Draft ANNEX
to draft COMMISSION IMPLEMENTING REGULATION (EU) …/…
amending Commission Regulation (EU) No 965/2012 of 5 October 2012 laying down technical requirements and administrative procedures related to air operations pursuant to Regulation (EU) 2018/1139 of the European Parliament and of the Council

Annex I (Definitions) to Regulation (EU) No 965/2012 is amended as follows:

(1) point (3) is replaced by the following:

'(3) 'acceptance checklist' means a document used to assist the operator in carrying out the acceptance check to verify that all applicable requirements established in the latest effective edition of the ICAO Technical Instructions have been met with regard to dangerous goods;';

(2) the following point (8c)(e) is inserted after point (8c)(d):

'(8c)(e) 'EDTO en-route alternate (ERA) aerodrome' means, for the purposes of EDTO route planning, an en-route alternate aerodrome which meets the applicable planning minima and which is selected by the operator for the planned EDTO flight;';

(3) point (19) is replaced by the following:

'(19) 'certification specifications' (CS) means technical standards adopted by the Agency indicating means to show compliance with Regulation (EU) 2018/1139 and its delegated and implementing acts and which can be used by an organisation for the purpose of certification;';

(4) points (33), (34) and (35) are replaced by the following:

'(33) 'dangerous goods (DG)' means articles or substances which are capable of posing a hazard to health, safety, property or the environment and which are shown in the list of dangerous goods in the latest effective edition of the ICAO Technical Instructions or which are classified according to those Instructions;

(34) 'dangerous goods accident' means an occurrence associated with and related to the transport of dangerous goods by air which results in fatal or serious injury to a person, or damage to major property or environmental damage;

(35) 'dangerous goods incident' means:

(a) an occurrence, other than a dangerous goods accident, associated with and related to the transport of dangerous goods by air, not necessarily occurring on board an aircraft, which results in injury to a person, damage to property or environmental damage, fire, breakage, spillage,

leakage of fluid or radiation or other evidence that the integrity of the packaging has not been maintained;

(b) any occurrence relating to the transport of dangerous goods which seriously jeopardises an aircraft or its occupants;';

(5) the following points (42e) and (42f) are inserted after point (42d):

'(42e) 'EDTO threshold distance' means the maximum distance to an EDTO en-route alternate aerodrome along the route, derived from the threshold time and based on:

(a) a selected one-engine-inoperative (OEI) speed for two-engined aeroplanes;

(b) a selected all-engines-operating (AEO) speed for aeroplanes with more than two engines;'

(42f) 'EDTO threshold time' means the range, expressed in time to an en-route alternate aerodrome in ISA/still air conditions, beyond which an EDTO operational approval is required;';

(6) point (49a) 'flight operations officer' or 'flight dispatcher' is deleted;

(7) the following points (91b) and 91(c) are inserted after point (91a):

'(91b) 'operator approved diversion time' means, for the purposes of EDTO route planning, the longest diversion time to an EDTO en-route alternate aerodrome, approved for the related operator, and which defines the boundaries of the EDTO area of operations in ISA/still air conditions;

(91c) 'operations control personnel' means suitably trained and qualified ground personnel whose tasks and responsibilities relate to flight preparation and safe execution of the operator's method of operational control, including but not limited to supporting, briefing or assisting of the commander/pilot-in-command in the safe conduct of the flight;';

(8) point (105a) is replaced by the following:

'(105a) 'safety-sensitive personnel' means members of the personnel who might endanger aviation safety if they perform their duties and functions improperly, including flight crew and cabin crew members and other personnel such as ground handling personnel where the operator performs self-handling, and aircraft maintenance personnel, who are under the direct control of the operator;';

(9) point (119) is replaced by the following:

‘(119) ‘Technical Instructions (TIs)’ means the latest effective edition of ICAO Doc 9284 ‘Technical instructions for the safe transport of dangerous goods by air,’.

Annex II (Part-ARO) to Regulation (EU) No 965/2012 is amended as follows:

(1) point ARO.GEN.005 is replaced by the following:

‘**ARO.GEN.005 Scope**

This Annex establishes requirements for the administration and management system, as well as for conducting certification, oversight and enforcement tasks, to be fulfilled by the Agency and Member States for the implementation and enforcement of Regulation (EU) 2018/1139 and its delegated and implementing acts regarding civil aviation air operations.’

(2) in point ARO.GEN.125, point (a) is replaced by the following:

‘(a) The competent authority shall without undue delay notify the Agency in case of any significant problems with the implementation of Regulation (EU) 2018/1139 and its delegated and implementing acts.’

(3) in point ARO.GEN.135, points (b) and (d) are replaced by the following:

‘(b) The Agency shall implement a system to appropriately analyse any relevant safety information received and without undue delay provide to Member States and the Commission any information, including recommendations or corrective actions to be taken, necessary for them to react in a timely manner to a safety problem involving products, parts, appliances, persons or organisations subject to Regulation (EU) 2018/1139 and its delegated and implementing acts.

(d) Measures taken under (c) shall immediately be notified to all persons or organisations which need to comply with them under Regulation (EU) 2018/1139 and its delegated and implementing acts. The competent authority shall also notify those measures to the Agency and, when combined action is required, the other Member States concerned.’

(4) point ARO.GEN.200, is replaced by the following:

‘**ARO.GEN.200 Management System**

(a) The competent authority shall establish and maintain a management system, including as a minimum:

(1) documented policies and procedures to describe its organisation, means and methods to achieve compliance with Regulation (EU) 2018/1139 and its delegated and implementing acts. The procedures shall be kept up to date and serve as the basic working documents within that competent authority for all related tasks;

(2) a sufficient number of personnel to perform its tasks and discharge its responsibilities. Such personnel shall be qualified to perform their allocated tasks and have the necessary knowledge, experience, initial and recurrent training to ensure continuing competence. A system shall be in place to plan

the availability of personnel, in order to ensure the proper completion of all tasks;

(3) adequate facilities, office accommodation, support, transportation and credentials for its personnel to perform the allocated tasks;

(4) a function to monitor compliance of the management system with the relevant requirements and adequacy of the procedures including the establishment of an internal audit process and a safety risk management process. Compliance monitoring shall include a feedback system of audit findings to the senior management of the competent authority to ensure implementation of corrective actions as necessary; and

(5) a person or group of persons, ultimately responsible to the senior management of the competent authority for the compliance monitoring function.

(b) The competent authority shall appoint, for each field of activity, including the management system, one or more persons with the overall responsibility for the management of the relevant task(s).

(c) The competent authority shall establish procedures for participation in a mutual exchange of all necessary information and assistance with other competent authorities concerned, whether from within the Member State or in other Member States, including on:

(1) all findings raised, corrective actions taken following such findings and enforcement measures taken as a result of oversight of persons and organisations that carry out activities in the territory of a Member State, but certified or authorised by, or making declarations to, the competent authority of another Member State or to the Agency; and

(2) stemming from mandatory and voluntary occurrence reporting as required by ORO.GEN.160.

(d) A copy of the procedures related to the management system, and the amendments to them, shall be made available to the Agency for the purpose of standardisation.

(e) In addition to the requirements contained in point (a), the management system established and maintained by the competent authority shall comply with Annex I (Part-IS.AR) to Implementing Regulation (EU) 2023/203 in order to ensure the proper management of information security risks which may have an impact on aviation safety.'

(5) in point ARO.GEN.205, points (a) and (b) are replaced by the following:

'(a) The competent authority may allocate tasks related to the initial certification, specialised operation authorisation or continuing oversight of natural or legal persons subject to Regulation (EU) 2018/1139 and its delegated and implementing

acts to qualified entities. When allocating tasks, the competent authority shall ensure that it has:

(1) put a system in place to initially and continually assess whether the qualified entity complies with Annex VI to Regulation (EU) 2018/1139.

This system and the results of the assessments shall be documented;

(2) established a written agreement with the qualified entity, approved by both parties at the appropriate management level, which defines:

(i) the tasks to be performed;

(ii) the declarations, reports and records to be provided;

(iii) the technical conditions to be met when performing such tasks;

(iv) the related liability coverage; and

(v) the protection of the information acquired when carrying out such tasks.

(b) The competent authority shall ensure that the internal audit process and safety risk management process required by point ARO.GEN.200(a)(4) covers all certification, authorisation or continuing oversight tasks performed by the qualified entity on its behalf.'

(6) point ARO.GEN.210 is replaced by the following:

'**ARO.GEN.210 Changes in the management system**

(a) The competent authority shall have a system in place to identify changes that affect its capability to perform its tasks and discharge its responsibilities as defined in Regulation (EU) 2018/1139 and its delegated and implementing acts. This system shall enable the competent authority to take action as appropriate to ensure that its management system remains adequate and effective.

(b) The competent authority shall update its management system in a timely manner to reflect any changes to Regulation (EU) 2018/1139 and its delegated and implementing acts, so as to ensure the effective implementation of the applicable amendments.

(c) The competent authority shall notify the Agency of changes affecting its capability to perform its tasks and discharge its responsibilities as defined in Regulation (EU) 2018/1139 and its delegated and implementing acts.'

(7) in point ARO.GEN.220 points (a)(12) and (a)(13) are replaced by the following:

‘(a) The competent authority shall establish a record-keeping system that provides for adequate storage, accessibility and reliable traceability of:

(12) safety information and follow-up measures in accordance with point ARO.GEN.125; and

(13) the use of safeguard and flexibility provisions in accordance with Articles 70, 71 and 76(4) of Regulation (EU) 2018/1139.’

(8) in point ARO.GEN.220 point (b) and (c) are replaced by the following:

‘(b) The competent authority shall maintain a list of all organisation certificates and specialised operation authorisations it has issued, as well as declarations it has received.

(c) All records referred to in points (a) and (b) shall be kept for the minimum period specified in this Regulation. In the absence of such indication, records shall be kept for a minimum period of five years subject to applicable data protection law.’

(9) in point ARO.GEN.305, points (a) and (c) are replaced by the following:

‘(a) The competent authority shall establish and maintain an oversight programme covering the oversight activities required by ARO.GEN.300 and Subpart ARO.RAMP.

(c) For organisations certified by the competent authority, an oversight planning cycle not exceeding 24 months shall be applied.

The oversight planning cycle may be reduced if there is evidence that the safety performance of the organisation has decreased.

The oversight planning cycle may be extended to a maximum of 36 months if the competent authority has established that, during the previous 24 months:

(1) the organisation has demonstrated an effective management system, including compliance monitoring, identification of aviation safety hazards and management of associated risks;

(2) the organisation has continuously demonstrated under point ORO.GEN.130 that it has full control over all changes;

(3) no level 1 findings have been issued; and

(4) all corrective actions have been implemented within the time period accepted or extended by the competent authority as defined in point ARO.GEN.350(d)(2).

The oversight planning cycle may be further extended to a maximum of 48 months if, in addition to points (1) to (4), the organisation has established,

and the competent authority has approved, an effective continuous reporting system to the competent authority on the safety performance and regulatory compliance of the organisation itself.'

(10) point ARO.GEN.350 is replaced by the following:

'ARO.GEN.350 Findings and corrective actions — organisations

(a) The competent authority responsible for oversight in accordance with point ARO.GEN.300(a) shall have a system to analyse findings for their safety significance and to manage them with the purpose of:

(1) ensuring that compliance with the requirements is re-established accordingly; and

(2) preventing their reoccurrence.

(b) A level 1 finding shall be issued by the competent authority when any significant non-compliance is detected with the applicable requirements of Regulation (EU) 2018/1139 and its delegated and implementing acts, with the organisation's procedures and manuals, or with the terms of an approval, certificate, specialised operation authorisation or content of a declaration, which lowers safety or seriously endangers flight safety.

The level 1 findings shall include:

(1) failure to give the competent authority access to the facilities of the organisation in accordance with point ORO.GEN.140 of Annex III (Part-ORO) to this Regulation, or for balloons operators in accordance with points BOP.ADD.015 and BOP.ADD.035 of Annex II (Part-BOP) to Regulation (EU) 2018/395, during normal operating hours and after two written requests;

(2) obtaining or maintaining the validity of the organisation certificate or specialised operations authorisation by falsification of submitted documentary evidence;

(3) evidence of malpractice or fraudulent use of the organisation certificate or specialised operations authorisation; and

(4) the lack of an accountable manager.

(c) A level 2 finding shall be issued by the competent authority when any non-compliance is detected with the applicable requirements of Regulation (EU) 2018/1139 and its delegated and implementing acts, with the organisation's procedures and manuals, or with the terms of an approval, certificate, specialised operation authorisation, or content of a declaration, which is not classified as a level 1 finding and could lower safety or endanger flight safety.

(d) When a finding is detected during oversight or by any other means, the competent authority shall, without prejudice to any additional action required by Regulation (EU) 2018/1139 and its delegated and implementing acts, communicate the finding to the organisation in writing and request corrective action to address the non-compliance(s) identified. Where relevant, the competent authority shall inform the competent authority of the State in which the aircraft is registered.

(1) In the case of level 1 findings, the competent authority shall take immediate and appropriate action to prohibit or limit the activities of the organisation involved, and, if appropriate, it shall take action to revoke the certificate, specialised operation authorisation or specific approval, or to limit or suspend it in whole or in part, depending on the extent of the level 1 finding, until the organisation has taken successful corrective action.

