



# The EASA System for Operations

**EASA OPS Workshop**  
**Cologne, 5 November 2008**

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# AGENDA

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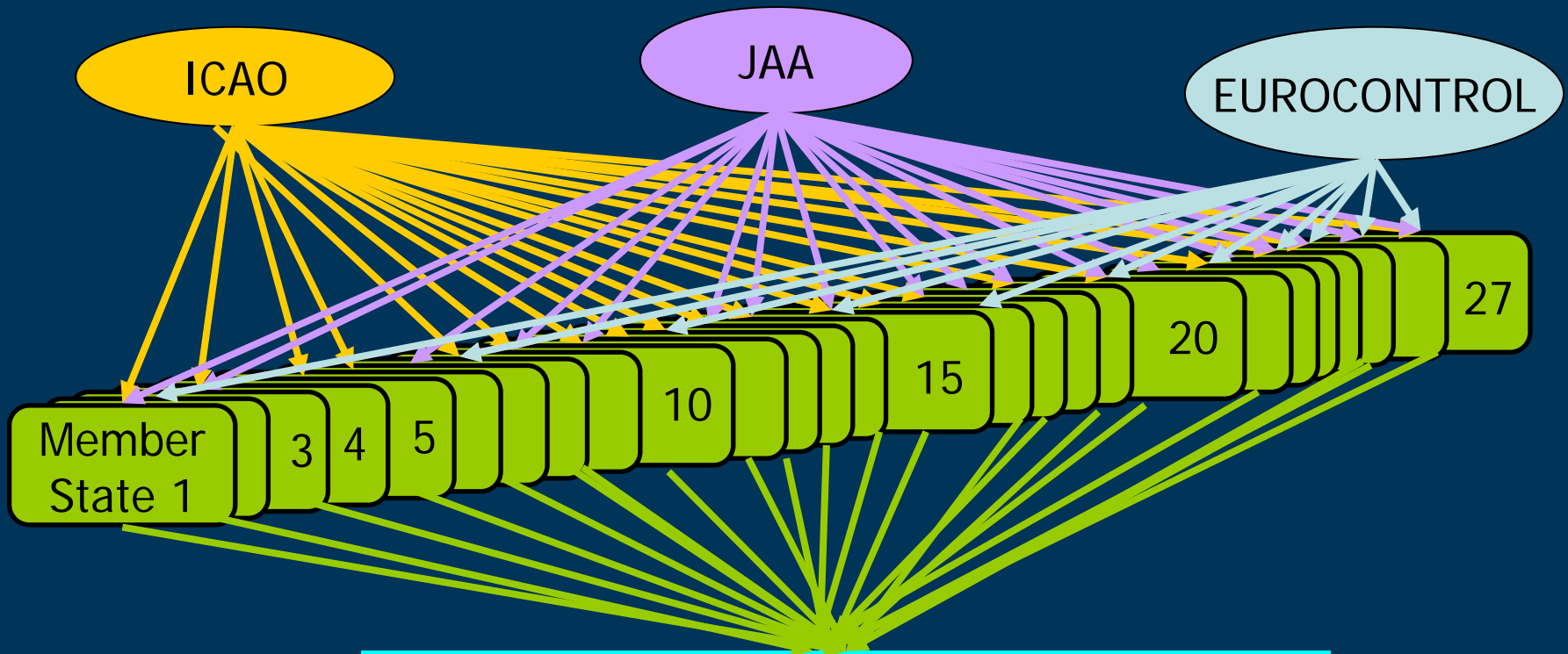
1. The Total System Approach
2. The structure and scope of the EASA  
Implementing Rules
3. Transition measures
4. The OPS NPA



# 1. The Total System Approach



# The past



**27 different legal procedures for transposition**



# Shortcomings

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- Insufficient regulation of “safety oversight” (e.g. requirements for NAA)
- No common transposition dates
- Different legal texts
- Different interpretations and different choices about recommended practices
- In practice non uniformity across EU Member States: non uniform safety & distortion of fair market competition
- .... Plus cost for taxpayers for 27 parallel processes!



# Total system approach

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- Aviation system components – products, operators, crews, aerodromes, ATM, ANS, on the ground or in the air - are part of a single network
- BR main objective: establish and maintain a high uniform level of civil aviation safety and environmental compatibility



# Total system approach

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- The EASA system gives legal certainty: one single set of requirements is adopted at the same date by all 31 EASA Member States (27 EU + Norway, Iceland, Switzerland and Liechtenstein)
- These requirements and the implementing rules are directly applicable and replace national law without creating an additional layer of legislation



# Total system approach

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- A “total system approach” eliminates the risks of safety gaps or overlaps, of conflicting requirements and of confused responsibilities
- Regulations are interpreted and applied in one single way and best practices are recommended
- The EASA system is in line with “better regulation”. Its possibility to combine “hard” and “soft” law provides a good answer to the needs for subsidiarity and proportionality





# Total system approach

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- Uniformity is better achieved through common implementing rules adopted by the Commission. Uniformity equally means protecting citizens and providing a level playing field for internal market and in the perspective of interoperability.
- A “total system approach” streamlines the certification processes and reduces the burden on regulated persons



## 2. The structure and scope of the EASA Implementing Rules



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## Basic Regulation

**Personnel Requirements**  
Cover Regulation

**Part-FCL**  
Annex I

**Part-MED**  
Annex II

**Annex ACC**  
Annex III

**Annex CON**  
Annex IV

**Part-CC**  
Annex V

**Organisation Requirements**  
Cover Regulation

**Part-OR**  
Annex I

**Authority Requirements**  
Cover Regulation

**Part-AR**  
Annex I

**Air Operations Requirements**  
Cover Regulation

**Part-OPS**  
Annex I



# EASA IR Structure

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## What is a cover regulation?

