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## **AOC Certification Guidance**

**This Safety Notice contains recommendations regarding operational safety.**

Recipients are asked to ensure that this Safety Notice is copied to all members of their staff who may have an interest in the information (including any 'in-house' or contracted maintenance organisations and relevant outside contractors).

**Applicability:** All Part CAT Operators

### **1. Introduction**

- 1.1 The purpose of this Safety Notice is to provide guidance to prospective Air Operator's Certificate (AOC) applicants. An AOC, issued by the Seychelles Civil Aviation Authority (SCAA), herein thereafter referred to in this document as the *Authority*, is necessary for an air transport organisation to carry out any commercial air transport activity. Commercial air transport is defined as the transportation by air of passengers, cargo or mail for remuneration or hire. This includes both scheduled and unscheduled services.
- 1.2 This document does not include detailed guidance on other aviation requirements that are related to an AOC such as Aircraft Registration, Certificate of Airworthiness, Maintenance Organisation Approvals, licensing of aviation personnel (flight crew or engineers) or Air Transport Licensing. The Authority should be consulted separately on these issues as they fall outside the remit of an AOC.
- 1.3 All references to EASA Part CAT in this Safety Notice shall include the associated Guidance Material (GM) and Acceptable Means of Compliance (AMC).

### **2. International Obligations**

- 2.1 Seychelles as a signatory to the International Civil Aviation Organisation's (ICAO) Chicago Convention, has committed itself to the provision of a standardised and internationally accepted approach to the regulation and safety oversight of civil air transport. When permitting or undertaking local or international aviation activities within this mandate, Seychelles as a Contracting State incurs certain obligations under the Chicago Convention, its Annexes and applicable Standards. One of the fundamental obligations is safety oversight.
- 2.2 Safety Oversight is defined, as a function by means a State shall ensure the effective implementation of safety related Standards and associated Annexes to the Convention on Civil Aviation and related ICAO documents. There are defined critical elements which must be considered by all ICAO Contracting States in the implementation of their safety oversight system. Critical elements applicable within the context of this document are as follows:

a) *Regulatory Framework*

The provision of effective national aviation laws, regulations and technical standards, that is consistent with the ICAO Convention and Annexes. This is detailed in Section 3 below.

b) *CAA structure and safety oversight functions*

The establishment of a Civil Aviation Authority (CAA) and regulatory branch for the conduct of safety oversight. This is detailed in Section 4 below.

c) *Licensing and certification obligations*

The provision of systems and processes which the aviation industry must complete before initiating the tasks and operations associated with the level of certificate issued. This is detailed in Section 6 below.

d) *Continued surveillance obligations*

The provision of processes used to ensure that the aviation community continues to function at minimum required levels of competency and safety. This is detailed in Section 7 below.

e) *Resolution of safety issues*

The provision of processes and methodology to facilitate resolution of safety issues including the ability to take action to penalise, suspend or revoke individuals' or operators' authority to participate in aviation activities.

### **3. Regulatory Framework and Technical Standards**

3.1 The regulatory framework in Seychelles in addressing the ICAO Convention and Annexes is made up of high level aviation regulations that incorporate Technical Standards using a mechanism of Civil Aviation Directives (CADs). In the majority of cases these CADs incorporate foreign Technical Standards based on a European model for the safety oversight of commercial operations. The Technical Standards more commonly associated directly with an AOC are as follows:

- (a) EASA Part ORO (Organisation Requirements Air Operations)
- (b) EASA Part CAT (Commercial Air Transport)
- (c) EASA Part SPA (Operations requiring Special Approvals)
- (d) EASA Part M (Continuing Airworthiness of Aircraft and Parts)
- (e) EASA Part 145 (Maintenance Organisation Approvals)
- (d) EASA Part 21 (Certification of aircraft, parts, products and appliances)

The term EASA Air OPS is used in this Notice and generally to refer to the applicable standards of EASA Parts ORO, CAT, SPA, SPO, NCC and NCO.

