



Comment-Response Document 2015-18 (B)

Appendix 1 to Decisions 2017/005/R–2017/012/R

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1. Summary of the outcome of the consultation

275 comments were submitted by 36 commentators, including EU competent aviation authorities, aircraft manufacturers, air operators and several associations.

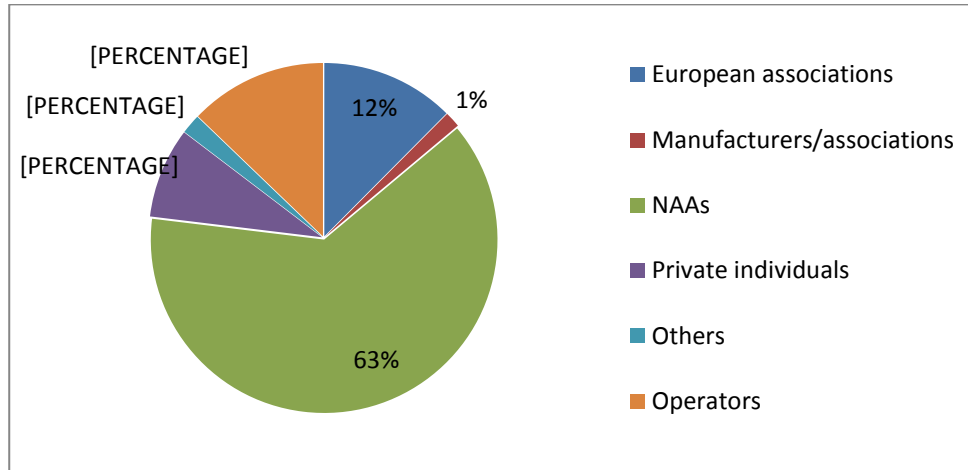


Figure 1: Comments received on NPA 2014-18 (B)

In summary, 108 comments (i.e. 49 %) were accepted or partially accepted by EASA, and 120 comments (i.e. 22 %) were noted since they were supportive of the NPA or the commentator had no comment on the proposals.

Only 40 (i.e. 29 %) of the comments received were not accepted.

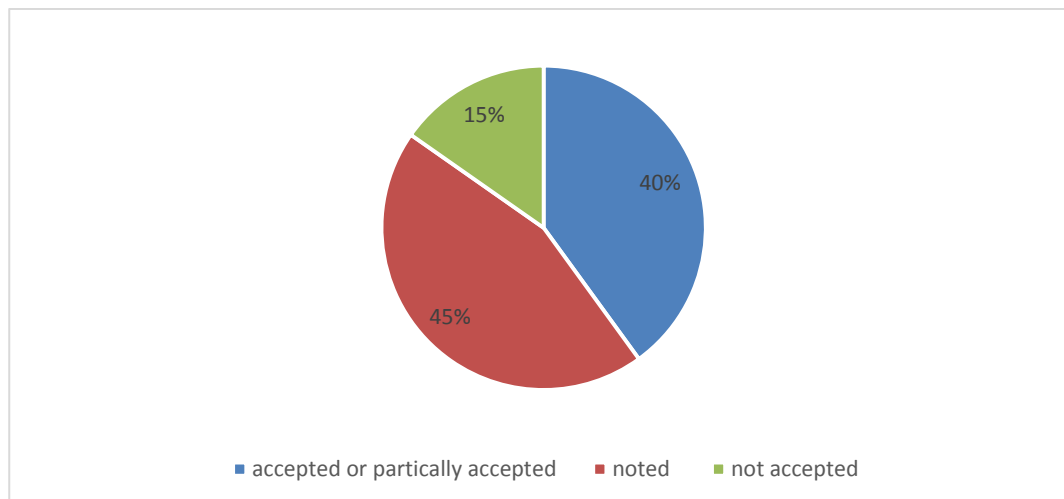


Figure 2: Distribution of responses to the comments on NPA 2014-18 (B)

2. How do we address safety recommendations

The following table summarises the outcome of the EASA assessment of safety recommendations that were assigned to RMT.0516/0517.

DENM-2012-004, HUNG-2012-004, ITAL-2012-009	<p>Safety Recommendation: EASA to consider the need to harmonize the procedures, or to review the existing documentation as necessary, in order to establish in all cases a time limit within which to make effective in the AFM owned by operators the amendments approved by EASA.</p> <p>References:</p> <p>DENM-2012-004: Final Report on the serious incident to accident to Avions de Transport Régional ATR72-212A, Registration OY-CIM, at Copenhagen Airport, Kastrup (EKCH), Denmark, on 13 September 2011, issued by the Danish Accident Investigation Board Aviation Unit (Ref. HCLJ510-2011-11).</p> <p>HUNG-2012-004: Final Report on the serious incident to ATR42-500, Registration YR-ATG, at Budapest, on 17 June 2011, issued by the Hungarian Transportation Bureau on 11 January 2016 (Ref. 2011-120-4P).</p> <p>ITAL-2012-009: Investigation on the serious incidents to PW127 engines installed on ATR 42/72 aircraft, such as the ATR72-212A, registered I-ADCC, at Firenze Airport, Peretola (LIRQ), on 03 October 2011, issued by the ANSV on 26 July 2012.</p> <p>Outcome: The existing EU provisions already require all commercial operators and operators of complex motor-powered aircraft to conduct operations in accordance with their operations manual which must be compliant with the approved flight manual (i.e. the AFM) and shall be amended as necessary (see points 4.a and 8.b of Annex IV to Regulation (EC) No 216/2008¹ — hereinafter referred to as the ‘Basic Regulation’). This requires operators to apply changes stemming from AFM amendments as soon as is reasonably practicable; in other words, in a timely manner. Additional defences are also already provided through provisions on operators’ and competent authority’s management systems (see ORO.GEN.200 and ARO.GEN.200 of Regulation (EU) 965/2012² — hereinafter referred to as the ‘Air OPS Regulation’) and on the oversight obligations of the competent authority (see ARO.GEN.300 of the Air OPS Regulation) as well as through EASA standardisation inspections (see Regulation (EU) No 628/2013³). EASA has, therefore, concluded that additional, more prescriptive provisions would not bring additional safety benefits in respect of the timely implementation of AFM changes by the operator.</p>
GERF-2006-009, UNKG-2005-148	<p>Safety Recommendation GERF-2006-009: Aircraft de-icing to maintain the airworthiness of aircraft during winter operation should be accomplished by certified and approved companies under the supervision of civil aviation authorities. If aircraft de-icing is not accomplished by an operator or an approved maintenance organisation the ground service "aircraft de-icing" should be subject to appropriate aeronautical regulation. EASA should agree with the European National Authorities on establishing such regulations.</p>

