

	<p>LE GOUVERNEMENT DU GRAND-DUCHÉ DE LUXEMBOURG Ministère de la Mobilité et des Travaux publics Direction de l'aviation civile</p>	<p>Instruction 2025-01 Language Assessments for air traffic controllers</p>	<p>Version n°1</p>
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Instruction 2025-01: Language Assessments for air traffic controllers

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<p>Date of entry into force</p>	<p>15 January 2025</p>

Version	Description of major amendments	Date

This version in English is only a courtesy translation. The French version is authoritative.

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The present instruction is based on the following European regulation:

- Commission Regulation (EU) 2015/340 of 20 February 2015 laying down technical requirements and administrative procedures relating to air traffic controllers' licences and certificates pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council, amending Commission Implementing Regulation (EU) No 923/2012 and repealing Commission Regulation (EU) No 805/2011

The aim of this instruction is to determine:

- the approval of the assessment method for the demonstration of language proficiency (Section 1); the assessment method comprises:
 - the process by which an assessment is done (Sub-section 1);
 - the qualification of the assessors (Sub-section 2);
 - the appeal procedure.
- the establishment of requirements applicable to language assessment bodies (Section 2).

Section 1 – Language proficiency assessment method for air traffic controllers


Sub-section 1 – Process by which the assessment is done

Art. 1. Approval of the assessment method

(1) The language proficiency assessment method for air traffic controllers shall be approved by the *Direction de l'aviation civile*, hereinafter "DAC".

The applicant shall submit a complete file to the DAC, comprising the following elements:

- 1° the name of the applicant and an identity card, in case of a natural person, and the legal form as well as the most recent articles of association, published in the Electronic Register of Companies and Associations, in case of a legal entity;
- 2° address of the applicant;
- 3° in case of a legal entity, name and contact of the responsible persons;
- 4° description of the language assessment method comprising all of the elements foreseen by the present section;
- 5° procedures on the management and organisation of the entity and procedures to ensure that the method of assessment remains compliant with the applicable requirements;
- 6° information on the equipment used for the language assessments;
- 7° types of language proficiency assessments.

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The approval is valid as long as the method of assessment complies with the applicable requirements foreseen by Regulation (EU) 2015/340 and the present instruction.

Any change to the above-mentioned elements shall be notified prior to implementation to the DAC. If necessary, the approval will be adapted.

Art. 2. Generalities

(1) The language proficiency assessment shall be designed to reflect the tasks undertaken by air traffic controllers, but with specific focus on language rather than operational procedures and knowledge.

The assessment should determine the applicant's ability to communicate effectively using visual and non-visual communication in both routine and non-routine situations.

(2) The 'Manual on the Implementation of ICAO Language Proficiency Requirements' (ICAO Doc 9835) and the Language Testing Criteria for Global Harmonization (ICAO Cir318 AN/180) shall be taken into account when developing an assessment method.

Art. 3. Modalities of the assessment method


(1) The assessment method shall comprise the following elements:

- 1° listening — assessment of comprehension;
- 2° speaking — assessment of pronunciation, fluency, structure and vocabulary;
- 3° interaction.

(2) The switch between phraseology and plain language shall be assessed for listening and speaking proficiency.

(3) When the assessment is not conducted in a face-to-face situation, the language assessment body, hereinafter "LAB", shall use appropriate technologies for the assessment of the applicant's abilities in the elements foreseen by paragraph 1 of the present article.

(4) In case of revalidation of the language proficiency endorsement, the assessment may be conducted during training activities or on operational position, with prior notification to the air traffic controller to be assessed.

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(5) The assessment method must allow a separate classification for each of the six criteria of language proficiency, as foreseen by appendix 1 of annex I to regulation (EU) 2015/340.

Art. 4. Language proficiency results

(1) The language assessment body, hereinafter “LAB”, shall issue a certificate to the air traffic controller containing the results of the language proficiency assessment. This certificate shall include the following information:

- 1° names and identification of the language assessors having participated;
- 2° the reference of the method of assessment;
- 3° name of the assessed candidate;
- 4° license number of the assessed candidate, if applicable;
- 5° the assessed language;
- 6° date of the assessment;
- 7° separate classification of the six linguistic competence criteria;
- 8° overall classification of language proficiency;
- 9° date of the certificate creation and signature of all the participating assessors.

(2) The method of assessment shall determine an appeal procedure in case the assessed candidate wishes to contest their assessment result, which comprises at least the following elements:

- 1° a reasonable time limit after which the result can no longer be challenged;
- 2° deadline for the LAB to take the decision concerning the appeal;
- 3° types of possible decisions (i.e. re-evaluation by another assessor, reorganisation of a new assessment, etc.).

Sub-section 2 – Language proficiency assessors

Art. 5. Language proficiency assessors competences


(1) Language proficiency assessors shall be:

- 1° either aviation specialists, such as current or former flight crew members or air traffic controllers,
or
- 2° language specialists with additional aviation related training.

Applicants shall hold themselves a valid language proficiency certificate or endorsement:

- 1° of level 5 at least in order to be authorised to take part in level 4 assessments;
- 2° of level 6 in order to be authorised to take part in level 5 or 6 assessments.

(2) Language proficiency assessors shall be trained on the following subjects:

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- 1° the national and European legal framework applicable to language assessments;
- 2° the specific requirements for the assessment as specified in appendix 1 of annex I to regulation (EU) 2015/340;
- 3° the requirements specific to the language proficiency assessment method used;
- 4° assessment and interlocution techniques.