- usually very short (2-3 pages)
- it defines the objective and scope of the regulation
- it contains definitions
- it defines the applicability of its annex(es)
- it contains grandfathering and transition measures



# EASA IR Structure

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## Separation in

- Technical requirements
  - ★ contained in the Personnel and the Air Operations Regulation
- Organisation requirements and management system of organisations
  - ★ contained in the Organisation Requirements Regulation
- Authority requirements...



# EASA IR Structure

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## ...Authority requirements

- **streamline the activity** of competent authorities, avoiding, as much as possible, the duplication of processes
- establish with MS a comprehensive management system at Community level encompassing Community and MS responsibilities for safety management



# EASA IR Structure

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## Benefits:

- **General aviation** - applicable rules are contained in one part
- **Organisations which perform more than one activity** – harmonised provisions
- **NAA approvals and oversight** - multiple activities meant multiple management systems and multiple audit/oversight processes



# EASA IR Structure

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## Considerations:

- JAA Consistency of Organisation Approvals (COrA) approach
- ICAO SMS and State safety programme
- performance based rulemaking
  - ★ **essential safety elements = rule**
  - ★ **non-essential implementation aspects = AMC, which have an important role to play in providing for a uniform implementation of common requirements with sufficient flexibility**





# EASA IR Structure

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The structure is different  
from that of the JARs

**WHY?**



# EASA IR Structure

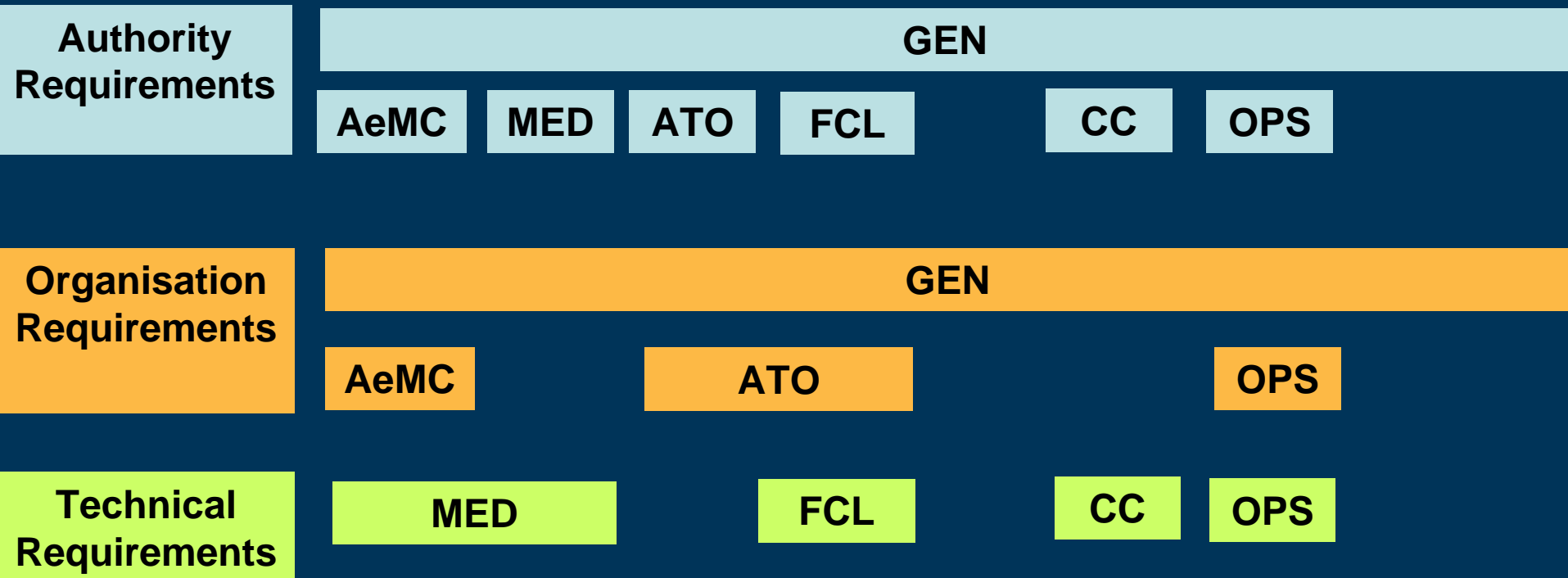
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## Total system approach:

- OPS rules are integrated in a global regulatory system for aviation safety, covering airworthiness and in the future ATM and aerodromes

