erroneous, the forms will be returned to the prospective operator with the reasons for its return. If the information is complete and acceptable, the CAA will invite the post holder and deputy post holder candidates to the next available assessment session, where the candidates will undergo the assessment process. CAA will evaluate the availability of the necessary infrastructure and logistic.

NOTE: Only after all the above mentioned pre-requisites are met and found acceptable, continuation of this process will be granted.

The purpose of the pre-application meeting is to confirm the information on the Application for an Air Operator Certificate and to provide critical certification information to the applicant. It is imperative that the operator's Accountable Manager (AM) and nominated persons (post holders) attend the pre-application meeting and be prepared to discuss in general terms, plans and specific aspects of the proposed operation. Many problems can be avoided by discussing all aspects of the proposed operation and the specific requirements, which must be met to be certificated as an air operator.

It is important to establish good working relationships and clear understandings between the CAA and the operator's representatives. The CAA recognizes that a wide range of capabilities and expertise exists among operators. This background experience will be considered by the CAA and adjusted to during these initial meetings.

NOTE: To help promote understanding throughout the certification process, an application information package will be provided when requested or latest at the pre-application meeting.

AIROPS specifies that an application for an AOC shall be made in a form and manner acceptable to the Authority, and containing any information the Authority requires the applicant to submit. It is important to understand the minimum documentation necessary to be considered acceptable for a formal application. Formal application must be made on a form provided by the Authority and by a letter requesting certification as an air operator. The Accountable Manager must sign the form and letter. The submitted letter should include a statement that the letter serves as formal application for an Air Operator Certificate.

Schedule of Events / Implementation Schedule: The schedule of events is a key document that lists items, activities, programs, and aircraft and/or facility acquisitions that must be accomplished or made ready for the CAA's inspection before certification. It should include dates when the crewmembers will start company indoctrination procedures and/or training.

In addition, the schedule of events should include dates when maintenance personnel training will start, when maintenance facilities will be ready for the CAA's inspection, when each of the required manuals will be available for evaluation, when aircraft will be ready for inspection, when terminal facilities will be ready for inspection and demonstration flights are planned to be performed. These estimated dates must be logical in terms of sequence. For example, the estimated date for crewmember basic company procedures indoctrination ground training to begin should be after the date that sections of the company manuals pertinent to crewmember performance will be completed and submitted. The temporary time schedule shows the operator's intention of time management. Nevertheless a definite implementation schedule which will replace the temporary schedule will be adapted and agreed later during the formal application phase in relation to realistic time management and available human resources. The definite implementation schedule is subject to acceptance by the CAA Focal Point (FP) and is then the agreed document during the entire certification process.

Operations Manuals System: Operations manual is documentation system, which can be issued in separate parts for specific users, contain policies, instructions, information, duties and responsibilities, for the safe operation and airworthy airplanes.

AIR OPS, PART-ORO, Subpart MLR, AMC3 ORO.MLR.100 define the content and structure of these manuals. The entire manual system shall be completely developed at the time of formal application. It is recognized that aircraft acquisition, facility and subcontractor arrangements and certain training and checking program elements may not be fully developed at the time of formal application. However, the Operations Manual Part D Training, established in accordance with the decided Training Concept must be completed to the maximum extend as possible. The company initial training and checking curriculum portion of the OM-D must be attached to the formal application letter.

Documents of Purchase, Leases, Contracts, and/or Letters of Intent: These attachments should provide evidence that the operator is in the process of actively procuring aircraft, facilities, and services appropriate to the type of operation proposed. If formal contracts are not completed, letters or other documents showing preliminary agreements or intent will suffice until such date as determined by the CAA.

- Aircraft,
- Station facilities and services,
- Weather gathering facilities and services,
- Communications facilities and services,
- Maintenance facilities and services,
- Maintenance contractual arrangements,

- Aeronautical charts and related publications,
- Aerodrome analysis and obstruction data,
- Aircraft take off and landing performance tables related to individual runways,
- Contract training and training facilities.

