



## Safety Information Bulletin

### Airworthiness

**SIB No.: 2014-32R1**

**Issued: 11 January 2017**

**Subject:** **Alleged Examination Fraud at Part-147 Maintenance Training Organisation, Hellenic Aviation Training Academy**

**Revision:** This SIB revises EASA SIB 2014-32 dated 9 December 2014.

#### Reasons for revising SIB 2014-32:

The initial SIB only addressed the safety concerns that licence holders could exercise privileges without having sufficient knowledge. It did not address the future use and mutual recognition of Hellenic Aviation Training Academy (HATA) Certificates of Recognition (CoRs), assuming that in due time the Hellenic Civil Aviation Authority (HCAA) investigations would clarify the status of each CoR. However, the HCAA investigations have not been conclusive with respect to the examinations performed by HATA. The European Commission (EC), therefore, has issued a Commission Decision (see below) that recognition, as foreseen in Article 11(1) of the Basic Regulation, of certain HATA CoRs and subsequent Part-66 licences no longer applies.

The difference with the initial SIB is that the Commission Decision now:

- Mandates to re-assess all licences that are issued on the basis of HATA certificates of recognition for basic knowledge examination on technical modules. This implies checking all Part-66 licences, to find possible licences issued with HATA certificates, irrespective of the names on the list of HATA candidates;
- Mandates to report the results ; and
- Allows to accept new applications with HATA CoRs, subject to an additional evaluation.

#### Ref. Publications:

Commission Regulation (EC) No. [216/2008](#) (Basic Regulation – BR), as amended:

- Article 14(1) – Flexibility provisions: Member States’ reactions to safety problems,
- Article 10(1) to 10(4) – Oversight and enforcement: Exchange of information for enforcement actions; taking measures to prevent the continuation of an infringement; cooperation for ensuring compliance with the regulations,
- Article 11 (1) and 11(2) – Recognition of certificates, and
- Article 15(1) – Information network.

Commission Regulation (EU) No. [1321/2014](#), as amended:

- Part-66.B.500 – Revocation, suspension or limitation of aircraft maintenance licence.

Commission Decision (EU) [2016/2357](#) of 19 December 2016, published on 21 December 2016, a copy of which is also attached to the [record of this SIB](#) on the EASA SP Tool.

**Applicability:** This SIB affects all holders of Part-66 licences; all Competent authorities (CAs); all organisations and individuals who make use of Part-66 licence holders; all CoRs issued by HATA for basic knowledge examinations in technical modules (Modules 7, 11, 12, 13, 14, 15, 16 and 17); and

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all Part-66 Maintenance licences issued or amended on the basis of CoRs issued by HATA for Basic knowledge examinations in technical modules.

**Description:**

The HCAA informed the aviation community of the revocation of the Part-147 Maintenance Training Organisation Approval of HATA, EL.147.0007, because of alleged examination fraud at this organisation. In addition, the HCAA has cancelled the CoRs issued by HATA for the module examinations where cheating has been confirmed.

HATA was approved and held the privilege to issue CoRs for basic knowledge examinations from 14 September 2010 until its approval was revoked on 26 February 2014. There is a probability that CoRs for basic knowledge examinations that were issued by HATA on the basis of alleged fraudulent activities, have been used by applicants to gain or amend Part-66 licences anywhere in the EASA States, or in other States that recognise Part-147 CoRs. Consequently, there is an immediate cause of safety concern that persons could have been issued licences and are exercising certification privileges or releasing aircraft after maintenance, without having sufficient basic knowledge to do so.

Due to the potential deficit in aircraft basic knowledge of the affected licence holders, EASA qualifies this situation as a potential safety issue that could lead to unsafe conditions.

Under Regulation (EC) No. 216/2008, in particular Articles 10 and 15 thereof and its implementing rules, namely Regulation (EU) No. 1321/2014, Member States have the obligation to investigate potential safety issues and take any measure to prevent the continuation of an infringement.

