

STATE OF LIBYA  
MINISTRY OF TRANSPORT  
CIVIL AVIATION AUTHORITY



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## Advisory Circular-LYCAA- AC-OPS.002 Air operator Certification

Approved by:

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## 0.1 Purpose

This is a new revision of LYCAA-AC-OPS 002 Rev;03 issued on June 2018. This AC provides a Guidance Material (GM) describes the process of applying for and obtaining an Air Operator Certificate (AOC) to conduct commercial air transport operations under LYCARs – Air Operations issued on June 2015 and its amendment.

To conduct Commercial Air Transport Operations under Libyan Regulations, an operator must be a citizen as defined in the Libyan Law No (6) 2005

Every commercial air transport operator has a responsibility to conduct air transport in the public interest with the highest possible level of safety. The LYCAA's certification process is designed to ensure, that prospective AOC holders understand this duty and are able to fulfil it. When satisfactorily completed, the certification process should ensure that the operator is able to take responsibility for managing all essential processes to ensure safe and efficient commercial air transport.

This AC describes the process of applying for and obtaining an air operator certificate (AOC) and an operating license (OL) to conduct commercial air transport operations according to LYCARs.

A certified operator must also be able to comply with all applicable legal requirement, e.g. Libyan law, LYCARs and international standards for the operation of aircraft as published in the relevant ANNEXES to the Convention of the International Civil Aviation Organisation (ICAO).

## 0.2 References:

- a) law No (6) 2005
- b) LYCARs-ORO.AOC.100 as amended
- c) LYCARs-Part 47 as amended

## 0.3 Reference Documents:

The following key reference documents will be used in the AOC and an operating license process of this AC —

- a) LYCAA AOC Requirements.
- b) LYCAA Flight Operations Requirements– aeroplanes; helicopters
- c) LYCAA Flight Operations Inspector Manual
- d) LYCAA Airworthiness Inspector Manual
- e) LYCAA LYCAR Part M
- f) LYCAA LYCAR Part 145
- g) Annex 6, Part I, International Commercial Air Transport – Aeroplanes
- h) Annex 6 Part III International Commercial Air Transport –Helicopters
- i) Document 8335, Manual for Operations Certification

## 0.4 Air Operating Licence (AOL)

Libyan law No (6) Art ,(88) No undertaking shall be permitted to carry by air passengers, mail and/or cargo for remuneration and/or hire unless it has been granted an Air Operating Licence. This is a separate document from the Air Operator certificate and is issued on the basis of the company's commercial fitness to conduct an aviation undertaking. This requires a prospective applicant for an AOC to provide supporting evidence that the undertaking is financially viable.

Note: Any potential operator must be aware that the issuance of an AOL and AOC should benefit the state of Libya.

Obtaining an AOC and an operating license is a time consuming and extensive work. This work is very often underestimated. The LYCAA will certify an operator in accordance with LYCARs and all applicable standards. All application forms must be duly signed.

#### 0.4.1 Categories of AOC

Based on the type and class of operations, Air Operator Certificate is categorized as mentioned below and shall include:

Category A1: Schedule and/or non-schedule operations (passenger & cargo) both in international and domestic sectors by Aeroplane.

Category A2: Schedule and/or non-schedule operations (passenger & cargo) in domestic sectors by Aeroplane.

Category B1: Schedule and/or non-schedule operations (passenger & cargo) both in international and domestic sectors by Helicopter.

Category B2: Schedule and/or non-schedule operations (passenger & cargo) in domestic sectors by Helicopter.

Category C1: Schedule and/or non-schedule operations (all cargo) both in international and domestic sectors by Aeroplane.

Category C2: Schedule and/or non-schedule operations (all cargo) in domestic sectors by Aeroplane.

#### 0.5 Aircraft:

- a) To be eligible to issue Libyan AOC the air operator shall register two (2) aircraft (5A) in Libyan Registry one of the fleet should be owned by the applicant. The aircraft shall satisfy all the applicable requirements of LYCARs Air operations part CAT.
- b) Meet the LYCARs Part 47 requirements as amended.
- c) Applicants that plan to operate only leased aircraft cannot satisfy the certification procedures of LYCAA.
- d) For existing AOC holder not in compliance with (a) must Provide to LYCAA a plan to own an aircraft by the end of 2024.
- e) LYCAA shall revoke or suspend the AOC of an organization that operates only wet-leased aircraft during period longer than 2 months.

