

CERTIFICATION OF A FOREIGN APPROVED TRAINING ORGANIZATION(ATO)

1.0 PURPOSE

- 1.1 This Advisory Circular (AC) describes the application and certification process for obtaining an Approval as a foreign Approved Training Organization to conduct aviation training under the Civil Aviation (Approved Training Organization) and the Civil Aviation (Personnel Licensing) Regulations.
- 1.2 All foreign Approved Training Organizations (ATOs), Flight Simulation Training Devices (FSTDs), and foreign instructors, examiners, or checking personnel engaged in training, testing, checking, or assessment for the purpose of issuance, validation, renewal, or revalidation of Kenyan licences, ratings, or authorizations shall be approved, accepted, or designated by the Kenya Civil Aviation Authority (KCAA).
- 1.3 Kenyan licence holders, applicants, aircraft operators, and approved organizations shall ensure that all requisite approvals, acceptances, or designations issued by the KCAA are duly obtained and remain valid before participating in, or facilitating, any training, testing, checking, or assessment conducted by foreign training organizations, foreign facilities, or foreign personnel.
- 1.4 The foreign ATO shall hold a valid approval certificate issued by its State, appropriately rated for the specific scope of training to be conducted. Any approval granted by the Authority shall be based on, and strictly limited to, the scope of training authorized under the foreign ATO's existing scope.

2.0 REFERENCES

- 2.1 The Civil Aviation Act
- 2.2 The Civil Aviation (Approved Training Organizations) Regulations.
- 2.3 The Civil Aviation (Personnel Licensing) Regulations.
- 2.4 Kenya Aircraft Maintenance Engineers Licence (KAMEL) Manual.
- 2.5 Kenya Aircraft Maintenance Training Organizations (KAMTO) Manual.

3.0 APPLICABILITY

- 3.1 This circular applies to:
 - 3.1.1 Foreign Approved Training Organizations (ATOs) providing initial, recurrent, or type-rating training to Kenyan licence holders or applicants;
 - 3.1.2 Flight Simulation Training Devices (FSTDs), including full flight simulators and other synthetic training devices, used for training, testing, checking, or proficiency assessments;
 - 3.1.3 Foreign instructors, examiners, assessors, or other authorized personnel conducting tests, checks, evaluations, or assessments on behalf of, or for the benefit of, Kenyan licence holders or applicants;
 - 3.1.4 Aircraft operators, Approved Maintenance Organizations (AMOs), and individual licence holders utilizing foreign training organizations or facilities for training, checking, or assessments recognized or accepted by Kenya;
 - 3.1.5 Foreign training courses, programmes, or syllabi submitted for validation, approval, or acceptance for use in the Kenyan aviation system;
 - 3.1.6 Cross-border training arrangements, partnerships, or agreements involving Kenyan aviation personnel and foreign training providers;

4.0 BACKGROUND

- 4.1 The certification process is established to ensure that an applicant holding a Foreign Approved Training Organization (ATO) certificate fully understands and complies with the requirements of the Kenya Civil Aviation (Approved Training Organization) and the Kenya Civil Aviation (Personnel Licensing) Regulations. Upon satisfactory completion of the approval process, the applicant is demonstrated to be capable of meeting all applicable regulatory requirements, as well as the relevant international standards and recommended practices.
- 4.2 The process provides assurance that the foreign ATO approval is fully compliant with applicable national regulatory requirements, while, to the greatest extent practicable, relying on and leveraging the existing approval issued by the foreign Civil Aviation Authority.
- 4.3 The certification process is normally structured into five (5) distinct phases. Each phase groups related, sequential activities that collectively support a specific regulatory and oversight function. This phased, gate-based approach requires that defined acceptance (gate) criteria be satisfactorily met and formally closed before progression to the subsequent phase of the approval process. The five (5) phases are as follows:
 - (i) Pre-application.
 - (ii) Formal Application;
 - (iii) Application Evaluation;
 - (iv) Demonstration and Validation; and

