

## Executive Director Decision

**2023/023/R**

**of 15 December 2023**

**issuing the following:**

**Amendment 1 to Issue 1 of the Certification Specifications and Guidance Material of Annex III  
(Part ORO) to Commission Regulation (EU) No 965/2012**

**‘CS-FTL.1 — Issue 1, Amendment 1’**

**Amendment 24 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 Part-ORO — Issue 2, Amendment 24’**

**‘Flight and duty time limitations and rest requirements for commercial air transport with  
aeroplanes — night duties and late finish duties’**

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

Having regard to Regulation (EU) 2018/1139<sup>1</sup>, and in particular Articles 76(3) and 104(3)(a) thereof,

Whereas:

- (1) Certification specifications are non-binding technical standards issued by EASA, which indicate the means to demonstrate compliance with Regulation (EU) 2018/1139 and with the delegated and implementing acts adopted on the basis thereof, and which are used by persons and organisations for the purpose of certification.
- (2) Acceptable means of compliance are non-binding standards issued by EASA, which are used by persons and organisations to show compliance with Regulation (EU) 2018/1139 and with 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 delegated or implementing acts or certification specifications and detailed specifications, and which is used to support the interpretation of Regulation (EU) 2018/1139, of the delegated and

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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>).

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

- (4) With Decision 2014/002/R of 31 January 2014, the Executive Director issued Certification Specifications and Guidance Material to Annex III (Part ORO) to Commission Regulation (EU) No 965/2012 ('CS-FTL.1 — Initial Issue').
- (5) 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').
- (6) 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.
- (7) In 2017, EASA launched research task RES.006 to review the effectiveness of the rules concerning flight and duty time limitations and rest requirements (FTL) contained in Annexes II and III to Commission Regulation (EU) No 965/2012. The first phase of RES.006 focused on 'duties of more than 10 hours at the less favourable time of the day' and 'disruptive schedules', and the final report was published on 28 February 2019. The study showed an increased probability of high levels of fatigue during night duties and late arrivals, and that the effectiveness of FRM may be improved by increasing operators' and aircrews' awareness of the types of duties amid night duties/disruptive schedules where the risk of fatigue is higher, and by promoting prior sleep opportunities, as well as resting opportunities, during such duties. This Decision addresses the issues highlighted in the report.
- (7) EASA, pursuant to Article 115(1)(c) of Regulation (EU) 2018/1139 and Article 6 of the EASA Rulemaking Procedure<sup>2</sup>, consulted its Advisory Bodies (ABs) on the content of this Decision and considered the comments received,

HAS DECIDED:

### **Article 1**

The Annex to Decision 2014/002/R of the Executive Director of the Agency of 31 January 2014 is amended as laid down in Annex I to this Decision.

### **Article 2**

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

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<sup>2</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-01-2022-rulemaking-procedure-repealing-mb>).

**Article 2**

1. This Decision shall enter into force on the day following that of its publication in the Official Publication of EASA.
2. Point (k) of AMC1 ORO.FTL.250 shall apply from 19 June 2024.

Cologne, 15 December 2023

*For the European Union Aviation Safety Agency  
The Acting Executive Director*

Luc TYTGAT