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) (<http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1467719701894&uri=CELEX:32008R0216>)

² Commission Regulation (EU) No 965/2012 of 5 October 2012 laying down technical requirements and administrative procedures related to air operations pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council (OJ L 296, 25.10.2012, p. 1) (<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:296:0001:0148:EN:PDF>)

³ Commission Implementing Regulation (EU) No 628/2013 of 28 June 2013 on working methods of the European Aviation Safety Agency for conducting standardisation inspections and for monitoring the application of the rules of Regulation (EC) No 216/2008 of the European Parliament and of the Council and repealing Commission Regulation (EC) No 736/2006 (OJ L 179, 29.6.2013, p. 46) (<http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1488957909315&uri=CELEX:32013R0628>).



	<p>Safety Recommendation UNKG-2005-148: It is recommended that prior to the European Aviation Safety Agency assuming responsibility for operational matters within Europe, they consider the future need for the training and licencing of companies who provide a de/anti-icing service, so that anti-icing fluids are applied in an appropriate manner on all aircraft types, but specifically to ensure that the entry of such fluids into flight control mechanisms and control surfaces is minimised.</p>
	<p>Reference GERF-2006-009: Investigation Report on the serious incident to Bae 146-300 at Stuttgart on 12 March 2005, issued by the German Federal Bureau of Aircraft Accidents Investigation in November 2006 (Ref. 5X007-0/05).</p> <p>Reference UNKG-2005-148: AAIB Bulletin No: 4/2006 on Avro 146-RJ100, G-CFAC and others, issued by the UK AAIB in 2006 (Ref. EW/GC2005/03/09).</p>
	<p>Outcome: Today, de-icing service providers are outside the scope of the Basic Regulation. Nevertheless, as operators are responsible for the monitoring of third-party providers, including de-icing service providers, EASA intends to promote the use of pooled audits by operators. Therefore, the new AMC2 ORO.GEN.205, on pooled audits between operators has been proposed by EASA</p>
SPAN-2009-025	<p>Safety Recommendation: It is recommended that the EASA, as regards aerial work operators involved in single-pilot activities and so as to emphasize the need to be aware of the intrinsic risks resulting from the interruption of pre-flight processes or normal checks, ensure that the operational procedures include those mechanisms intended to guarantee that the processes and checks to be conducted by crews prior to takeoff, and which are suspended at any point, are restarted from a safe point prior to the interruption.</p>
	<p>Reference: Accident Report on the accident involving a PZL M-18A Dromader aircraft , registration EC-FBI, in the vicinity of Castellon aerodrome, on 07 October 2006, issued by the CIAIAC (Ref. A-059/2006).</p>
	<p>Outcome: Depending on the specific nature of the undertaking, aerial work operations in EASA Member States are governed by Part-SPO (specialised operations) or Part-NCO (non-commercial operations with other-than complex motor-powered aircraft) of the Air OPS Regulation. However, it should be noted that, although the Air OPS Regulation has been applicable since 28 October 2012, by way of derogation, Member States may have elected not to apply Part-SPO or Part-NCO for specialised operations until 21 April 2017, with national legislation applying in the meantime. According to Part-SPO/Part-NCO, the operator/pilot-in-command is required to carry out a risk assessment and establish standard operating procedures (SOPs)/checklists to mitigate the risks related to their specific activity (see SPO.OP.230 and NCO.SPEC.105). This should address interruption of pre-flight processes or normal checks. EASA has therefore concluded that additional, more prescriptive provisions would not bring additional safety benefits in respect of interrupted pre-flight processes or normal checks.</p>
SWED-2011-013	<p>Safety Recommendation: Ascertain that the instructions relating to the incapacitation of the cockpit crew are supplemented with restrictions for continued flight duty following the occurrence of an incident.</p>



	<p>Reference: Final report on the serious incident to aircraft, registration SE-RAC, in the airspace Umeå airport, AC County, on 19 September 2010, issued by the Swedish Accident Investigation Board on 14 September 2011 (Ref. RL 2011:11e, Case No. L-147/10).</p>
	<p>Outcome: According to the existing Air OPS provisions, the operator should already be addressing restrictions for continued flight duty following an incident, as follows:</p> <p>AMC3 ORO.MLR.100 ‘Operations manual — general’, point 4.3 provides a placeholder in the operations manual for the operator to document their procedures regarding flight crew incapacitation and instructions on the succession of command in the event of flight crew incapacitation. Point 8.3.14 on incapacitation of crew members is where the operator should document procedures to be followed in the event of incapacitation of crew members in-flight. Restrictions for continued flight duty following an incident should be included here. A crew incapacitation checklist of actions should also be included in Part-B of the operations manual, under the section on abnormal and or emergency procedures.</p> <p>AMC1 ORO.FC.220 ‘Operator conversion training and checking’, under point (d)(2), covers flight crew training regarding incapacitation. Also, under AMC1 ORO.FC.230 ‘Recurrent training and checking’, point (c)(1) details that ‘Procedures should be established to train flight crew to recognise and handle flight crew incapacitation. This training should be conducted every year and can form part of other recurrent training. It should take the form of classroom instruction, discussion, audio-visual presentation or other similar means.’ The AMC does not contain additional guidance material as the operator is best placed to establish suitable procedures and criteria, in particular restrictions for continued flight duty, according to their risk assessment and implementation of mitigating measures according to the type of operation and fleet.</p> <p>Furthermore, according to MED.A.020 ‘Decrease in medical fitness’ under Part-MED of the Aircrew Regulation, the pilot has an obligation not to exercise the privileges of their licence when aware of a decrease in medical fitness which might render them unable to safely exercise those privileges.</p>



3. Individual comments and responses

In responding to comments, a standard terminology has been applied to attest EASA's position. This terminology is as follows:

- (a) **Accepted** — EASA agrees with the comment and any proposed amendment is wholly transferred to the revised text.
- (b) **Partially accepted** — EASA either agrees partially with the comment, or agrees with it but the proposed amendment is only partially transferred to the revised text.
- (c) **Noted** — EASA acknowledges the comment but no change to the existing text is considered necessary.
- (d) **Not accepted** — The comment or proposed amendment is not shared by EASA.