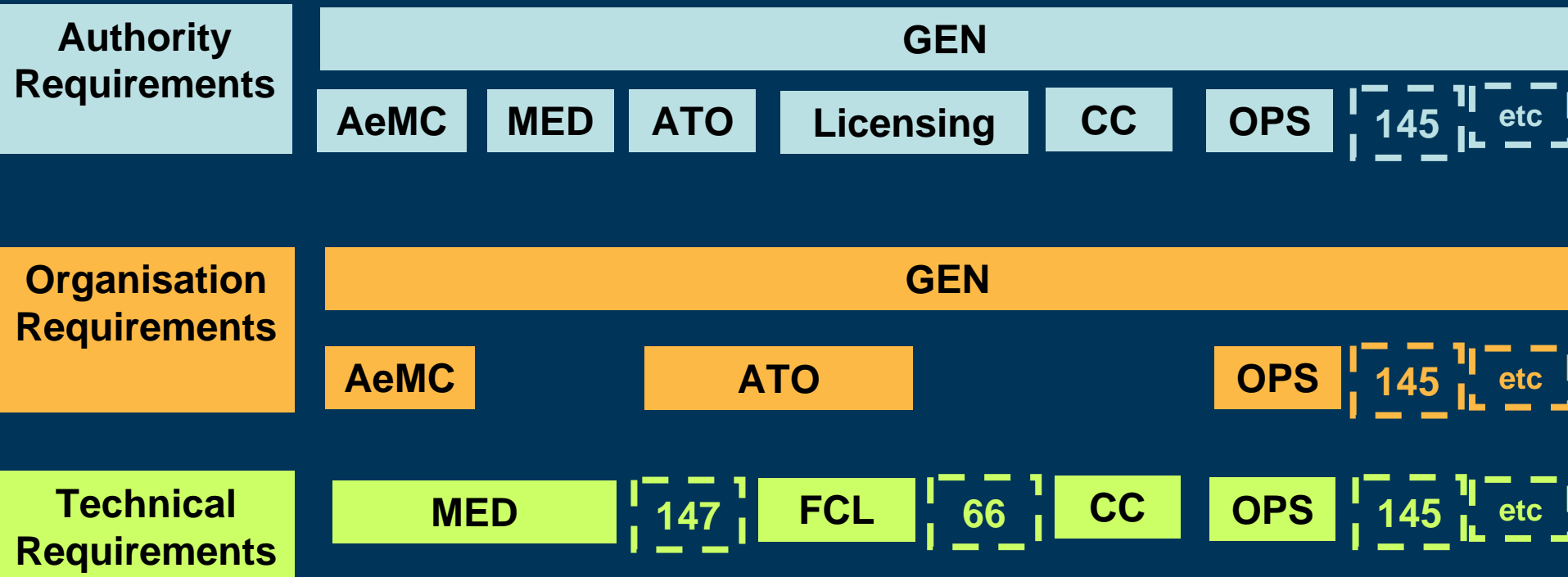


# EASA IR Structure (1<sup>st</sup> step)





# EASA IR Structure (2<sup>nd</sup> step)





# EASA IR Structure

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Why was the JAR structure changed (cont'd.)

- **scope of the BR is wider than that of the JARs:** JARs did not cover all necessary elements and presumed existence of appropriate set of national rules
- **Legal considerations:** principle of Community legislation is not to repeat requirements
- structure based on a **'tool-box' approach**, designed to allow stakeholders to identify the Parts that apply to their specific activity



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# EASA IR Structure

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## Introducing: The Tool-box





# OPS content

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## ➤ The Agency proposals

- ★ are based on ICAO Annex 6

- ★ follow latest amendments of EU-OPS/JARs:

- ➔ EU-OPS (Reg. 859/2008) / JAR-OPS 1 Amendment 13 / TGL 44
- ➔ JAR-OPS 3 Amendment 5
- ➔ Draft JAR-OPS 0,2,4 after A-NPA process - 2002/03

- ★ take into account JAA NPAs in an advanced phase of adoption (ex: NPA-OPS 39B Datalink recording forward fit)



# OPS content

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The IRs have been developed using a **bottom-up approach**, starting with the ERs and developing IRs for

- non-commercial operations with non-complex motor-powered aircraft.

Requirements for

- non-commercial operations with complex motor-powered aircraft; and
- commercial operations

were successively added.





