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Autoritet Civilnog Vazduhoplovstva Kosova
Civil Aviation Authority of Kosovo

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Air Operator Certificate (AOC) - First Certification

Guidance Material (GM)

Version 4

Foreword

Introduction

Guidance Materials (GM) are intended to assist the organisation/operator in administrative matters. The administrative requirements and processes will facilitate liaising with the Civil Aviation Authority of Kosovo (CAAK). It is to be considered a tool for the organisation/operator in order to ease processes of obtaining required and defined approvals and authorisations issued by the Civil Aviation Authority of Kosovo (CAAK). Using the GM will be conducive to establishing compliance with CAAK requirements and will lead through the respective certification or variation process in regard to administrative tasks.

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 the CAAK Regulation No. 01/2019. 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.

There are various methods acceptable for the purpose of establishing Operations Manuals. This GM does not deal with these possible methods but 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. Related Material and Documents

For certain areas (e.g. some subchapters of Operations Manuals) the Civil Aviation Authority of the Republic of Kosovo (CAAK) publishes additional Guidance Material or sample chapters. These documents provide more information for specific subjects.

In addition CAAK publishes Administrative Instructions (AI) for particular areas of published regulations in order to clarify or define the relevant issues in more detail where required.

4. Background

Notwithstanding Articles 7 and 8 of the ECAA Agreement in relation to Articles 4(1)(a)(ii) and 4(3) of Protocol IX to the ECAA Agreement, any Citizen of the Republic of Kosovo (as defined in the

Law No. 03/L-051 on Civil Aviation) desiring to engage in air operations in Kosovo shall obtain and possess a current and valid Air Operator's Certificate ("AOC") issued by CAAK. Any Citizen of the Republic of Kosovo in possession of an AOC issued by the CAA who desires to engage in the carriage by air of persons, baggage, cargo and/or mail for remuneration, hire, or reward shall obtain and possess a current and valid air carrier's operating license, issued by the Ministry of Infrastructure and Transport of the Republic of Kosovo (MIT) in conformity with MIT Regulation No. 2010/1. The CAAK recognises 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 Kosovo Law on Civil Aviation, CAAK regulations and the international standards pertaining to the operation of aircraft as published in relevant Annexes to the Convention on International Civil Aviation Organisation (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 appropriate. In such situations, the CAAK 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 CAAK is assured that Law No 03/L-051 on Civil Aviation, it's implementing Regulations and the applicable ECAA legislation 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	PHASE 2	PHASE 3	PHASE 4	PHASE 5
Pre-Application Phase	Formal Application Phase	Document Evaluation Phase	Demonstration and Inspection Phase	Certification Phase

The Guidance Material (AGM) has been written to give an overview about the Air Operator Certificate (AOC) 5 phase certification process in general. The 5 phase certification process is a standard published by the International Civil Aviation Organisation (ICAO) and known by the Federal Aviation Administration (FAA). 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. CAAK accepts an AOC application by CAAK Regulation No. 01/2019 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:

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Document Control

	Name and position	Date	Signature
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1. Pre-Application Phase

The operator is informed by the CAAK to acquire the required information through the official website (<https://caa.rks-gov.net>) in order to follow the available guidance material. If the prospective operator intends to proceed with certification, CAAK/FSD/AOC-Form 1 and CAAK/FSD/EASA-Form 4 related to the intended management functions (e.g. nominated persons) shall be mailed to the applicant or downloaded by the applicant from the official CAAK website.

The CAAK/FSD/AOC-Form 1 and CAAK/FSD/EASA-Form 4 should be completed, signed by the prospective operator, and returned to CAAK. Additionally the operator will submit the business plan, the documents for proof of financial background and sufficient cash flow, the plan of intended infrastructure, a presentation of the network and a written statement of fulfilling the required legal matters.

The CAA Regulation No. 01/2019 (ORO.GEN.130, ORO.GEN.135 and ORO.GEN.135(a)) 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. CAAK/FSD/EASA-Form 4 must contain resumes of the qualifications, licenses (including license numbers), ratings, and aviation experience/education for each of the following positions, or their equivalent:

- Accountable Manager (ACM)
- Compliance Monitoring Manager (CMM)
- Safety Monitoring Manager (SMM)
- Nominated Person Flight Operations (NP FO)
- Nominated Person Ground Operations (NP GO)
- Nominated Person Crew Training (NP CT)
- Post Holder Continuing Airworthiness (PCA)
- Deputy Accountable Manager (DACM)
- Deputy Compliance Monitoring Manager (DCMM)
- Deputy Nominated Person Flight Operations (DPFO)
- Deputy Nominated Person Ground Operations (DPGO)
- Deputy Nominated Person Crew Training (DPCT)
- Deputy Post Holder Continuing Airworthiness (DPCA)

CAAK personnel will review the CAAK/FSD/AOC-Form 1, CAAK/FSD/EASA-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. Failure to provide any supporting documentation within reasonable time frames may result in applicant's application being suspended. CAA will cancel any applications that remain suspended/dormant for more than 45 days.

If the information is complete and acceptable, the CAAK will invite the Nominated Person and deputy Nominated Person candidates to the next available assessment session, where the candidates will undergo the assessment process.