(General Comments)

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comment	20	comment by: <i>NHF Technical committee</i>
	Norsk Helikopteransattes Forbund does not have any comments to this NPA.	
response	<i>Noted</i>	
comment	101	comment by: <i>Civil Aviation Authority of Norway</i>
	<i>General comment:</i> The proposed new AMC/GM on inspector qualifications is supported. GM2 ORO.GEN.200(a)(3) (Volcanic ash) probably does not belong under the management system, it should be moved as GM to probably CAT.OP.MPA.175 or perhaps added to CAT.OP.MPA.255. If all guidance on how and what to consider when performing a risk assessment of some issue, ORO.GEN.200 will be swamped. The philosophy regarding the placement of such text should be similar to that used in Part SPO.	
response	<i>Noted</i> Regarding inspector qualifications, we note the comment. Regarding GM on volcanic ash in Part-ORO, we note the comment as well and provide the following answer: EASA partly agrees on the fact that there is a risk to overload ORO.GEN.200. This was done for the following reasons: - This GM contains guidance for operators to establish a safety risk assessment related to the volcanic ash hazard. It doesn't contain any requirement on the procedures to be established, it only mentions what has to be considered when establishing a VA SRA and possible mitigations associated. THE GM is applicable to CAT, NCC, SPO with CMPA. EASA choses to include this guidance in CAT, then it has to be duplicated in Part-NCC and SPO as well. The original proposal from EASA was to make a reference to the relevant ICAO Document, however this was not the preferred options of stakeholders.	



comment

160

comment by: Austro Control

Dear all,
 please find below the comments of Austria.
 best regards
 Franz Graser
 Member of TAG FCL/OPS

Page No: 20

Paragraph: AMC2 ARO.GEN.200(a)(2)

Comment: (b)(5) Note should be added to define the assessment in detail

Justification: for the purpose of standardisation, assessments in different member states should follow the same structure

Proposed text:

“The nature of such an assessment is at the discretion of the competent authority but shall be carried out by a suitably qualified person nominated by the competent authority. Three years of experience as a flight operations inspector may be considered suitably qualified.”

Page No: 20

Paragraph: AMC3 ARO.GEN.200(a)(2)

Comment: (a)(3) This should not include the term "have held."

Justification:

Inspectors should maintain their qualification. "Have held" invites authorities to save money by not keeping their inspectors current and therefore qualified. ICAO Doc. 8335 explicitly emphasizes the need to remain current on at least one or some aircraft under their jurisdiction:

6.3.2.3 Insofar as possible, the maintenance of licence qualifications and of an acceptable level of proficiency and knowledge of aircraft performance, limitations, equipment, systems, operations, etc., will permit CAA inspectors to better assess the knowledge, techniques and overall competence of the personnel of an operator. For example, flight operations inspectors should receive recurrent flight training on aircraft supplemented periodically by training in a flight simulation training device. However, where circumstances require the CAA inspector to supervise more than one operator, or where an operator uses several different types of aircraft, it becomes extremely difficult and costly for an inspector to maintain pilot proficiency and knowledge of aircraft systems and associated ground services for all types involved. In such cases it may have to be accepted that CAA inspectors are not fully qualified on all aircraft types under their jurisdiction.

Proposed text:

“(3) hold a valid type rating on the aircraft type concerned; or class rating as appropriate; or on aircraft types/classes with similar technical and operational characteristics.

Note: In case of loss of the relevant medical certificate class inspectors shall undergo periodic simulator training and an annual check equivalent to an LPC for the relevant aircraft type/class to be conducted by an examiner qualified according to FCL regulations. Such a check should be documented appropriately”.

Page No: 8 and 39

Paragraph: GM1 ORO.GEN.130(a) and Page 39;

Comment: Austria agrees that a change of nominated persons does not constitute a change affecting the AOC and the operations specifications. However, the authority should be able to raise a finding against the qualification of such nominated persons if they are not able to “demonstrate their capabilities in the performance of their assigned duties” in line with



ORO.AOC.135 (b) (2) (ii). Raising a finding would require the operator to establish an appropriate corrective action to be evaluated and – as a last consequence – rejected by the authority.

Justification: a special legal basis for such cases would help MS to take appropriate action if such a finding raises. Findings in respect of natural persons could be easier solved by the authority if the person could be finally rejected. Practical experience has already shown such a need.

Proposal: Add a requirement eg. in ARO.GEN.350 that clearly states that nominated persons that do not perform in their function could be rejected by the competent authority.

Remark: such a provision should be foreseen in the IR, but it should also be stated in the AMC, as the possibility or rejection should also apply for the Compliance Monitoring Manager and the Safety Manager! Furthermore this would be in line with the new GM1 ARO.GEN.300(a)(b)(c) as stated in point (17) of this Sub-NPA and with question No 6 of Sub-NPA (A).

Page No: 18

Paragraph: ACM1 ARO.GEN.200 (a)(2) Management System (c)

Comment: The competent authority may provide training through its own training organization with qualified trainers or through another qualified training source/structure.

Open questions are: What is a qualified trainer? To which standard has the trainer to be qualified? What is the qualification standard for “another qualified training source”? Which standards are applied? Who certifies “another qualified training source”?

Justification: The phrase “qualified” needs to be defined as qualified does not mention any requirement.

Proposal: Define the minimum requirements and qualifications to act as qualified trainer as well as the standard (certification specification) which shall apply for a qualified training source to be certified. Also the certifying entity (agency, unit etc.) shall be defined as well as the requirements to act as such a certifying unit.

Page No: 19 and 25

Paragraph: Pg. 19, AMC2 ARO.GEN.200(a)(2); (8) and Pg. 25, AMC2 ARO.GEN.200(a)(2); (14)

Comment: (a)(4) and (5): Reg. 965/2012 in (5) is part of the IR mentioned in (4), although an overview does not imply such a profound knowledge

Justification: legal certainty, avoid misinterpretation

Proposal: For legal certainty Reg. 965/2012 should be included, as it is part of the IR (e.g. with the wording “in particular” OR clarify in this special case that Reg. 965/2012 is not part of the related IR to Reg. 216/2008 (“...IR except....”))