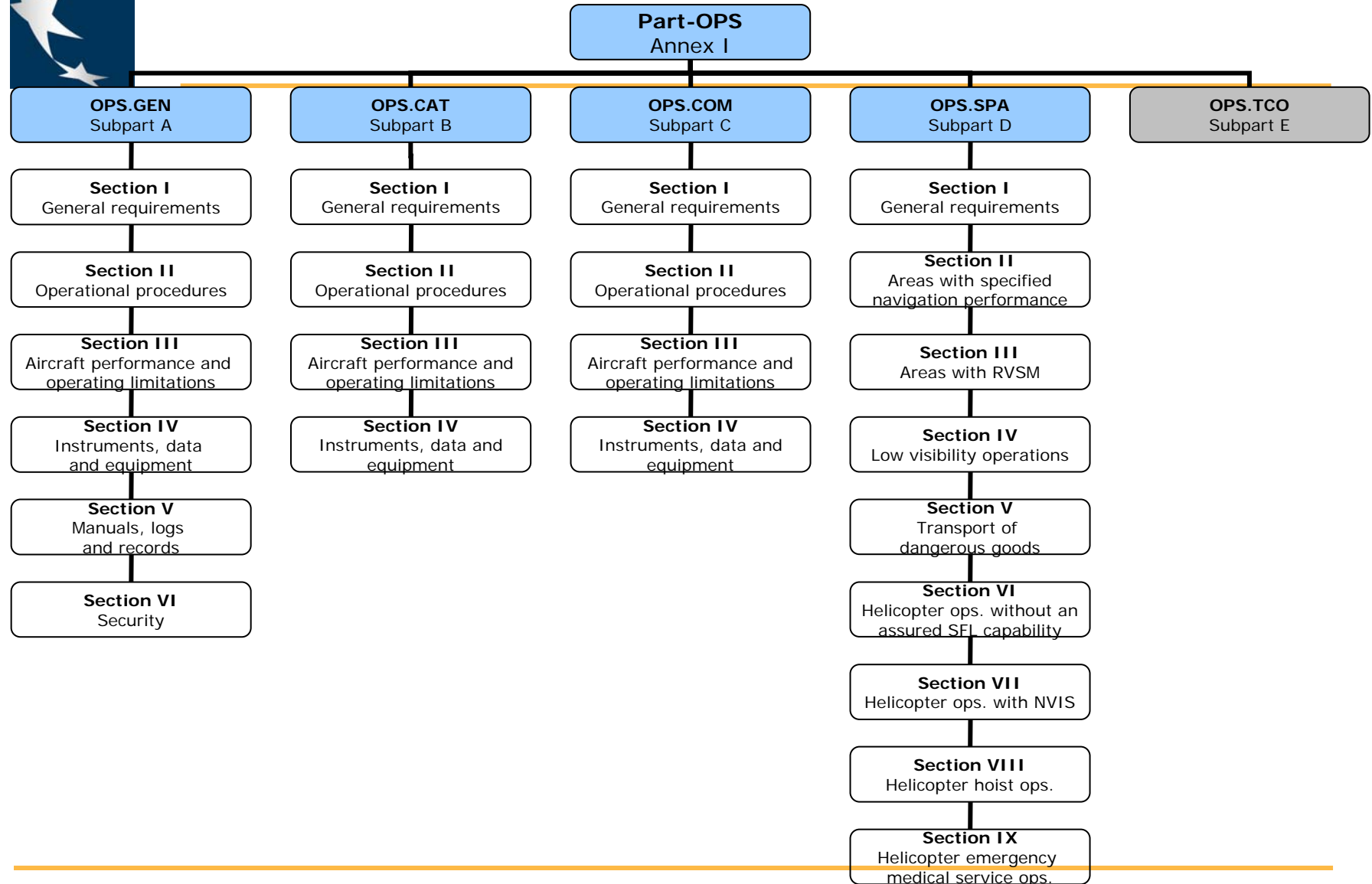
## Part Air Operations (OPS)

Your guide  
through the future rules





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# Part-OPS Content

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- **Part-OPS contains technical requirements for:**
  - ✧ **Air operations of any aircraft**
    - ➔ aeroplanes, helicopters, sailplanes and balloons\*
  - ✧ **Non-commercial and commercial operations**
    - ➔ Non-commercial operations with non-complex motor-powered aircraft and complex motor-powered aircraft
    - ➔ Commercial air transport
    - ➔ Commercial operations other than commercial air transport (aerial work)
- **These technical requirements correspond to chapters 1-7 of Annex IV of the BR Essential requirements for air operations**

\* tilt-rotor aircraft, airships and UAV will be addressed in separate EASA Rulemaking tasks



# Part-OPS Subpart Structure

Annex I Part-OPS

Subpart A

OPS.GEN

Section I - General Requirements (OPS.GEN.001)

Section II - Operational procedures (OPS.GEN.100)

Section III - Aircraft performance and operating limitations (OPS.GEN.300)

Section IV - Instruments, data and equipment (OPS.GEN.400)

Section V - Manuals, Logs and Records (OPS.GEN.600)

Section VI - Security (OPS.GEN.700)

AMC and GM to Part-OPS follow the IRs



## Subpart A - OPS.GEN

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Subpart OPS.GEN is applicable to all operations



# Part-OPS Subpart Structure

## Annex I Part-OPS

Subpart B  
OPS.CAT

Subpart C  
OPS.COM

Section I - General Requirements (OPS.CAT/COM.001)

Section II - Operational procedures (OPS.CAT/COM.100)

Section III - Aircraft performance and operating limitations (OPS.CAT/COM.300)

Section IV - Instruments, data and equipment (OPS.CAT/COM.400)

AMC and GM to Part-OPS follow the IRs



## Subpart B - OPS.CAT and Subpart C – OPS.COM

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- Subparts OPS.CAT contains additional and specific requirements for Commercial Air Transport
- Subpart OPS.COM contains additional and specific requirements for Commercial Operations other than Commercial Air Transport (Aerial Work)



# Part-OPS Paragraph numbering

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- A consistent numbering system has been applied across Subparts OPS.GEN, OPS.CAT and OPS.COM
- OPS.GEN as the general subpart is the guiding subpart in terms of paragraph numbering
- Consecutive paragraph numbering by 5





# Part-OPS Paragraph numbering Example

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## OPS.GEN.115 Passenger Briefing

- Passengers shall be briefed on the location and use of emergency exits and relevant safety and emergency equipment.

## OPS.CAT.115 Passenger Briefing

- Passengers of motor-powered aircraft shall be provided with a safety briefing card on which pictorial instructions indicate the operation of emergency equipment and exits likely to be used by passengers in the case of an emergency.