Compliance List: This list contains all applicable articles and paragraphs of AIR OPS, where the Operator states that he is compliant with the respective requirement. Additionally the list indicates the chapters and/or subchapters within the Operations Manual System, where the appropriate compliance is described. The fully completed list of compliance ensures each applicable regulatory requirement has been adequately addressed in the appropriate manuals, programs, and/or procedures. Furthermore on the OM compliance list, where applicable, formal acceptance and approvals are included.

The Director of Safety Division appoints a focal point (FP) who will lead the mentioned project and guide the operator through the whole certification process.

2. FORMAL APPLICATION PHASE

The formal application should be submitted to CAA at least 90 days before the date of intended operation, except that the operations manual may be submitted later, but not less than 60 days before the date of intended operation..

The CAA will review the application to determine that it contains the required information, documents and attachments. If there are omissions or errors, the formal application and all attachments will be returned with a letter outlining the reasons for its return. If the operator has a good understanding of the requirements, the formal application should be of sufficient quality to allow any omission, deficiency, or open question to be resolved during the formal application meeting.

The Operator's Accountable Manager, Compliance Manager, Safety Manager, Nominated Persons and Deputy Nominated Persons (if any) shall attend the formal application meeting. The purpose of the meeting is to present the focal point (FP), assigned inspectors, experts and specialists and to discuss the formal application and resolve omissions, deficiencies, or answer questions from either party. For example, this meeting may be used to resolve questions concerning the applicant's package or scheduling date conflicts, or to ensure the applicant understands the certification process. This meeting should also be used to reinforce open communication and working relationships.

The CAA acceptance of a formal application does not constitute approval or acceptance of individual attachments.

3. DOCUMENT EVALUATION PHASE

After the formal application has been accepted, CAA inspectors will begin a detailed evaluation of all submitted manuals, forms and documents. Inspection of the Operations Manual System may, depending on the size of operation, be done on the whole manual or on different parts at different times with different experts. The CAA will endeavor to complete these evaluations in accordance with the agreed schedule of events. If a manual or document is incomplete or deficient, or if non-compliance with the regulations or safe operating practices is detected, the manual or document will be returned for corrective action. If the manuals and documents are satisfactory, the content and the structure will be accepted, as required. Formal acceptance and approval will be granted on specific documentation and will be effective only after the operator has received the respective documentation, signed by the CAA and in accordance with the effective date. Nevertheless the responsibility of all documented and published contents of any company manual or document remains with the nominated Accountable Manager and the accepted Nominated Persons and their Deputies.

Document Evaluation Phase is completed with the formal acceptance of the content and structure of the Operations Manual System. The initial document compliance statement is the prerequisite to continue to the Inspection and Demonstration Phase.

4. DEMONSTRATION AND INSPECTION PHASE

Prior to conducting the Demonstration and Inspection Phase, it is expected, that the applicant for an AOC has implemented all the procedures and operating practices as described in the Operations Manual System and that the Compliance Monitoring System has successfully reviewed all different fields of operation by the means of audits and inspections. National, ICAO & EU regulations require an operator to demonstrate its ability to comply with regulations and safe operating practices before beginning actual revenue operations. These demonstrations include actual performance of activities and/or operations while being observed by CAA inspectors. This includes on-site evaluations of aircraft maintenance equipment and support facilities. During these demonstrations and inspections, the CAA evaluates the effectiveness of the policies, methods, procedures, and instructions as described in the operator's manuals and other documents. Emphasis is placed on the operator's management effectiveness during this phase. Deficiencies will be brought to the attention of the operator and all corrective action must be taken before entering the certification phase.

Although the document evaluation and the demonstration and inspection phases have been discussed separately in this GM, these phases may overlap in the training aspect, or may be accomplished simultaneously in actual practice. The following list provides examples of the type of items that are evaluated during the inspection and demonstration phase.