(2) In the case of level 2 findings, the competent authority shall:

(i) grant the organisation a corrective-action implementation period appropriate to the nature of the finding, which in any case shall initially not be more than three months. At the end of this period, and subject to the nature of the finding, the competent authority may extend the three-month period subject to a satisfactory corrective action plan agreed by the competent authority; and

(ii) assess the corrective action plan proposed by the organisation and, if the assessment concludes that it is sufficient to address the non-compliance(s), accept it.

(3) Where an organisation fails to submit an acceptable corrective action plan, or to perform the corrective action within the time period accepted or extended by the competent authority, the finding shall be raised to a level 1 finding and action taken as laid down in (d)(1).

(4) The competent authority shall record all findings it has raised or that have been communicated to it in accordance with point (e), and where applicable, the enforcement measures it has applied, as well as all corrective actions and date of action closure for findings.

(e) Without prejudice to any additional enforcement measures, when the authority of a Member State acting in accordance with point ARO.GEN.300(d) identifies any non-compliance with the applicable requirements of Regulation (EU) 2018/1139 and its delegated and implementing acts by an organisation certified, or authorised, by, or declaring its activity to the competent authority of another Member State or the Agency, it shall inform that competent authority and provide an indication of the level of finding.'

(11) point ARO.GEN.355 is replaced by the following:

'ARO.GEN.355 Findings and enforcement measures — persons

(a) If, during oversight or by any other means, evidence is found by the competent authority responsible for oversight in accordance with point ARO.GEN.300(a) that shows a non-compliance with the applicable requirements by a person holding a licence, certificate, rating or attestation issued in accordance with Regulation (EU) 2018/1139 and its delegated and implementing acts, the competent authority shall act in accordance with points ARA.GEN.355(a) to (d) of Annex VI (Part-ARA) to Commission Regulation (EU) No 1178/2011[1].

(b) If, during oversight or by any other means, evidence is found showing a non-compliance with the applicable requirements by a person subject to the requirements laid down in Regulation (EU) 2018/1139 and its delegated and implementing acts and not holding a licence, certificate, rating or attestation issued in accordance with that Regulation and its delegated and implementing acts, the competent authority that identified the non-compliance shall take any enforcement measures necessary to prevent the continuation of that non-compliance.'

(12) point ARO.GEN.360 is replaced by the following:

'ARO.GEN.360 Findings and enforcement measures — all operators

If, during oversight or by any other means, evidence is found that shows a non-compliance with the applicable requirements by an operator subject to the requirements laid down in Regulation (EU) 2018/1139 and its delegated and implementing acts, the competent authority that identified the non-compliance shall take any enforcement measures necessary to prevent the continuation of that non-compliance.'

(13) point ARO.OPS.300 is replaced by the following:

'**ARO.OPS.300 Introductory flights**

The competent authority may establish additional conditions for introductory flights carried out in accordance with Part-NCO, Part-BOP (Annex II) of Regulation (EU) 2018/395 or Part-SAO (Annex II) of Regulation (EU) 2018/1976, in the territory of the Member State. Such conditions shall ensure safe operations and be proportionate.'

(14) point ARO.RAMP.005 is replaced by the following:

'**ARO.RAMP.005 Scope**

This Subpart establishes the requirements to be met by the competent authority or the Agency when exercising its tasks and responsibilities regarding the performance of:

(a) ramp inspections of aircraft used by third-country operators or by operators under the regulatory oversight of another Member State when landed at aerodromes and operating sites located in the territory subject to the provisions of the Treaty; and

(b) alcohol testing of flight crew and cabin crew members.'

[1] OJ L 100, 5.4.2012, p. 1.

(15) in point ARO.RAMP.100, points (c) and (d) are replaced by the following:

'(c) Within the development of the oversight programme established in accordance with point ARO.GEN.305, the competent authority shall establish an annual programme for the conduct of aircraft ramp inspections. This programme shall:

(1) be based on a calculation methodology that takes into account historical information on the number and nature of operators and their number of landings at its aerodromes, as well as safety risks;

(2) enable the competent authority to give priority to the inspection of aircraft on the basis of the list referred to in point ARO.RAMP.105(a); and

(3) enable the competent authority to give priority to alcohol testing on the basis of the list referred to in point ARO.RAMP.106(b).

(d) When it so deems necessary, the Agency, in cooperation with the Member States in whose territory the inspection shall take place, shall conduct ramp inspections of aircraft to verify compliance with the applicable requirements for the purpose of:

(1) certification tasks assigned to the Agency by Regulation (EU) 2018/1139 and its delegated and implementing acts;

(2) standardisation inspections of a Member State; or

(3) inspections of an organisation to verify compliance with the applicable requirements in potentially unsafe situations.'

(16) point ARO.RAMP.105 is replaced by the following:

'**ARO.RAMP.105 Prioritisation criteria**

(a) The Agency shall provide competent authorities with a list of operators or aircraft identified as presenting a potential risk, for the prioritisation of ramp inspections.

(b) This list shall include:

(1) operators of aircraft identified on the basis of the analysis of available data in accordance with point ARO.RAMP.150(b)(4);

(2) operators or aircraft communicated to the Agency by the European Commission and identified:

(i) by the Air Safety Committee (ASC) in the context of the implementation of Regulation (EC) No 2111/2005 that further verification of effective compliance with relevant safety standards through systematic ramp inspections is necessary; or

(ii) on the basis of information obtained from the Member States and from the Agency pursuant to Article 4(3) of Regulation (EC) No 2111/2005;

(3) all operators certified in a State that exercises regulatory oversight over operators included in Annex A to the list of operators subject to an operating ban pursuant to Regulation (EC) No 2111/2005;

(4) operators included in Annex B to the list of operators subject to an operating ban referred to in point (3);

(5) third-country operators whose authorisation issued in accordance with Regulation (EU) No 452/2014 is limited or reinstated after suspension or revocation on safety grounds.

(c) The list shall be produced, in accordance with procedures established by the Agency, after every update of the list of operators subject to an operating ban pursuant to Regulation (EC) No 2111/2005, and in any case at least once every 6 six months.'

(17) in point ARO.RAMP.106, points (b) and (d) are replaced by the following:

'(b) The Agency shall provide competent authorities with a list of Union and third-country operators for the prioritisation of alcohol testing within the ramp inspection programme based on a risk assessment performed by the Agency, taking into account the robustness and effectiveness of existing psychoactive testing programmes.

(d) Whenever data concerning alcohol testing are included in the centralised database in accordance with point (b) of point ARO.RAMP.145, the competent authority shall ensure that such data excludes any personal details of the crew member concerned.'

(18) point ARO.RAMP.115 is replaced by the following:

'**ARO.RAMP.115 Qualification of ramp inspectors**

'(a) The competent authority and the Agency shall have qualified inspectors to conduct ramp inspections.

(b) Ramp inspectors shall:

(1) possess the necessary aeronautical education or practical knowledge relevant to their area(s) of inspection;

(2) have successfully completed:

(i) appropriate specific theoretical and practical training, in one or more of the following areas of inspection:

(A) flight deck;

(B) cabin safety;

(C) aircraft condition;

(D) cargo;

(ii) appropriate on-the-job training delivered by a senior ramp inspector appointed by a competent authority or the Agency;

(3) maintain the validity of their qualification by undergoing recurrent training and by performing a minimum of 12 inspections per calendar year.

(4) conduct alcohol tests on flight and cabin crew members only after having successfully completed an initial theoretical and practical training on alcohol testing, covering the applicable regulatory framework, procedures, and the use of testing devices, and

(5) maintain the authorisation for conducting alcohol testings on flight and cabin crew members by performing a minimum of two alcohol tests per calendar year.

(c) The training referred to in points (b)(2)(i) and (b)(4) shall be delivered by a competent authority or by any training organisation approved in accordance with point ARO.RAMP.120(a).

(d) The Agency shall develop and maintain training syllabi and promote the organisation of training courses and workshops for inspectors to improve the understanding and uniform implementation of this Subpart.

(e) The Agency shall facilitate and coordinate an inspector exchange programme aimed at allowing inspectors to obtain practical experience and contributing to the harmonisation of procedures.'

(19) point ARO.RAMP.135 is replaced by the following:

'ARO.RAMP.135 Follow-up actions on findings

(a) For a category 2 or 3 finding, the competent authority, or where relevant the Agency, shall:

(1) communicate the finding in writing to the operator, including a request for evidence of corrections made and corrective actions taken; and

(2) inform the competent authority of the State of the operator and, where relevant, the State in which the aircraft is registered and where the licence of the flight crew was issued. Where appropriate, the competent authority or

Agency shall request confirmation of their acceptance of the corrective actions taken by the operator in accordance with ARO.GEN.350 or ARO.GEN.355.

(b) In addition to point (a), in the case of a category 3 finding, the competent authority shall take immediate steps by:

(1) imposing a restriction on the aircraft flight operation;

(2) requesting immediate correction;

(3) grounding the aircraft in accordance with ARO.RAMP.140; or

(4) imposing an immediate operating ban in accordance with Article 6 of Regulation (EC) No 2111/2005.

(c) When the Agency has raised a category 3 finding, it shall request the competent authority where the aircraft is landed to take the appropriate measures in accordance with (b).'

(20) in point ARO.RAMP.140, point (a) is replaced by the following:

'(a) In the case of a category 3 finding where it appears that the aircraft is intended or is likely to be flown without completion by the operator or owner of the appropriate correction, the competent authority shall:

(1) notify the pilot-in-command/commander or the operator that the aircraft is not permitted to commence the flight until further notice; and

(2) ground that aircraft.'

(21) in point ARO.RAMP.145, point (b) is replaced by the following:

'(b) The competent authority or the Agency shall enter into the centralised database any information useful for the application of Regulation (EU) 2018/1139 and its delegated and implementing acts and for the accomplishment by the Agency of the tasks assigned to it in accordance with this Annex, including the relevant information referred to in point ARO.RAMP.110.'

(22) in point ARO.RAMP.150, point (a) is replaced by the following:

'(a) The Agency shall manage and operate the tools and procedures necessary for the storage and exchange of:

(1) the information referred to in ARO.RAMP.145;

(2) the information provided by third countries or international organisations with whom appropriate agreements have been concluded with the EU, or organisations with whom the Agency has concluded

appropriate arrangements in accordance with Article 90(2) of Regulation (EU) 2018/1139.'

(23) point ARO.RAMP.155 is replaced by the following:

'**ARO.RAMP.155 Annual report**

The Agency shall publish an annual report on the ramp inspection system containing at least the following information:

(a) status of the progress of the system;

(b) status of the inspections performed in the year;

(c) analysis of the inspection results with indication of the categories of findings;

(d) analysis of safety reports uploaded to the centralised database;

(e) actions taken during the year;

(f) proposals for further improving the ramp inspection system; and

(g) annexes containing lists of inspections sorted by State of operation, aircraft type and ratios per item.'

(24) point ARO.RAMP.160 is replaced by the following:

'**ARO.RAMP.160 Protection of information**

(a) Member States shall use the information received by them pursuant to points ARO.RAMP.105 and ARO.RAMP.145 solely for the purpose of implementing Regulation (EU) 2018/1139 and its delegated and implementing acts and shall protect it accordingly.

(b) The Agency shall publish an aggregated information report annually that shall be available to the public containing the analysis of the information received in accordance with ARO.RAMP.145. The report shall be simple and easy to understand, and the source of the information shall be de-identified.'

(25) Appendix I to Annex II (Part-ARO) is replaced by the following:

'Appendix I to Annex II (Part-ARO)

<table>
<tr><td colspan="3">AIR OPERATOR CERTIFICATE

(Approval schedule for air transport operators)

Types of operation:
Commercial air transport (CAT) ☐ Passengers; ☐ Cargo; ☐ Other ([1]): ……
Innovative air mobility (IAM) ☐ Passengers; ☐ Cargo; ☐ Other ([1]): ……</td></tr>
<tr><td rowspan="2">([4])</td><td>State of the Operator ([2])</td><td rowspan="2">([5])</td></tr>
<tr><td>Issuing Authority ([3])</td></tr>
<tr><td>AOC # ([6]):</td><td rowspan="4">Operator Name ([7]):
Dba Trading Name ([8]):
Operator postal address ([10]):
Telephone ([11]):
Fax:
Email:</td><td rowspan="4">Operational Points of Contact: ([9])
Contact details~~,~~ at which operational management can be contacted without undue delay, are listed in ..... ([12]).</td></tr>
<tr><td></td></tr>
<tr><td></td></tr>
<tr><td></td></tr>
<tr><td colspan="3">☐ This is to certify that ……. ([13]) is authorised to conduct commercial air transport (CAT) operations, as defined in the attached operations specifications, in accordance with the operations manual, and Annex V to Regulation (EU) 2018/1139 and its delegated and implementing acts.
☐ This is to certify that ……. ([13]) is authorised to conduct innovative air mobility (IAM) operations, as defined in the attached operations specifications, in accordance with the operations manual, and Annex V to Regulation (EU) 2018/1139 and its delegated and implementing acts.</td></tr>
<tr><td>Date of issue ([14]):</td><td colspan="2">Name and Signature ([15]):
Title:</td></tr>
<tr><td colspan="3">([1]) Other type of transportation to be specified.
([2]) Replaced by the name of the State of the operator.
([3]) Replaced by the identification of the issuing competent authority.
([4]) For use by the competent authority.
([5]) For use by the competent authority.
([6]) Approval reference, as issued by the competent authority.
([7]) Replaced by the operator's registered name.
([8]) Operator's trading name, if different. Insert 'Dba' (for 'Doing business as') before the trading name.
([9]) The contact details include the telephone and fax numbers, including the country code, and the email address (if available) at which operational management can be contacted without undue delay for issues related to flight operations, airworthiness, flight and cabin crew members' competency, dangerous goods and other matters as appropriate.
([10]) Operator's address of principal place of business.
([11]) Operator's principal place of business telephone and fax details, including the country code. Email to be provided if available.
([12]) Insertion of the controlled document, carried on board, in which the contact details are listed, with the appropriate paragraph or page reference. E.g.: "Contact details … are listed in the operations manual, gen/basic, chapter 1, 1.1"; or "… are listed in the operations specifications, page 1"; or "… are listed in an attachment to this document".
([13]) Operator's registered name.
([14]) Date of the latest issue of the AOC (dd-mm-yyyy). The date of the initial issue of the AOC may be added in a footnote to the date of the latest issue.
([15]) Title, name and signature of the competent authority representative. In addition, an official stamp may be applied on the AOC.