3.2 In addition to the above, there are other supporting documents such as Compliance Policy documents (COMPOLs), Flight Operations Safety Directives, Operational Directives and Airworthiness Notices. The CADs and other supporting documents may be obtained on the Authority's web site.

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#### **4. Seychelles CAA and Safety Regulation Division**

- 4.1 The *Seychelles Civil Aviation Authority (SCAA)* is established under the Civil Aviation Authority Act, 2005, as an administrative and financial body corporate to provide for the services, facilities and regulation of civil aviation activities in Seychelles.
- 4.2 The *Safety Regulation Division* of the Authority is vested with the responsibility of ensuring a balanced and cost effective approach to safety oversight inclusive of initial certification and continued surveillance that ensures the development and operation of civil air transport in Seychelles is safe and in accordance with national and international standards and requirements.
- 4.3 Within the Safety Regulation Division, the *Flight Operations and Flight Crew Licensing Inspectorate* has the primary role of licensing all those operators conducting Commercial Air Transport through the issuance of an Air Operator's Certificate. The Inspectorate oversees the safety of aviation commercial activities including Transport of Dangerous Goods by Air in the Seychelles through a licensing and approval process followed by continuous regulatory oversight.
- 4.4 For the purpose of new AOC Applications processes, the Head of Flight Operations and Flight Crew Licensing shall be the project manager coordinating the complete process.

#### **5. Requirements for Air Operator Certification and Continued Validity**

- 5.1 The requirements for Operator Certification and Supervision are detailed in EASA Part ORO Subpart GEN and Subpart AOC. In general they cover:
- a) Application for the AOC
  - b) Operator responsibilities
  - c) Terms of Approval and privileges of an AOC holder
  - d) Continued validity of an AOC
  - e) Management System
  - f) Personnel requirements
  - c) Documentation required
- 5.2 The requirements for Continuing Airworthiness Management are detailed in EASA Part M, Subpart G.

#### **6. Initial AOC Certification Process**

- 6.1 The procedure for application and the granting of an AOC is organised in five phases and takes the following sequence:

Phase 1- Pre-application  
Phase 2- Formal application  
Phase 3- Document evaluation  
Phase 4- Inspection and demonstration; and  
Phase 5- Certification

## **6.2 Pre-application phase**

- 6.2.1 A prospective operator who intends to apply for an AOC should enter into preliminary discussions with the Flight Operations Inspectorate of the Authority and shall be provided with complete information concerning the type of operations which may be authorised, the data to be provided by the applicant and the procedures which will be followed in the processing of the application.
- 6.2.2 The pre-application phase may start with an expression of intent by a prospective operator by way of formal or informal correspondence and meetings where the intent and plan is detailed. Following this, the pre-application phase is formalised by the completion and submission of a Pre-application Statement of Intent (PASI) document and a formal pre-application meeting. A PASI template will be provided by the Authority at the appropriate time. The PASI shall be accompanied by a Business plan indicating how it can meet its fixed and operational costs incurred by operations under realistic assumptions (see 6.2.9).
- 6.2.3 The PASI document serves to inform the Authority that the prospective operator intends on continuing the application process and allows the Authority to proceed with formal arrangements including activity planning and allocation and designation of the certification team and project managers.
- 6.2.4 The purpose of the pre-application meeting is to confirm the information provided by the applicant on the PASI and to provide critical certification information to the applicant for the next part of the certification process. It is recommended that the prospective operator's management personnel (Accountable Manager, proposed post holders and technical advisors) attend the pre-application meeting and be prepared to discuss plans and general 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.
- 6.2.5 To help promote a better understanding of the certification process, the pre-application meeting will discuss the following aspects:
- (a) Focal Points
  - (b) AOC Application content (application forms, questionnaires and checklists)
  - (c) Management structure and personnel qualifications
  - (d) Manuals and documents the applicant must prepare
  - (f) Programmes and systems the applicant must prepare
  - (g) Aircraft acquisition/lease arrangements
  - (h) Continuing Airworthiness and Maintenance arrangements
  - (e) Training arrangements
  - (f) Schedule of events
- 6.2.6 In regards to the maintenance arrangements, an operator may choose to undertake this role on their own, hence the need to apply separately for an approval to Part 145 standards or alternatively outsource this activity to another organisation that meets the standard.
- 6.2.7 The meeting will also provide the AOC basic application package which will include:
- a) AOC/Part M Application Forms
  - b) EASA Part ORO, CAT and SPA Pre-audit questionnaire
  - c) EASA Part ORO, CAT and SPA Operations Manual Compliance Statement
  - d) EASA Part M Compliance Statement
  - e) EASA Part CAT.IDE compliance checklist