- Management System
- Facilities and Infrastructure
- Training and checking (classroom, simulators, aircraft, flight and ground personnel training, records).
- Operational control and supervision
- Release of Flight/Dispatch
- Company communications procedures
- Station facilities (equipment, procedures, personnel, fuelling/defueling, de-icing, technical data).
- Document control (control, analysis and storage of records, flight documents, additional information and data).
- Maintenance Program / Maintenance Contract
- CAME - Continuing Airworthiness Management Exposition
- The effectiveness of Emergency Response Plan

Complete Demonstration Flights. Includes full-scale simulation of revenue operations to demonstrate the ability to operate independently, safely, and in compliance with all applicable AIR OPS, including diversions and/or landing on route for abnormal and emergency situations.

NOTE: An applicant for an air operator certificate (AOC) may concurrently seek CAA approval of its maintenance organisation (EASA Part 145). The applicant needs to coordinate the progress of both certification projects. Both certification projects must be in the Demonstration and Inspection Phase at the same time. This is because the Demonstration Flights require the applicant to demonstrate to the CAA all proposed flight and ground operations.

5. CERTIFICATION PHASE

When corrective actions out of findings given by the demonstration and inspection phase are completed and closed, the CAA will issue the Air Operator Certificate (AOC). The operations are then specified, listed and approved within the operations specification document (OPS SPECS). The Director General of CAA signs the AOC and the Part M Subpart G approval.

The certificate holder is responsible for continued compliance with regulations according his authorizations, limitations, and specifications. The process for changes, variations or amending of specifications is similar to the certification process. The CAA is responsible for conducting periodic inspections and audits of the certificate holder's operation to ensure continued compliance with the regulations, safe operating practices and airworthy airplanes. Nevertheless the compliance with all laws and regulation remains at all times with the operator.

6. COSTS AND TIME SCHEDULE

A complete certification process is time consuming for the applicant and the Authority. The time schedule vary very much on the quality of the submitted manuals and the resource available with the CAA. From the experience in the industry the work for a first certification of the operational part the amount of 600 working hours must be calculated. A first estimate for the time schedule might be possible after the cursory review at the beginning of the Formal Application Phase.

APPENDIXES

APPENDIX 1 - Check list before Pre-application phase

Checklist, to-do before Pre-application phase or at the beginning of the Formal Application Phase

II Application for an Air Operator Certificate;

- Leasing contracts or letter of intent for all aircraft;
- Proof of own crew members;
- Using rights on a Montenegro airport;
- Appropriate office space;
- Certificate for passenger legal liability insurance;
- Notarized copy of the Business Registration Certificate in the Montenegro;
- Statute (including the purpose of the company commercial air operation);
- CAA-EASA Form 4

APPENDIX 2 - Check list Formal Application Phase

Proposed Revision / Amendment Form (PRA) for each and individual Manual

II OM-A

- Compliance Monitoring Manual, if not integrated in OM-A
- OM-B for each type of aircraft (according to cover page OM-B document evaluating)
- OM-C
- OM-D
- CSPM - Cabin Safety Procedure Manual (incl. Safety on Board Card), if applicable
- MEL - Minimum Equipment List
- AIR-OPS Subpart IDE compliance list
- Security Program
- Dangerous Goods
- CAME - Continuing Airworthiness Management Exposition
- Maintenance Contract
- Maintenance Procedure Manual
- Airplane Technical Log System
- Maintenance Program
- Reliability Program
- Application for AR. RNP, if applicable
- Application for ETOPS, if applicable
- Application for RVSM, if applicable
- Application for MNPS, if applicable
- Application for LVO, if applicable

- Application for Steep Approaches, if applicable
- Ground Handling Manual, if applicable
- Application for ICAO Code and Call sign Form
- Schedule plan, if applicable
- Airplane List, type of aircraft, registration, serial number, home base, passenger seating capacity.