EASA Form 138 - Issue 4'</td></tr>
</table>

(26) Appendix II to Annex II (Part-ARO) is replaced by the following:

'Appendix II to Annex II (Part-ARO)

OPERATIONS SPECIFICATIONS **(subject to the approved conditions in the operations manual)**				
Issuing authority contact details Telephone([1]): _____; Fax: _____; Email: _____				
AOC([2]): Operator name([3]): Date([4]): Signature: Dba trading name Operations specifications #:				
Aircraft model([5]): Registration marks([6]):				
Types of operations: Commercial air transport (CAT) ☐ Passengers; ☐ Cargo; ☐ Other ([7]): …… Innovative air mobility (IAM) ☐ Passengers; ☐ Cargo; ☐ Other ([7]): ……				
Area of operation([8]):				
Special limitations([9]):				
Specific approvals:	Yes	No	Specification([10])	Remarks
Dangerous goods:	☐	☐		
Low-visibility operations				
Take-off	☐	☐	RVR([11]): m	
Approach and landing	☐	☐	CAT([12])...DA/H:...ft, RVR:...m	
Operational credits	☐	☐	CAT([13])...DA/H:...ft, RVR:...m	
RVSM([14]) ☐ N/A	☐	☐		
EDTO ([15]) ☐ N/A	☐	☐	Maximum diversion time([16]): …..min.	
Complex navigation specifications for PBN operations([17])	☐	☐		([18])
Minimum navigation performance specification	☐	☐		
Operations of single-engined turbine aeroplane at night or in IMC (SET-IMC)	☐	☐	([19])	
Helicopter operations with the aid of night vision imaging systems	☐	☐		
Helicopter hoist operations	☐	☐		
Helicopter emergency medical service operations	☐	☐		
Helicopter offshore operations	☐	☐		
Reduced VFR operating minima on helicopter point-in-space approaches and departures	☐	☐		
VTOL-capable aircraft emergency medical service operations (VEMS)	☐	☐		
Cabin crew training([20])	☐	☐		

Issue of CC attestation([21])	☐	☐		
Use of type B EFB applications	☐	☐	([22])	
Continuing airworthiness	☐	☐	([23])	
Others([24])				

(1) Telephone number of the competent authority, including the country code. Email to be provided, as well as fax if available.

(2) Insertion of the associated air operator certificate (AOC) number.

(3) Insertion of the operator's registered name and the operator's trading name, if different. Insert "Dba" before the trading name (for "Doing business as").

(4) Issue date of the operations specifications (dd-mm-yyyy) and signature of the competent authority representative.

(5) Insertion of the ICAO designation of the aircraft make, model and series, or master series, if a series has been designated (e.g. Boeing- 737-3K2 or Boeing-777-232) or insertion of the VTOL-capable aircraft make, model and series, as applicable.

(6) The registration marks are listed either in the operations specifications or in the operations manual. In the latter case, the related operations specifications must make a reference to the related page in the operations manual. If not, all specific approvals apply to the aircraft model, the registration marks of the aircraft may be entered in the "Remarks" column to the related specific approval.

(7) Other type of transportation (e.g. emergency medical service)to be specified.

(8) Listing of geographical area(s) of authorised operation (by geographical coordinates or specific routes, flight information region or national or regional boundaries) as defined by the issuing authority.

(9) Listing of applicable special limitations (e.g. VFR only, Day only, etc.).

(10) List in this column the most permissive criteria for each specific approval (with appropriate criteria).

(11) Insertion of the approved minimum take-off RVR in metres. One line per approval may be used if different approvals are granted.

(12) Insertion of the applicable precision approach category: CAT II or CAT III. Insertion of the minimum RVR in metres and DH in feet. One line is used per listed approach category.

(13) Insertion of applicable operational credit: SA CAT I, SA CAT II, EFVS, etc. Insertion of the minimum RVR in metres and DH in feet. One line is used per listed operational credit.

(14) The 'Not Applicable' (N/A) box may be checked only if the aircraft maximum ceiling is below FL290.

(15) Extended diversion time operations (EDTO) currently applies only to aeroplanes with two or more engines. Therefore, the'Not Applicable' (N/A) box may be checked for single-engined aeroplanes.

(16) Specify the maximum diversion time, the maximum diversion distance (in NM), as well as the engine type. For EDTO with diversion times up to 180 minutes, in the case of an approved 15 % increase of the diversion time, list either the routes or areas to which this extension applies, or provide a reference to the related page in the operations manual where these routes or areas are listed.

(17) Performance-based navigation (PBN): one line is used for each complex PBN specific approval (e.g. RNP AR APCH), with appropriate limitations listed in the 'Specifications' or 'Remarks' columns, or in both. Procedure-specific approvals of specific RNP AR APCH procedures may be listed in the operations specifications or in the operations manual. In the latter case, the related operations specifications must have a reference to the related page in the operations manual.

(18) Specify whether the specific approval is limited to certain runway ends or aerodromes, or both.

(19) Insertion of the particular airframe or engine combination.

(20) Approval to conduct the training course and examination to be completed by applicants for a cabin crew attestation as specified in Annex V (Part-CC) to Regulation (EU) No 1178/2011.

(21) Approval to issue cabin crew attestations as specified in Annex V (Part-CC) to Regulation (EU) No 1178/2011.

(22) Insertion of the list of type B EFB applications together with the reference of the EFB hardware (for portable EFBs). This list is contained either in the operations specifications or in the operations manual. In the latter case, the related operations specifications must make a reference to the related page in the operations manual.

(23) The approval reference of the organisation responsible for manageing the continuing airworthiness of the aircraft and a reference to the relevant Regulation (e.g. Annex Vc (Part-CAMO) to Regulation (EU) No 1321/2014).

(24) Other approvals or data may be entered here, using one line (or one multi-line block) per authorisation (e.g. short landing operations, steep approach operations, reduced required landing distance, helicopter operations to or from a public interest site, helicopter operations over a hostile environment located outside a congested area, helicopter operations without a safe forced landing capability, operations with increased bank angles, performance class A two-engined aeroplane operations at a maximum distance flown in 120 and up to 180 minutes at OEI cruising speed from an adequate aerodrome without an EDTO approval).

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Annex III (Part-ORO) to Regulation (EU) No 965/2012 is amended as follows:

(1) point ORO.GEN.105 is replaced by the following:

'**ORO.GEN.105 Competent Authority**

For the purpose of this Annex, the competent authority exercising oversight over operators subject to certification, declaration obligation, or specialised operation authorisation, which have their principal place of business in a territory for which a Member State is responsible under the Chicago Convention, shall be:

(a) the authority designated by that Member State, or the authority designated by another Member State, in accordance with Article 64 of Regulation (EU) 2018/1139; or

(b) the Agency, if the responsibility has been reallocated to the Agency in accordance with Articles 64 or 65 of Regulation (EU) 2018/1139.'

(2) in point ORO.GEN.110, points (a), (b), (c), (e) and (f) are replaced by the following

'(a) The operator is responsible for the operation of the aircraft in accordance with Annex V to Regulation (EU) 2018/1139, as applicable, the relevant requirements of this Annex and its air operator certificate (AOC) or specialised operation authorisation (SPO authorisation) or declaration.

(b) Every flight shall be conducted in accordance with the operations manual.

(c) The operator shall establish and maintain a system for exercising operational control over any flight operated under the terms of its certificate, SPO authorisation or declaration, and shall include it in the operations manual. The operator shall define the standards for the activities required for the execution of operational control and, when those activities are performed by operations control personnel, describe their functions, including the associated decision-making authority, tasks and responsibilities, as specified in Subpart ORO.OCP.

(e) The operator shall ensure, to achieve compliance with point ORO.GEN.200(a)(4), that all personnel assigned to, or directly involved in, ground and flight operations are properly trained and qualified to discharge the duties and responsibilities described in the operations manual, have demonstrated their abilities in their particular duties, remain current in them, and are aware of their responsibilities and the relationship of such duties to the operation as a whole.

(f) The operator shall establish procedures and instructions for the safe operation of each aircraft type, covering ground staff and crew member duties and responsibilities, for all types of operation on the ground and in flight. Those procedures and instructions shall not require crew members to perform any activities during critical phases of flight other than those required for the safe operation of the aircraft. Procedures and instructions for a sterile flight crew compartment shall also be included.'

(3) point ORO.GEN.115 is replaced by the following:

‘ORO.GEN.115 Application for an AOC

(a) The application for an air operator certificate (AOC) or an amendment to an existing certificate shall be made in a form and manner established by the competent authority, taking into account the applicable requirements of Regulation (EU) 2018/1139 and its delegated and implementing acts.

(b) Applicants for an initial certificate shall provide the competent authority with documentation demonstrating how they will comply with the requirements established in Regulation (EU) 2018/1139 and its delegated and implementing acts. Such documentation shall include a procedure describing how changes not requiring prior approval will be managed and notified to the competent authority.’

(4) in point ORO.GEN.130, point (b) is replaced by the following:

‘(b) For any changes requiring prior approval in accordance with Regulation (EU) 2018/1139 and its delegated and implementing acts, the operator shall apply for and obtain an approval issued by the competent authority. The application shall be submitted before any such change takes place in order to enable the competent authority to determine that there is continued compliance with Regulation (EU) 2018/1139 and its delegated and implementing acts and to amend, if necessary, the operator certificate and related terms of approval attached to it.’

(5) in point ORO.GEN.135, point (a) is replaced by the following:

‘(a) The operator certificate shall remain valid subject to all the following:

(1) the operator remaining in compliance with the relevant requirements of Regulation (EU) 2018/1139 and its delegated and implementing acts, taking into account the provisions related to the handling of findings as specified under ORO.GEN.150 of this Annex;

(2) the competent authority being granted access to the operator as defined in point ORO.GEN.140 of this Annex;

(3) the certificate not being surrendered or revoked.’

(6) point ORO.GEN.150 is replaced by the following:

‘**ORO.GEN.150 Findings and corrective actions**

(a) After receipt of notification of findings, the operator shall:

(1) identify the root cause(s) of, and factors contributing to, the non-compliance;

(2) define a corrective action plan that addresses the root cause(s) and the factors contributing to the non-compliance; and

(3) demonstrate the implementation of the corrective action(s) to the satisfaction of the competent authority.

(4) inform any contracted ground handling organisations of the actions taken to address the non-compliance if that non-compliance directly affects the safety risk within, or the responsibilities of, that ground handling organisation.

(b) The actions referred to in point (a) shall be performed within a period agreed with the competent authority, as defined in point ARO.GEN.350(d).'

(7) point ORO.GEN.160 is replaced by the following:

'**ORO.GEN.160 Occurrence reporting**

(a) As part of its management system, the operator shall establish and maintain an occurrence-reporting system, including mandatory and voluntary reporting, safety risk classification of the occurrence concerned, and follow-up of occurrences that meet the requirements of Regulation (EU) No 376/2014, Regulation (EU) 2018/1139, and Regulation (EU) No 996/2010, as well as of the applicable delegated and implementing acts.

(b) The operator shall report to the competent authority, and to the State of Registry, any safety-related event or condition that endangers or, if not corrected or addressed, could endanger an aircraft, its occupants or any other person, and in particular any accident or serious incident.

(c) In addition, the operator shall report to the competent authority, the State of Registry, and the aircraft design approval holder any incident, malfunction, technical defect, exceedance of technical limitations, or occurrence that would highlight inaccurate, incomplete or ambiguous information contained in data established in accordance with Regulation (EU) No 748/2012, or other irregular circumstances, including when involving only human intervention, that have or may have endangered an aircraft, its occupants or any other person and have not resulted in an accident or serious incident.