## OPS.COM.115 Briefing of operational personnel

- Operational personnel involved in specialised tasks shall be briefed on operational procedures associated with the specific task before each flight or series of flights.
- Appropriate AMC is provided



# Part-OPS Subpart Structure

Annex I Part-OPS

Subpart D

OPS.SPA

Section I - General requirements (OPS.SPA..GEN)

Section II - Operations in areas with specified navigation performance (OPS.SPA.PBN/MNPS)

Section III - Operations with reduced vertical separation minima (OPS.SPA.RVSM)

Section IV - Low visibility operations (OPS.SPA.LVO)

Section V - Transport of dangerous goods (OPS.SPA.DG)

Section VI - Helicopter operations without an assured safe forced landing capability (OPS.SPA.SFL)

Section VII - Helicopter operations with night vision imaging systems (OPS.SPA.NVIS)

Section VIII - Helicopter hoist operations (OPS.SPA.HHO)

Section IX - Helicopter emergency medical service operations (OPS.SPA.HERMS)

AMC and GM to Part-OPS follow the IRs



## Subpart D - OPS.SPA

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- Subpart OPS.SPA contains requirements for specific operations subject to a specific approval
- For certificate (AOC) holders, these will be additional privileges on the certificate



## Part Organisation Requirements (OR)

Your guide  
through the future rules





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## Part-OR Annex I

**OR.GEN**  
NPA 2008-22c

**OR.MS**  
NPA 2008-22c

**OR.OPS**  
NPA 2008-xxx

**OR.ATO**  
NPA 2008-22c

**OR.AeMC**  
NPA 2008-22c

**OR.OPS.GEN**

**OR.OPS.MLR**

**OR.OPS.DEC**

**OR.OPS.AOC**

**OR.OPS.FC**

**OR.OPS.CC**

**OR.OPS.TC**

**OR.OPS.FTL**

**OR.OPS.SEC**



# Subpart OR.OPS Structure

Annex I Part-OR

Subpart

OR.OPS

Section I - Operator requirements (OR.OPS.GEN)  
Section II - Manuals, logs and records (OR.OPS.MLR)  
Section III - Air operator declaration (OR.OPS.DEC)  
Section IV - Air operator certification (OR.OPS.AOC)  
Section V - Flight crew (OR.OPS.FC)  
Section VI - Cabin crew (OR.OPS.CC)  
Section VII - Technical crew (OR.OPS.TC)  
Section VIII - Flight and Duty Time Limitations and Rest Requirements  
(OR.OPS.FTL)  
Section IX - Security (OR.OPS.SEC)

AMC and GM to Subpart OR.OPS follow the IRs



## Subpart OR.OPS Content

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- Subpart OR.OPS contains additional and specific operator requirements for:
  - ★ **Non-commercial operators of complex motor-powered aircraft**
  - ★ **All commercial operators**
- They apply in addition to the common organisation requirements in OR.GEN and OR.MS
- These requirements correspond to chapter 8 of Annex IV of the BR Essential requirements for air operations



## Subpart OR.GEN content

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- Subpart OR.GEN is applicable to all organisations
  - ★ **Scope**
  - ★ **Designation of the competent authority**
  - ★ **General requirements for certified organisations (application, changes, continued validity)**
  - ★ **General requirements for organisations declaring**
  - ★ **Findings**
  - ★ **Acceptable Means of Compliance**





# Subpart OR.GEN content

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- Acceptable means of compliance
  - ★ **Instead of the AMCs published by EASA, alternative means may be used to establish compliance with the IRs**

