

## Executive Director Decision

**2022/012/R**

**of 30 June 2022**

**issuing the following:**

**Amendment 16 to Issue 1 of the Guidance Material to Annex I (Definitions for terms used in Annexes II to VIII) to Commission Regulation (EU) No 965/2012**

**‘GM to Annex I (Definitions for terms used in Annexes II to VIII) to Commission Regulation (EU) No 965/2012 — Issue 1, Amendment 16’**

**and**

**Amendment 13 to Issue 3 of the Acceptable Means of Compliance and Guidance Material to Annex II (Part-ARO) to Commission Regulation (EU) No 965/2012**

**‘AMC and GM to Annex II (Part-ARO) to Commission Regulation (EU) No 965/2012 — Issue 3, Amendment 13’**

**and**

**Amendment 20 to Issue 2 of the Acceptable Means of Compliance and Guidance Material to Annex III (Part-ORO) to Commission Regulation (EU) No 965/2012**

**‘AMC and GM to Annex III (Part-ORO) to Commission Regulation (EU) No 965/2012 — Issue 2, Amendment 20’**

**and**

**Amendment 21 to Issue 2 of the Acceptable Means of Compliance and Guidance Material to Annex IV (Part-CAT) to Commission Regulation (EU) No 965/2012**

**‘AMC and GM to Annex IV (Part-CAT) to Commission Regulation (EU) No 965/2012 — Issue 2, Amendment 21’**

**and**

**Amendment 12 to Issue 1 of the Acceptable Means of Compliance and Guidance Material to Annex V (Part-SPA) to Commission Regulation (EU) No 965/2012**

**‘AMC and GM to Annex V (Part-SPA) to Commission Regulation (EU) No 965/2012 — Issue 1, Amendment 12’**

**and**

**Amendment 16 to Issue 1 of the Acceptable Means of Compliance and Guidance Material to Annex VI (Part-NCC) to Commission Regulation (EU) No 965/2012**

**‘AMC and GM to Annex VI (Part-NCC) to Commission Regulation (EU) No 965/2012 — Issue 1, Amendment 16’**

and

**Amendment 13 to Issue 2 of the Acceptable Means of Compliance and Guidance Material to Annex VII (Part-NCO) to Commission Regulation (EU) No 965/2012**

**‘AMC and GM to Annex VII (Part-NCO) to Commission Regulation (EU) No 965/2012 — Issue 2, Amendment 13’**

and

**Amendment 16 to Issue 1 of the Acceptable Means of Compliance and Guidance Material to Annex VIII (Part-SPO) to Commission Regulation (EU) No 965/2012**

**‘AMC and GM to Annex VIII (Part-SPO) to Commission Regulation (EU) No 965/2012 — Issue 1, Amendment 16’**

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**‘All-weather operations — AMC & GM to air operations rules’**

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 Regulation (EU) No 965/2012<sup>2</sup>, and in particular point ARO.GEN.120(a) of Annex II (Part-ARO) thereto,

Whereas:

- (1) EASA shall, pursuant to Article 76(3) of Regulation (EU) 2018/1139, issue certification specifications (CSs) and other detailed specifications (DSs), acceptable means of compliance (AMC), and guidance material (GM) 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 (AMC) are non-binding standards issued by EASA, which are used by persons and organisations to show compliance with Regulation (EU) 2018/1139 and the delegated and implementing acts adopted on the basis thereof.
- (3) Guidance material (GM) is non-binding material issued by EASA, which helps to illustrate the meaning of delegated or implementing acts or certification specifications and detailed specifications, and which is used to support the interpretation of Regulation (EU) 2018/1139, of

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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>).

<sup>2</sup> Commission Regulation (EU) No 965/2012 of 5 October 2012 laying down technical requirements and administrative procedures related to air operations pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council (OJ L 296, 25.10.2012, p. 1) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1597679263736&uri=CELEX:32012R0965>).

the delegated and implementing acts adopted on the basis thereof, and of certification specifications and detailed specifications.

- (4) With Decision N° 2012/015/Directorate R of 24 October 2012, the Executive Director issued Guidance Material to Annex I (Definitions) to Regulation (EU) No 965/2012.
- (5) With Decision 2014/025/R of 28 July 2014, the Executive Director issued Acceptable Means of Compliance and Guidance Material to Annex II (Part-ARO) to Commission Regulation (EU) No 965/2012 ('AMC and GM to Part-ARO — Issue 3').
- (6) With Decision 2014/017/R of 24 April 2014, the Executive Director issued Acceptable Means of Compliance and Guidance Material to Annex III (Part-ORO) to Commission Regulation (EU) No 965/2012 ('AMC and GM to Part-ORO — Issue 2').
- (7) With Decision 2014/015/R of 24 April 2014, the Executive Director issued Acceptable Means of Compliance and Guidance Material to Annex IV (Part-CAT) to Commission Regulation (EU) No 965/2012 ('AMC and GM to Part-CAT — Issue 2').
- (8) With Decision N° 2012/019/Directorate R of 24 October 2012, the Executive Director issued Acceptable Means of Compliance and Guidance Material to Annex V (Part-SPA) to Commission Regulation (EU) No 965/2012 ('Acceptable Means of Compliance and Guidance Material to Part-SPA').
- (9) With Decision N° 2013/021/Directorate R of 23 August 2013, the Executive Director issued Acceptable Means of Compliance and Guidance Material to Annex VI (Part-NCC) to Commission Regulation (EU) No 965/2012 ('Acceptable Means of Compliance and Guidance Material to Part-NCC').
- (10) With Decision 2014/016/R of 24 April 2014, the Executive Director issued Acceptable Means of Compliance and Guidance Material to Annex VII (Part-NCO) to Commission Regulation (EU) No 965/2012 ('AMC and GM to Part-NCO — Issue 2').
- (11) With Decision 2014/018/R of 24 April 2014, the Executive Director issued Acceptable Means of Compliance and Guidance Material to Annex VIII (Part-SPO) to Commission Regulation (EU) No 965/2012 ('AMC and GM to Part-SPO').
- (12) 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.
- (13) Commission Implementing Regulation (EU) 2021/2237<sup>3</sup> amended Regulation (EU) No 965/2012 as regards the requirements for all-weather operations. The new provisions, which shall apply from 30 October 2022, will modernise the EU aviation regulatory framework in the field of all-weather operations, enabling efficiency gains based on the latest technological advancements while maintaining a high level of safety in air operations. The new provisions incorporate into the EU legal framework the latest International Civil Aviation Organization (ICAO) Annex 6, Parts I, II, and III Standards and Recommended Practices (SARPs) on all-weather operations.