(d) In addition, commercial air transport operators shall report to the aircraft design approval holder groups of repeated occurrences detected during operator simulator training and checking sessions that involve human intervention and highlight a reduction in safety margins, and could have potentially endangered the safe operation of the aircraft in actual flight operations.

(e) Without prejudice to points (b) and (c), the operator shall establish additional reporting requirements for occurrences related to the transport of dangerous goods, as laid down in the relevant requirements of this Regulation.

(f) Without prejudice to points (b), (c) and (d), and without prejudice to Regulation (EU) No 376/2014 and its implementing acts, initial reports in accordance with points (c) and (e) shall be made as soon as practicable, but in any case, within 72 hours after the operator has become aware of the event or condition to which the report relates, unless exceptional circumstances prevent this;

(g) Without prejudice to Regulation (EU) No 376/2014 and its implementing acts, reports referred to in this Regulation shall:

(1) be made in a form and manner established by the competent authority of the operator, as defined in point ORO.GEN.105; and

(2) contain all pertinent information about the condition known to the operator.

(h) The operator shall ensure that the reporting system established under its management system includes procedures to allow the sharing of relevant safety information within the operator, as well as with other organisations with which the operator interacts, as relevant, considering the aviation domain(s) in which the reportable event has occurred.'

(8) point ORO.GEN.200 is replaced by the following

'**ORO.GEN.200 Management System**

(a) The operator shall establish, implement and maintain a management system that includes:

(1) clearly defined lines of responsibility and accountability throughout the organisation, including a direct safety accountability of the accountable manager;

(2) a description of the overall philosophies and principles of the operator with regard to safety, referred to as the safety policy;

(3) the identification of aviation safety hazards entailed by the activities of the operator, their evaluation and the management of associated risks, including taking actions to mitigate the risks and verify their effectiveness;

(4) maintaining personnel trained and competent to perform their tasks;

(5) documentation of all management system key processes, including a process for making personnel aware of their responsibilities and the procedure for amending this documentation;

(6) a function to monitor compliance of the operator with the relevant requirements. Compliance monitoring shall include a feedback system of findings to the accountable manager to ensure effective implementation of corrective actions as necessary; and

(7) any additional requirements that are prescribed in the relevant Subparts of this Annex or other applicable Annexes.

(b) The management system shall correspond to the size of the operator and the nature and complexity of its activities, taking into account the hazards and associated risks inherent in these activities.

(c) If the operator holds one or more additional organisation certificates, declarations, approvals, or authorisations that fall within the scope of Regulation (EU) 2018/1139, the management system may be integrated with that required under that Regulation and its delegated and implementing acts for those additional certificate(s), declarations, approvals, or authorisations held.'

(9) point ORO.GEN.310 is replaced by the following:

'**ORO.GEN.310 Use of aeroplanes or helicopters listed on an AOC for flight operations other than commercial air transport**

(a) An aeroplane or helicopter listed on an operator's AOC may remain on the AOC if it is operated in any of the following situations:

(1) by the AOC holder itself, using the aeroplane or helicopter as a specialised operator (SPO) or as a training organisation; or

(2) by other operators, conducting operations in accordance with Annex VI (Part-NCC), Annex VII (Part-NCO) or Annex VIII (Part-SPO).

(b) When an aeroplane or a helicopter is used in accordance with point (a)(2), the AOC holder that provides the aeroplane or helicopter and the operator that uses the aeroplane or helicopter shall establish a procedure:

(1) clearly identifying which operator is responsible for the operational control of each flight, and to describe how the operational control is transferred between them;

(2) describing the handover procedure of the aeroplane or helicopter upon its return to the AOC holder.

That procedure shall be included in the operations manual of each operator or in a contract concluded between the AOC holder and the operator that uses the aeroplane or the helicopter in accordance with point (a)(2). The AOC holder shall establish a template for such a contract. Point ORO.GEN.220 shall apply to those contracts.

The AOC holder and the operator that uses the aeroplane or the helicopter in accordance with point (a)(2) shall ensure that the procedure is communicated to the relevant personnel.

(c) The AOC holder shall submit to the competent authority the procedure referred to in point (b) for prior approval. The AOC holder shall agree with the competent authority on the means and on the frequency of providing it with information about transfers of operational control in accordance with point ORO.GEN.130(c).

(d) To ensure the continuing airworthiness of the aeroplane or the helicopter used in accordance with point (a), the AOC holder shall comply at all times with point M.A.201(k) of Annex I (Part-M) of Regulation (EU) No 1321/2014.

(e) The AOC holder that provides the aeroplane or the helicopter in accordance with point (a) shall:

(1) indicate in its operations manual the registration marks of the aeroplane or helicopter provided, and the type of operations conducted with that aeroplane or helicopter;

(2) remain informed at all times and keep record of each operator that holds the operational control of the aeroplane or helicopter at any given moment until the aeroplane or helicopter is returned to the AOC holder;

(3) ensure that the hazard identification, risk assessment and mitigation measures it has put in place address all the operations conducted with that aeroplane or helicopter.

(f) For operations conducted under Annex VI (Part-NCC) and Annex VIII (Part-SPO), the operator that uses the aeroplane or the helicopter in accordance with point (a) shall ensure all the following:

(1) that every flight conducted under its operational control is recorded in the aeroplane's or helicopter's technical log and journey log system or equivalent;

(2) that no changes are made to the aeroplane's or helicopter's systems or its configuration;

(3) that any defect or technical malfunction occurring while the aeroplane or helicopter is under its operational control is reported to the AOC holder;

(4) that the AOC holder receives a copy of any occurrence report related to the flights conducted with the aeroplane or helicopter, completed in accordance with Regulation (EU) No 376/2014 and Implementing Regulation (EU) 2015/1018.

(5) that its competent authority is informed of the procedures referred to under point (b) when that competent authority is different from the one responsible for the AOC holder.'

(10) in point ORO.MLR.100, point (a) is replaced by the following:

'(a) The operator shall establish an operations manual (OM) as specified under 8.2 of Annex V to Regulation (EU) 2018/1139.'

(11) in point ORO.MLR.105, points (a) and (b) are replaced by the following:

'(a) A minimum equipment list (MEL) shall be established as specified under point 5(c) of Article 30 of Regulation (EU) 2018/1139, based on the relevant master minimum equipment list (MMEL) as defined in the data established in accordance with Regulation (EU) No 748/2012. If an MMEL has not been established as part of the operational suitability data, the MEL may be based on the relevant MMEL accepted by the State of Operator or State of Registry as applicable.

(b) The MEL and any amendment thereto shall be approved by the competent authority of the aircraft operator.'

(12) in point ORO.CC.130, point (a)(2) is replaced by the following:

'(2) a currently operated aircraft type or variant with different:

(i) safety and emergency equipment, its location and operation; or

(ii) normal and emergency procedures.'

(13) in point ORO.CC.140, the title and point (e) are replaced by the following:

'**ORO.CC.140 Recurrent training and checking**

(e) Validity periods:

(1) The annual recurrent training shall be valid for 12 calendar months counted from the end of the month when the check was taken.

(2) The validity period of the additional triennial training elements specified in points (c)(2) and (d)(2) shall be 36 calendar months counted from the end of the month when the checks were taken.

(3) If the annual and triennial recurrent training and checking are undertaken within the last 3 calendar months of the validity period, the new validity period shall be counted from the original expiry date.'

(14) in point ORO.SPO.110, point (c) is replaced by the following:

‘(c) The application for an authorisation or its amendment shall be made in a form and manner established by the competent authority.’

(15) in point ORO.SPO.115, point (b) is replaced by the following:

‘(b) The application for approval of a change shall be submitted before any such change takes place. The operator shall provide the competent authority with any relevant documentation.’

(16) in point ORO.SPO.120, points (b)(1) and (b)(2) are replaced by the following:

‘(b) The operator’s authorisation shall remain valid subject to:

(1) the operator remaining in compliance with the relevant requirements of Regulation (EU) 2018/1139 and its delegated and implementing acts, taking into account the provisions related to the handling of findings as specified under point ORO.GEN.150;

(2) the competent authority being granted access to the operator as defined in point ORO.GEN.140 to determine continued compliance with the relevant requirements of Regulation (EU) 2018/1139 and its delegated and implementing acts; and’

(17) the following Subpart OCP is added to Annex III (Part ORO) of Regulation (EU) No 965/2012:

‘Subpart OCP: Operations Control Personnel

ORO.OCP.100 Scope

This Subpart establishes requirements to be met by CAT and NCC operators of aeroplanes that use operations control personnel in conjunction with a method of operational control. It covers:

(a) the duties and responsibilities and any associated decision-making authority of operations control personnel in the execution of operational control, adjusted to specific functions;

(b) the training and qualification of operations control personnel.

ORO.OCP.105 Assignment to duty

(a) Operations control personnel shall only be assigned to duty if they have been qualified upon successful completion of the training programme referred to in point ORO.OCP.120.

(b) Before beginning of duty, the operations control personnel shall be briefed on any relevant safety information that may influence the safety of flights during their shift.

ORO.OCP.110 Responsibilities of operations control personnel

(a) When the operator uses operations control personnel for the implementation of its operational control system, it shall identify their functions, tasks and responsibilities, including any associated decision-making authority and shall describe them in the operations manual.

(b) The operations control personnel shall perform tasks that are necessary which are necessary and relevant for the safe execution of operational control as part of the operator's operational control system..

(c) When a person is authorised by the operator to engage in the operational control and is responsible for performing one or more of the following tasks and duties, they shall comply with the training and qualification requirements of points ORO.OCP.120 (i) and ORO.OCP.130:

(1) prepare or assist the commander/pilot-in command in flight preparation and provide the relevant information;

(2) prepare or assist the commander/pilot-in command in the preparation of the operational flight plan and the ATS flight plan to be filed;

(3) when applicable, prepare or assist the commander/pilot-in command in preparing the preliminary flight plan and submit it to the unit designated by the appropriate ATS authority;

(4) file and refile the flight plan to the unit designated by the appropriate ATS authority, and any amendment to the flight plan during flight;

(5) act as the main liaison between the flight crew in flight and the operator's ground personnel;

(6) supervise the flight by performing flight monitoring and/or flight watch;

(7) monitor the data flow of the flight planning data;

(8) directly provide relevant information, recommendations and assistance to the flight crew before and during the flight, for the safe conduct of the flight, in both normal and emergency situations, including information related to any amendments to the flight plan that become necessary in the course of the flight;

(9) notify the appropriate ATS unit when the position of the aircraft cannot be determined by aircraft tracking capability and attempts to establish communication are unsuccessful and initiate the emergency response in accordance with the operator's procedures.

ORO.OCP.120 Training and assessment programme for operations control personnel

(a) The operator shall develop and implement a training programme for the operations control personnel, to ensure that they are competent to perform their tasks to the standards established in accordance with point ORO.GEN.110(c) and that their competence is maintained.

(b) The training and assessment programme shall be based on the operator's operational control system and type of operation and shall be adapted to the designated functions.

(c) The training and assessment programme shall include:

(1) the training objectives and, when competency-based training and assessment (CBTA) is used, the competency targets. These shall be based on the specific tasks associated with the various functions of operations control personnel;

(2) a training gap analysis, to enable recognition of any previous relevant training;

(3) initial training, which shall include:

(i) operator-specific and function-specific training; and

(ii) on-the-job training (OJT) in accordance with point ORO.OCP.130;

(4) continued competence training, including proficiency checks, compliant with point ORO.OCP.135;

(5) any other relevant training on areas required by this Regulation to ensure that the individual is competent in the assigned function;

(6) assessments during and upon completion of any type of training;

(7) criteria for the qualification of instructors and assessors.

(d) The training and assessment programme shall cover the development of knowledge, skills and attitude (KSA) components as follows:

(1) The knowledge component shall be appropriate to the tasks and responsibilities of the assigned function.

(2) The skills training shall address both technical and non-technical skills, as necessary for the assigned function.

(3) The attitude component shall aim at building an adequate mindset of the individuals so that they can address the complexities of the operational control tasks safely and efficiently, and understand and act towards maintaining safety of operation.

(e) The individuals shall be qualified for the assigned function and shall maintain their qualification only upon successful completion of all the training elements listed in points (c) and (d).

(f) The training and assessment may be conducted by the operator or a contracted training organisation, or a combination of both.

(g) The training and assessment programme shall be included in the operations manual and shall be periodically evaluated, no later than every three years, for improvement, effectiveness and adequacy.

(h) The operator shall ensure that suitable facilities, means and equipment are used for the provision of training and the conduct of periodic proficiency checks.

(i) If the personnel is assigned to perform the tasks listed in point ORO.OCP.110 (c) their training programme shall additionally include observing at least one familiarisation flight in the flight crew compartment of an aircraft or in a simulation training device suitable for that purpose, over at least one of the areas or route segments for which that individual is authorised to exercise their operational control tasks and duties. If the operator is unable to ensure the observation of a familiarisation flight, it shall apply an alternative method approved by the competent authority to ensure achievement of an equivalent level of competency as that targeted with the observation of a familiarisation flight

ORO.OCP.130 On-the-job training

(a) The operator shall ensure that the on-the-job (OJT) training of the operations control personnel integrates the KSA into the execution of tasks specific to the assigned function, including in live situations, under the supervision of a qualified OJT instructor.