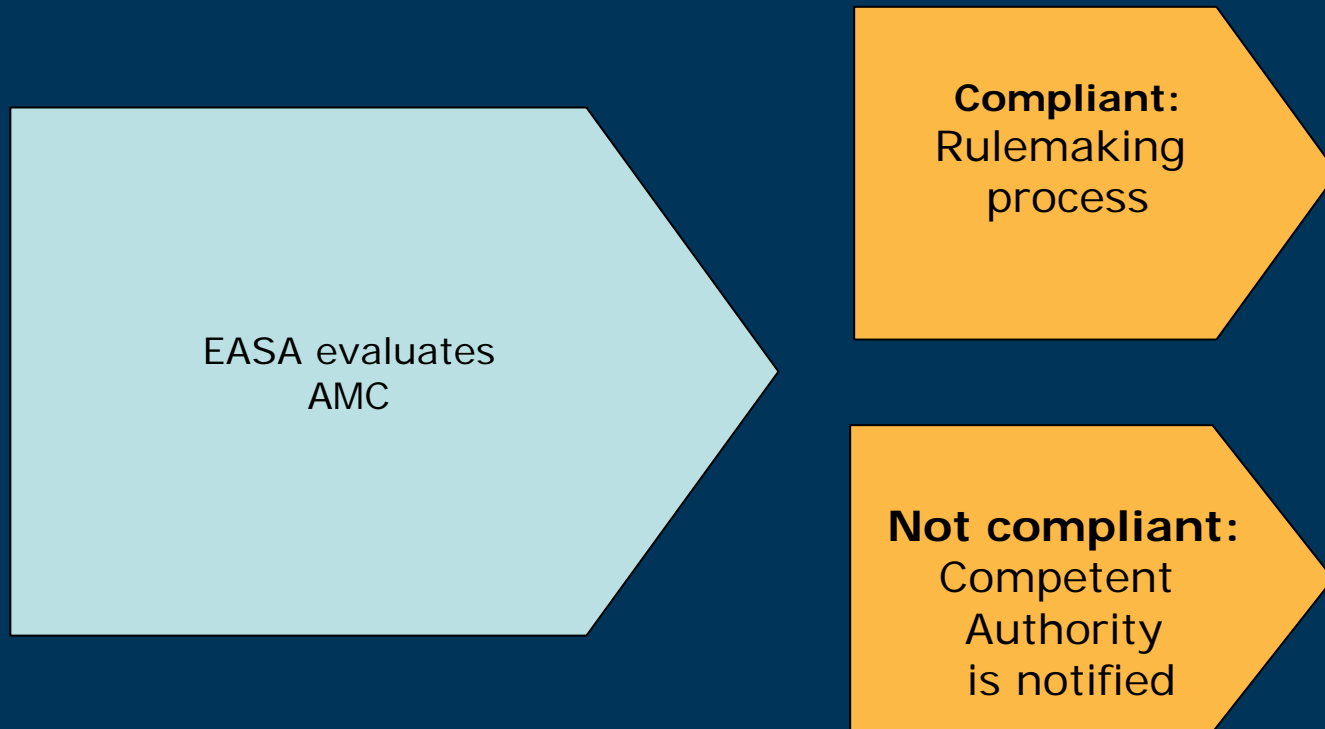




# Subpart OR.GEN content

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## ➤ Acceptable means of compliance





# Subpart OR.MS content

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- Subpart OR.MS is applicable to all organisations
  - ★ **Requirements of integrated management system consisting of**
    - ➔ Safety Management System
    - ➔ Compliance Monitoring System
  - ★ **Objective: to enable the organisation to fit all its different management systems into one (EASA only regulates safety)**
  - ★ **Management system appropriate to the size, nature and complexity of the activities, and the hazards and associated risks inherent in these activities**



## Subpart OR.MS content

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- Other generic organisation requirements such as:
  - ★ **Contracting or purchasing of services or products – responsibility of the contracting organisation**
  - ★ **Personnel requirements, e.g. accountable manager**
  - ★ **Facility requirements, e.g. appropriate for the tasks to be carried out**
  - ★ **Record-keeping**
- Several AMCs catering for organisations of a different “size”



# EASA IR Structure

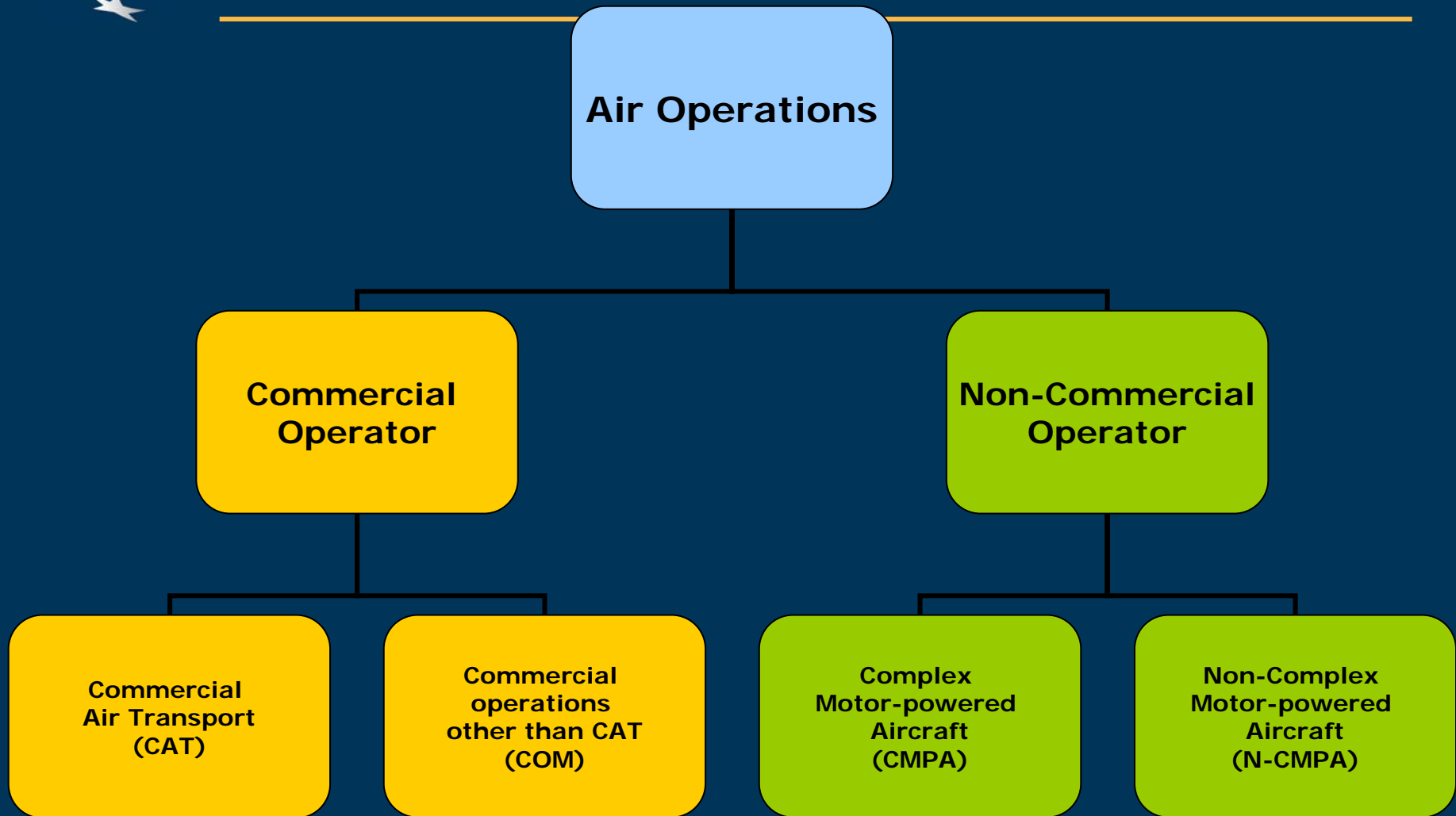
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And where is the tool-box?