#### 0.6 Requirements for AOC for International Air Transport Services

a) An applicant for AOC to operate international commercial air transport services shall fulfill the relevant requirements mentioned in the Air Operator Certificate Requirements.

b) Operates a fleet of minimum five aeroplanes or five multi-engine helicopters either by outright purchase or through lease. The aeroplanes shall be of maximum certified take-off mass of more than 5,700 kg and type certified meeting the requirements of transport category aircraft acceptable to LYCAA. Multi-engine helicopters shall be of maximum certified take-off mass of more than 3180 kg and type certified meeting the requirements of transport category helicopters acceptable to LYCAA.

c) For an AOC holder or Applicant to operate international commercial air transport services may be issued to those air operators who have completed 2 years of successful domestic air transport services and their technical, operational, financial and management capabilities would show that they are capable of conducting international air transport services safely or as an alternative, an AOC may be granted directly for international commercial operations to applicants who can demonstrate their capability to comply with the AOC Requirements and Libyan Rules and Regulations.

d) On his regular employment sufficient number of flight crew and cabin crew but not less than three sets of crew per aircraft.

As defined in the Libyan Law No (6) 2005 **Art. (191)** the President of Libyan Civil Aviation Authority may order suspension or cancellation of any permit, certificate, authorization or approval or otherwise withdraw any approval granted, issued or approved under the dispositions of the Law No (6) 2005, and its execution resolutions and regulations.

## 0.7 Recertification

For the already certificated air operators requiring recertification to the new Regulations are advised to address qualifications of Accountable Manager and key management personnel in order to demonstrate their full compliance with the Regulations.

Those air operators, who are already certificated and/or have done demonstration flights during their initial certification or recertification, need not do the demonstrations a second time unless the Authority deems it necessary for safety reasons. The existing operators who have never done the demonstration flights will be required to demonstrate their compliance with the new Regulations. However, full demonstration flights will not be necessary for them. But, inspectors should ensure they observe the operations of the operator in a sample route(s), chosen by the Authority, as a minimum. Routes that are inherently different from others and pose unique challenges should be demonstrated separately. The terms and conditions of operations will be specified in the applicable Operations Specifications (Ops Specs).

## 08 Resolution of Safety Issues

When deficiencies are observed in the course of the re-certification process for a particular operator, the cause should be determined, prompt action taken to rectify the deficiency and appropriate follow-up initiated to determine the effectiveness of the corrective action. Additional inspections should be planned and conducted whenever problems in particular areas are repeated.

Should the re-certification and related inspection reports reveal that an operator has failed to meet, or is unable to meet or maintain the required standards for certification or the conditions specified in the AOC and its associated operations specifications, the LYCAA re-certification team responsible for the recertification process is to advise the operator of the deficiency observed and of the remedial action required.

Remedial action will normally be required within a specified time. If an operator does not correct a deficiency as required, The LYCAA shall downgrade the AOC Category and its associated operations specifications to Category A 2 (operations (passenger & cargo) in domestic sectors by Aeroplane.

### 08.1 Recertification / Re-validation of Operators

Currently certificated operators are encouraged to consult the Authority and work out a schedule of events for their recertification /re-validation before the date of expiry of their AOC and within the transition period.

An evaluation of the operator's Operations Manual and other documents, once submitted, will be carried out to check for conformity to the Regulations. Particular reference will be paid to the following areas:-

- Areas of previous deficiencies.
- Qualifications of Accountable Manager and key management personnel.
- Carriage of Dangerous Good.
- Statement of Compliance.
- All other new requirements by the Regulations

## 0.9 Revocation and Commencement

This AC comes into force 30 August 2024 and will remain in force until revoked by the Authority.

## 1.0 The 5 Phases of Certification

The air operator certification process is defined by five (plus one) phases. Each phase is described to provide a general understanding of the entire certification process.

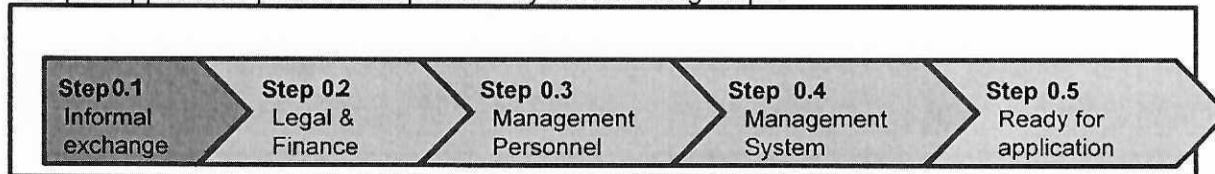
The phases are:



The five phases are to be seen as a sequence. 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. However, in some cases, the guidance and defined sequence of events in this AC may not be entirely appropriate. In such situations, the LYCAA will consider these circumstances and search together with the operator for the best possible solutions. Nevertheless, the LYCAA will in any case only certify an operator when there is sufficient evidence that it is able to comply with the Libyan Law No (6) 2005, the Civil Aviation Ordinance and the applicable LYCARs in an appropriate and continuous manner.