(b) The personnel mentioned in point ORO.OCP.110 shall have acquired operational experience while providing satisfactory service under the supervision of an OJT instructor, engaged in the actual exercise of operational control at an operator.

(c) When CBTA is applied for the training of the personnel mentioned in point ORO.OCP.110(c), it shall include sufficient OJT to ensure that the competency targets appropriate to the exercise of duty are consistently achieved.

ORO.OCP.135 Continued competence training of operations control personnel

The operator shall ensure that the operations control personnel maintain their competence to perform their tasks and duties as established in accordance with point ORO.GEN.110(c). This process shall be part of the training programme and shall be implemented through the following types of training:

(a) Recurrent training;

(b) Refresher training;

(c) Update training;

(d) Requalification training;

(e) Where the personnel are assigned to perform the tasks listed in point ORO.OCP.110 (c) shall also undergo proficiency checks, which shall be conducted at shorter intervals than the recurrent training.

ORO.OCP.140 Assessment of operations control personnel

(a) The operator shall conduct periodic proficiency checks for the personnel mentioned in of ORO.OCP.110(c), as a form of assessment to ensure continued competence of operations control personnel.

(b) The training programme shall include a procedure to address the case when an individual fails any formative or the summative assessment, as established in the latest effective edition of ICAO Doc. 9867 PANS-Training.

ORO.OCP.145 Instructors and assessors of operations control personnel

(a) All training and assessment of operations control personnel shall be conducted by instructors and assessors that are competent and qualified to conduct training or assessment as required in this Subpart .

(b) The operator shall detail in its training programme conditions for the training and qualification as well as for the continued competence of instructors, including OJT instructors, and assessors.

(c) The operator shall ensure that the competence of the instructors and assessors is maintained.’

Annex IV (Part-CAT) to Regulation (EU) No 965/2012 is amended as follows:

(1) in point CAT.GEN.MPA.105, point (a)(3) is replaced by the following:

'(3) have the authority to give all commands and take any appropriate actions for the purpose of ensuring the safety of the aircraft and of the persons and/or property carried therein in accordance with point 7.2 of Annex V to Regulation (EU) 2018/1139;'

(2) in point CAT.GEN.MPA.105, point (b) is replaced by the following:

'(b) The commander, or the pilot to whom the conduct of the flight has been delegated, shall, in an emergency situation that requires immediate decision and action, take any action he or she considers necessary under the circumstances in accordance with point 7.3 of Annex V to Regulation (EU) 2018/1139. In such cases, he or she may deviate from the applicable rules, operational procedures and methods in the interest of safety.'

(3) in point CAT.GEN.MPA.170, point (c) is replaced by the following:

'(c) Without prejudice to the applicable national and Union legislation on data protection concerning testing of individuals, the operator shall develop and implement an objective, transparent and non-discriminatory procedure for the prevention and detection of cases of misuse of psychoactive substances by its flight and cabin crew and other safety-sensitive personnel under its direct control.'

(4) in point CAT.GEN.MPA.180, point (3) of point (a) is replaced by the following:

'(3) the original certificate of airworthiness (CofA) and a copy of the airworthiness review certificate (ARC);'

(5) in point CAT.GEN.MPA.200 point (e) is replaced by the following:

'(e) The operator shall, in accordance with the Technical Instructions, report without delay:

(1) to the competent authority and to the appropriate authority of the State of occurrence~~:~~

(i) any dangerous goods accidents or incidents; or

(ii) the finding of undeclared or misdeclared dangerous goods in cargo or mail;

(2) to the appropriate authority of the State of occurrence:

(i) the finding of dangerous goods carried by passengers or crew members, or in their baggage, when not in accordance with the

applicable requirements of the latest effective edition of Part 8 of the Technical Instructions;

(3) to the competent authority:

(i) dangerous goods discovered to have been transported when not loaded, segregated, separated, or secured in accordance with the applicable requirements of Part 7;2 of the latest effective edition of the Technical Instructions; or

(ii) dangerous goods discovered to have been transported without information having been provided to the commander in accordance with the applicable requirements of Part 7;4 of the latest effective edition of the Technical Instructions.'

(6) point CAT.OP.MPA.140 is replaced by the following:

'**CAT.OP.MPA.140 Maximum distance from an adequate aerodrome for aeroplanes with two or more engines without an EDTO operational approval**

(a) The operator shall determine a speed for the calculation of the maximum distance from an adequate aerodrome for each aeroplane type or variant operated, not exceeding VMO (maximum operating speed) based upon the true airspeed that the aeroplane can maintain with one-engine-inoperative for two-engined aeroplanes, or with all engines operative (AEO) for aeroplanes with more than two engines.

(b) Unless approved by the competent authority in accordance with Subpart F of Annex V (Part-SPA), the operator shall not operate an aeroplane with two or more engines over a route that contains a point further from an adequate aerodrome, under standard conditions in still air, than the appropriate distance for the given type of aeroplane among the following:

(1) for aeroplanes with more than two engines, the distance flown in 180 minutes at the selected AEO speed determined in accordance with point (a);

(2) for performance class A two-engined aeroplanes with a maximum operational passenger seating configuration (MOPSC) of 20 or more, the distance flown in 60 minutes at the selected OEI speed determined in accordance with point (a);

(3) for performance class A two-engined aeroplanes with an MOPSC of 19 or less, the distance flown in 120 minutes or, subject to approval by the competent authority, up to 180 minutes for two-engined turbine aeroplanes, at the selected OEI speed determined in accordance with point (a);

(4) for performance class B or C two-engined aeroplanes, whichever is less:

(i) the distance flown in 120 minutes at the selected OEI speed determined in accordance with point (a);

(ii) 300 NM.

(c) The operator shall include the following data, specific to each type or variant, in the operations manual:

(1) the selected speed determined in accordance with (a); and

(2) the associated maximum distance from an adequate aerodrome.

(d) When conducting operations beyond 60 minutes with turbine-engined aeroplanes at the selected OEI speed for two-engined aeroplanes in accordance with point (b)(3) or (b)(4) and at the selected AEO speed for aeroplanes with more than two engines from a point on a route to an en-route alternate aerodrome without an EDTO operational approval, the operator shall:

(1) identify en-route alternate aerodromes so that the applicable EDTO threshold distance is not exceeded;

(2) provide the flight crew with the most up-to-date information on identified en-route alternate aerodromes, including operational status and meteorological conditions;

(3) ensure that the most up-to-date information provided to the flight crew indicates that the conditions at the identified en-route alternate aerodromes will be at or above the operator's established aerodrome operating minima for the operation at the estimated time of use;

(4) reflect such operations in its:

(i) operational control procedures;

(ii) flight dispatch procedures;

(iii) operating procedures; and

(iv) training programmes.

(e) To obtain the approval referred to in point (b)(3), the operator shall provide evidence that:

(1) training and procedures have been established for flight operations, including planning and dispatch;

(2) specific maintenance instructions, procedures and training to ensure that the intended levels of continued airworthiness and reliability of the aeroplane including its engines have been established and included in the operator's aircraft maintenance programme in accordance with Annex I (Part-M) to Regulation (EU) No 1321/2014, including:

(i) an engine oil consumption programme;

(ii) an engine condition monitoring programme;

(iii) a system for the reporting of engine events and the implementation of required corrective actions.'

(7) in point CAT.OP.MPA.175, point (1) of point (b) is replaced by the following:

'(1) all items stipulated in point 2(c) of Annex V to Regulation (EU) 2018/1139 concerning the airworthiness and registration of the aircraft, instrument and equipment, mass and centre of gravity (CG) location, baggage and cargo and aircraft operating limitations can be complied with;'

(8) in point CAT.OP.MPA.181, point (5) of point (C) is replaced by the following:

'(5) final reserve fuel/energy that shall be:

(i) the amount of fuel/energy that is calculated at holding speed at 1 500 ft (450 m) above the aerodrome elevation in standard conditions according to the aeroplane estimated mass on arrival at the destination alternate aerodrome, or destination aerodrome when no destination alternate aerodrome is required; and

(ii) shall not be less than the fuel/energy required to:

(A) perform a go-around and another approach; and

(B) manage an abnormal or emergency situation occurring during the approach and the go-around.

(iii) For the purpose of these calculations, the final reserve fuel/energy shall be based on the following conditions:

(A) holding altitude, which shall be 1 500 feet above the aerodrome elevation;

(B) holding speed and aircraft configuration, as determined by the operator;

(C) the estimated mass on arrival at the destination alternate aerodrome, or destination aerodrome when no destination alternate aerodrome is required;

(D) ISA temperature.

(iv) In addition, when establishing the final reserve fuel/energy, the operator shall include adequate safety margins. At least the following aspects shall be considered as a minimum:

(A) differences in the fuel/energy consumption from the planned conditions to the actual conditions;

(B) possible inaccuracy of the fuel/energy quantity indications;

(C) the possibility that the fuel/energy loaded may not be usable to complete depletion;

(D) human factors related to the management of a low fuel/energy situation by the crew;

(E) human factors related to the management of an abnormal/emergency situation by the crew;'

(9) in point CAT.OP.MPA.182, point (4) of point (c) is replaced by the following:

'(4) approvals held (e.g. extended diversion time operations (EDTO), low-visibility operation (LVO), etc.).'

(10) in point CAT.OP.MPA.185, point (b) is replaced by the following:

'(b) The operator shall have procedures in place to require the commander to obtain delay information from a reliable source when unforeseen circumstances may result in landing at the destination aerodrome with less than the final reserve fuel/energy plus any:

(1) destination alternate fuel/energy to proceed to an alternate aerodrome, if required; or

(2) fuel/energy required to proceed to an isolated aerodrome.'

(11) point CAT.POL.A.220 is replaced by the following:

'CAT.POL.A.220 En-route – aeroplanes with three or more engines, two engines inoperative

(a) An aeroplane that has three or more engines shall not be away from an aerodrome at which the requirements of points CAT.POL.A.230 or CAT.POL.A.235(a) for the expected landing mass are met accordingly, at any point along the intended track for more than 90 minutes, with all engines operating at cruising power or thrust, as appropriate, at standard temperature in still air, unless points (b) to (e) of this point are complied with.

(b) The two-engines-inoperative en-route net flight path data shall allow the aeroplane to continue the flight, in the expected meteorological conditions, from the point where two engines are assumed to fail simultaneously to an aerodrome at which it is possible to land and come to a complete stop when using the prescribed procedure for a landing with two engines inoperative. The en-route net flight path shall clear vertically, by at least 2 000 ft, all terrain and obstructions along the route

within 9,3 km (5 NM) on either side of the intended track. At altitudes and in meteorological conditions that require ice protection systems to be operable, the effect of their use on the en-route net flight path data shall be taken into account. If the navigational accuracy does not meet at least navigation specification RNAV 5, the operator shall increase the prescribed width margin provided for in the second sentence to 18,5 km (10 NM).

(c) The two engines shall be assumed to fail at the most critical point of that portion of the route where the aeroplane is operated for more than 90 minutes, with all engines operating at cruising power or thrust, as appropriate, at standard temperature in still air, away from the aerodrome referred to in point (a).

(d) The net flight path shall have a positive gradient at 1 500 ft above the aerodrome where the landing is assumed to be made after the failure of two engines.

(e) Fuel jettisoning shall be permitted to an extent consistent with reaching the aerodrome with the required fuel reserves in accordance with points CAT.OP.MPA.181 and CAT.OP.MPA.185, if a safe procedure is used.'

(12) in point CAT.POL.H.420, point (a) is replaced by the following:

'(a) Operations over a non-congested hostile environment without a safe forced landing capability shall only be conducted if the operator has been granted an approval by the competent authority, following a safety risk assessment performed by the operator. Before such operations take place in another Member State, the operator shall obtain an endorsement from the competent authority of that State.'

(13) in point CAT.POL.MAB.105, point (5) of point (a) is replaced by the following:

'(5) Dry operating mass and the corresponding CG of the aircraft;'

(14) in point CAT.POL.MAB.105, the following point (e) is added:

'(e) Notwithstanding points (a)(5), (a)(10) and (a)(11), for performance class B aeroplanes and for helicopters, the CG position and limitations may not need to be in the mass and balance documentation if, for example, the load distribution is in accordance with a precalculated balance table or if it can be shown that for the planned operations a correct balance can be ensured, whatever the real load is.'

(15) in point CAT.IDE.A.100, points (9), (10) and (11) of point (a) are replaced by the following:

'(9) Sea anchors and equipment for mooring;

(10) Child restraint devices; and

(11) Universal precaution kit.'

(16) point CAT.IDE.A.185 is replaced by the following:

‘**CAT.IDE.A.185 Cockpit voice recorder**

(a) The following aeroplanes shall be equipped with a cockpit voice recorder (CVR):

(1) aeroplanes with an MCTOM of more than 5 700 kg; and

(2) multi-engined turbine-powered aeroplanes with an MCTOM of 5 700 kg or less, with an MOPSC of more than nine and first issued with an individual CofA on or after 1 January 1990.

(b) The CVR shall be capable of retaining the data recorded during at least:

(1) the preceding 25 hours for aeroplanes with an MCTOM of more than 27 000 kg and first issued with an individual CofA on or after 1 January 2022; or

(2) the preceding 2 hours in all other cases.