To mitigate the safety risk, EASA issued SIB 2014-32 to inform CAs and industry that requirements oblige the licensing authorities to investigate and take appropriate action. EASA SIB 2014-32 did not search for compliance with Part-66, nor for the candidate's involvement in examination fraud. Nevertheless, any detected non-compliances or fraud may also lead to the revocation, suspension or limitation of licences or the rejection of licence applications.

It seems unlikely that the HCAA will be able to identify all compliant and all non-compliant HATA CoRs, as the investigations are nearly impossible to carry out due to incomplete records and the large number of third country examination candidates. The new Commission Decision determines that recognition without further requirements or evaluation, of HATA CoRs and licences based on HATA CoRs, is no longer acceptable.

The Commission Decision therefore requires reassessment of the concerned licences before 21 March 2017 (3 months after the issue date of the Commission Decision). The main purpose of such reassessment is to evaluate the level of knowledge in the related technical modules of all affected licence holders, and the reporting of this evaluation to the commission and EASA. Consequently, Part-66 licences can only be accepted after additional evaluation has shown that the licence is not based on HATA CoRs for examination in technical modules, or in case the licence is based on HATA CoRs that the candidate has subsequently demonstrated (to the licensing Authority) to have an adequate level of knowledge in the affected technical modules.

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The Commission Decision also determines that licences for which adequate level of knowledge in the affected technical modules cannot be demonstrated shall be limited, suspended or revoked. As the safety concern relates to technical knowledge, the evaluation of the knowledge in modules 7, 11, 12, 13, 14, 15, 16 and 17 is considered sufficient.

This SIB provides guidance to Member States' CAs, to the aviation industry and to the Part-66 licence holders on what is expected in these regards.

### Recommendation(s):

1. Licence holders of a Part-66 licence issued or amended on the basis of HATA CoRs for examination in technical modules are expected to:
  - (a) Inform their Licensing Authority and the approved organisation(s) they work for.
  - (b) Not exercise the privileges of that licence until their Licensing Authority has evaluated their level of knowledge in the affected technical modules.
  - (c) Assist their Licensing Authority in the investigation of their level of knowledge.
  - (d) Provide available information to their Licensing Authority regarding fraud, cheating, low level of knowledge of Part-66 licence holders, or improper Part-147 examinations.
  
2. The Licensing Authorities of Member States who have issued Part-66 licences are required, by Article 2 (Corrective Actions) of the Commission Decision, to take the following measures before 21 March 2017 (three months after the issue date of the Commission Decision):
  - (a) Review all Part-66 licences they have issued to determine, if any licence has been issued or amended on the basis of HATA CoRs for examination in technical modules.
  - (b) Evaluate the level of knowledge of the affected licence holders in the affected technical modules and document the same on the licence file. This evaluation has to determine whether the actual level of knowledge is sufficient. If evidence is found that the HATA CoR was issued after completion of a Part-147 approved training course, further investigation of the level of knowledge may not be necessary. Investigations could take any form, such as: proving the level of knowledge in the modules through examination; interviews/oral examinations of the licence holder; reports from the employer about the licence holder's knowledge, etc.
  - (c) Suspend, limit or revoke the licence in accordance with 66.B.500, if investigations reveal that a licence holder is not able to demonstrate their knowledge; or has insufficient level of knowledge in any of the technical modules; or if the investigations or other information confirm that cheating or fraud took place in that exam.
  - (d) Suspend licences for which investigations have not been completed.

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- (e) Report to EASA and the Commission the list of persons who hold a licence issued or amended on the basis of HATA CoRs for examinations in technical modules. The report should clearly indicate which persons have had their:
- Level of knowledge evaluated; and
  - Licences suspended, limited or revoked.
- (f) The information on the report should contain the following information:
- Reporting country;
  - Date of report;
  - The CA point of contact;
  - Licence holder's name;
  - Licence number ;
  - The technical modules for which HATA CoRs have been submitted;
  - CoR numbers, module numbers, examination locations and examination dates in case knowledge is found insufficient or could not be evaluated;
  - Status of licence as of the date of the report: acceptable or not (verified, suspended, limited or revoked);
  - Remarks (free text can be used to provide details of investigation or justifications, etc.).

