



European Aviation Safety Agency

EXPLANATORY NOTE

***Regulation Air Operations
Acceptable Means of Compliance (AMC)
and Guidance Material (GM)
to
Annex V – Part-SPA***

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Executive Summary

This Explanatory note provides background information on the AMC and GM for the Decision on Annex V - Part-SPA, requirements for operations requiring a specific approval, for CAT operations with aeroplanes and helicopters.

Based on the principles set out by the Management Board together with the European Commission, the Agency transposed the contents of EU-OPS and JAR-OPS 3 as Implementing rules and as AMC, depending on the nature of the provisions. Furthermore, the material of this Decision contains the former Section 2 material of JAR-OPS 1 and JAR-OPS 3 and aligns with ICAO SARPs of Annex 6 Part I and Part III Sections 1 and 2, as far as possible. The development of these requirements was based on the following objectives:

- maintain a high level of safety;
- ensure proportionate rules where appropriate;
- guarantee flexibility and efficiency for operators and authorities.

The content of these Decisions is the result of an extensive consultation process involving authorities, associations, operators and aviation experts.

Introduction

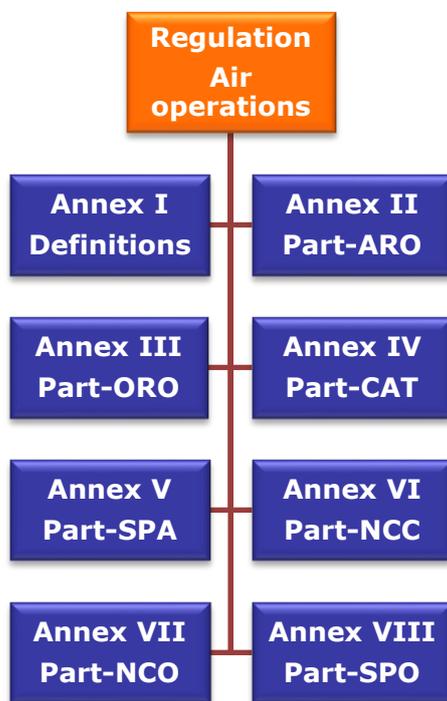
I. Scope of the Decision

1. This Explanatory note provides background information on the AMC and GM for the Decision on Annex V - Part-SPA, requirements for operations requiring a specific approval, for CAT operations with aeroplanes and helicopters.

II. Rule structure

2. The following figure provides an overview of the Annexes under the Regulation on Air operations.

Figure 1: Annexes of the Regulation on Air operations¹



3. The following rule numbering convention was applied to AMCs:

AMC<n> <RULE><§>

Explanation:

AMC: Identifier;

<n>--: Number, starting with 1, incremented by 1, to be used in all cases, also when only one AMC exists for a given IR paragraph or subparagraph;

<RULE >: IR reference;

¹ ARO: authority requirements for air operations; CAT: commercial air transport; NCC: non-commercial operations with complex motor-powered aircraft; NCO: non-commercial operations with other-than-complex motor-powered aircraft; ORO: organisation requirements for air operations; SPA: operations requiring a specific approval; SPO: specialised operations

<§>: Reference of the IR subparagraph(s), where relevant; for AMCs addressing only one or more subparagraph(s) within a rule, the AMC reference includes an identification of the IR subparagraph; if more than one subparagraph is covered, all of them are listed; in the absence of such indication, the AMC covers the IR as a whole.

Where more than one AMC exists, AMCs are numbered by adding '.1', '.2', etc, to the AMC number.

Example:

AMC1 CAT.OP.MPA.145(a) Establishment of minimum flight altitudes

The other AMC number would be:

AMC1.1 CAT.OP.MPA.145(a) Establishment of minimum flight altitudes.

4. The following rule numbering convention was applied to GM:

GM<n> <RULE ><§>

The same explanation as provided for AMC applies.

III. Consultation

5. This Decision is based on:

- NPA 2009-02, published on 30 January 2009;
- CRD OPS I, published on 25 November 2010; and
- Opinion 04/2011, published on 1 June 2011.

