

European Aviation Safety Agency

DECISION 2014/022/R OF THE EXECUTIVE DIRECTOR OF THE AGENCY

of 1 April 2014

amending Acceptable Means of Compliance and Guidance Material to Part-FCL of Commission Regulation (EU) No 1178/2011

'AMC and GM to Part-FCL – Amendment 1'

THE EXECUTIVE DIRECTOR OF THE EUROPEAN AVIATION SAFETY AGENCY,

Having regard to Regulation (EC) No 216/2008¹, and in particular Article 38(3)(a) thereof,

Having regard to Regulation (EU) No 1178/2011², and in particular paragraph ARA.GEN.120 of Annex VI (Part-ARA) thereof,

Whereas:

- (1) The Agency shall, pursuant to Article 18(c) of Regulation (EC) No 216/2008, issue Certification Specifications and Acceptable Means of Compliance, as well as Guidance Material for the application of Regulation (EC) No 216/2008 and its Implementing Rules.
- (2) Acceptable Means of Compliance are non-binding standards adopted by the Agency which illustrate the means to establish compliance with Regulation (EC) No 216/2008 and its Implementing Rules.
- (3) Guidance Material is non-binding material developed by the Agency which helps to illustrate the meaning of a requirement or specification and is used to support the interpretation of Regulation (EC) No 216/2008, its Implementing Rules, Certification Specifications and Acceptable Means of Compliance.
- (4) With Decision 2011/016/R of 15 December 2011, the Executive Director adopted Acceptable Means of Compliance and Guidance Material to Part-FCL of Regulation (EU) No 1178/2011.

¹ Regulation (EC) No 216/2008 of the European Parliament and of the Council of 20 February 2008 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency, and repealing Council Directive 91/670/EEC, Regulation (EC) No 1592/2002 and Directive 2004/36/EC (OJ L 79, 19.3.2008, p. 1), as last amended by Commission Regulation (EU) No 6/2013 of 8 January 2013 (OJ L 4, 9.1.2013, p. 34).

² Commission Regulation (EU) No 1178/2011 of 03/11/2011 laying down technical requirements and administrative procedures related to civil aviation aircrew pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council (OJ L 311, 25/11/2011, p. 1-193); as last amended by Commission Regulation (EU) No 245/2014 of 13 March 2014 (OJ L 74/33 p.33).

- (5) The Agency shall, pursuant to Article 19(2) of Regulation (EC) No 216/2008, reflect the state of the art and the best practices in the fields concerned and update its Decisions taking into account worldwide aircraft experience in service, and scientific and technical progress.
- (6) The Agency has determined the need to amend Acceptable Means of Compliance in order to address the changes of the requirements for training and checking towards the instrument rating. Therefore additional guidance for the qualifications to fly in instrument meteorological conditions and for sailplane cloud flying operations is introduced.
- (8) The Agency, pursuant to Article 52(1)(c) of Regulation (EC) No 216/2008 and Articles 5(3), 6 and 7 of the Agency's Rulemaking Procedure³, has widely consulted interested parties on the matters which are the subject of this Decision and has provided thereafter a written response to the comments received⁴.

HAS DECIDED:

Article 1

The Annex to Decision 2011/016/R of the Executive Director of the Agency of 15 December 2011 is amended as laid down in the Annex to this Decision.

Article 2

This Decision shall enter into force on the 3rd of April 2014.

Done at Cologne, 1 April 2014

*For the European Aviation Safety Agency
The Executive Director
Patrick KY*

³ EASA MB Decision No 01-2012 of 13 March 2012 amending and replacing Decision 08-2007 concerning the procedure to be applied by the Agency for the issuing of Opinions, Certification Specifications and Guidance Material ('Rulemaking Procedure') (<http://easa.europa.eu/official-publication/rulemaking-procedure.php>).

⁴ <http://easa.europa.eu/rulemaking/r-archives.php#crd>.