Page No: 27

Paragraph: GM1 ARO.GEN.300; (17)

Comment: This new GM is supported. But also see comments to Pg. 8 and 39 point (34):

For legal certainty and simplified administrative procedure the rule should provide an explicit provision, which states that nominated persons can be rejected by the authority if they do not perform and/or the qualifications are not satisfying (what may come out within the oversight, which now also includes a review and an assessment of the qualifications of the nominated persons).

Justification: practical need for legal basis and simplified procedures;

Editorial:

Pg. 33, GM1 ARO.OPS.100(b); (24)

There is a typing error in the headline of the title:
GM1 ARO.OPS.100(b) (instead of GM1 ARO.OPS.110(b));

Page No: 34

Paragraph: GM 1 and GM2 AOR.OPS.110; (25)

Comment #1: There will be a new GM2 to ARO.OPS.110 which is supported.

One the one hand, this new GM2 has to be re-numbered, as there is already a GM2 ARO.OPS.110 Lease agreements - Dry lease-out.

Justification: no duplication, right numbering

Proposal: new GM2 should become GM3 or existing GM2 has to re-numbered in GM3

Comment #2: On the other hand the existing GM1 to ARO.OPS.110 should also be amended. Following the explanations in Pg. 51 point (21) of Part A of this NPA, the prior approval for lease agreements (wet and dry lease) between EU operators will be removed. Therefore GM1 has to be adapted.

Justification: clarification and legal certainty;

Proposal: add in (a) and (b) the wording "...of a third country...";

Page No: 39

Paragraph: GM1 ORO.GEN.130 (a)

Comment: We agree that a change of nominated persons does not constitute a change affecting the AOC and the operations specifications. However, the authority should be able to raise a finding against the qualification of such nominated persons if they are not able to "demonstrate their capabilities in the performance of their assigned duties" in line with ORO.AOC.135 (b) (2) (ii).

Justification: Raising a finding would require the operator to establish an appropriate corrective action to be evaluated and – as a last consequence – rejected by the authority.

Page No: 39

Paragraph: GM1 ORO.GEN.130(a); (24)

Comment: See comments to Pg. 8 and 39 point; (34) and Pg. 27, GM1 ARO.GEN.300; (17)

General: A special provision in the rule for a possible rejection of nominated person who does not perform accordingly is highly recommended to give MS a legal basis for such a decision.

(7): the person referred to in ORO.GEN.210(a) is the accountable manager; BUT the accountable manager is already explicitly mentioned in point (6) and therefore should not be repeated.

Justification: no duplication

Proposal: delete (7) and renumber actual points (8) and (9)

Page No: 61

Paragraph: AMC2 ORO.GEN.210(a); (50)

Comment: Actually there is no AMC1 ORO.GEN.210(a) – as it explained in point (50) - , therefore this new AMC should be re-numbered into AMC1. The form itself falls obviously under AMC1 ORO.AOC.100(b).

This leads to confusion – the explanation and the new text do not fit together. Is the new form, which is supported, now part of the AMC1 to ORO.GEN.210(a) or to ORO.AOC.100(b)?

Justification: clarification needed

Proposal: re-number this new AMC and explain the application form

Page No: 63



Paragraph: AMC1 ORO.AOC.110; (53)

Comment: See also comments to Part (A) of this NPA Pg. 41, ARO.OPS.110 Lease agreements; (13)

Following the explanations in Pg. 51 point (21) of Part A of this NPA, the prior approval for lease agreements (wet and dry lease) between EU operators will be removed. Therefore the related AMC should be adapted also and clearly state that it is only applicable for leasing agreements with third-country operators/third-country aircraft.

Any other interpretation would not follow the objective of the European idea of harmonization.

If the text in (a) is not adapted the already existing misinterpretations will continue. It would not make sense at all to oblige a European operator to deliver all the documents requested (C of A, aircraft type etc.) for a wet lease-in with another European operator, who would - in any case - fall under the European regulations with the same standards and who is responsible for the operation.

The actual wording is confusing. Explanation point (53) refers on “approval”; as there are no more prior lease approvals between EU-operators, the information to be given to the authority must be seen in context with the approval. Therefore the information request has to be seen in conjunction with third-country operator/third-country aircraft lease agreements.

Justification: consistency and legal certainty. Furthermore this would be in line with the amendments proposed in point (54) to AMC1 ORO.AOC.110(c).

Proposed text: add in (a) following text: “The operator intending to lease-in an aircraft *of a third country operator* should provide...”

Remark: consider if points (1) to (3) of point (a) should only be applicable for dry lease-in and adapt the text; new point (b) is obviously “lex specialis” for wet-lease in. The amendment of this AMC does still not clarify if points (1) to (5) are only necessary for dry lease-in or also for wet lease-in. Is point (f) – now (b) – an additional condition to (a) or the only one for wet lease-in?

Generally re-consider the requested requirements for the reasons mentioned above and clarify the actual misunderstanding text to avoid misinterpretation and legal uncertainty!

ORO.FTL.105 (1) Definitions:

1) Additional GM to explain the definition of „acclimatised“ would be useful.

GM2 ORO.FTL.105(1) Definitions

ACCLIMATISED

A crew member is considered to be in an unknown state of acclimatisation after the first 48 hours of the rotation have elapsed **unless** he/she remains in first arrival destination time zone (either for rest or any duties) in accordance with the table in ORO.FTL.105(1).

Should a crew member’s rotation include additional duties that end in a different time zone than his/her first arrival destination’s time zone while he/she is considered to be in an unknown state of acclimatisation, then the crew member remains in an unknown state of acclimatisation until he/she:

- has taken the rest period required by CS FTL.235(b)(3) at home base;
- has taken the rest period required by CS FTL.235(b)(3) at the new location; or
- has been undertaking duties starting at and returning to the time zone of the new location until he/she becomes acclimatised in accordance with the values in the table in ORO.FTL.105(1).