APPENDIX 3 – Regulations and Documents

Air Traffic Law, (Official Gazette 30/2012);

Regulation laying down technical requirements and administrative procedures related to air operations (“Official Gazette of Montenegro” No 31/2013) (transposing Commission Regulation (EU) No 965/2012) Regulation on method, rules and procedures for flight operations and operational air traffic services (“Official Gazette of Montenegro” 11/2016) (transposing Commission Regulation 923/2012) Regulation on the continuing airworthiness of aircraft and aeronautical products, parts and appliances, and on the approval of organisations and personnel involved in these tasks (“Official Gazette of Montenegro” No 57/2015) (transposing Commission Regulation No 1321/2014)

Regulation on air crew (“Official Gazette of Montenegro” No 8/2013) (transposing Regulations of the European Commission (EU) No 1178/2011 and 290/2012)

Regulation on the organization of working time of mobile workers in civil aviation (“Official Gazette of Montenegro” No 14/2013) (transposing Directive of the Council No 2000/79/EC)

Regulation on the organization of working time of mobile workers in civil aviation (“Official Gazette of Montenegro” No 14/2013) (transposing Directive of the Council No 2000/79/EC)

CSs, AMCs and GMs related to applicable regulations, Safety Orders;

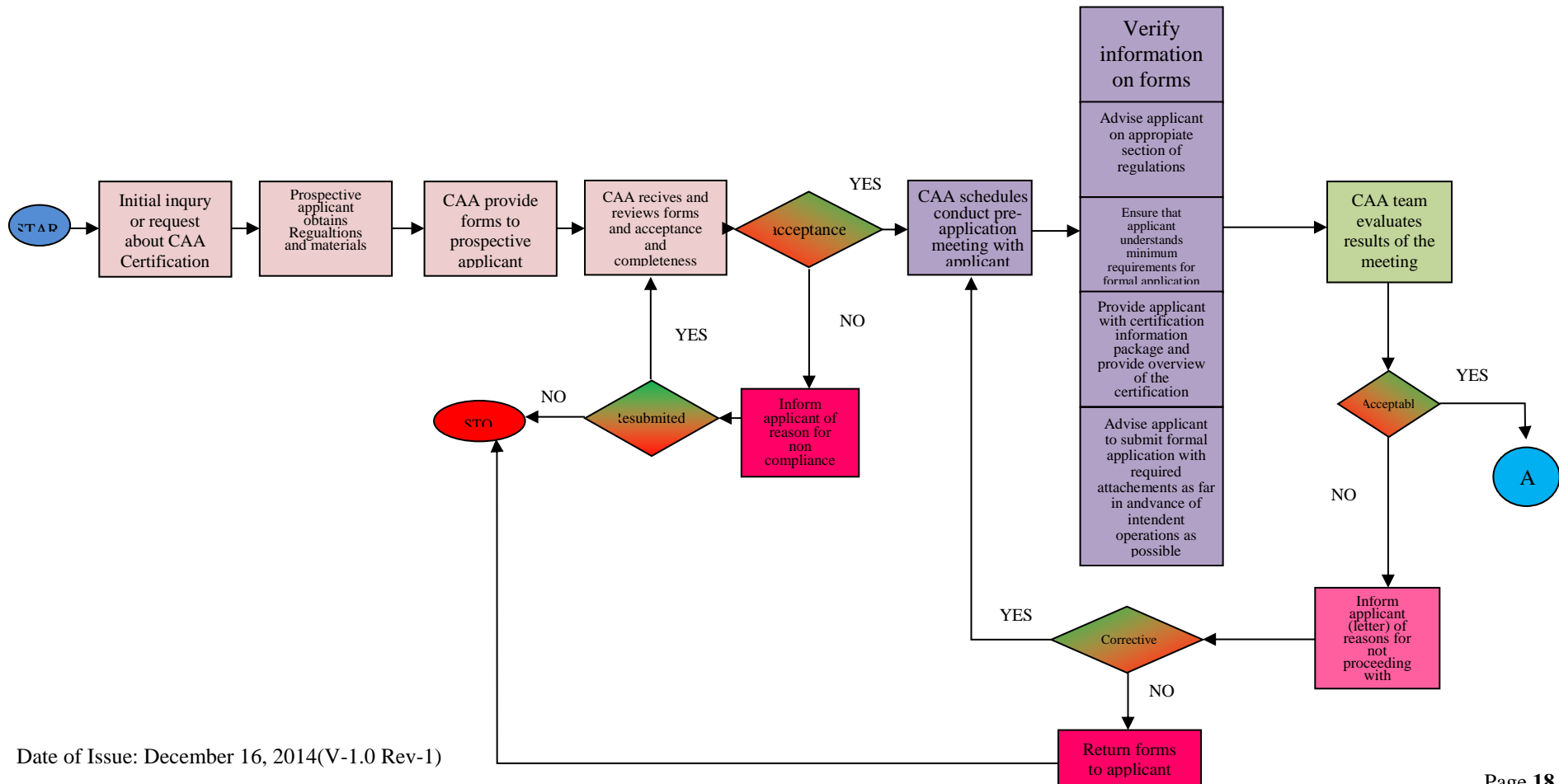
ICAO Doc 8335.