(v) Certification

5.0 APPLICATION FOR APPROVAL

- 5.1 The foreign ATO that wishes to be approved in accordance with the Kenya Civil Aviation Regulations shall complete and submit to the Authority Application Form AC-AWS007 (Appendix 2) in a manner prescribed by the Authority.
- 5.2 The foreign training organization shall be required to submit, together with its application, a comprehensive regulatory gap analysis comparing the Kenyan ATO regulatory requirements with those of the foreign Civil Aviation Authority. The analysis shall include but not limited to:
- (i) Organization,
 - (ii) Training programmes and training delivery,
 - (iii) Theory and practical training hours
 - (iv) Training and procedures manual,
 - (v) Personnel,
 - (vi) Facilities,
 - (vii) Records,
 - (viii) Quality system and
 - (ix) Safety Management System (SMS) (if required).
- 5.3 The Authority shall carry out an initial assessment and, as part of this process, coordinate with the foreign Civil Aviation Authority responsible for oversight of the foreign ATO to obtain information on the status of its approval, including any suspensions, limitations/restrictions, or safety-related findings arising from audits or surveillance activities on which the approval is based.
- 5.4 Based on the outcome of the initial assessment, the Authority shall determine whether the application will be subjected to the full Five-Phase Certification process.
- 5.5 Where the Authority determines that the complete Five-Phase Certification process is applicable, the procedures specified in Advisory Circular CAA-AC-PEL070 shall apply in full.
- 5.6 Where the Authority determines that the complete certification process is not required, the Authority shall apply the Alternative Approval process.

6.0 ALTERNATIVE APPROVAL PROCESS

6.1 Phase 1: Pre-Application Phase

- 6.1.1 The foreign ATO shall be formally notified of the Authority's decision to proceed with the alternative approval process.
- 6.1.2 The foreign training organization will be required to submit a complete regulatory gap analysis between the Kenyan ATO regulations and the Foreign Authority's ATO regulations.

6.2 Phase 2: Formal Application Phase

The foreign ATO will be required to submit a formal application package including:

- (i) A compliance matrix showing how the training organization complies with the regulatory requirements of the CAA and the regulatory requirements of the foreign CAA (based on the gap analysis already carried out);
- (ii) A document containing any supplemental conditions and/or a rationale explaining how the training organization meets the national requirements regarding the approval of a training organization which differ from the requirements of the foreign CAA;
- (iii) The training and procedures manual, or equivalent;
- (iv) The quality management system manual, or equivalent;
- (v) The SMS manual, or equivalent, if applicable;
- (vi) The training programme course syllabus relating to the programmes required under the scope of the approval being applied for;
- (vii) The list of instructors and evaluators, together with supporting documentation;
- (viii) The FSTD qualification certificates; and
- (ix) Any additional document(s) that the Authority may require.

6.3 Phase 3: Application Evaluation

- 6.3.1 Upon acceptance of the formal application, the CAA certification team will initiate a detailed evaluation of all required documents and manuals to ensure compliance with applicable regulations.
- 6.3.2 The application evaluation phase entails a comprehensive review of all documentation and manuals submitted by the foreign ATO to verify that all regulatory requirements are fully addressed and adequately incorporated.
- 6.3.3 Should any document or manual be found incomplete, deficient, or non-compliant with regulatory or safe operating standards, it will be returned to the applicant for necessary corrections.
- 6.3.4 Documents and manuals that meet the regulatory requirements will be approved or accepted as appropriate, with approval formally confirmed through a signed document.

6.4 Phase 4: Demonstration and Validation

- 6.4.1 This phase involves demonstration and validation by carrying out an on-site inspection. For satellite locations, the Authority will conduct an on-site inspection at the main base facility prior to the inspection of the satellite location(s) provided that both the main and satellite locations have been approved by the Foreign Civil Aviation Authority.
- 6.4.2 The foreign ATO must demonstrate that it has the required qualified personnel, appropriate equipment, and adequate facilities, and that it is properly organized and responsible for ensuring that the proposed training is delivered in full compliance with the required standards.
- 6.4.3 This demonstration will include the actual conduct of training activities and/or operational procedures under the observation of the CAA certification team inspectors. During these evaluations, the CAA assesses the effectiveness and implementation of the policies, methods, procedures, and instructions as outlined in the applicant's manuals and supporting documentation.
- 6.4.4 Any deficiencies identified during the evaluation will be communicated to the applicant in writing, and corrective actions must be completed satisfactorily before ATO approval can be granted.

6.5 Phase 5 -Certification

- 6.5.1 This is the final phase of the certification process following the satisfactory completion of the inspections and the required correction of any deficiencies by the foreign ATO.
- 6.5.2 The Authority will issue the applicable ATO approval document(s) which identifies the scope of the approval.

7.0 CONTINUED VALIDITY OF THE ATO APPROVAL

- 7.1 The ATO approval issued by KCAA will remain valid as long as the foreign CAA ATO approval remains current. To ensure continued validity of the ATO approval certificate obtained through the alternative approval process the foreign ATO shall be required to report to KCAA:
- 7.2 Surveillance-relevant information, such as reporting enforcement activities taken by the foreign CAA which may affect the approval certificate.
- 7.3 Limitation, suspension or revocation of the ATO approval certificate by the foreign CAA.
- 7.4 Any changes in the documents that form part of the approval.

8.0 SURVEILLANCE

- 8.1 The authority will carry out scheduled and unscheduled surveillance on the foreign ATO to ensure continued compliance with the applicable regulations and the terms of approval.



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