	<p>To determine the state of acclimatisation the two following criteria should be applied:</p> <ul style="list-style-type: none"> ○ the greater of the time differences between the time zone where he/she was last acclimatised or the local time of his/her last departure point and the new location; and ○ the time elapsed since reporting at home base for the first time during the rotation. <p>GM2 CS FTL.1.235(b)(3) Additional rest to compensate for time zone differences REST AFTER ROTATIONS WITH THREE OR MORE FDPs For a rotation with three or more FDPs, the greatest time zone difference from the original reference time should be used to determine the minimum number of local nights of rest to compensate for time zone differences. If such a rotation includes time zones crossings in both directions the calculation is based on the highest number of time zones crossed in any one FDP during the rotation.</p> <p>2) Additional GM to explain the “scientific methods” for better understanding of ORO.FTL 120(b)(3) Fatigue risk management would be useful.</p> <p>Editorial: Page No 110:Item 90 refers to a new GM1 NCO.OP.200 where as the GM below is numbered with "180"</p>
response	<p><i>Partially accepted</i></p> <p>The proposal to introduce an additional GM2 ORO.FTL.105(1) and an additional GM2 CS FTL.1.235(b)(3) is accepted. Furthermore, additional GM to explain the term ‘scientific method’ for better understanding of ORO.FTL.120(b)(3) shall be introduced.</p> <p>Lastly, further GM shall be introduced to inform that further guidance on Fatigue Risk Management processes may be found in ICAO Doc 9966.</p>
comment	<p>205 comment by: <i>Federal Office of Civil Aviation (FOCA), Switzerland</i></p> <p>Comments FOCA: <i>The Federal Office of Civil Aviation (FOCA) appreciates the opportunity to comment on the NPA 2015-18.</i> <i>In our opinion, the changes in NPA 2015-18(A) from “pressure altitude” to “barometric altitude” should also be done in NPA 2015-18(B).</i> <i>The same applies for “Airworthiness Code”, which was replace with “Certification specification”.</i></p>
response	<p><i>Accepted</i></p>
comment	<p>273 comment by: <i>EUROCONTROL</i></p> <p>The EUROCONTROL Agency does not make any comment on NPA 2015-18 (B).</p>



response *Noted*

comment 282

comment by: *FNAM*

FNAM (Fédération Nationale de l'Aviation Marchande) is the French Aviation Industry Federation/Trade Association for Air Transport, gathering the following members:

- CSTA: French Airlines Professional Union (incl. Air France)
- SNEH: French Helicopters Operators Professional Union
- CSAE: French Handling Operators Professional Union
- GIPAG: French General Aviation Operators Professional Union
- GPMA: French Ground Operations Operators Professional Union
- EBAA France: French Business Airlines Professional Union

And the following associated member:

UAF: French Airports Professional Union

Introduction:

The comments hereafter shall be considered as an identification of some of the major issues the French industry asks EASA to discuss with third-parties before any publication of the proposed regulation. In consequence, the following comments shall not be considered:

- As a recognition of the third-parties consultation process carried out by the European Parliament and of the Council;
- As an acceptance or an acknowledgement of the proposed regulation, as a whole or of any part of it;
- As exhaustive: the fact that some articles (or any part of them) are not commented does not mean FNAM has (or may have) no comments about them, neither FNAM accepts or acknowledges them. All the following comments are thus limited to our understanding of the effectively published proposed regulation, notwithstanding their consistency with any other pieces of regulation.

General comments :

The FNAM would like to thank EASA for the clarifications provided within this NPA especially regarding the lease agreements. Besides the FNAM supports the development of integrated management systems promoted in this NPA.

However, it will be necessary to keep in mind that the implementation of integrated management systems could take time for organizations.

response *Noted*

Notice of Proposed Amendment 2015-18 (B)

p. 1

comment 9

comment by: *ICEALDA*

EASA SHALL change all doc and indicate in all doc ICAO is the minimum standard with in aviation and SHALL/MUST be the rules.



response	THIS IS DUE TO EUROPEAN OPERATORS ONLY FILE IN THEIR OM BUT NOT FOLLOW THE REGULATIONS.
	<i>Noted</i>

1. Procedural information

p. 3-4

comment	10	comment by: ICEALDA
	EASE SHALL add in paragraph 1.1 after "in line with Regulation (EU) No 216/2008" SHALL com inn EASA SHALL/MUST follow as well ICAO as minimum rules of the air. This is due to so the operators do not interpret anything other that is wrote in EASA as rule.	
response	<i>Noted</i>	

2.1. Overview of the proposed amendments — 2.1.3. AMC/GM to Annex III (Part-ORO)

p. 7-10

comment	99	comment by: ICEALDA
	EASA should drop down the authority of the operators Management due to the operators do not full fill their obligation regarding qualification concerning Operation Control and responsibility. We and EASA Shall not accept that regarding safety that the operators state that only one person can be responsibility and that can be person from the Management of the Operators but most of the airline have 24/7 Operation Control Center and not only one person and full fill that position 24/7 365 day of the year. EASA have to change all sections under Management to responsibility to full trained qualified Personnel based on ICAO Annex I	
response	<i>Noted</i>	

comment	100	comment by: ICEALDA
	If EASA still want to continue that Management system is the only one which is responsibility for the operations, that is incorrect due to EASA cannot accept that management is on duty 24/7 365 days a year. If the management want to forward the obligation for responsibility to personnel on duty they have to full fill Qualification based on ICAO all Annexes for Operation Control If EASA say that they can forward their responsibility to Flight Operations or Commander then that person have to have been trained according to ICAO Annexes I doc 7192 D3 as a minimum training qualifications.	
response	<i>Noted</i>	

2.1. Overview of the proposed amendments — 2.1.4. AMC/GM to Annex IV (Part-CAT)

p. 10-11



comment	248	comment by: <i>Bombardier</i>
	Bombardier recommends the development and clarification of AMC/GM material related to both the airworthiness approval and the operational approval required by CAT.OP.MPA.140(d). This material would detail acceptable means of compliance for non-ETOPS approval of operations between 120 and 180 minutes from an adequate aerodrome, similar in scope to existing material for ETOPS approval.	
response	<p><i>Noted</i></p> <p>EASA notes this proposal. Such a change should be done with a dedicated Rulemaking Task. The commenter is kindly requested to make such a proposal to EASA via the dedicated rulemaking proposal form: http://www.easa.europa.eu/document-library/rulemaking-programmes/rulemaking-proposal</p>	

2.1. Overview of the proposed amendments — 2.1.6. AMC/GM to Annex VI (Part-NCC)

p. 12-13

comment	91	comment by: <i>Airbus Helicopters</i>
	<p><i>Minor comment</i></p> <p><u>Comment:</u> Proposed change (87) is to develop a new GM1 NCC.IDE.H.125(a)(3), mirroring the respective GM in Part-NCO and Part-SPO. The proposed GM recommends altimeters with counter drum-pointer or equivalent for helicopters operating above 10 000 ft.</p> <p>Nevertheless, there is no such recommendation for Part-CAT (GM1 CAT.IDE.H.125 & CAT.IDE.H.130 does not recommend any type of altimeter).</p> <p><u>Suggestion:</u> Suggestion is to add the same recommendation in Part-CAT, e.g. in GM1 CAT.IDE.H.125 & CAT.IDE.H.130.</p>	
response	<p><i>Accepted</i></p> <p>Not many helicopters fly IFR above 10 000 ft. Yet, EASA agrees with the comments and has proposed the new GM1 to CAT.IDE.H.130 (GM1 CAT.IDE.H.125 & CAT.IDE.H.130).</p>	