APPENDIX 4 – Abbreviations

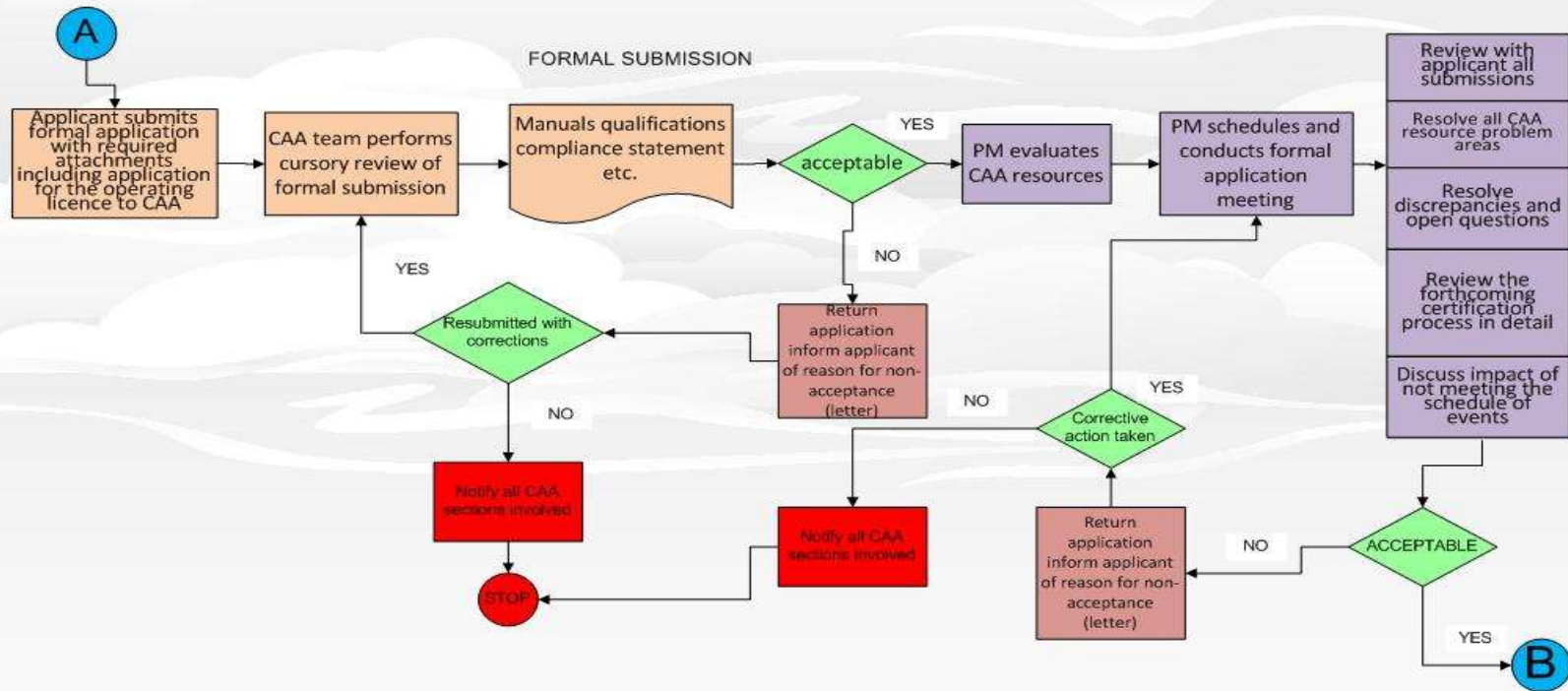
AOC	Air Operator Certificate
CAA	Civil Aviation Agency of Montenegro
EASA	European Aviation Safety Agency
ICAO	International Civil Aviation Organisation
LeP	List of Effective Pages
RoA	Record of Amendments
FP	Focal Point
AIR OPS	EU Regulation 965/2012