## 2.0 Phase 0: Pre-application

The pre-application phase is sequenced by the following steps.



The Phase 0 consists of 5 steps in a sequence. It starts with an informal exchange, followed by 3 pre-verification steps. Each step shall be completed before the next one starts.

For an operator, this phase is one of the most important and the most challenging phase. During this phase a huge amount of preparation work has to be completed, e.g. establishment of an organisation as an acceptable legal body; development of business plan and its financing; description of the management functions incl. required skills, knowledge and experience; definition of their roles and responsibilities; nomination of the management personnel; development and documentation of the essential management processes in compliance with the applicable requirements etc.

Each step is further described below.

### 2.1 Step 0.1 – Informal exchange

After having contacted us with your request, we will exchange information on an informal level. The aim is to get familiar with the planned project and your ideas, and to explain the certification process. An informal meeting is usually held for this purpose. During this first step, a flight operations inspector (FOI) of LYCAA will be nominated as the focal point for the certification process.

### 2.2 Step 0.2 – Legal & Finance

To start the certification process, economic viability need's to be verified first.

The economic viability of an operator is an important prerequisite to obtain and maintain a Libyan operating licence for performing commercial flights according to Law No (6) 2005 and LYCARs. Therefore, the LYCAA –Department of Transportations conducts an initial financial audit before granting an operating licence.

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Note 1: Once an operating licence has been granted, the LYCAA – Department of Transportations monitors the financial and economic state of licenced air carriers by means of a regular financial reporting system and verifies that the air carriers meet the financial requirements.

Note 2: Until and including step 0.2, the process is free of charge. After completion of step 0.2, an applicant will be asked, if the process shall continue. By starting step 0.3, the certification process starts to be subject to charge.

### **2.3 Step 0.3 – Management Personnel**

As a first step after formation of a company and development of a business plan, the management personnel shall be appointed.

### **2.4 Step 0.4 – Management System**

The nominated management personnel shall now define their policies and processes in compliance with the applicable regulation, called the management system (MS). As soon as the MS is verified for compliance by the applicant, it shall be submitted to LYCAA for review and acceptance (including a compliance statement).

### **2.5 Step 0.5 – Ready for Application**

Once, the MS is accepted by LYCAA, the applicant is considered to be ready for application, i.e. the company is legally constituted and a business plan including its financing as well as the nominated management personnel and the management processes are accepted. Thus, the applicant is ready and in a position to systematically carry out the remaining work (e.g. developing all required policies, processes, manuals etc.).

In this step, LYCAA will coordinate and ensure, that the formal application procedure is understood and all information and forms to be provided to LYCAA are well known. For this purpose, a “ready for application” meeting will usually take place.

## **3 Phase 1: Formal application**

The formal application phase is a very short phase. It only consists of submitting the required documents as an official application. For details about the required forms and information refer to the Appendices below.

When entering this phase, LYCAA expects the operator to work according their MS Processes as far as practicable. It is of utmost importance for the success of the process to manage the project professionally and to coordinate the time planning with the assigned FOI. Furthermore, each applicant should focus on its compliance management process, i.e. any documentation provided to the LYCAA must be reviewed for compliance by the respective MS process. A statement of compliance must be incorporated into each provision of documentation. This is already valid for the formal application package.

If the formal application is successful, LYCAA will formally accept the application by Email. Acceptance of a formal application by the LYCAA does not imply approval or acceptance of individual attachments or successful completion of the certification process. ”

If the applicant intends to operate scheduled flights, the LYCAA – Department of Transportation - traffic rights section should be contacted at this stage of the certification process regarding the requirements and application process for a route licence.

## **4 Phase 2: Document evaluation**

After the formal application has been accepted, LYCAA inspectors will begin a detailed evaluation of all submitted manuals, forms and documents. The review of the operations manual system may, depending on the size and complexity of the operation, be done on the whole manual or on different parts at different times with different experts.

The LYCAA will endeavour 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 unsafe operating practices are detected, the manual or document will be returned for recertification.

If the manuals and documents are satisfactory, the content and the structure will be formally accepted, as required. That acceptance means, that the manual or the accepted process(es) may be used for continuation of the project (e.g. training may take place based on accepted OM-B and OM-D and will be granted). Therefore, once a process or manual has been accepted, it can only be changed after consultation with the assigned FOI by using the approved MS change process.