IV. Transposition of EU-OPS/JAR-OPS 3 and Section 2 material of JAR-OPS 1 and JAR-OPS 3

6. The following principles have been applied when transposing existing rule material:
7. EU-OPS and JAR-OPS 3 rules containing a safety objective have been retained as Implementing Rules (IRs). EU-OPS and JAR-OPS 3 rules unambiguously containing a means to comply with a safety objective have been moved to AMC level. In many instances, appendices of EU-OPS and JAR-OPS 3 were regarded as a means of compliance and have been transposed as AMC. In such cases where it was not possible to make a clear distinction between a safety objective and a means to comply with a safety objective, the existing rule text has been retained as IR.
8. In cases where the need for a more proportionate approach was demonstrated, the Agency developed an amended IR text containing a safety objective and an associated AMC.
9. EU-OPS and JAR-OPS 3 rule text indicating an alternative to an IR has been deleted for legal reasons; such alternatives need to be dealt with using the procedures provided in Article 14 of the Basic Regulation. EU-OPS and JAR-OPS 3 rule text moved to the AMC level and indicating an alternative to an AMC without demonstrating that the requirements of the safety objective were fully met has been deleted; such alternative means of compliance, however, can be developed by operators or authorities using the alternative means of compliance procedure, provided that it is demonstrated that the safety objective is met and the same level of safety is achieved.
10. Text transposed in AMC material that demanded an approval by the competent authority for an alternative means of compliance has been deleted since it would be covered through the alternative means of compliance procedure.
11. EU-OPS and JAR-OPS 3 rule text that is also addressed in Annex IV of the Basic Regulation has been retained and a reference to the Basic Regulations has been added.
12. EU-OPS and JAR-OPS 3 rule text of an explanatory nature has been transposed as GM; notes have either been redrafted into AMC provisions, where treated as footnotes, transposed as GM, or deleted if they did not provide sufficient added value.
13. Existing rules that contained provisions as 'acceptable to the authority' have been consistently redrafted through all Subparts as 'the operator shall specify in the operations manual ...'. The Agency adopted this approach in order to specify a defined procedure for how such items should be brought to the attention of the competent authority.

V. Overview of reactions

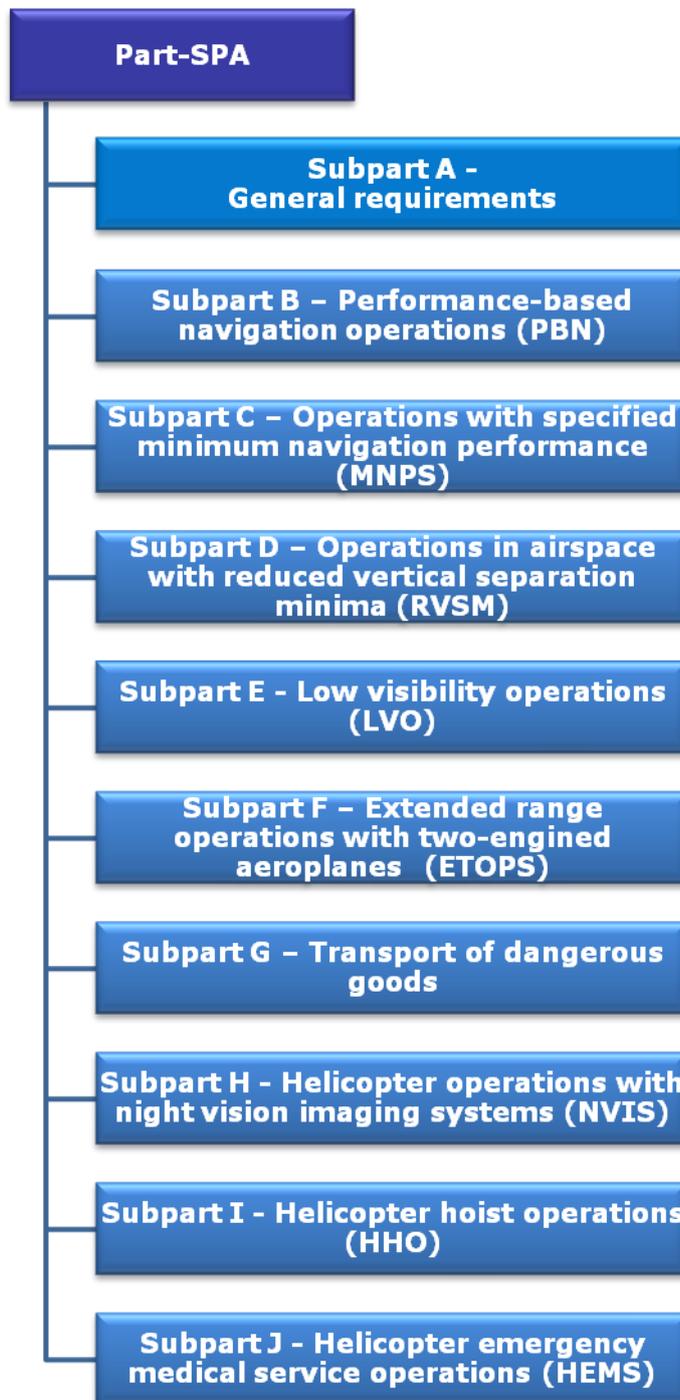
14. In general, the received reactions showed overall support for the CRD version of Part-SPA.
15. The majority of stakeholders supported the level of alignment of the proposed rules with EU-OPS and JAR-OPS 3, the proposed balance between IR and AMC material, as well as the proposed rule structure.
16. The following chapters provide further information on the amendments to Annex V - Part-SPA.