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- f) Nominated Post holder Nominations Forms (Form 4)
  - g) A list of applicable guidance material applicable to this phase (Airworthiness Notices or Flight Operations Directives)
  - h) Guidance in the form of specimens available
- 6.2.8 It is essential that the applicant has, in this pre-application phase, a clear understanding of the form, content and documents required for the formal application.
- a) The application for an initial issue of an AOC must be submitted as early as possible and 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.
  - b) This is the time period required to conduct the certification process, subsequent to the receipt of a complete and properly executed formal application. This advice is of particular importance in the case of new operators so that such applicants may avoid undue financial outlays during the certification period.
- 6.2.9 Prior to the submission of a PASI, four factors need to be carefully considered:
- a) Feasibility Study
    - Aspects of the feasibility study shall include:
      - Route evaluation and traffic studies (demand forecast and frequencies)
      - Aircraft type evaluation (payload capacity and aircraft performance studies)
      - Operating costs (lease, insurance, fuel, maintenance, labour, regulatory and air navigation fees, administration, marketing etc...)
    - Most aircraft manufacturers typically provide indicative maintenance and operating cost per hour. Traffic statistics are available from the Air Transport Licensing Unit. Regulatory and air navigation fees may be obtained from the publication section of the SCAA web site at [www.scaa.sc](http://www.scaa.sc)
  - b) Business Plan
    - A business plan containing elements in Annex A shall be prepared for submission with the PASI document.
  - c) Organisational Structure and arrangement
    - EASA Part ORO.GEN.210 and EASA Part M.A.706 requires that the operator must have nominated an Accountable Manager acceptable to the Authority who has corporate authority for ensuring that all operations and maintenance activities can be financed and carried out to the standard required by the Authority.
    - The operator must also have nominated post holders, acceptable to the Authority, who are responsible for the management and supervision of Flight Operations, the Maintenance System, Crew Training and Ground Operations.
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The Accountable Manager, Post Holders and deputies are required to meet pre-requisite qualification and experience criteria detailed in the associated AMC which will be assessed by the submission of Form 4s at the Application stage. In addition, the Authority also requires that the Accountable Manager, Post holder and their deputise attend a training programme addressing their role and aviation regulatory framework. It is recommended that these courses are attended prior to the application stage to allow for a more efficient application process.

It is also essential in this formative stage that the applicant gives consideration to these criteria prior to hiring or contractually binding such personnel to undertake preliminary work with the intent on nominating such individuals as post holders later in the process. In cases where the applicant chooses to utilize consultants for the preliminary work it is recommended that the intended post holders also be present in these phases.

- d) The completion of the certification five phases, prior to the grant of an AOC, especially for complex operations (jet aircraft, international operations including most of the special operations such as ETOPS, LVO, RVSM and advance PBN), is lengthy and rigorous. Consideration needs to be given to time required to resolve deficiencies in the documentation and inspections. From the experience of the authority, the whole process more than often exceeds 6 months. For these reasons, applicants are requested not to plan or commit to commencement of commercial operations in less than 6 months from the date the application has been accepted (formal closure of Phase 2).

6.2.10 Following receipt of the PASI with the intended date of application and tentative commencement date, should the applicant not submit its application within 28 days of the date indicated, the PASI is considered to be void and is required to be re-submitted with an amended timeline.