# EASA IR Structure





# EASA IR Structure

Commercial  
Operator

Non-commercial  
Operator

	CAT	COM	CMPA	N-CMPA
OPS.GEN	✓	✓	✓	✓
OPS.CAT	✓			
OPS.COM		✓		
OPS.SPA	✓	✓	✓	✓
OR.GEN	✓	✓	✓	
OR.MS	✓	✓	✓	
OR.OPS.GEN	✓	✓	✓	
OR.OPS.MLR	✓	✓	✓	
OR.OPS.DEC			✓	
OR.OPS.AOC	✓	✓		
OR.OPS.FC	✓	✓	✓	
OR.OPS.CC	✓		✓	
OR.OPS.TC	✓	✓	✓	
OR.OPS.FTL	✓	✓	✓	
OR.OPS.SEC	✓	✓	✓	



# EASA IR Structure

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## e-tool:

- EASA initiated work on an electronic tool to help stakeholders in their day-to-day activity and to facilitate the use of the new structure and requirements
- e-tool providing for easy identification of the requirements applicable to each activity
- stakeholders are asked for their input through a short survey on the EASA website

[http://www.easa.europa.eu/ws\\_prod/r/doc/Survey\\_e-Tool.doc](http://www.easa.europa.eu/ws_prod/r/doc/Survey_e-Tool.doc)





## Part Authority Requirements (AR)

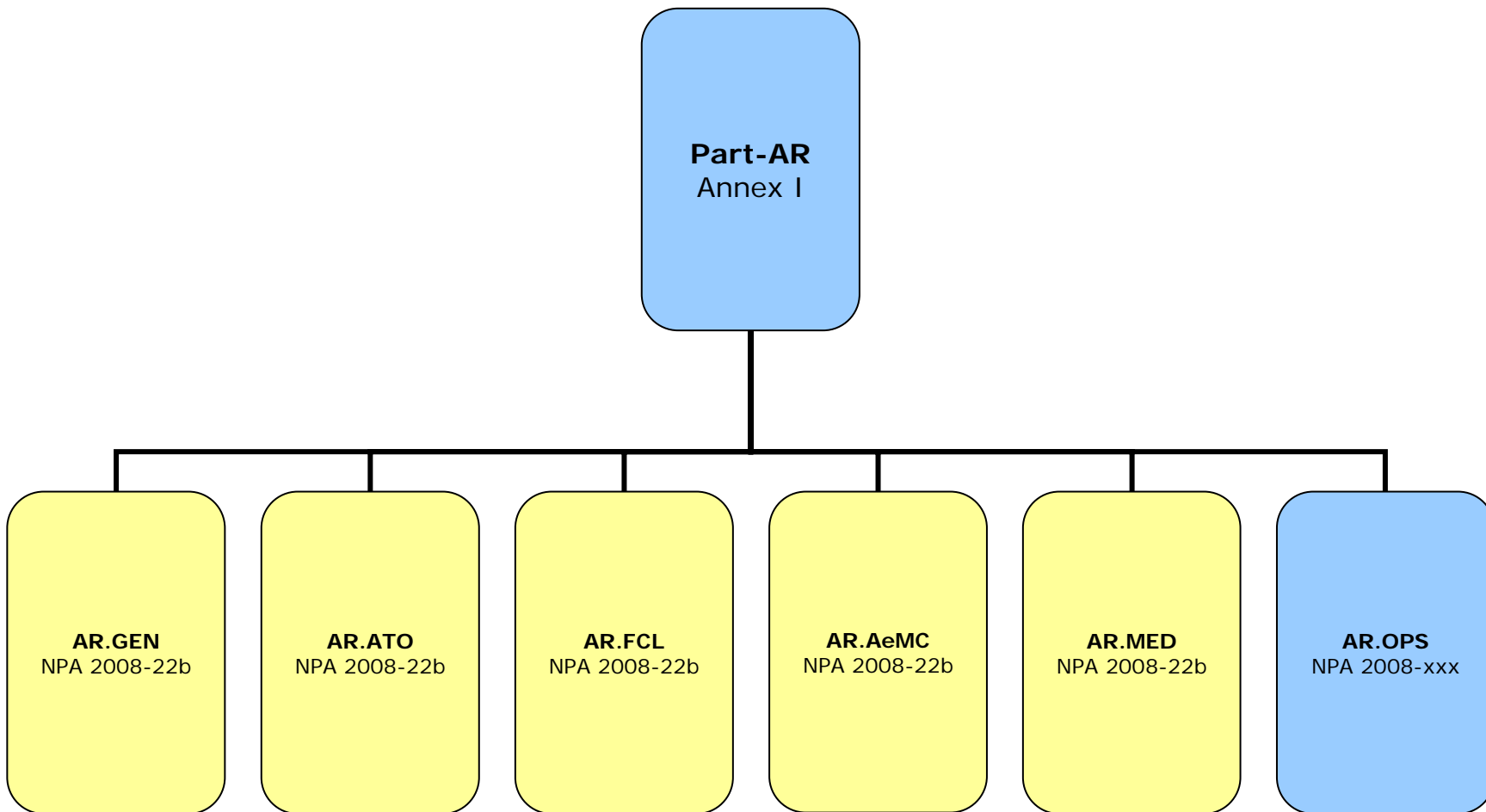
Your guide  
through the future rules





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# Part-AR content

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- **Part-AR contains**
  - ★ **Requirements to be followed by the competent authorities**
  - ★ **Ensures standardisation**
  - ★ **Complements requirements for organisations**