(c) The CVR shall record on means other than magnetic tape or magnetic wire.

(d) The CVR shall record with reference to a timescale:

(1) voice communications transmitted from or received in the flight crew compartment by radio;

(2) flight crew member’s voice communications using the interphone system and the public address system, if installed;

(3) the aural environment of the flight crew compartment, including without interruption:

(i) for aeroplanes first issued with an individual CofA on or after 1 April 1998, the audio signals received from each boom and mask microphone in use;

(ii) for aeroplanes referred to in point (a)(2) and first issued with an individual CofA before 1 April 1998, the audio signals received from each boom and mask microphone, where practicable;

(4) voice or audio signals identifying navigation or approach aids introduced into a headset or speaker.

(e) The CVR shall start to record prior to the aeroplane moving under its own power and shall continue to record until the termination of the flight when the aeroplane is no longer capable of moving under its own power. In addition, in the case of aeroplanes issued with an individual CofA on or after 1 April 1998, the CVR shall start automatically to record prior to the aeroplane moving under its own power and continue to record until the termination of the flight when the aeroplane is no longer capable of moving under its own power.

(f) In addition to point (e), depending on the availability of electrical power, the CVR shall start to record as early as possible during the cockpit checks prior to engine start at the beginning of the flight until the cockpit checks immediately following engine shutdown at the end of the flight, in the case of:

(1) aeroplanes referred to in point (a)(1) and issued with an individual CofA on or after 1 April 1998; or

(2) aeroplanes referred to in point (a)(2).

(g) If the CVR is not deployable, it shall have a device to assist in locating it under water. This device shall have a minimum underwater transmission time of 90 days. If the CVR is deployable, it shall have an automatic emergency locator transmitter.

(h) Aeroplanes with an MCTOM of over 27 000 kg and first issued with an individual CofA on or after 5 September 2022 shall be equipped with an alternate power source to which the CVR and the cockpit-mounted area microphone are switched automatically in the event that all other power to the CVR is interrupted.'

(17) in point CAT.IDE.A.190, point (e) is replaced by the following:

'(e) If the FDR is not deployable, it shall have a device to assist in locating it under water. This device shall have a minimum underwater transmission time of 90 days. If the FDR is deployable, it shall have an automatic emergency locator transmitter.'

(18) in point CAT.IDE.A.195, points (d) and (e) are replaced by the following:

'(d) If the recorder is not deployable, it shall have a device to assist in locating it under water. This device shall have a minimum underwater transmission time of 90 days. If the recorder is deployable, it shall have an automatic emergency locator transmitter.

(e) The requirements applicable to the start and stop logic of the recorder are the same as the requirements applicable to the start and stop logic of the CVR contained in point CAT.IDE.A.185.'

(19) in point CAT.IDE.A.220, point (b) is replaced by the following:

'(b) First-aid kits shall:

(1) include basic medication, medical supplies, and instructions;

(2) be readily accessible for use;

(3) be available for use during the flight to crew and, where crew members are not available, to passengers; and

(4) be kept up to date.'

(20) after point CAT.IDE.A.225, the following point CAT.IDE.A.226 is inserted:

‘CAT.IDE.A.226 Universal precaution kit

(a) Aeroplanes performing CAT operations carrying passengers and required to carry at least one cabin crew shall be equipped with at least one Universal Precaution Kit when operating to, from or within areas where a public health emergency of international concern (PHEIC) has been declared by the World Health Organization or by the regional or national public health authorities.

(b) The content of the Universal Precaution Kit shall be such as to protect crew members who assist potentially infectious cases in accordance with the case definition made public by the public health authorities, and assist them in cleaning up and appropriately discarding any potentially infectious contents.’

(21) point CAT.IDE.H.145 is replaced by the following:

‘**CAT.IDE.H.145 Radio altimeters**

(a) Helicopters on flights over water shall be equipped with a radio altimeter capable of emitting an audio warning below a preset height and a visual warning at a height selectable by the pilot, when operating:

(1) out of sight of the land in a visibility of less than 8 000 m;

(2) in a visibility of less than 1 500 m;

(3) at night; or

(4) at a distance from land corresponding to more than three minutes at normal cruising speed.’

(22) in point CAT.IDE.H.185, points (c) and (g) are replaced by the following

‘(c) The CVR shall record on means other than magnetic tape or magnetic wire.

(g) If the CVR is not deployable, it shall have a device to assist in locating it under water. This device shall have a minimum underwater transmission time of 90 days. If the CVR is deployable, it shall have an automatic emergency locator transmitter.’

(23) in point CAT.IDE.H.190, point (e) is replaced by the following:

‘(e) If the FDR is not deployable, it shall have a device to assist in locating it under water. This device shall have a minimum underwater transmission time of 90 days. If the FDR is deployable, it shall have an automatic emergency locator transmitter.’

(24) in point CAT.IDE.H.195, point (d) is replaced by the following:

‘(d) If the recorder is not deployable, it shall have a device to assist in locating it under water. This device shall have a minimum underwater transmission time of 90 days. If the recorder is deployable, it shall have an automatic emergency locator transmitter.’

(25) in point CAT.IDE.H.220, point (b) is replaced by the following:

‘(b) First-aid kits shall:

(1) include basic medication, medical supplies, and instructions;

(2) be readily accessible for use; and

(3) be kept up to date.’

(26) point CAT.IDE.H.295 is replaced by the following:

‘**CAT.IDE.H.295 Crew survival suits**

Each crew member shall wear a survival suit when operating in performance class 3 on a flight over water beyond autorotational distance or safe forced landing distance from land, when the weather report or forecasts available to the commander indicate that the water temperature will be below plus 12 °C during the flight. The level of insulation provided shall be sufficient for the prevailing conditions and not excessive.’

Annex V (Part-SPA) to Regulation (EU) No 965/2012 is amended as follows:

(1) The title of Subpart F of PART-SPA 'SPECIAL APPROVALS' is replaced by the following:

'SUBPART F — EXTENDED DIVERSION TIME OPERATIONS (EDTO)';

(2) point SPA.ETOPS.100 is replaced by the following:

'**SPA.EDTO.100 EDTO operational approval**

(a) In commercial air transport operations, aeroplanes with two or more engines shall only be operated beyond the threshold distance determined in accordance with point CAT.OP.MPA.140 if the operator has been granted an EDTO operational approval by the competent authority.

(b) The operator may apply for one of the following EDTO operational approval categories:

(1) for two-engined aeroplanes, for a maximum diversion time of up to 90 minutes;

(2) for two-engined aeroplanes, for a maximum diversion time beyond 90 minutes and up to 180 minutes;

(3) for aeroplanes with two or more engines, for a maximum diversion time beyond 180 minutes.

(c) To obtain an EDTO operational approval, the operator shall demonstrate to the competent authority compliance with the applicable requirements contained in this Subpart, considering the operational approval category that the operator is applying for, as well as the operator's prior in-service experience with the related aeroplane/engine combination or with EDTO, where relevant.

(d) ETOPS approvals granted prior to the application of this Subpart shall remain valid and shall be deemed to constitute EDTO operational approvals, without loss of privileges'

(3) point SPA.ETOPS.105 is replaced by the following:

'**SPA.EDTO.105 EDTO initial and continuing airworthiness requirements**

When conducting EDTO with two-engined aeroplanes under this Subpart, the operator shall ensure that:

(a) the aeroplane/engine combination holds an ETOPS or EDTO type design and reliability approval for the intended operation;

(b) specific maintenance instructions and procedures to ensure that the intended levels of continuing airworthiness and reliability of the aeroplane and its engines have been established and included in the operator's aircraft maintenance programme in accordance with Annex I (Part-M) to Regulation (EU) No 1321/2014.

(c) Notwithstanding point (a), in the case of aeroplanes with a maximum diversion time of 120 minutes or 180 minutes, the operator may request its competent authority to approve a 15 % increase of its approved diversion time for specific routes or areas to be used on a flight-by-flight basis when EDTO en-route alternate aerodromes are not available within the operator's approved diversion time, and provided that the operator demonstrates that the resulting routing does not reduce the overall safety of the operation, including the consideration of time-limited systems capability.'

(4) after point SPA.EDTO.105, the following point SPA.EDTO.110 is inserted:

'SPA.EDTO.110 EDTO training requirements

The operator shall establish a dedicated training programme for the flight crew members and all other operations personnel involved in EDTO and ensure that such flight crew members and other operations personnel are suitably qualified and adequately briefed to conduct the intended operation.

The training programme for flight crew members shall include initial and recurrent training, consisting of theoretical and practical training covering normal, abnormal and contingency procedures.

The training programme for other operations personnel shall include initial and refresher theoretical training covering elements relevant for the performance of their duties.'

(5) point SPA.ETOPS.115 is deleted.

(6) after point SPA.EDTO.110, the following point SPA.EDTO.115 is inserted:

'SPA.EDTO.115 Operating procedures

(a) The operator shall have established an operational control system that includes flight monitoring.

(b) The operator shall ensure that its intended EDTO are adequately covered in its operating procedures established under this Regulation specifying:

(1) for two-engined aeroplanes, the equipment to be carried, as per the applicable EDTO configuration, maintenance and procedures (CMP) document, including its operating limitations;

(2) the appropriate entries in the minimum equipment list (MEL);

(3) the EDTO operating procedures and limitations as per the AFM;

(4) the flight planning, including fuel/energy supply, the consideration of time-limited systems capability and the EDTO en-route alternate aerodromes selection;

(5) the normal, abnormal and contingency procedures, including in-flight replanning and diversion decision making; and

(6) the monitoring and incident reporting.

(c) The operator shall include its EDTO operating procedures in the operations manual.'

(7) point SPA.ETOPS.110 is replaced by the following:

'**SPA.EDTO.120 EDTO en-route alternate aerodrome**

(a) Prior to conducting an EDTO flight, the operator shall ensure that EDTO en-route alternate aerodrome(s) are available along the planned EDTO route, within either the operator's approved diversion time, or a diversion time based on the EDTO status of the aeroplane, whichever is shorter.

(b) The operator shall only select an aerodrome as an EDTO en-route alternate aerodrome if:

(1) at the expected time of use, the aerodrome is available and equipped with necessary ancillary services such as air traffic services (ATS), sufficient lighting, communications, weather reporting, navigation aids and emergency services, and has at least one instrument approach procedure available; and

(2) the aerodrome meets the applicable EDTO en-route alternate aerodrome planning minima established in accordance with CAT.OP.MPA.182; if the operator has been granted an approval for an individual fuel/energy scheme covering dispatch minima in accordance with CAT.OP.MPA.180, it shall implement the requirements of CAT.OP.MPA.180(d) for its EDTO operations before applying these minima to the EDTO ERA aerodrome.

(c) The operator shall specify any required EDTO en-route alternate aerodrome(s) in the operational flight plan and flight plan to be filed.

(d) In the specific case of an operator approved for CAT II and/or CAT III operations, the increments defined in point CAT.OP.MPA.182 may be used for CAT II and/or CAT III minima provided that:

(1) the operator demonstrates that the specific aeroplane type can maintain the capability to safely conduct and complete the CAT II/III approach and landing, in accordance with EASA CS-AWO, having encountered failure conditions in the airframe and/or propulsion systems associated with an

inoperative engine that would result in the need for a diversion to the EDTO en-route alternate aerodrome; and

(2) systems to support one-engine inoperative CAT II or III capability are serviceable if required to take advantage of CAT II or III landing minima at the planning stage.'

(8) point SPA.DG.105 is replaced by the following:

'**SPA.DG.105 Approval to transport dangerous goods**

To obtain the approval to transport dangerous goods, the operator shall, in accordance with the Technical Instructions:

(a) establish and maintain a training programme for all personnel involved and demonstrate to the competent authority that adequate training has been delivered to all personnel to enable them to perform the functions for which they are responsible;

(b) establish operating procedures to ensure the safe handling of dangerous goods at all stages of air transport, containing information and instructions on:

(1) the operator's policy to transport dangerous goods;

(2) the requirements for acceptance, handling, loading, stowage and segregation of dangerous goods;

(3) actions to take in the event of an aircraft accident or incident when dangerous goods are being carried;

(4) the response to emergency situations involving dangerous goods;

(5) the removal of any possible contamination;

(6) the duties of all personnel involved, especially with relevance to ground handling and aircraft handling;

(7) inspection for damage, leakage or contamination;

(8) dangerous goods accident and incident reporting.'

(9) in point SPA.DG.110, point (e) is replaced by the following:

'(e) ensure that the same information that is required to be provided to the pilot-in-command or the commander is made available to the operations control personnel (e.g. flight dispatcher, or other designated ground personnel responsible for monitoring the transportation of the dangerous goods) and is

readily accessible until after the completion of the flight to which the information refers;'

(10) in point SPA.NVIS.130, point (f) is replaced by the following:

'(f) Crew training and checking

(1) Training and checking shall be conducted by suitably qualified personnel in accordance with a detailed syllabus approved by the competent authority and included in the operations manual.

(2) Crew members

(i) All relevant elements of the crew training programmes defined in Subparts ORO.FC and ORO.TC, including helicopter/FSTD training, shall: improve knowledge of the NVIS working environment and equipment; improve crew coordination; and include measures to minimise the risks associated with entry into low-visibility conditions and NVIS normal and emergency procedures.

