



EUROPEAN AVIATION SAFETY AGENCY
AGENCE EUROPÉENNE DE LA SÉCURITÉ AÉRIENNE
EUROPÄISCHE AGENTUR FÜR FLUGSICHERHEIT

03. Alternative means of compliance (AltMOC)

1st workshop on the implementation of the
Air Ops Regulation (EU) No 965/2012

19 March 2014

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Introduction

ARO.GEN.120 Means of compliance

(a) The Agency shall develop Acceptable Means of Compliance.



When the AMC are complied with, the related requirements of the Implementing Rules are met.

(b) Alternative means of compliance may be used



Defined by an organisation or by the competent authority



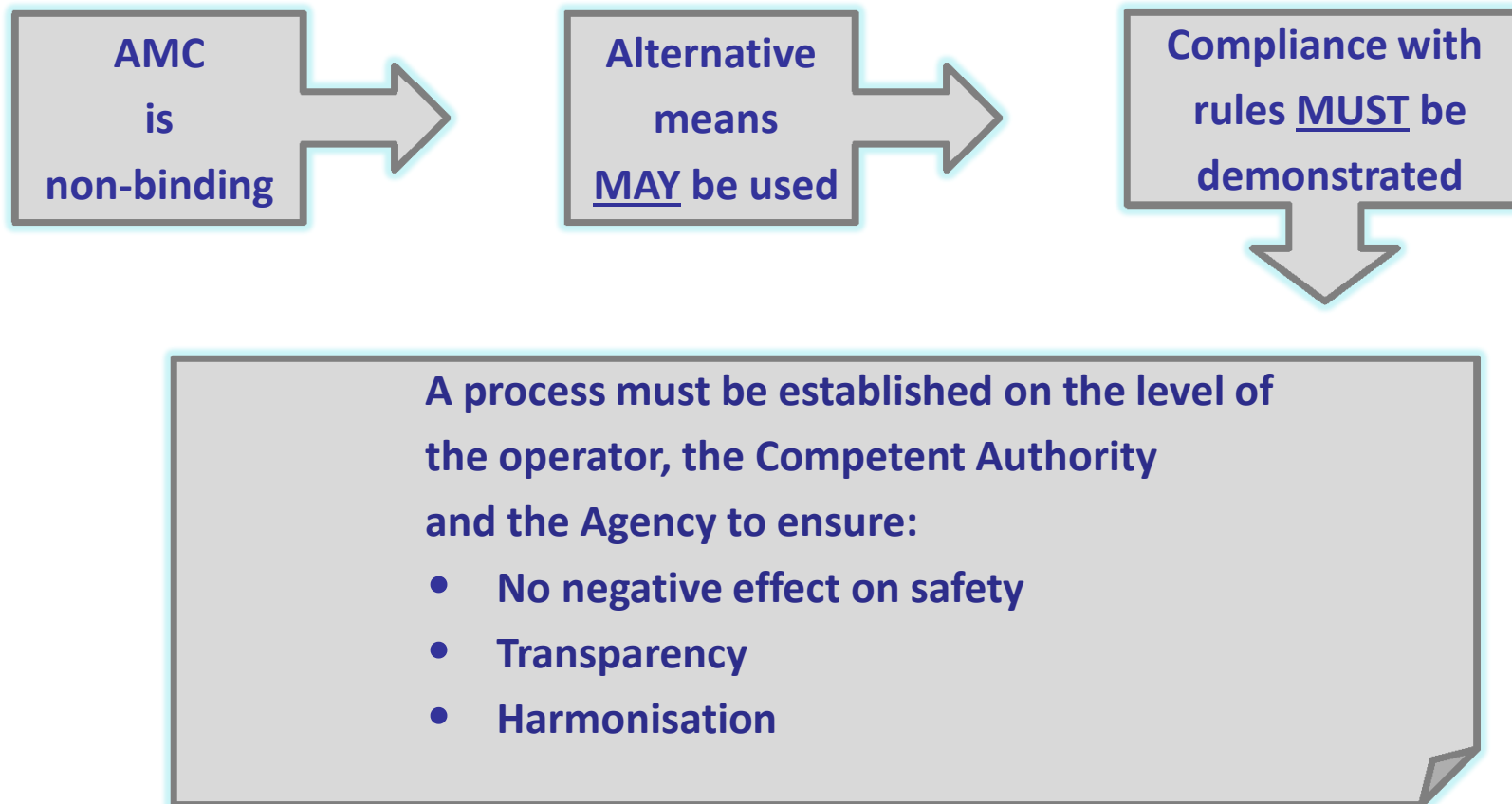
The competent authority shall evaluate the AltMOC and notify the Agency if the AltMOC is in accordance with the IR.

Topics to be addressed

- **Process for the evaluation of an AltMOC**
- **Involvement of the Agency**
- **Availability of the AltMOC to other organisations**



AltMOC principles





AltMOC principles

- Acceptable means of compliance provide
 - Legal certainty
 - Contribution to uniform implementation
 - Presumption of compliance with the rules
- Alternative means of compliance (AltMOC)
 - those means that propose an alternative to an existing acceptable means of compliance or
 - those that propose new means to establish compliance with Regulation (EC) No 216/2008 and its Implementing Rules for which no associated AMC have been adopted by the Agency
 - **DO NOT** presume compliance with the rules, hence the need for the evaluation by the Competent Authority



AltMOC evaluation: the operator

- When an operator wishes to use an AltMOC to the AMC adopted by the Agency it shall provide the competent authority with a full description of the AltMOC
- The description shall include:
 - any revisions to manuals or procedures that may be relevant
 - as well as
 - an assessment demonstrating that the Implementing Rules are met
- The operator **may** implement these AltMOC subject to **prior approval** by the competent authority and upon receipt of the approval notification



AltMOC evaluation: the CA

- Needs a system in place to consistently evaluate that AltMOCs allow the establishment of compliance with the implementing rules
 - AltMOCs proposed by an organisation
 - AltMOCs proposed by the CA itself
- Analysis of documentation provided and, if needed, by inspection



AltMOC evaluation: the CA

- When Competent Authority (CA) determines that AltMOC proposed by an operator has established compliance with the implementing rules
 - Notify applicant and change AOC/OPSPECS, if needed
 - Notify the Agency of the content, including copies of relevant documents
 - Inform other Member States



AltMOC evaluation: the CA

- When Competent Authority (CA) proposes itself an AltMOC that establishes compliance with the implementing rules
 - Make it available to all organisations and persons under its oversight
 - Notify the Agency, including full description and copies of relevant procedures
 - Provide the Agency with the assessment demonstrating compliance



Agency involvement

- No direct involvement of the Agency in the AltMOC process defined in the implementing rules
- Indirect involvement of the Agency implied, through:
 - Rulemaking
 - Standardisation



Agency involvement

➤ Rulemaking

- Assessment of the AltMOCs in a 'standing' rulemaking task
 - Simplified RMT (notification treated as a rulemaking proposal)
- Publication of a list of notified AltMOCs
 - Date of notification
 - Member State / Competent Authority
 - Related provision(s) and regulation(s)



Agency involvement

- Standardisation
 - Demonstrated compliance with the rules
 - Input for continuous monitoring of Member States
 - Inclusion in the scope of inspections
 - Agency not satisfied that compliance with rules is demonstrated
 - 'Off-site' finding (still in conceptual phase)