Appendix 5 – Flow Charts (CAA 5 Phases Certification Process)

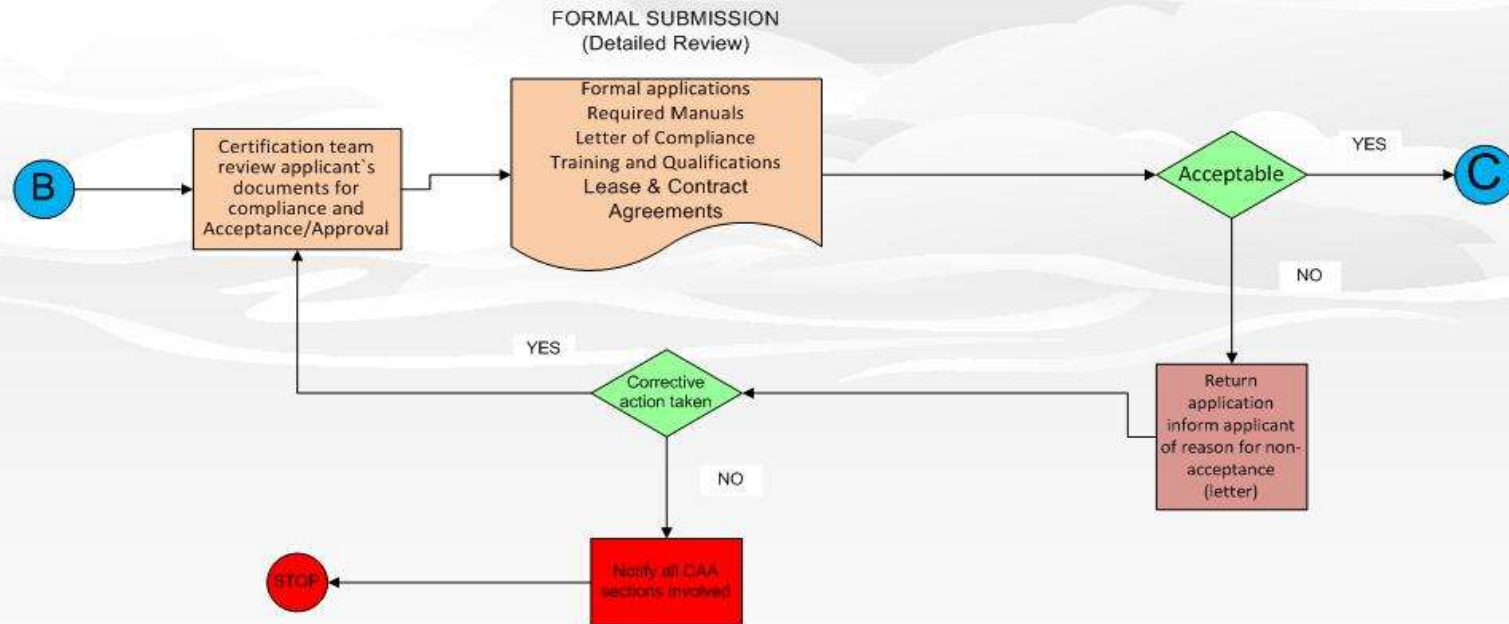
PRE-APPLICATION PHASE