Libyan Civil Aviation Authority checks the compliance of operation manual with LYCARs. If during operations manual review, LYCAA detects 5 or more significant non-compliances with LYCARs (e.g. types of operations not conducted by the operator (LVO, ETOPS....) types of aircraft not operated by the operator, missing chapter) the review process will stop and the operator is advised by means of conclusion about detected non-compliances specifying the reviewed operations manual parts and, if that is the case the remark that the list of non-compliances is non-exhaustive.

If the operator fails to provide compliant operations manual, the request is rejected. Such a development may lead to the question of the nominated post holders competences. Depending on the severity of the detected non-compliance in the process of operations manual evaluation LYCAA may as ultimate measure reconsider acceptance of nominated operator's post holders as per area of responsibility for the production and the content of operations manual.

Phase 2 is completed with the formal acceptance of the whole operations manual system with its content and structure. The completion of phase 2 is also a prerequisite for proceeding with phase 3, the inspection and demonstration phase.

## **5 Phase 3: Inspection / Demonstration**

### **5.1 General**

Prior conducting the inspection and demonstration phase, it is essential, that the applicant for an AOC has implemented all the procedures and operating practices as described in the operations manual and that the compliance monitoring function has successfully reviewed all different fields of operation by the means of audits and inspections. As soon as the applicant feels ready, a "ready for audit" message shall be provided to the assigned FOI.

The inspection and demonstration phase involves the actual performance of activities and/or operations under observation by LYCAA inspectors. This includes on-site evaluations of the CAMO. During these demonstrations and inspections, the LYCAA will assess the implementation of the policies, methods, procedures and instructions described in the operator's manuals and other documents, as far as practicable.

Although the document evaluation and the demonstration and inspection phases have been discussed separately in this AC, these phases may overlap, or may be accomplished simultaneously in actual practice. Therefore, it is of utmost importance to announce and coordinate all activities with the assigned FOI. If, for example, training takes place without prior notice and coordination with the assigned FOI, the training cannot be inspected and thus cannot be granted for certification.

Especially during this phase, the LYCAA will also focus on the management team and its performance. Deficiencies will be brought to the attention of the operator and corrections must be implemented and verified before entering the certification phase.

## 5.2 Certification audit

LYCAA will conduct a certification audit in order to verify that the organisation has implemented all policies, processes and tools required for planning and operating the foreseen aircraft. The following items may be subject to that audit:

- Facilities and Infrastructure
- Station facilities (equipment, procedures, personnel, fuelling/defuelling, de-icing, technical data).
- Policies
- Manual System
- Flight planning
- Crew planning
- Document control (control, analysis and storage of records, flight documents, additional information and data).
- Company communications procedures
- Safety Management (Risk management, Reporting, FDM, etc.)
- Contracted activities
- Compliance Monitoring System
- Emergency Response Plan
- CAMO

## 5.3 Inspections

The following items may be subject to inspection during the certification process:

- Training and checking (classroom, simulators, aircraft, flight and ground personnel training)
- Training Facilities and Infrastructure

## 5.4 Demonstration flight

The applicant shall demonstrate its ability to operate a complete flight independently, safely and in accordance with all applicable requirements, including en-route diversions and/or landings in exceptional and simulated emergency situations. For this reason, the applicant is requested by the LYCAA to organise a real flight, which is then observed by several LYCAA inspectors. The following items may be subject to this inspection:

- Aircraft
- Facilities and Infrastructure
- Station facilities (equipment, personnel, fuelling/defuelling, de-icing, technical data)
- Flight planning / Dispatch
- SOP
- Company communications procedures
- Operational control and supervision
- Effectiveness of Emergency Response
- Document control; logs and records
- Interface Operation - CAMO-Maintenance

## 6 Phase 4: Certification

After all non-compliances from the demonstration and inspection phase are corrected and implementation is verified, LYCAA will conduct an internal certification meeting to ensure all participants in the certification give their "go" (green light) for the certification.



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If during that meeting “go” for certification is received, the Certificate and all the supporting documents will be prepared by LYCAA.

The following documents will be provided by LYCAA:

- Air Operator Certificate AOC
- Operating License
- Certified true copy of AOC for each aircraft
- Operations Specification for each aircraft
- Signed Personalized Review Assignments (PRA) of all manuals).
- Signed compliance list with all required approvals
- Crew Member Certificates CMC, if applied for

The freshly printed and signed documents may be picked up at the LYCAA, or the LYCAA will send them to the applicant.

As of this date, the applicant is certified as a CAT operator holding an AOC and an operating license. The new CAT operator is now fully responsible for ensuring safe operation and compliance with all applicable regulations in accordance with its approvals, authorisations, limitations and specifications. The process for changes to these is similar to the certification process.