The MIT, will evaluate the financial background of the operator and its legal aspect, will assess the operator's business plan and 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 CAAK/FSD/AOC-Form 1 and to provide critical certification information to the applicant. It is imperative that the operator's Accountable Manager (ACM) and accepted Nominated Persons and deputy Nominated Persons 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 CAAK and the operator's representatives. The CAAK recognises that a wide range of capabilities and expertise exists among operators. This background experience will be considered by the CAAK 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.

The CAA Regulation No 01/2019 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 (CAAK/FSD/AOC-Form 1) 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 CAAK 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 CAAK 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 CAAK Project Manager (PM) and is then the agreed document during the entire certification process.

Operations Manuals System: These manuals, which have to be issued in separate parts for specific users, contain policies, instructions, information, duties and responsibilities, for the safe operation and airworthy aeroplanes. The entire manual system shall be completely developed at the time of formal application.

It is recognised 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 extent 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 CAAK.

- 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 listing contains all applicable articles and paragraphs of CAA Regulation No 01/2019, 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 General of CAAK appoints a Project Manager (PM) who will lead the mentioned project and guide the operator through the whole certification process.

2. Formal Application Phase

The formal application shall be submitted to CAAK as far in advance as possible.

The CAAK 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 Monitoring Manager, Nominated Person and Deputy Nominated Person personnel shall attend the formal application meeting. The purpose of the meeting is to present the project manager, delegated 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.

If the formal application meeting is successful, the operator is provided with a letter acknowledging receipt and acceptance of the package by the Director General or Project Manager (PM). The CAAK 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, CAAK 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 CAAK 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 CAAK 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, issued on different documents. 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 Quality System has successfully reviewed all fields of operation including qualified entities by the means of audits and inspections. National regulations and ICAO Standards 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 CAAK inspectors. This includes on-site evaluations of aircraft maintenance equipment and support facilities. During these demonstrations and inspections, the CAAK 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 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 which are evaluated during the demonstration and inspection phase.

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

Complete Demonstration Flights. Includes full-scale simulation of revenue operations to demonstrate the ability to operate independently, safely, and in compliance with CAA Regulation No 01/2019, including diversions and/or landing on route for abnormal and emergency situations.

NOTE: *An applicant for an air operator certificate (AOC) may concurrently seek CAAK approval of its maintenance organisation (EASA Part 145). The applicant needs to co-ordinate 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 CAAK 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 CAAK will issue the final compliance statement and prepare Subpart G approval and the Air Operator Certificate (AOC). The operations are then specified, listed and approved within the operations specification document (AOC OPS SPECS). The Director General of CAAK signs the Subpart G approval and the AOC.

The MIT produces thereafter the operating licence with its limitations for the applicant.

The certificate holder is responsible for continued compliance with regulations according to his authorisations, limitations, and specifications. The process for changes, variations or amending of specifications is similar to the certification process. The CAAK 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 aeroplanes. 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 costs and the time schedule vary very much on the quality of the submitted manuals and the resources available with the CAAK. According to the Regulation No. 2/2015 as amended by Regulation No. 5/2018 on the Fees Levied by the Civil Aviation Authority of the Republic of Kosovo, Article 9, paragraph 9.1 states that CAAK shall charge and levy fees for the inspection and surveillance of an air operator's organisation for the purposes of the grant, variation or renewal of an Air Operator's Certificate, an amount of 4,000 € for the first aircraft and additional 2,000 € for every other aircraft with the MTOW of more than 40,000 kg. Additional cost of 700 € shall be charged for the issue of a certificate of airworthiness for an aircraft involved in commercial transport category. The CAA shall also charge a fee for each application for the issue of a certificate of registration of an aircraft of more than 5,700 kg MTOM an amount of 500 €.

A first estimate for the time schedule might be possible after the cursory review at the beginning of the Formal Application Phase. At this point a first estimate about the time schedule and costs might be possible. The implementation of the time schedule shall be in accordance with applicable legislation in force.

CAAK requires that 50% of the fee in respect of the services referred to in the respective articles of the Regulation No. 2/2015 as amended by Regulation No. 5/2018 are remitted to the CAA before delivery of services has commenced, and the remaining 50 % before the final issuance or renewal of the certificate, licence, approval or authorisation.

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

- ☐ CAAK/FSD/AOC-Form 1 (application for AOC & EASA Part M, Subpart G approval (CAMO));
- ☐ Leasing contracts or letter of intent for all aircraft;
- ☐ Proof of own crew members;
- ☐ Tenancy (lease) agreement for office space for the Nominated Person for Flight Operations;
- ☐ Business plan over 2 years;
- ☐ Business plan over the first 3 months of operation without income;
- ☐ Certificate for passenger legal liability insurance and third party legal liability ;
- ☐ Application for waiver under Art. 40.2 of Law 03/L-051 on Civil Aviation (Aircraft Registration Eligibility), if applicable;
- ☐ Notarized copy of the Business Registration Certificate in the Republic of Kosovo and its annexes;
- ☐ Statute (including the purpose of the company commercial air operation);
- ☐ Opening balance sheet;
- ☐ Copy from the shareholder book (list of shareholders);
- ☐ CAAK/FSD/EASA-Form 4
- ☐ Airworthiness Operation Specification Application Complex Aircraft

