

## Executive Director Decision

**2021/014/R**

**of 24 November 2021**

**issuing the following:**

**Amendment 4 to Issue 1 to the Acceptable Means of Compliance and Guidance Material  
to the rules of the air**

**‘AMC and GM to the rules of the air — Issue 1, Amendment 4’**

**‘Acceptable Means of Compliance and Guidance Material to the Annex  
to Commission Implementing Regulation (EU) No 923/2012’**

THE EXECUTIVE DIRECTOR OF THE EUROPEAN UNION AVIATION SAFETY AGENCY (EASA),

Having regard to Regulation (EU) 2018/1139<sup>1</sup>, and in particular Article 104(3)(a) thereof,

Having regard to Commission Implementing Regulation (EU) No 923/2012, and in particular point SERA.14001 of the Annex thereto, as well as the related acceptable means of compliance and guidance material,

Whereas:

- (1) EASA shall, pursuant to Article 76(3) of Regulation (EU) 2018/1139, issue certification specifications and acceptable means of compliance, as well as guidance material, for the application of Regulation (EU) 2018/1139 and of the delegated and implementing acts adopted on the basis thereof.
- (2) Acceptable means of compliance are non-binding standards issued by EASA which may be used by persons and organisations to demonstrate compliance with Regulation (EU) 2018/1139 and the delegated and implementing acts adopted on the basis thereof.
- (3) Guidance material is non-binding material issued by EASA which helps to illustrate the meaning of a requirement or specification and is used to support the interpretation of Regulation (EU) 2018/1139, the delegated and implementing acts adopted on the basis thereof, certification specifications and acceptable means of compliance.

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<sup>1</sup> Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91 (OJ L 212, 22.8.2018, p. 1) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1535612134845&uri=CELEX:32018R1139>).

- (4) With Decision 2013/013/R of 17 July 2013<sup>2</sup>, the Executive Director issued Acceptable Means of Compliance and Guidance Material to Commission Implementing Regulation (EU) No 923/2012<sup>3</sup>.
- (5) EASA shall, pursuant to Article 4(1)(a) of Regulation (EU) 2018/1139, reflect the state of the art and the best practices in the field of aviation and update its decisions taking into account worldwide aviation experience and scientific and technical progress in the respective fields.
- (6) Commission Implementing Regulation (EU) 2020/469<sup>4</sup> of 14 February 2020 amended Regulation (EU) No 923/2012, Regulation (EU) No 139/2014 and Regulation (EU) 2017/373 as regards requirements for air traffic management/air navigation services, design of airspace structures and data quality, and runway safety, and repealed Regulation (EC) No 73/2010. Annex IV (Part-ATS) to that Regulation, which shall apply from 27 January 2022, establishes an extensive regulatory framework for the provision of air traffic services, including flight information service. As regards flight information service, a detailed set of requirements for the provision of aerodrome flight information service is also provided.
- (7) The principles for air–ground communication between pilots and air traffic services, including the use of standardised phraseologies, are established in point SERA.14001 of the Annex (Rules of the air) to Commission Implementing Regulation (EU) No 923/2021. For such standardised phraseologies, which are established in Appendix 1 to AMC1 SERA.14001, it is not explicitly indicated whether they apply to air traffic control service or to flight information service, nor whether they address the operational scenario for aerodrome flight information service, for which currently various local phraseologies are in use with an evident lack of standardisation, inevitably resulting in potential safety risks.
- (8) Since Annex IV (Part-ATS) to Commission Implementing Regulation (EU) 2020/469 shall apply from 27 January 2022, it is necessary to amend the existing phraseologies to expand their scope, to better clarify their use in the various operational scenarios, and ultimately maintain a high level of safety through their harmonised and standardised use.
- (9) In this context, EASA has determined the need to amend the acceptable means of compliance and guidance material to the rules of the air to facilitate the uniform implementation of the subject provisions.
- (10) EASA, pursuant to Article 115(1)(c) of Regulation (EU) 2018/1139 and Articles 6(3), 7 and 8 of the EASA Rulemaking Procedure<sup>3</sup>, has widely consulted the interested parties on the matters which are the subject of this Decision, and has provided thereafter a written response to the comments received,

HAS DECIDED:

### **Article 1**

The Annex to ED Decision 2013/013/R is amended as laid down in the Annex to this Decision.

<sup>2</sup> Decision 2013/013/R of the Executive Director of the European Aviation Safety Agency of 17 July 2013 adopting the Acceptable Means of Compliance and Guidance Material to Commission Implementing Regulation (EU) No 923/2012 of 26 September 2012 laying down the common rules of the air and operational provisions regarding services and procedures in air navigation and amending Implementing Regulation (EU) No 1035/2011 and Regulations (EC) No 1265/2007, (EC) No 1794/2006, (EC) No 730/2006, (EC) No 1033/2006 and (EU) No 255/2010 — ‘Acceptable Means of Compliance and Guidance Material to the rules of the air’ (<https://www.easa.europa.eu/document-library/agency-decisions/ed-decision-2013013r>).

<sup>3</sup> Commission Implementing Regulation (EU) No 923/2012 of 26 September 2012 laying down the common rules of the air and operational provisions regarding services and procedures in air navigation and amending Implementing Regulation (EU) No 1035/2011 and Regulations (EC) No 1265/2007, (EC) No 1794/2006, (EC) No 730/2006, (EC) No 1033/2006 and (EU) No 255/2010 (OJ L 281, 13.10.2012, p. 1) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32012R0923&qid=1635949921294>).

<sup>4</sup> OJ L 104, 3.4.2020, p. 1 (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32020R0469&qid=1635952183305>).

**Article 2**

This Decision shall enter into force on the day following that of its publication in the Official Publication of EASA.

It shall apply from 1 December 2022.

Cologne, 24 November 2021

*For the European Union Aviation Safety Agency*

*The Executive Director*

Patrick KY