3.1.1. GM to Annex I (Definitions)

p. 15

comment	23	comment by: <i>Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)</i>
	<p>GM1 Annex I Definitions</p> <p>Sweden supports the proposed explanation of the difference between “mass and weight” in the new GM.</p>	
response	<i>Noted</i>	



comment	<p data-bbox="359 235 391 280">92</p> <p data-bbox="1093 235 1476 280">comment by: Airbus Helicopters</p> <p data-bbox="359 291 566 324"><i>Formal comment</i></p> <p data-bbox="359 358 494 392"><u>Comment:</u></p> <p data-bbox="359 392 1244 436">The proposed additional definition is lacking both clarity and consistency:</p> <ul data-bbox="406 470 1484 862" style="list-style-type: none"> • “‘Mass’ and ‘weight’ means”: the intent is probably to state that mass and weight are used indistinctly to designate the mass; however, the sentence is unclear, • “in accordance with ICAO Annex 5”: the use of “weight” to designate a mass is actually not in accordance with ICAO Annex 5, which stipulates (attachment B, § 2): “the term weight should be avoided in technical practice except under circumstances in which its meaning is completely clear”, • “However, in most approved Flight Manuals ...”: “However” is not appropriate, because the AMC/GM also use “weight” instead of “mass”, exactly like Flight Manuals, • “ICAO SI system”: there is no “ICAO SI system” but simply a “SI system”, to which ICAO Annex 5 refers. <p data-bbox="359 896 1484 1008">As a matter of fact, a review of the use of “mass” and “weight” in the AMC/GM to the operational regulation shows that both words are used indistinctly to designate a mass, even though the final effect is a weight (force).</p> <p data-bbox="359 1041 1460 1086">Also notice that the word “airplane” is used instead of “aircraft”, which is unduly limitative.</p> <p data-bbox="359 1120 502 1153"><u>Suggestion:</u></p> <p data-bbox="359 1153 1484 1254">We suggest simply stating that, according to the common language, 'weight' is often used instead of 'mass' in these AMC/GM when there is no ambiguousness about the meaning. Reference to ICAO Annex 5 should be avoided.</p>
response	<p data-bbox="359 1265 582 1310"><i>Partially accepted</i></p> <div data-bbox="359 1344 1484 1601" style="border: 1px solid black; padding: 10px;"> <p>The proposed text is the mere transposition of the explanatory material present in EU-OPS and JAR-OPS 3 section 2 which was not originally transposed. EASA accepts some of the clarifications proposed by this comment and will amend the text in relation to the SI system, ‘aircraft applicability’ rather than ‘aircraft’ and other wording improvements; however, it is considered that the reference to ICAO Annex 5 is not wrong because as also quoted in the content, the use of the term weight, although not recommended in practice is acceptable when its meaning is clear.</p> </div>
comment	<p data-bbox="359 1624 406 1668">103</p> <p data-bbox="917 1624 1476 1668">comment by: British Airways Flight Operations</p> <p data-bbox="359 1680 1220 1724">British Airways agrees with the pragmatic approach adopted in this GM</p>
response	<p data-bbox="359 1780 438 1825"><i>Noted</i></p>

3.1.2. AMC/GM to Annex II (Part-ARO) — AMC ARO.GEN.120(e) Means of compliance

p. 16

comment	<p data-bbox="359 1975 375 2016">8</p> <p data-bbox="1204 1975 1476 2016">comment by: ICEALDA</p>
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response	<div data-bbox="363 239 1479 322" style="background-color: #e6f2ff; padding: 5px;">EASA SHALL change all doc and indicate in all doc ICAO is the minimum standard with in aviation and SHALL/MUST be the rules.</div> <p><i>Noted</i></p>
comment	<p>24 comment by: <i>Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)</i></p> <p>AMC ARO.GEN.120(e) Means of compliance on <i>DEMONSTRATION OF COMPLIANCE</i> Sweden supports the proposed change.</p>
response	<p><i>Noted</i></p>
comment	<p>217 comment by: <i>KLM</i></p> <p>The result of this risk assessment should demonstrate that the implementing rules are met whilst maintaining an acceptable level of safety. As the level of safety of an AMC has not been established/quantified, how could an CAA demonstrate that the level of safety of the altMOC is equivalent to the AMC adopted by EASA?. A safety risk assessment in which the identified risks are suitable mitigated to a for the CAA acceptable level of safety should be sufficient. Furthermore the level of safety should not be equivalent to the level of safety established in the AMC adopted by EASA but to the level of safety established in the Implementing Rule.</p>
response	<p><i>Not accepted</i></p> <p>ARO.GEN.120(e) applies in those cases where an authority directly proposes an AltMoC. The authority needs to demonstrate that making use of the AltMoC results in a level of safety equivalent to that when the AMC is used. The definition of AltMoC is contained in Annex I (Definitions) stating that ‘alternative means of compliance’ means 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 EASA.</p>
comment	<p>252 comment by: <i>Civil Aviation Authority of Norway</i></p> <p>The second sentence of AMC1 ARO.GEN.120(e) is a significant change from the current situation. This has up to now not been a requirement and could be seen as changing the concept of AltMoC. It may perhaps be appropriate, but should be more closely considered before implementation. Just the process of comparing two “means of compliance”, when there generally is no associated risk assessment with the EASA AMC, to determine that the “result of this risk assessment should demonstrate that an equivalent level of safety ...” may be rather challenging.</p> <p>A more modest wording may be appropriate, e.g.: “... The result of this risk assessment should indicate a similar or lower level of risk to that established by the Acceptable Means of Compliance (AMC) adopted by the Agency is reached.”</p>



response *Not accepted*

ARO.GEN.120(e) applies in those cases where an authority directly proposes an AltMOC. The risk assessment is therefore conducted by the competent authority. The AltMoC needs to demonstrate an equivalent level of safety since the AltMoC is an alternative means to comply with the Implementing Rules. The definition of AltMoC is contained in Annex I (Definitions) stating that ‘alternative means of compliance’ means 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 EASA. Therefore a lower level of safety is not foreseen in the definition of AltMOC.