The LYCAA is responsible for conducting regular inspections and audits of the certificate holder's operations to verify continued compliance, safe operating practices and aircraft airworthiness.

## **7 Phase 5: Administration / Invoice**

With this Phase LYCAA closes the project “initial certification” and the oversight process will start. For the applicant, this final phase will lead to the (final) invoice.

## **8 Appendices**

The following Appendices list the required forms and documents to be provided for each phase. The list may be used as checklist. Forms and documents to be provided

### **8.1 Appendix 1 – Form and documents to be provided for step “legal & finance”**

1. Copy from the chamber of commerce with the appropriate signature rights
2. Statute (including the purpose of the company - commercial air transport operation)
3. Copy from the shareholder register (list of shareholders)
4. Business plan over 3 years on a monthly basis (Balance Sheet, Profit and Loss Statement, Cash Flow Statement)
5. Proof, that all fixed and operational costs incurred by the operations according to the business plan can be met for the first 3 months of operation without income
6. The latest balance sheet and profit and loss account and, if available, the audited accounts for the preceding financial year.
7. Information on the financing of the purchase / leasing of aircraft, in the case of leasing including contract terms.
8. Information on existing and planned funding sources.

### **8.2 Appendix 2 –Form and documents for “management system”**

1. OM-A (required chapters) or OMM
2. Compliance list to the Manual

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**8.3 Appendix 3 – Form, documents or items for “formal application”****Check list Formal Application Phase**

Proposed Revision / Amendment Form for each and individual Manual

Letter to LYCAA signed by ACM applying for operating license

- 1- OM - A
- 2- Compliance Monitoring Manual.
- 3- OM-B for each type of aircraft (according to cover page OM-B document evaluating)
- 4- OM-C
- 5- OM-D
- 6- AOM/FCOM
- 7- CSPM - Cabin Safety Procedure Manual (incl. Safety on Board Card),
- 8- MEL - Minimum Equipment List
- 9- AIR-OPS Subpart IDE compliance list
- 10- Security Program
- 11- Dangerous Goods
- 12- CAME - Continuing Airworthiness Management Exposition
- 13- Maintenance Contract
- 14- Maintenance Procedure Manual
- 15- Aircraft Technical Log (Tech Log)
- 16- Maintenance Program
- 17- Reliability Program
- 18- Application for RNAV (incl. RNP)
- 19- Application for ETOPS, if applicable
- 20- Application for RVSM, if applicable
- 21- Application for MNPS, if applicable
- 22- Application for AWO incl. LVTO, if applicable
- 23- Emergency evacuation demonstration plan
- 24- Application for HEMS
- 25- Application for HOFO
- 26- Airport Runway Analysis
- 27- Application for Steep Approaches, if applicable
- 28- Ground Handling Manual.
- 29- Application for ICAO Code and Call Sign Form
- 30- Schedule plan & Plan for Demonstration Flights. if applicable
- 31- Aircraft List, type of aircraft, registration, serial number, home base, passenger seating capacity.
- 32- Application for route licences.
- 33- Fully Completed Statement of Compliance.

**SAMPLE FORMAL APPLICATION LETTER**

(Name of Applicant)  
 (Appropriate Address)  
 [Date]  
 Libyan Civil Aviation Authority  
 Attn: Director Flight Safety Department

Dear Sir;

This letter serves as a formal application for the Authority Air Operator Certificate. (Name of Applicant), initially intends to be certificated and operate as a [scheduled or charter passenger, aerial work cargo, offshore operations or passenger and cargo] commercial air transport operation under the Libyan Civil Aviation Regulations. We intend to use (Number and Type) aircraft (aeroplane/helicopter) between (location) and (location). We have enclosed a copy of our Air Service License which has been issued by the Authority.

Our company will have its principal base of operations and corporate offices located at (appropriate address). Our maintenance base will be located at (appropriate address). A copy of our contract with ( name of approved maintenance organisation) is enclosed.

Our management personnel are as follows:

Accountable Manager – Mr. ....  
 Flight Operations Manager – Mr. ....  
 Ground Operations Manager-.....  
 Crew Training Manager – Mr. ....  
 Continuing Airworthiness Manager – Mr. ....  
 Safety Manager – Mr. ....  
 Compliance Monitoring Manager – Mr. ....

Also enclosed is the revised Schedule-of-Events and Initial Statement of Compliance which was agreed to at our last meeting with your representatives. We have retained the services of Mr. .... (appropriate address) as our agent for service.

Sincerely,

.....  
 Accountable Manager

# Certification Process Example (AOC + OL + Part 145)