### **6.3 Formal Application Phase**

6.3.1 The formal application for an AOC should be submitted using the Air Operator's Certificate Application Form (SR/OPS/1801) and attachments. The Application Form should be accompanied by all the required questionnaires, compliance statements and the following manuals/documents:

- a) Operations Manual (Parts A-E)
- b) Continuing Airworthiness Management Exposition (CAME)
- c) Aircraft Maintenance Programme (AMP)

6.3.2 The submission is prepared to show the method of compliance and for in-depth evaluation, demonstration and inspection related to the required manuals, training programmes, operational and maintenance facilities, aircraft, support equipment, record keeping, dangerous goods programme, security programme, flight crew, and key management personnel, including the functioning of the administrative and operational organization.

6.3.3 All documents apart from the application may be submitted electronically.

6.3.4 The Authority will organise an application meeting following a preliminary review of the application and documents. If there are omissions or errors, the application will be returned with a letter outlining the reasons for its return.

6.3.5 If the application is acceptable, a letter of receipt of all documents and manuals will be issued to the applicant. The letter of receipt does not constitute approval or acceptance of the documentation and manuals. These documents shall be evaluated thoroughly during subsequent phases of the certification process. If the application is not accepted, it shall be returned with a written explanation of the reasons for its return.

6.3.6 The Authority will process the nomination of the Accountable Manager and Post holder Form 4s which will include formal interviews in this phase and will inform the applicant accordingly.

#### **6.4 Document evaluation phase**

6.4.1 The document evaluation phase involves the detailed examination of all documentation and manuals provided by the applicant, to establish that every aspect required by the regulations and technical standards is included and adequately covered.

6.4.2 In order to facilitate this phase of the certification process, the applicant should have coordinated all aspects of the development of the required documentation with the Flight Operations Inspectorate or Airworthiness Inspectorate of the Authority, prior to the submission of the formal application.

6.4.3 Following the document evaluation the Authority will notify the applicant of any irregularities or deficiencies by means of evaluation reports. In response to this report, the applicant shall take steps to address the deficiencies and provide the Authority with a report of corrective actions undertaken.

6.4.4 Once all documents and manuals are deemed to be acceptable, the Authority will inform the operator in writing and this will mark the end of the Document Evaluation Phase.

#### **6.5 Inspection and demonstration phase**

6.5.1 The EASA Air OPS requires an operator to demonstrate its ability to comply with regulations and procedures of safe operating practices before the commencement of operations. This is achieved by various on-site inspections and audits at the operations and maintenance facilities by Flight Operations and Airworthiness Inspectors. The inspectors may be assisted by other relevant specialist (Dangerous Goods, Safety Management systems and Accident Prevention etc...) and inspecting officers dependant on the scope of the AOC.

6.5.2 During these demonstrations and inspections, the Authority evaluates the effectiveness of the operator's management and oversight of operations and maintenance, the policies, methods, procedures and instructions as described in manuals and other documents. Demonstrations may also involve demonstration of emergency evacuation and ditching and actual proving flights.

6.5.3 Any deficiencies will be brought to the attention of the operator and corrective action must be taken before the AOC is issued in the next phase.

## **6.6 Certification phase**

- 6.6.1 The certification phase is the conclusion of the certification process when the Flight Operations Inspectorate of the Authority has determined that all certification requirements, both operational and maintenance are acceptable and that the operator is fully capable of fulfilling its responsibilities in conducting a safe operation.
- 6.6.2 The culmination of this phase is the issuance of the AOC, the associated Operations Specifications (Ops Specs) and other relevant approvals. The Continuing Airworthiness management arrangement is also certified by the issuance of a separate approval.

## **7.0 Continued Safety Oversight**

- 7.1 Subsequent to the issuance of an AOC, the Authority will continue to conduct regular inspections and audits of the various aspects of the operation to ensure the operator's continued compliance. This is achieved by the implementation of an annual safety oversight programme throughout the year by the Flight Operations and Airworthiness Inspectorates.