# Subpart AR.GEN Content

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- Subpart AR.GEN (NPA 2008-22b) contains:
  - ★ Section 1 – General
  - ★ Section 2 – Management system
  - ★ Section 3 – Certification, oversight and enforcement



## Subpart AR.GEN Content

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- **Collective and continuous oversight**
  - ★ **Approval process**
  - ★ **Oversight**
  - ★ **Declaration process**
  - ★ **Enforcement for persons**
  - ★ **Activities in more than one Member State**



## Subpart AR.GEN Content

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- **Authority requirements provide the basis for:**
  - ✦ **better consistency for approvals of activities**
  - ✦ **enhancing collaboration between EASA MS**
  - ✦ **efficient oversight**
  - ✦ **identifying risks with a view of enhancing oversight**



# Subpart AR.OPS Content

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- **Subpart AR.OPS contains:**
  - ✦ **Specific requirements for operations – operator certification and declaration**
  - ✦ **Recognition of industry standards for oversight purposes**
  - ✦ **Spot-checks and ramp-inspections of general aviation**
  - ✦ **Ramp inspections based on the SAFA Directive for complex motor-powered aircraft and commercial operations**



## Subpart AR.OPS Content

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- Subpart AR.OPS contains (cont'd.):
  - ★ Specific requirements for the cabin crew attestation
  - ★ Approval of individual flight time limitation schemes
  - ★ Specific approvals (OPS.SPA)





### 3. Transition measures



# Transition measures

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## BR Art. 70 Entry into force

- Applicability of the relevant articles as specified in their respective IRs, but not later than **8 April 2012**
- In the meantime, “EU OPS” and the national rules continue to apply



# Transition measures

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## ➤ EASA proposal

- ★ any certificates issued in accordance with EU-OPS/JAR-OPS 3 requirements and associated procedures are considered as having been issued in accordance with the Implementing Rules
- ★ Appropriate transition measures will need to be defined for those Member States that were not recommended for mutual recognition by the JAA in relation to JAR-OPS 3



# Transition measures

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## ➤ EASA proposal

- ★ Sufficient time will be given to allow for the change of manuals



## 4. The OPS NPA

What do you have to expect?



# EASA IR NPA Structure

## Authority Requirements



## Organisations Requirements



## Technical Requirements





## The OPS NPA

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- The OPS NPA will be divided into 5 separate documents:
  - ★ Explanatory note and Regulatory Impact Assessment (RIA)
  - ★ Draft opinion and decision Part-OPS
  - ★ Draft opinion and decision on Subpart OR.OPS of Part Organisation Requirements (OR)
  - ★ Draft opinion and decision Subpart AR.OPS of Part Authority Requirements (AR)
  - ★ Draft opinion and decision Part Cabin Crew (CC) and amendments to Part Medical relating to cabin crew



## The OPS NPA

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### ➤ The explanatory note:

- ✧ Describes the background, structure and content of the Agency's proposal
- ✧ Contains cross reference tables JARs-Parts

### ➤ The Regulatory Impact Assessment (RIA):

- ✧ Studies the impact of the Agency's proposal





## The OPS NPA

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- **The draft opinion and decision Part-OPS will contain:**
  - ★ **The draft implementing rules Part-OPS (draft opinion)**
  - ★ **The draft Acceptable Means of Compliance (AMC) and Guidance Material (GM) to Part-OPS (draft decision)**



## The OPS NPA

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- **The draft opinion and decision on Subpart OR.OPS (Organisation Requirements OPS) will contain:**
  - ★ **The draft implementing rules Subpart OR.OPS (draft opinion)**
  - ★ **The draft Acceptable Means of Compliance (AMC), Guidance Material (GM) and Flight Time Limitation Certification Specification (CS) to Subpart OR.OPS (draft decision)**



## The OPS NPA

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- **The draft opinion and decision on Subpart AR.OPS (Authority Requirements OPS) will contain:**
  - ★ **The draft implementing rules Subpart AR.OPS (draft opinion)**
  - ★ **The draft Acceptable Means of Compliance (AMC) and Guidance Material (GM) to Subpart AR.OPS (draft decision)**



## The OPS NPA

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- **The draft opinion and decision on Part-CC (Cabin Crew) and will contain:**
  - ★ **The draft implementing rules Part-CC (draft opinion)**
  - ★ **The draft Acceptable Means of Compliance (AMC) and Guidance Material (GM) to Part-CC (draft decision)**
  - ★ **The draft implementing rules on the cabin crew medical as complement to Part-MED (Medical) (draft opinion)**



## The OPS NPA

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- Publication is envisaged for **28 November 2008** on the EASA website

[http://www.easa.europa.eu/ws\\_prod/r/r\\_npa.php](http://www.easa.europa.eu/ws_prod/r/r_npa.php)

**Anyone can comment!**

- Please send your comments using the EASA Comment Response Tool (CRT)

<http://hub.easa.europa.eu/crt/>



**Thank you  
for your attention**