



# Thomas Weibel - personal background

Work place Zürich Airport, living close by;

Married, two kids;

Mechanic CNC, Technical Maturity;

Business Administration

- MBA;

Pilot (Regional Airline, Freight, business aviation/medical transport; USA, Europe, Africa)

- ATPL (A), CPL (H);

With FOCA since >10 years

- 9 years as FSTD Flight- and Technical Inspector
- Since 2016 in Standardisation Section 'Special Services' in the Safety Division Flight Operations



Schweizerische Eidgenossenschaft  
Confédération suisse  
Confederazione Svizzera  
Confederaziun svizra

Bundesamt für Zivilluftfahrt BAZL  
Sicherheit Flugbetrieb - Fachinspektorate

# NCO doing high risk SPO

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Swiss FOCA

Thomas Weibel



# What regulation(s) / parts to be compliant with?

(EU) Air Operations Regulation 965/2012

Commercial SPO Ops	Applicable requirements described in	... this means
with CMPA*	ORO in applicable sections / SPO in full	<b>Declaration</b> + OPS setup
with nCMPA*	ORO in applicable sections / SPO in full	<b>Declaration</b> + OPS setup
if doing high risk Ops	ORO in applicable sections / SPO in full	" + commercial high risk <b>Authorisation</b>

Non-commercial SPO Ops	Applicable requirements described in	... this means
with CMPA*	ORO in applicable sections / SPO in full	<b>Declaration</b> + OPS setup
with nCMPA*	NCO	... (empty) ...
if doing high risk Ops	<i>with CMPA:</i> ORO in applicable sections / SPO in full	<b>Declaration</b> + OPS setup
.. but high risk does not exist in NCO	<i>with nCMPA:</i> NCO	... (empty) ...

CMPA = complex motor powered aircraft / nCMPA = non complex motor powered aircraft



# What is meant by 'OPS setup'?

- As in NCC, the SPO Operator declares its operation to the competent authority (regardless of holding an AOC or not)
- Management System incl. SMS and CMS in place with the operations described in an operations manual (OM-A to OM-D)
- Management Personnel (ACM and nominated persons)
- Approved MEL



# Term ‘Commercial OPS’ acc. BR 216/2008

*“... any OPS of an A/C in return for remuneration or other valuable consideration, which is available for the public or, when not available for the public, which is performed under a contract between an operator and a customer, where the latter has no control over the operator.”*

Some thoughts:

- The «customer» who has such a high contractual volume that easily allows for becoming the operator himself (**buys the A/C, hires the pilots**) ... = Corporate OPS = **Private** = **NCO** (with nCMPA)...
- Construction work companies -> HESLO / HEC / Survey / etc.
  - Energy firms -> powerline controls / pipeline controls / stringing power lines / etc.
- Wealthy individuals using their hobby for more than sight-seeing or positioning



# Summary

- The difference of what to do to be compliant with Part-SPO in comparison to Part-NCO are so huge, that there will be efforts to either «flee» into Part-NCO, or to start an operation right away under Part-NCO.  
-> for the same job...
- The consequent disproportionate treatment of the operator would be anything else that 'equal level playing field'.

- End - NCO doing high risk

[Check www.bazl.admin.ch/spo](http://www.bazl.admin.ch/spo)