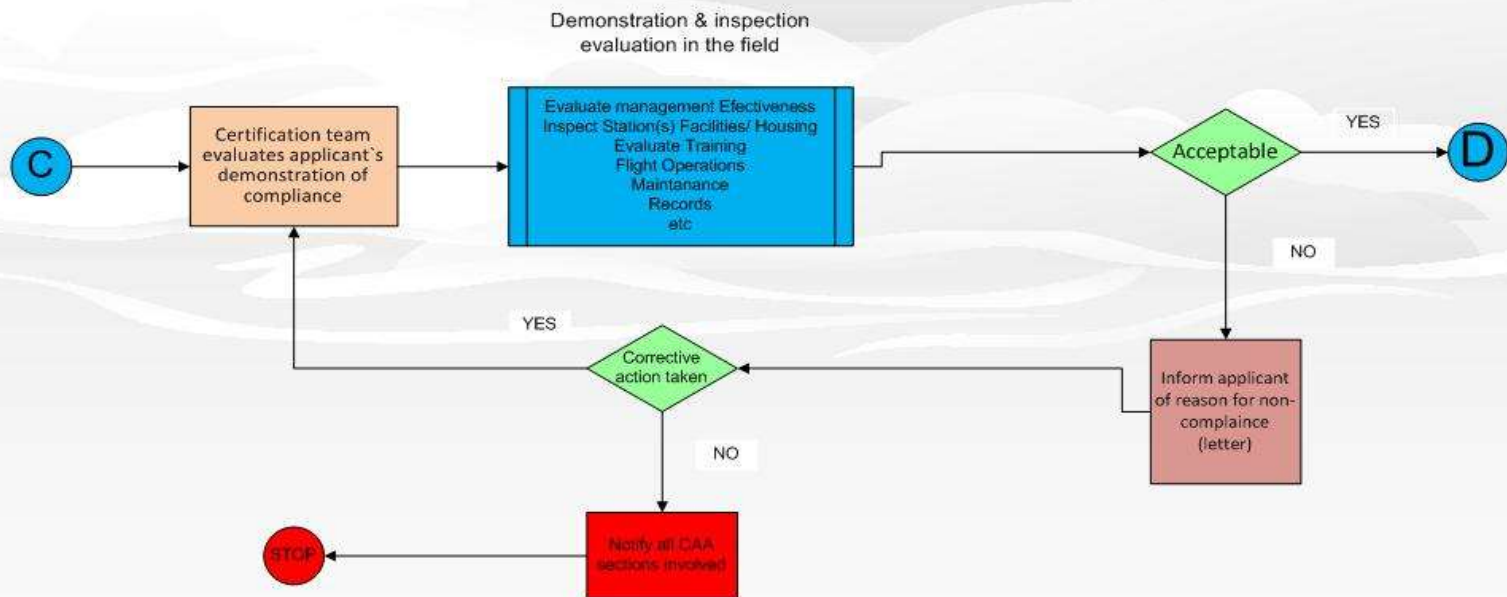
FORMAL APPLICATION PHASE



DOCUMENT EVALUATION PHASE



DEMONSTRATION & INSPECTION PHASE



CERTIFICATION PHASE