(ii) The measures referred to in point (f)(2)(i) shall be assessed during:

(A) night proficiency checks; and

(B) line checks.

(iii) the NVIS components of the proficiency checks and line checks referred to in point (f)(2)(ii) shall both have a validity period of 12 calendar months.'

(11) in point SPA.HHO.130, point (f) is replaced by the following:

'(f) Training and checking

(1) Training and checking shall be conducted in accordance with a detailed syllabus approved by the competent authority and included in the operations manual.

(2) Crew members:

(i) All relevant elements of the crew training programmes defined in Subparts ORO.FC and ORO.TC, including helicopter/FSTD training, shall:

(A) improve knowledge of the HHO working environment and equipment;

(B) improve crew coordination; and

(C) include measures to minimise the risks associated with HHO normal and emergency procedures and static discharge.

(ii) The measures referred to in point (f)(2)(i) shall be assessed during visual meteorological conditions (VMC) day proficiency checks, or VMC night proficiency checks when night HHO are undertaken by the operator.

(iii) The HHO components of the proficiency checks referred to in point (f)(2)(ii)(C) shall have a validity period of 12 calendar months.'

(12) in point SPA.HOFO.110, point (3) of point (b) is replaced by the following:

'(3) each member of the flight crew wears an approved survival suit, as appropriate considering the water temperature and estimated rescue time; the level of insulation provided shall be sufficient for the prevailing conditions and not excessive.'

(13) point SPA.HOFO.160 is replaced by the following:

'SPA.HOFO.160 Equipment requirements

(a) The operator shall comply with the following equipment requirements:

(1) Public Address (PA) system in helicopters used for CAT and non-commercial operations with complex motor-powered helicopters (NCC):

(i) Helicopters with a maximum operational passenger seat configuration (MOPSC) of more than 9 shall be equipped with a PA system

(ii) Helicopters with an MOPSC of 9 or less do not need to be equipped with a PA system if the operator can demonstrate that the pilot's voice is understandable at all passengers' seats in flight.

(2) *Radio altimeter*

Helicopters shall be equipped with a radio altimeter that is capable of emitting an audio warning below a preset height and a visual warning at a height selectable by the pilot.

(b) *Emergency exits*

All emergency exits, including crew emergency exits, and any door, window or other opening that is suitable for emergency egress, and the means for opening

them shall be clearly marked for the guidance of occupants using them in daylight or in the dark. Such markings shall be designed to remain visible if the helicopter is capsized or the cabin is submerged.

(c) *Helicopter terrain awareness warning system (HTAWS)*

Helicopters used in CAT operations with a maximum certified take-off mass of more than 3 175 kg or an MOPSC of more than 9 and first issued with an individual CofA after 31 December 2018 shall be equipped with an HTAWS that meets an acceptable standard.

(d) *Situational awareness at the offshore location*

Helicopters used in CAT operations with an MOPSC of more than 9 and first issued with an individual CofA after [date of entry into force +2 years] shall be equipped with a device that increases the situational awareness of the crew on both sides of the helicopter at the offshore location.

(e) The equipment referred to in points (a), (c) and (d) shall be approved in accordance with the applicable airworthiness requirements.'

(14) point SPA.HOFO.165 is replaced by the following:

'SPA.HOFO.165 Additional procedures and equipment for operations in a hostile environment

(a) *Life jackets*

Approved life jackets shall be worn at all times by all persons on board unless integrated survival suits that meet the combined requirement of the survival suit and life jacket are worn.

(b) *Survival suits*

All passengers on board shall wear an approved survival suit, as appropriate considering the water temperature and estimated rescue time. The level of insulation provided shall be sufficient for the prevailing conditions and not excessive.

(c) *Emergency breathing system*

All persons on board shall carry and be instructed in the use of emergency breathing systems. Emergency breathing systems manufactured after [date of entry into force + 2 years] shall be approved in accordance with the applicable airworthiness requirements.

(d) *Life rafts*

(1) All life rafts carried shall be installed so as to be usable in the sea conditions in which the helicopter's ditching, flotation, and trim characteristics were evaluated for certification.

(2) All life rafts carried shall be installed so as to facilitate their ready use in an emergency.

(3) The number of life rafts installed:

(i) in the case of a helicopter carrying less than 12 persons, at least one life raft with a rated capacity of not less than the maximum number of persons on board; or

(ii) in the case of a helicopter carrying more than 11 persons, at least two life rafts, sufficient together to accommodate all persons capable of being carried on board and, if one is lost, the remaining life raft(s) having the overload capacity sufficient to accommodate all persons on the helicopter.

(4) Each life raft shall contain at least one approved survival emergency locator transmitter (ELT(S)); and

(5) Each life raft shall contain life-saving equipment, including means of sustaining life, as appropriate to the flight to be undertaken.

(e) *Emergency cabin lighting*

The helicopter shall be equipped with an approved emergency lighting system with an independent power supply to provide a source of general cabin illumination to facilitate the evacuation of the helicopter.

(f) *Automatically deployable emergency locator transmitter (ELT(AD))*

The helicopter shall be equipped with an ELT(AD) that can transmit simultaneously on 121,5 MHz and 406 MHz.

(g) *Securing of non-jettisonable doors*

Non-jettisonable doors that are designated as ditching emergency exits shall have a means of securing them in the open position so that they do not interfere with the occupants' egress in all sea conditions up to the maximum sea conditions required to be evaluated for ditching and flotation.

(h) *Emergency exits and escape hatches*

All emergency exits, including crew emergency exits, and any door, window or other opening suitable to be used for the purpose of underwater escape shall be equipped to be operable in an emergency.

(i) Notwithstanding (a), (b) and (c) above the operator may, based on a risk assessment, allow passengers, medically incapacitated at an offshore location, to partly wear or not wear life jackets, survival suits or emergency breathing systems on return flights or flights between offshore locations.

(j) For commercial operations at a distance from land corresponding to more than 10 minutes flying time at normal cruise speed, it shall be easy to visually identify the helicopter in the event of a capsize.'

Annex VI (Part-NCC) to Regulation (EU) No 965/2012 is amended as follows:

(1) in point NCC.GEN.105, point (e) is replaced by the following:

'(e) The crew member shall not undertake duties on an aircraft:

(1) if he or she knows or suspects that he or she is suffering from fatigue as referred to in point 7.5 of Annex V to Regulation (EU) 2018/1139 or feels otherwise unfit, to the extent that the flight may be endangered; or

(2) when under the influence of psychoactive substances or for other reasons as referred to in point 7.6 of Annex V to Regulation (EU) 2018/1139.'

(2) in point NCC.GEN.106, points (a) and (e) are replaced by the following:

'(a) The pilot-in-command shall be responsible for:

(1) the safety of the aircraft and of all crew members, passengers and cargo on board during aircraft operations as referred to in point 1.3 of Annex V to Regulation (EU) 2018/1139;

(2) the initiation, continuation, termination or diversion of a flight in the interest of safety;

(3) ensuring that all instructions, operational procedures and checklists are complied with in accordance with the operations manual and as referred to in point 1.2 of Annex V to Regulation (EU) 2018/1139;

(4) only commencing a flight if he or she is satisfied that all operational limitations referred to in point 2(c) of Annex V to Regulation (EU) 2018/1139 are complied with, as follows:

(i) the aircraft is airworthy;

(ii) the aircraft is duly registered;

(iii) instruments and equipment required for the execution of that flight are installed in the aircraft and are operative, unless operation with inoperative equipment is permitted by the minimum equipment list (MEL) or equivalent document, as required in NCC.IDE.A.105 or NCC.IDE.H.105;

(iv) the mass of the aircraft and centre of gravity location are such that the flight can be conducted within the limits prescribed in the airworthiness documentation;

(v) all cabin baggage, hold luggage and cargo are properly loaded and secured;

(vi) the aircraft operating limitations as specified in the aircraft flight manual (AFM) will not be exceeded at any time during the flight;

(vii) each flight crew member holds a valid licence in accordance with Regulation (EU) No 1178/2011;

(viii) flight crew members are properly rated and meet competency and recency requirements; and

(ix) any navigational database required for performance-based navigation is suitable and current;

(e) The pilot-in-command shall, in an emergency situation that requires immediate decision and action, take any action he or she considers necessary under the circumstances in accordance with point 7.3 of Annex V to Regulation (EU) 2018/1139. In such cases he or she may deviate from rules, operational procedures and methods in the interest of safety.'

(3) in point NCC.GEN.110, point (b) is replaced by the following:

'(b) The pilot-in-command shall be familiar with the laws, regulations and procedures, pertinent to the performance of his or her duties, prescribed for the areas to be traversed, the aerodromes or operating sites to be used and the related air navigation facilities as referred to in point 1.1 of Annex V to Regulation (EU) 2018/1139.'

(4) in point NCC.GEN.140, points (a)(3) and (a)(6) are replaced by the following:

'(3) the original certificate of airworthiness (CofA) and a copy of the airworthiness review certificate (ARC) or a copy of the permit to fly (PtF), if applicable;

(6) the list of specific approvals, if applicable, including an English translation of Appendix III to Annex II (Part-ARO) if it has been issued in another language;'

(5) in point NCC.GEN.150, point (e) is replaced by the following:

'(e) The operator shall, in accordance with the Technical Instructions, report without delay:

(1) to the competent authority and the appropriate authority of the State of occurrence:

(i) any dangerous goods accidents or incidents; or

(ii) the finding of undeclared or misdeclared dangerous goods in cargo or mail;

(2) to the appropriate authority of the State of occurrence:

(i) the finding of dangerous goods carried by passengers or crew members, or in their baggage, when not in accordance with the applicable requirements of Part 8 of the latest effective edition of the Technical Instructions;

(3) to the competent authority:

(i) dangerous goods discovered to have been transported when not loaded, segregated, separated, or secured in accordance with the applicable requirements of Part 7;2 of the latest effective edition of the Technical Instructions; or

(ii) dangerous goods discovered to have been transported without information having been provided to the commander in accordance with the applicable requirements of Part 7;4 of the latest effective edition of the Technical Instructions.'

(6) in point NCC.OP.190, point (b) is replaced by the following:

'(b) The pilot-in-command shall only commence a flight or intentionally fly into expected or actual icing conditions if the aircraft is certified and equipped to cope with such conditions.'

(7) in point NCC.IDE.A.100, points (b)(7), (b)(8) and (b)(9) are replaced by the following:

'(7) sea anchor and equipment for mooring;

(8) child restraint device; and

(9) universal precaution kit.'

(8) in point NCC.IDE.A.160, point (f) is replaced by the following:

'(f) If the CVR is not deployable, it shall have a device to assist in locating it under water. This device shall have a minimum underwater transmission time of 90 days. If the CVR is deployable, it shall have an automatic emergency locator transmitter.'

(9) in point NCC.IDE.A.165, point (e) is replaced by the following:

'(e) If the FDR is not deployable, it shall have a device to assist in locating it under water. This device shall have a minimum underwater transmission time of 90 days. If the FDR is deployable, it shall have an automatic emergency locator transmitter.'

(10) in point NCC.IDE.A.170, point (d) is replaced by the following:

'(d) If the recorder is not deployable, it shall have a device to assist in locating it under water. This device shall have a minimum underwater transmission time of 90

days. If the recorder is deployable, it shall have an automatic emergency locator transmitter.'

(11) in point NCC.IDE.A.190, point (b) is replaced by the following:

'(b) First-aid kits shall:

(1) include basic medication, medical supplies, and instructions;

(2) be readily accessible for use;

(3) be available for use during the flight to crew and, where crew members are not available, to passengers; and

(4) be kept up to date.'

(12) the title of point NCC.IDE.A.250 is replaced by the following:

'NCC.IDE.A.250 Navigation and surveillance equipment'

(13) in point NCC.IDE.H.160, point (f) is replaced by the following:

'(f) If the CVR is not deployable, it shall have a device to assist in locating it under water. This device shall have a minimum underwater transmission time of 90 days. If the CVR is deployable, it shall have an automatic emergency locator transmitter.'

(14) in point NCC.IDE.H.165, point (e) is replaced by the following:

'(e) If the FDR is not deployable, it shall have a device to assist in locating it under water. This device shall have a minimum underwater transmission time of 90 days. If the FDR is deployable, it shall have an automatic emergency locator transmitter.'

(15) in point NCC.IDE.H.170, point (d) is replaced by the following:

'(d) If the recorder is not deployable, it shall have a device to assist in locating it under water. This device shall have a minimum underwater transmission time of 90 days. If the recorder is deployable, it shall have an automatic emergency locator transmitter.'

(16) in point NCC.IDE.H.190, point (b) is replaced by the following:

'(b) The first-aid kit(s) shall:

(1) include basic medication, medical supplies, and instructions;

(2) be readily accessible for use; and

(3) be kept up to date.'

(17) point NCC.IDE.H.226 is replaced by the following:

'**NCC.IDE.H.226 Crew survival suits**

Each crew member shall wear a survival suit when so determined by the pilot-in-command based on a risk assessment taking into account the following conditions:

(a) flights over water beyond autorotational distance or safe forced landing distance from land, where in the case of a critical engine failure, the helicopter is not able to sustain level flight; and

(b) the weather report or forecasts available to the commander/pilot-in-command indicate that the water temperature will be below plus 12 °C during the flight.'