3.1.2. AMC/GM to Annex II (Part-ARO) — GM1 ARO.GEN.125(b) Information to the Agency

p. 16

comment

46

comment by: *Swedish Transport Agency, Civil Aviation Department
(Transportstyrelsen, Luftfartsavdelningen)*

GM1 ARO.GEN.125(b) Information to the Agency

The suggested text in GM1-GM3 ARO.GEN.125(b) may conflict with the information in regulation 376/2014 (Regulation (EU) No 376/2014 of the European Parliament and of the Council of 3 April 2014 on the reporting, analysis and follow-up of occurrences in civil aviation). Since the process of information about safety data, risk analysis and reporting is regulated through 376/2014 the process does not need to be addressed in EASA-OPS. There is also a risk of

conflict if the same processes are defined in two different regulations.

Sweden suggests that the intended GM1-3 ARO.GEN.125(b) is consistency checked with regulation 376/2014.

response

Accepted

EASA agrees and has decided to remove the proposal.

comment

237

comment by: *European Cockpit Association*

GM1 ARO.GEN.125(b) Information to the Agency

Commented text:

*MEANING OF SAFETY-SIGNIFICANT INFORMATION STEMMING FROM OCCURRENCE REPORTS
Safety-significant information stemming from occurrence reports means:*

(a) a conclusive safety analysis that summarises individual occurrence data and provides an in-depth analysis of a safety issue, which might be relevant for future Agency rulemaking or safety promotion activities; or

(b) individual occurrence data where the Agency is the competent authority and fulfils the reporting criteria in GM3 ARO.GEN.125(b).

ECA's Comment:

ECA would like to suggest adding references to Reg (EU) 2010-996 and Reg (EU) 2014-376.

Reasoning: Due regard should be given to privacy and other aspects of the mentioned



regulations when passing on safety information.

response *Accepted*

EASA agrees and has removed the proposal.

3.1.2. AMC/GM to Annex II (Part-ARO) — GM3 ARO.GEN.125(b) Information to the Agency

p. 17

comment 253 comment by: *Civil Aviation Authority of Norway*

It is quite difficult to understand what is meant by this GM.
It should probably be rephrased.

response *Accepted*

3.1.2. AMC/GM to Annex II (Part-ARO) — AMC1 ARO.GEN.200(a)(1) Management system

p. 17-18

comment 25 comment by: *Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)*

AMC1 ARO.GEN.200(a)(1) Management system
Sweden supports the proposed change.

response *Noted*

comment 110 comment by: *UK CAA*

Page No: 18

Paragraph No: (6) - AMC1 ARO.GEN.200(a)(1)(e)

Comment: It is not clear whether the 'if so requested' refers to the provision of the copy of procedures to the Agency and the organisations, or just to the organisations. The UK CAA believes disclosure of procedure related to the management system should, in the main, be limited to the Agency but available to organisations on request to the CA. A simple review of the intention of the text by the author would be helpful but suggested text is provided.

Justification: Clarification.

Proposed Text: "A copy of the procedures related to the management system and their amendments should be made available to the Agency for the purpose of standardisation, and to ~~the~~ **other** organisations subject to this Regulation, if so requested."

response *Accepted*

The AMC has been amended to clarify that this is upon request. The reference to standardisation activities has been removed.

comment 158 comment by: *Luftfahrt-Bundesamt*



	Pls. explain the reasons behind and review the need for <u>organisations subject to this regulation</u> to get a copy of the procedures of (any) CA. At least the internal control procedures and training procedures of CAs should not be disseminated as these are internal issues.
response	<p><i>Partially accepted</i></p> <p>Organisations may need information on the NAA procedures in order to better communicate with the NAA and to prepare documentation, etc. This AMC does not require the NAA to submit confidential control procedures or training records/procedures.</p> <p>The reference to standardisation purposes has been removed since standardisation issues are dealt with in a separate Regulation and because documents sent for standardisation purposes may indeed contain confidential information.</p>

3.1.2. AMC/GM to Annex II (Part-ARO) — AMC1 ARO.GEN.200(a)(2) Management system

p. 18-19

comment	<p>127 comment by: Virgin Atlantic</p> <p>(b)(1) - The competencies should be relevant to the scale and scope of the entity being inspected.</p>
response	<p><i>Not accepted</i></p> <p>The existing description should already capture the concerns raised: 'define the competencies required to perform the allocated certification and oversight tasks;'</p>
comment	<p>128 comment by: Virgin Atlantic</p> <p>(b)(3) - Consideration to add that these requirements should be similar to those required by operators.</p>
response	<p><i>Not accepted</i></p> <p>Authority training programmes must be tailored to the needs and tasks required by authority inspectors. Operators' flight crew training programmes have a different purpose.</p>
comment	<p>245 comment by: IATA</p> <p>IATA considers very important that the oversight is performed in a competent, experienced manner to ensure a comprehensive partnership between the organisation and the NAA. The oversight should not be a documentation only exercise but a comprehensive process in the frame of the performance based approach.</p>
response	<p><i>Accepted</i></p> <p>Indeed, the introduction of the management systems requires a continuous dialogue between the authority and the operator.</p>