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<sup>3</sup> Commission Implementing Regulation (EU) 2021/2237 of 15 December 2021 amending Regulation (EU) No 965/2012 as regards the requirements for all-weather operations and for flight crew training and checking(OJ L 450, 16.12.2021, p. 21) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32021R2237&qid=1656082047773>).

- (14) In this context, EASA has determined the need to amend the AMC and GM to Regulation (EU) No 965/2012 to facilitate the uniform implementation of the subject provisions.
- (15) EASA, pursuant to Article 115(1)(c) of Regulation (EU) 2018/1139, and Articles 4(2) and 6 of the EASA Rulemaking Procedure<sup>4</sup>, widely consulted the interested parties on the contents of this Decision, and provided thereafter written responses to the comments received during the public consultation phase<sup>5</sup>,

HAS DECIDED:

#### ***Article 1***

The Annex to Decision N° 2012/015/Directorate R of the Executive Director of the Agency of 24 October 2012 is amended as laid down in Annex I to this Decision.

#### ***Article 2***

The Annex to Decision 2014/025/R of the Executive Director of the European Aviation Safety Agency of 28 July 2014 is amended as laid down in Annex II to this Decision.

#### ***Article 3***

The Annex to Decision 2014/017/R of the Executive Director of the Agency of 24 April 2012 is amended as laid down in Annex III to this Decision.

#### ***Article 4***

The Annex to Decision 2014/015/R of the Executive Director of the Agency of 24 April 2014 is amended as laid down in Annex IV to this Decision.

#### ***Article 5***

The Annex to Decision N° 2012/019/Directorate R of the Executive Director of the Agency of 24 October 2012 is amended as laid down in Annex V to this Decision.

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<sup>4</sup> EASA is bound to follow a structured rulemaking process as required by Article 115(1) of Regulation (EU) 2018/1139. Such a process has been adopted by the EASA Management Board (MB) and is referred to as the 'Rulemaking Procedure'. See MB Decision No 01-2022 of 2 May 2022 on the procedure to be applied by EASA for the issuing of opinions, certification specifications and other detailed specifications, acceptable means of compliance and guidance material ('Rulemaking Procedure'), and repealing Management Board Decision No 18-2015 (<https://www.easa.europa.eu/the-agency/management-board/decisions/easa-mb-decision-no-01-2022-rulemaking-procedure-repealing-mb>).

<sup>5</sup> CRD to NPA 2018-06 (A) 'All-weather operations' contains explanations about the overall concept of all-weather operations (<https://www.easa.europa.eu/document-library/comment-response-documents/crd-2018-06a>).

CRD to NPA 2018-06 (C) 'All-weather operations' contains changes to Annex I (Part-Definitions), Annex III (Part-ORO), Annex IV (Part-CAT), Annex V (Part-SPA), Annex VI (Part-NCC), to Regulation (EU) No 965/2012 (the 'Air OPS Regulation') addressing AWOs with aeroplanes, and changes to — Annex I (Part-FCL) to Regulation (EU) No 1178/2011 (the 'Aircrew Regulation'). (<https://www.easa.europa.eu/document-library/comment-response-documents/crd-2018-06c>).

CRD to NPA 2019-09 'All-weather operations — helicopters and specialised operations' (<https://www.easa.europa.eu/document-library/comment-response-documents/crd-2019-09>).

CRD to NPA 2020-02 'All-weather operations — non-commercial operations with other than complex motor-powered aircraft' (<https://www.easa.europa.eu/document-library/notices-of-proposed-amendment/npa-2020-02>).

**Article 6**

The Annex to Decision N° 2013/021/Directorate R of the Executive Director of the Agency of 23 August 2013 is amended as laid down in Annex VI to this Decision.

**Article 7**

The Annex to Decision 2014/016/R of the Executive Director of the Agency of 24 April 2014 is amended as laid down in Annex VII to this Decision.

**Article 8**

The Annex to Decision 2014/018/R of the Executive Director of the Agency of 24 April 2014 is amended as laid down in Annex VIII to this Decision.

**Article 9**

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

It shall apply from 30 October 2022.

Cologne, 30 June 2022

*For the European Union Aviation Safety Agency*

*The Executive Director*

Patrick KY