Annex V - Part-SPA

I. Scope

17. Part-SPA contains rules for operations requiring specific approvals.
18. Part-SPA consists of 10 Subparts:
 - the first Subpart contains general rules, which are applicable to all nine specific approvals addressed in Part-SPA;
 - the rules for the other nine specific approvals are each given in separate Subparts.
19. Figure 2 below provides an overview of the structure of Part-SPA.

Figure 2: Structure of Part-SPA



II. SPA.GEN: Subpart A – General requirements

20. No significant amendments.

III. SPA.PBN: Subpart B – Performance-based navigation operations (PBN)

21. GM1 SPA.PBN.100 provides general information on different PBN operations; for RNP4, information on additional equipment was added.

IV. SPA.MNPS: Subpart C – Operations with specified minimum navigation performance (MNPS)

22. The following GM and AMC material was added compared to the CRD:
- GM1 SPA.MNPS.100, providing a reference to ICAO Doc 7030.
 - AMC1 SPA.MNPS.105, transposing 1.870(c) and (d) with rules for long range navigation systems (LRNS) and specifying the acceptable system options.

V. SPA.RVSM: Subpart D – Operations in airspace with reduced vertical separation minima (RVSM)

23. No significant amendments.

VI. SPA.LVO: Subpart E - Low visibility operations (LVO)

24. The following GM and AMC material was amended compared to the CRD:
- AMC6 SPA.LVO.100, containing rules for operations utilising EVS, has been amended for operations using EVS and applying an operational credit on the RVR based on the amendments made to the IR, which makes a distinction between CAT I operations and APV and NPA operations applying the CDFA technique;;
 - AMC4 SPA.LVO.105, containing the content of Appendix 1 to 1.440(h) and 3.440(h) on the transitional periods for CAT II and CAT III operations has been relocated from Part-ARO to SPA.LVO and redrafted as an operator rule;
 - GM1 SPA.LVO.110(c)(4)(i) was added on request of the EASA Committee, describing the meaning of the term 'approved vertical flight path guidance mode'.

VII. SPA.ETOPS: Subpart F – Extended range operations with two-engined aeroplanes (ETOPS)

25. The following GM was added compared to the CRD:
- GM1 SPA.ETOPS.105, providing a reference to AMC 20-6.

VIII:SPA.DG: Subpart G – Transport of dangerous goods

26. No significant amendments.

IX. SPA.NVIS: Subpart H - Helicopter operations with night vision imaging systems

27. Following the publication of the CRD, the NVIS requirements have been carefully reviewed and the balance between rule and AMC/GM was re-assessed. As a consequence part of the rule was deleted and included in a new AMC.
28. The following AMC and GM were therefore added compared to the CRD:

- AMC1 SPA.NVIS.110(b), text transferred from rule and reworded so as to better reflect the current certification practice.
- GM1 SPA.NVIS.110(b), to ensure a uniform interpretation of 'analogue type display'.

X. SPA.HHO: Subpart I - Helicopter hoist operations

29. No significant changes.

XI. SPA.HEMS: Subpart J - Helicopter emergency medical service operations

30. No significant changes.