## **8.0 Other Applicable Legislation**

- 8.1 Applicants should be aware that there are other aviation legislation that may be applicable to an air service operator. For example:
- a) Air Transport (Licensing of Air Services) Regulations detailing licences and permits required for scheduled operations.
  - b) Carriage by Air Act (Application of Provisions) (Overseas Territories), 1967 detailing such issues as ticketing.

## **9.0 Points of Contact**

- 9.1 The points of contact for the AOC certification are:
- a) Head of Flight Operations and Flight Crew Licensing for the AOC, Flight Operations and Flight Crew licensing issues.
  - b) Head of Airworthiness and Engineer Licensing for airworthiness, maintenance, engineer licensing and aircraft registration issues.
  - c) Technical Support Officer for issues of forms, ELT registration, Transponder 24-bit addresses, Registration reservations and safety regulatory fees.
  - d) Personnel Licensing Officer for Personnel licensing issues.
  - e) Head of Air Transport for Air Transport Licensing issues.
  - f) General Manager Airport Management for airport infrastructure issues.
- 9.2 The SCAA web site presents the contact information for the current post holders.



**10. Queries**

- 10.1 Any queries as a result of this Safety Notice should be addressed to Head of Flight Operations and Flight Crew Licensing Inspectorate at the following e-mail address:  
[hfo@scaa.sc](mailto:hfo@scaa.sc)

**11. Cancellation**

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Head Flight Operations and Flight Crew Licensing Inspectorate

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**Annex A**

1. Information to be provided by a first-time applicant from a financial fitness point of view
  - 1.1. The most recent internal management accounts and, if available, audited accounts for the previous financial year.
  - 1.2. A projected balance sheet, including profit-and-loss account, for the following three years.
  - 1.3. The basis for projected expenditure and income figures on such items as fuel, fares and rates, salaries, maintenance, depreciation, exchange rate fluctuations, airport charges, air navigation charges, ground handling costs, insurance, etc. Traffic/revenue forecasts.
  - 1.4. Details of the start-up costs incurred in the period from submission of an application to the commencement of operations and an explanation of how it is proposed to finance these costs.
  - 1.5. Details of existing and projected sources of finance.
  - 1.6. Projected cash-flow statements and liquidity plans for the first three years of operation.
  - 1.7. Details of the financing of aircraft purchase/leasing including, in the case of leasing, the terms and conditions of contract.
  
2. Information to be provided for assessment of the continuing financial fitness of existing licence holders planning a change in their structures or in their activities with a significant bearing on their finances
  - 2.1. If necessary, the most recent internal management balance sheet and audited accounts for the previous financial year.
  - 2.2. Precise details of all proposed changes e.g. change of type of service, proposed takeover or merger, modifications in share capital, changes in shareholders, etc.
  - 2.3. A projected balance sheet, with a profit-and-loss account, for the current financial year, including all proposed changes in structure or activities with a significant bearing on finances.
  - 2.4. Past and projected expenditure and income figures on such items as fuel, fares and rates, salaries, maintenance, depreciation, exchange rate fluctuations, airport charges, air navigation charges, ground handling costs, insurance, etc. Traffic/revenue forecasts.
  - 2.5. Cash-flow statements and liquidity plans for the following year, including all proposed changes in structure or activities with a significant bearing on finances.
  - 2.6. Details of the financing of aircraft purchase/leasing including, in the case of leasing, the terms and conditions of contract.
  
3. Information to be provided for assessment of the continuing financial fitness of existing licence holders
  - 3.1. Audited accounts no later than six months following the last day of the relevant financial year, unless otherwise provided for in national law and, if necessary, the most recent internal management balance sheet.
  - 3.2. A projected balance sheet, including profit-and-loss account, for the forthcoming year.
  - 3.3. Past and projected expenditure and income figures on such items as fuel, fares and rates, salaries, maintenance, depreciation, exchange rate fluctuations, airport charges, air navigation charges, ground handling costs, insurance, etc. Traffic/revenue forecasts.
  - 3.4. Cash-flow statements and liquidity plans for the following year.