Appendix 2 – Check list Formal Application Phase

- ☐ Proposed Revision / Amendment Form (PRA) for each and individual Manual
- ☐ OM-A
- ☐ Organisation Monitoring Manual (OMM)
- ☐ OM-B for each type of aircraft (according to cover page OM-B document evaluating)
- ☐ OM-C
- ☐ OM-D
- ☐ Compliance List (CL)
- ☐ CSPM – Cabin Safety Procedure Manual (incl. Safety on Board Card), if applicable
- ☐ MEL – Minimum Equipment List
- ☐ OPS Subpart K & L
- ☐ EASA 26
- ☐ Security Program
- ☐ Dangerous Goods
- ☐ CAME – Continuing Airworthiness Management Exposition
- ☐ Maintenance Contract
- ☐ Maintenance Procedure Manual
- ☐ Aeroplane Technical Log (Tech Log)
- ☐ Maintenance Program
- ☐ Reliability Program
- ☐ Application for PBN (RNAV incl. RNP, etc.)
- ☐ Application for ETOPS, if applicable
- ☐ Application for RVSM, if applicable
- ☐ Application for MNPS, if applicable
- ☐ Application for AWO incl. LVTO, if applicable
- ☐ Application for Steep Approaches, if applicable
- ☐ Application for Electronic Flight Bag (EFB)
- ☐ Application for FANS (e.g. CPDLC, ADS-B, operational credits like HUD, etc.)
- ☐ OPS Implementation Schedule
- ☐ Ground Handling Manual, if applicable
- ☐ Application for CMC (Crew Member Certificate)
- ☐ Application for ICAO Code and Call sign
- ☐ Application for route licenses, if applicable
- ☐ Schedule plan, if applicable
- ☐ Air Fare plan, if applicable
- ☐ Aeroplane List, type of aircraft, registration, serial number, homebase, passenger seating capacity

Appendix 3 – Regulations and Documents

Law No. 03/L-051	on Civil Aviation;
Regulation 2010/1	on Common rules for the operation of air services (MIT);
Regulation 01/2016	Supplementing general basic standards on civil aviation security (MIA);
Regulation 01/2019	laying down technical requirements and administrative procedures related to air Operations (CAAK);

EASA STD
EASA NPA's
EN
EASA-21
EASA-23
EASA-25
EASA-26
EASA-145

ICAO Annex 1	Personnel Licensing
ICAO Annex 2	Rules of the Air
ICAO Annex 6	Operation of Aircraft
ICAO Annex 8	Airworthiness of Aircraft
ICAO Annex 11	Air Traffic Services
ICAO Annex 10	Telecommunications
ICAO Annex 12	Search and Rescue

Other ICAO Documents

Circular 253-AN/151	Human Factors Digest No. 12 Human Factors in Aircraft Maintenance and Inspection
Document 4444-RAC/501	Rules of the Air and Air Traffic Service
Document 7030	Regional Supplementary
Document 8168-OPS	Aircraft Operations
Document 8335-AN/879	Manual of Procedures for Operations Inspection, Certification and Continued Surveillance
Document 9284-AN/905	Technical Instructions for the Safe Transport of Dangerous Goods by Air
Document 9365-AN/910	All Weather Operations
Document 9376-AN/914	Preparation of an Operations Manual
Document 9379-AN/916	Manual and Procedures for Establishment and Management of a States Personnel Licensing system
Document 9389-AN/919	Manual of Procedures for an Airworthiness Organisation
Document 9642-AN/941	Continuous Airworthiness Manual

Appendix 4 - Useful Links

MIT	http://mit-ks.net/
MIA	https://mpb.rks-gov.net/
AEA	http://www.aea-europe.net/
ATA	http://www.air-transport.org/
EASA	http://www.easa.eu.int/home/index.html
ECAC	http://www.ecac-ceac.org/index.php
EUROCONTROL	https://www.eurocontrol.int/
EUR-LEX	http://eur-lex.europa.eu/de/index.htm
FSF	http://www.flightsafety.org/home.html
IATA	http://www.iata.org/index.asp
ICAO	http://www.icao.int/

Appendix 5 – Abbreviations

The following abbreviations are within this Administrative Guidance Material:

Abbreviation	Definition
AEA	Association of European Airlines
AGL	Administrative Guidance Leaflet
AMC	Acceptable Means of Compliance
AOC	Air Operator Certificate
ATA	Air Transport Association
CAAK	Civil Aviation Authority of Kosovo
EASA	European Aviation Safety Agency
ECAC	European Civil Aviation Conference
FAA	Federal Aviation Administration
FSF	Flight Safety Foundation
GM	Guidance Material
IATA	International Air Transport Association
ICAO	International Civil Aviation Organisation
LoR	Log of Revision
NAA	National Aviation Authority
NPA	Notices of Proposed Amendments
OD	Operational Directives
PM	Project Manager

Appendix 6 – Flow Charts (CAAK 5 Phases Certification Process)