Language proficiency assessors shall undergo regular refresher training on language assessment skills at least every 3 years, as foreseen by the assessment method.

(3) The assessment method shall clearly indicate the above requirements as well as any additional requirements for language assessor.

On the basis of the assessment method, the language assessor shall be provided with a certificate proving their competence and their right to use the assessment method.

The assessment method shall also indicate the conditions under which the language assessor certificate will be limited or revoked. Upon such limitation or revocation, the DAC shall be informed without undue delay.

Art. 6. Conflict of interest

Language proficiency assessors shall not conduct language proficiency assessments whenever their objectivity may be affected. This is the case, at least, in the following situations:

- 1° assessments for their own students;
- 2° assessments of their spouse or their relatives and in-laws up to the third degree included.


If the language proficiency assessor is an air traffic controller of the same air traffic service provider as the candidate, they shall only conduct language proficiency assessments under supervision of a second independent assessor in order to guarantee impartiality.

Section 2 – Language assessment bodies for air traffic controllers

Art. 7. Declaration of a language assessment body

(1) In order to operate as LAB, the applicant shall comply with the following:

- 1° use a method of assessment approved by DAC in accordance with section 1 or approved by a competent authority in accordance with regulation (EU) 2015/340;
- 2° employ a sufficient number of qualified interlocutors and language proficiency assessors to perform all relevant tasks;

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- 3° guarantee an impartial assessment process by ensuring that no conflict of interest as foreseen by article 6 occurs;
- 4° guarantee adequate resources and funding for the activities foreseen.

(2) The applicant shall declare itself to DAC and submit a complete file comprising the following elements:

- 1° the name and legal form of the entity, as well as the most recent articles of association, published in the Electronic Register of Companies and Associations;
- 2° address of the entity;
- 3° name and contact of the responsible persons;
- 4° organisational structure (organigram);
- 5° list of language proficiency assessors meeting the requirements of section 1, sub-section 2;
- 6° procedures on the management and organisation of the entity and procedures to ensure that the method of assessment remains compliant with the applicable requirements ;
- 7° information on the equipment used for the language assessments;
- 8° information on the premises used, if applicable;
- 9° links with other aviation related entities, if applicable;
- 10° types of language proficiency assessments and the related assessment methods approved by DAC in accordance with section 1, sub-section 1, or by a competent authority of another Member State.

Any change to the above-mentioned elements shall be notified to the DAC without undue delay.


(3) A LAB shall provide to the DAC clear information about its organisation and its relationships with other organisations.

If a LAB is also an air traffic controller training organisation, there shall be a clear and documented separation between the two activities.

(4) Upon receiving a declaration from a LAB, the DAC shall verify that the declaration contains all the information specified in paragraph 2 and acknowledge receipt of the declaration, including the assignment of an individual LAB reference number.

If the declaration does not contain the required information or contains information that indicates a non-compliance with the requirements set out in regulation (EU) 2015/340 or the present instruction, the DAC shall act in accordance with article 9.

(5) During the first semester of every year, the LAB submits to the DAC an activity report for the preceding year and a declaration of conformity to the applicable legal requirements.

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Art. 8. Record keeping

The assessment documentation shall include at least the following:

- 1° assessment objectives;
- 2° assessment layout, timescale, technologies used, assessment samples, voice samples;
- 3° assessment criteria and standards (at least for the operational, extended and expert levels of the rating scale in Appendix 1 to Annex I to Regulation (EU) 2015/340);
- 4° documentation demonstrating the assessment validity, relevance and reliability for the operational and extended levels;
- 5° documentation demonstrating the assessment validity, relevance and reliability for the expert level;
- 6° procedures to ensure that language assessments are standardised within the LAB and in the ATC community;
- 7° assessment procedures and responsibilities, such as:
 - a. preparation of individual assessment;
 - b. administration: location(s), identity check and invigilation, assessment discipline, confidentiality/security;
 - c. reporting and documentation provided to the competent authority and/or to the applicant, including sample certificate; and
 - d. retention of documents and records.

The assessment documentation and records shall be kept for a period of 10 years and made available to DAC at its request.

Art. 9. Continuous oversight

(1) The DAC performs an inspection of the LABs at least once every 24 months. The frequency of inspections is based on the scope of the activities and previous inspection results.

(2) If during oversight or by any other means the DAC finds evidence that indicates non-compliance with regulation (EU) 2015/340 or the present instruction, it shall:

- 1° raise a finding, record it, communicate it in writing and determine a reasonable period of time within which the LAB is to take the steps specified in paragraph 3;
- 2° take immediate and appropriate action to limit or prohibit the activities affected by the non-compliance until the corrective actions referred to in point 1° have been taken, where any of the following situations occurs:
 - a) a safety problem has been identified;
 - b) the LAB fails to take corrective action in accordance with paragraph 3;
- 3° take any further enforcement measures necessary in order to ensure the termination of the non-compliance and, where relevant, remedy the consequences thereof.



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(3) After receipt of notification of findings, the LAB assessor shall:

- 1° identify the root cause of the non-compliance;
- 2° define a corrective action plan;
- 3° demonstrate corrective action implementation to the satisfaction of the DAC within the period determined pursuant to paragraph 2, point 1°.