Annex VII (Part-NCO) to Regulation (EU) No 965/2012 is amended as follows:

(1) in point NCO.GEN.105, points (a)(1), (a)(3), (a)(4) and (e) are replaced by the following:

‘(1) the safety of the aircraft and of all crew members, passengers and cargo on board during aircraft operations as referred to in point 1.3 of Annex V to Regulation (EU) 2018/1139;

(3) ensuring that all operational procedures are complied with and checklists are used for the preparation and execution of the flight as referred to in point 1.2 of Annex V to Regulation (EU) 2018/1139;

(4) only commencing a flight if he or she is satisfied that all operational limitations referred to in point 2(c) of Annex V to Regulation (EU) 2018/1139 are complied with, as follows:

(e) The pilot-in-command shall, in an emergency situation that requires immediate decision and action, take any action he or she considers necessary under the circumstances in accordance with point 7.3 of Annex V to Regulation (EU) 2018/1139. In such cases he or she may deviate from rules, operational procedures and methods in the interest of safety.’

(2) in point NCO.GEN.110, the heading and point (b) is replaced by the following:

‘NCO.GEN.110 Compliance with laws, regulations and procedures

(b) The pilot-in-command shall be familiar with the laws, regulations and procedures, pertinent to the performance of his or her duties, prescribed for the areas to be traversed, the aerodromes or operating sites to be used and the related air navigation facilities as referred to in point 1.1 of Annex V to Regulation (EU) 2018/1139.’

(3) in point NCO.GEN.135, point (3) of point (a) is replaced by the following:

‘(3) the original certificate of airworthiness (CofA) and a copy of the airworthiness review certificate (ARC) or a copy of the permit to fly (PtF), if applicable;’

(4) in point NCO.OP.143, the following point (d) is added:

‘(d) for training flights by approved training organisations referred to in Articles 5(5) and 6(9) of this Regulation, except training for the basic instrument rating in accordance with point FCL.835 of Annex I (Part-FCL) to Regulation (EU) No 1178/2011, an alternate aerodrome ceiling, visibility/RVR and crosswind above the planning minima in Table 1 below:

Table 1

Planning minima — aeroplanes

Type of approach operation	**Aerodrome ceiling (cloud base or vertical visibility)**	**RVR/VIS**
Type B instrument approach operations	DA/H + 200 ft	RVR/VIS + 800 m
Type A instrument approach operations	DA/H or MDA/H + 400 ft	RVR/VIS + 1 500 m
Circling approach operations	MDA/H + 400 ft	VIS + 1 500 m
Crosswind planning minima:		
Wind limitations should be applied considering the runway condition (dry, wet, contaminated).'		

(5) in point NCO.OP.170, point (a) is replaced by the following:

'(a) The pilot-in-command shall only commence a flight or intentionally fly into expected or actual icing conditions if the aircraft is certified and equipped to cope with such conditions.'

(6) point NCO.OP.200 is deleted.

(7) point NCO.OP.220 is replaced by the following:

'**NCO.OP.220 Airborne collision avoidance system (ACAS) II**

When ACAS II is used, the pilot-in-command shall apply the appropriate operational procedures and be adequately trained in accordance with Regulation (EU) No 1332/2011.'

(8) in point NCO.IDE.A.145, point (b) is replaced by the following:

'(b) The first-aid kit(s) shall:

(1) include medical supplies and instructions;

(2) be readily accessible to crew and passengers; and

(3) be kept up to date.’

(9) in point NCO.IDE.H.145, point (b) is replaced by the following:

‘(b) The first-aid kit(s) shall:

(1) include medical supplies, and instructions;

(2) be readily accessible for use; and

(3) be kept up to date.’

(10) in point NCO.SPEC.115, point (e) is replaced by the following:

‘(e) The crew member shall not undertake duties on an aircraft:

(1) if he or she knows or suspects that he or she is suffering from fatigue as referred to in point 7.5 of Annex V to Regulation (EU) 2018/1139 or feels otherwise unfit to perform his or her duties; or

(2) when under the influence of psychoactive substances or for other reasons as referred to in point 7.6 of Annex V to Regulation (EU) 2018/1139.’

(11) point NCO.SPEC.HESLO.110 is deleted.

Annex VIII (Part-SPO) to Regulation (EU) No 965/2012 is amended as follows:

(1) in point SPO.GEN.105, point (e) is replaced by the following:

'(e) The crew member shall not undertake duties on an aircraft:

(1) if he or she knows or suspects that he or she is suffering from fatigue as referred to in point 7.5 of Annex V to Regulation (EU) 2018/1139 or feels otherwise unfit to perform his or her duties; or

(2) when under the influence of psychoactive substances or for other reasons as referred to in point 7.6 of Annex V to Regulation (EU) 2018/1139.'

(2) in point SPO.GEN.107, point (a)(4) is replaced by the following:

'(4) only commencing a flight if he or she is satisfied that all operational limitations referred to in point 2(c) of Annex V to Regulation (EU) 2018/1139 are complied with, as follows:

(i) the aircraft is airworthy;

(ii) the aircraft is duly registered;

(iii) instruments and equipment required for the execution of that flight are installed in the aircraft and are operative, unless operation with inoperative equipment is permitted by the minimum equipment list (MEL) or equivalent document, if applicable, as required in points SPO.IDE.A.105 or SPO.IDE.H.105;

(iv) the mass of the aircraft and the centre of gravity location are such that the flight can be conducted within the limits prescribed in the airworthiness documentation;

(v) all equipment and baggage are properly loaded and secured;

(vi) the aircraft operating limitations as specified in the aircraft flight manual (AFM) will not be exceeded at any time during the flight; and

(vii) any navigational database required for PBN is suitable and current;'

(3) in point SPO.GEN.140, point (3) of point (a) is replaced by the following:

'(3) the original certificate of airworthiness (CofA) and a copy of the airworthiness review certificate (ARC) or a copy of the permit to fly (PtF), if applicable;'

(4) in point SPO.GEN.150, point (e) is replaced by the following:

‘(e) The operator shall, in accordance with the Technical Instructions, report without delay:

(1) to the competent authority and the appropriate authority of the State of occurrence any dangerous goods accidents or incidents;

(2) to the appropriate authority of the State of occurrence the finding of dangerous goods carried by task specialists or crew, or in their baggage, when not in accordance with applicable requirements of Part 8 of the latest effective edition of the Technical Instructions;

(3) to the competent authority:

(i) dangerous goods discovered to have been transported when not loaded, segregated, separated, or secured in accordance with the applicable requirements of Part 7;2 of the latest effective edition of the Technical Instructions; or

(ii) dangerous goods discovered to have been transported without information having been provided to the commander in accordance with the applicable requirements of Part 7;4.1 of the latest effective edition of the Technical Instructions.’

(5) in point SPO.OP.176, point (a) is replaced by the following:

‘(a) The pilot-in-command shall only commence a flight or intentionally fly into expected or actual icing conditions if the aircraft is certified and equipped to cope with such conditions.’

(6) point SPO.POL.110 is replaced by the following:

‘**SPO.POL.110 Mass and balance data and documentation**

(a) The operator shall establish mass and balance data and produce mass and balance documentation to determine prior to each flight, or series of consecutive flights with no refuelling and with the same crew, specifying the load and its distribution in such a way that the mass and balance limits of the aircraft are not exceeded. The mass and balance documentation shall contain the following information:

(1) aircraft registration and type;

(2) flight identification, number and date, as applicable;

(3) name of the pilot-in-command;

(4) name of the person who prepared the document;

(5) dry operating mass and the corresponding CG of the aircraft;

(6) mass of the fuel/energy at take-off and mass of trip fuel/energy;

(7) mass of consumables other than fuel/energy, if applicable;

(8) load components;

(9) take-off mass, landing mass, and zero fuel/energy mass;

(10) applicable aircraft CG positions; and

(11) the limiting mass and CG values.

(b) The flight crew shall be provided with a means of replicating and verifying any mass and balance computation based on electronic calculations.

(c) The operator shall establish procedures to enable the pilot-in-command to determine the mass of the fuel/energy load by using the actual density or, if not known, the density calculated in accordance with a method specified in the operations manual.

(d) The pilot-in-command shall ensure the following:

(1) the loading of the aircraft is performed under the supervision of qualified personnel;

(2) traffic load is consistent with the data used for the calculation of the aircraft mass and balance.

(e) The operator shall specify, in the operations manual, the principles and methods involved in the loading and in the mass and balance system, which are in conformity with the requirements set out in points (a) to (d). That system shall cover all types of intended operations.

(f) Where mass and balance data and documentation is generated by a computerised mass and balance system, the operator shall verify the integrity of the output data.'

(7) point SPO.POL.115 is deleted.

(8) point SPO.POL.116 is replaced by the following:

'**SPO.POL.116 Mass and balance data and documentation — alleviations**

Notwithstanding point SPO.POL.110(a)(5), (a)(10) and (a)(11), the CG position need not be on the mass and balance documentation, if the load distribution is in accordance with a pre-calculated balance table or if it can be shown that for the planned operations a correct balance can be ensured, whatever the real load is.'

(9) in point SPO.IDE.A.140, point (f) is replaced by the following:

‘(f) If the CVR is not deployable, it shall have a device to assist in locating it under water. This device shall have a minimum underwater transmission time of 90 days. If the CVR is deployable, it shall have an automatic emergency locator transmitter.’

(10) in point SPO.IDE.A.145, point (e) is replaced by the following:

‘(e) If the FDR is not deployable, it shall have a device to assist in locating it under water. This device shall have a minimum underwater transmission time of 90 days. If the FDR is deployable, it shall have an automatic emergency locator transmitter.’

(11) in point SPO.IDE.A.150, point (d) is replaced by the following:

‘(d) If the recorder is not deployable, it shall have a device to assist in locating it under water. This device shall have a minimum underwater transmission time of 90 days. If the recorder is deployable, it shall have an automatic emergency locator transmitter.’

(12) in point SPO.IDE.A.165, point (b) is replaced by the following:

‘(b) The first-aid kit(s) shall:

(1) include basic medication, medical supplies, and instructions;

(2) be readily accessible for use

(3) be available for use to crew and task specialists during the flight; and

(4) be kept up to date.’

(13) the title of point SPO.IDE.A.220 is replaced by the following:

‘**SPO.IDE.A.220 Navigation and surveillance equipment’**.

(14) in point SPO.IDE.H.140, point (f) is replaced by the following:

‘(f) If the CVR is not deployable, it shall have a device to assist in locating it under water. This device shall have a minimum underwater transmission time of 90 days. If the CVR is deployable, it shall have an automatic emergency locator transmitter.’

(15) in point SPO.IDE.H.145, point (e) is replaced by the following:

‘(e) If the FDR is not deployable, it shall have a device to assist in locating it under water. This device shall have a minimum underwater transmission time of 90 days. If the FDR is deployable, it shall have an automatic emergency locator transmitter.’

(16) in point SPO.IDE.H.150, point (d) is replaced by the following:

‘(d) If the recorder is not deployable, it shall have a device to assist in locating it under water. This device shall have a minimum underwater transmission time of 90 days. If the recorder is deployable, it shall have an automatic emergency locator transmitter.’

(17) in point SPO.IDE.H.165, point (b) is replaced by the following:

‘(b) First-aid kits shall:

(1) include basic medication, medical supplies, and instructions;

(2) be readily accessible for use; and

(3) be kept up to date.’

(18) in point SPO.IDE.H.198, point (b) is replaced by the following:

‘(b) the weather report or forecasts available to the pilot-in-command indicate that the water temperature will be below plus 12 °C during the flight.’

(19) point SPO.SPEC.HEC.105 is replaced by the following:

‘**SPO.SPEC.HEC.105 Specific HEC equipment**

(a) The helicopter shall be equipped with:

(1) for HEC operations with a sling:

(i) a cargo hook;

(ii) one cargo safety mirror or alternative means to see the hook; and

(iii) one load meter, unless there is another method of determining the weight of the load.

(2) for HEC operations with a hoist, hoist operations equipment.

(3) for other HEC operations, an airframe-mounted PCDS.

(b) The installation of all HEC equipment other than a simple PCDS, and any subsequent modifications shall have an airworthiness approval appropriate to the intended use.’

(20) after point SPO.SPEC.HESLO.100, the following point SPO.SPEC.HESLO.101 is inserted:

‘SPO.SPEC.HESLO.101 Mass and balance data and documentation

(a) Notwithstanding points (f) and (g) of point SPO.POL.110, in the context of HESLO with a load meter installed, the operator may replace the mass and balance document with a summary of limitations indicating the maximum acceptable load to be read on the load meter for a given helicopter, given crew composition and a given number of task specialists on board, a relevant altitude and temperature range, and a given fuel/energy load.

(b) The operator may use standard masses for the crew and for tasks specialists when determining the summary of limitations.

(c) The summary of limitations shall be available in the helicopter and accessible to the pilot-in-command on the ground.'

(21) point SPO.SPEC.HESLO.110 is deleted.