An example spreadsheet that could be used for reporting this information will be made available by EASA.

- (g) Furthermore, the Licensing Authority should share information on affected licence holders and examinations with the HCAA and other Member State CAs, as per 66.B.25. Information should include: names, examination sessions, dates and examination locations where the persons have been proven not to have the required level of knowledge, or where cheating has been confirmed (e.g. 'cheating was confirmed in examination session xxx [where xxx identifies the examination session]'; or 'persons sitting exams in ppp [where ppp identifies the exam location] on dd/mm/yyyy have been confirmed as not having the required level of knowledge').

Note: Licences that have already been assessed following the initial issue of SIB 2014-32 need not to be reassessed. In those cases, it is sufficient to ensure that the results are properly documented in the licensing files and reported to the European Commission and EASA as stipulated above.

3. The Licensing Authorities of Member States who receive an application to issue or amend a Part-66 licence on the basis of HATA CoRs for examinations in technical modules may only accept these CoRs after ensuring the following measures:

- (a) Evaluate the level of knowledge of the applicant in the affected technical modules and document the same on the licence file. This evaluation has to determine whether the actual level of knowledge is sufficient. If evidence is found that the HATA CoR was issued after completion of an approved training course, further investigation of the level of knowledge may not be necessary. Investigations could take any form, such as: proving the level of knowledge in the modules through examination; interviews/oral examinations of the applicant; reports from the employer of the applicant's knowledge; etc.

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- (b) Reject the affected CoRs using the provisions of Article 14.1 of the Basic Regulation, if investigations reveal that the applicant is not able to prove their knowledge, has insufficient basic knowledge in any of the technical modules, or if the investigations or other information confirm that cheating or fraud took place.
- (c) Furthermore, the Licensing Authority should share information on affected applicants and examinations with the HCAA and other Member State CAs, as per regulation Part 66.B.25. Information should include: names, examination sessions, dates and examination locations where the persons have been proven not to have the required level of knowledge, or where cheating has been confirmed (e.g. 'cheating was confirmed in examination session xxx [where xxx identifies the examination session]'; or 'persons sitting exams in ppp [where ppp identifies the exam location] on dd/mm/yyyy have been confirmed as not having sufficient knowledge').
- (d) If, however, the Licensing Authority decides not to conduct the necessary investigations and therefore rejects such applications, this should be properly documented and reported.

4. CAs of Member States who have NOT issued the subject Part-66 licence:

- (a) In case the CA is presented with such Part-66 licence(s), e.g. for acceptance of certifying staff proposed by a Part-145, the CA should contact the Licensing Authority, because they will not be able to conduct the above investigation themselves. For the time being, Part-66 licences can only be recognised after the measures taken by the Licensing Authority (as specified in paragraph 2 of this SIB) have been completed.
- (b) HCAA, as the CA of the affected Part-147 organisation HATA, should carry out a coordinating role, informing the aviation industry, other CAs, EASA and the European Commission of any confirmed cases of cheating in individual examinations. This will further allow the HCAA to investigate whether the detected lack of knowledge or fraud should apply to other candidates.

5. All organisations and individuals who make use of Part-66 licence holders, or accept Part-66 licences as proof of qualification, are expected to take the following actions:

- (a) Ensure that Part-66 license holders who are known to have a license issued or amended based on HATA CoR for basic knowledge, do not exercise the privileges of that license until the Licensing Authority has verified their level of knowledge in the affected technical modules.
- (b) Assist the Licensing Authority in the investigation of the licence holder's level of knowledge.
- (c) Report to their CA all suspicions regarding fraud, cheating, insufficient level of knowledge of Part-66 licence holders, or the validity of Part-147 examinations.

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**Restoring recognition of CoRs and related Part-66 licences:**

Further decisions may be taken once the results of the reassessment are known. This SIB may be further revised based on these further decisions.

**Contact(s):**

For further information contact the EASA Safety Information Section, Certification Directorate.

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