3.1.2. AMC/GM to Annex II (Part-ARO) — AMC2 ARO.GEN.200(a)(2) Management system

p. 19-20



comment	26	comment by: <i>Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)</i>
	AMC2 ARO.GEN.200(a)(2) Management system regarding inspectors initial and recurrent training	
	Sweden supports the proposed change.	
response	<i>Noted</i>	
comment	129	comment by: <i>Virgin Atlantic</i>
	(b)(5) - Consider changing requirement to an annual assessment.	
response	<i>Not accepted</i>	
	The three-year assessment is a reasonable assessment considering the different skills required by an inspector.	
comment	159	comment by: <i>Luftfahrt-Bundesamt</i>
	Under the “recurrent training programme” the AMC requests a regular competence assessment of the inspectors not exceeding 3 years. However the regulation itself does not speak of “competence assessment”, but it says that “having the necessary knowledge, experience, initial and recurrent training to ensure continuing competence.” This does not imply a competence assessment every x years. Bearing in mind that the introduction of comprehensive competence assessment – AMC/GM for organisations in the continuing airworthiness domain have caused a lot of questions and work, we propose to include the “competence assessment” in the regulation and use the AMC to describe acceptable performance based means both after careful consultation of the affected stakeholders. However AMC should never go beyond the regulation.	
response	<i>Not accepted</i>	
	The AMC does not go beyond the Regulation, but specifies the means to comply with the IR, i.e. to ensure continuing competence. The same approach is applied in ARO.RAMP inspector qualifications. We agree that the AMC is more specific than the Implementing Rule, this being in line with the principle of performance-based rules, where the technical details are specified in AMC/GM and the general rule in IR.	
comment	193	comment by: <i>Mario Tortorici</i>
	NPA 2015-18(B) Change No (8) - AMC2 ARO.GEN.200(a)(2) - b5 After initial qualification and recurrent training, it seems too much to request an assessment of competency every three years. If the inspector has continuously operated why should have lost his/her competence? It is better to require a recurrent training not exceeding three years (like for ramp inspectors)	



response	<p><i>Not accepted</i></p> <p>Contrary to the AMC on ARO.RAMP for ramp inspectors, the AMC does not specify exactly how the assessment after three years should be done. Therefore, the NAA has the necessary flexibility to make a gap analysis and to check what should be included into the assessment.</p>
comment	<p>238 comment by: <i>European Cockpit Association</i></p> <p>AMC2 ARO.GEN.200(a)(2) Management system QUALIFICATION AND TRAINING — INSPECTORS</p> <p>Commented text: <i>(5) management systems, including risk assessment, assessment of the effectiveness of management systems, in particular hazard identification and non-punitive reporting techniques in the context of implementation of a ‘just culture’;</i></p> <p>ECA's Comment: ECA would like to suggest adding a reference to Reg (EU) 2014-376. <u>Reasoning:</u> Further clarification of the article.</p>
response	<p><i>Not accepted</i></p> <p>Specifying that just culture is an element contained in an existing regulation is not necessary. In general terms, it is not recommended to cross-reference between different regulations.</p>
comment	<p>254 comment by: <i>Civil Aviation Authority of Norway</i></p> <p>Bulletpoint a) 5) is amended so it seems to limit the requirement for management system competence. This is a core competence for inspectors and should be amended.</p> <p>Suggest changing it to read: "management systems, including safety management, safety risk management and quality management, assessment of the effectiveness of management systems, in particular risk assessments and non-punitive reporting techniques in the context of implementation of a ‘just culture’;</p>
response	<p><i>Partially accepted</i></p> <p>The AMC text has been amended to reflect the comment.</p>
comment	<p>274 comment by: <i>Finnish Transport Safety Agency</i></p> <p>AMC2 ARO.GEN.200(a)(2) Point (b)(4)</p> <p>It is unclear what ‘feedback from past oversight experience’ means. The text can be understood in several different ways i.e. inspector’s experiences, or organisation’s experiences, or general trend of oversight results.</p> <p>Please clarify the text.</p>

response

Accepted

The AMC text has been changed to read ‘results from past oversight’.

3.1.2. AMC/GM to Annex II (Part-ARO) — AMC3 ARO.GEN.200(a)(2) Management system

p. 20

comment

27

comment by: *Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)*

AMC3 ARO.GEN.200(a)(2) Management system on *FLIGHT OPERATIONS INSPECTOR QUALIFICATION*.

Sweden supports the proposed change.

response

Noted

comment

28

comment by: *Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)*

AMC3 ARO.GEN.200(a)(2) Management system on *FLIGHT OPERATIONS INSPECTOR QUALIFICATION*

Sweden supports the proposed change.

response

Noted

comment

130

comment by: *Virgin Atlantic*

(a)(2) It is believed that operational management is more important. Being an instructor or examiner does not necessarily bring with it any form of management experience.

response

Not accepted

For some oversight tasks, e.g. those related to flight crew training and checking, past experience as an examiner or instructor can be crucial.

comment

176

comment by: *European Helicopter Association (EHA)*

Page 20 - **AMC2 ARO.GEN.200(a)(2) Management System** on *FLIGHT OPERATIONS INSPECTOR QUALIFICATION*:

We propose to add the following:

(c) Performance management:

- i. The competent authority should have an annual performance management system in place regarding the continued performance and qualifications of their inspectors.
- ii. The competent authority should ask feedback from the operators once every two years via anonymized questionnaire regarding the operators assessment of the competence and the knowledge of the inspector.
- iii. When gaps in knowledge and competence are identified, the competent authority should take the appropriate actions to close the gap or to assign another inspector.



response

Noted

We note this comment as one means to ensure a good feedback system between the NAA and operators. However, the current set of ARO rules should not micro-manage such feedback loops. Instead, we propose that best-practice approaches from NAAs regarding performance evaluation systems be shared with EASA and NAAs.

comment

187

comment by: *DGAC France*

1) The applicability of subparagraph (a) should be limited to commercial air transport. Operations manual of NCC and SPO operators will also be assessed by authorities during audits, however these operators will be more numerous than CAT operators and the safety risks associated to those activities are hardly comparable.

2) Some minor changes to SOPs of Subpart B or to subpart D of the OM may not need to be assessed by an inspector holding (or having held) a valid type rating.

Therefore, DGAC would strongly suggest to reword the first sentence in the following manner :

(a) In the case of commercial air transport, an inspector performing tasks related to the initial assessment, the assessment of any significant change and oversight of aircraft-specific standard operating procedures (SOPs) of Subpart B of the Operations Manual (OM) and tasks related to flight crew training and checking programmes of Subpart D of the OM should :

(1)...

response

Partially accepted

NCC and SPO operators might also apply for special approval items, e.g. RVSM. In this case, the inspector granting the approval should have the necessary experience.

The proposal to exchange assessment and oversight with initial assessment of any significant change is not fully accepted. Instead, the wording has been changed to read 'initial assessment and continuous oversight'.

comment

192

comment by: *DGAC France*

There could be an ambiguity between SOPs referred to in this AMC and SOPs within the context of SPO operations.

response

Accepted

comment

239

comment by: *European Cockpit Association*

AMC3 ARO.GEN.200(a)(2) Management system on FLIGHT OPERATIONS INSPECTOR QUALIFICATION

Commented text:

*AMC3 ARO.GEN.200(a)(2) Management system
SPECIFIC INSPECTOR QUALIFICATION*

(a) An inspector performing tasks related to the assessment and oversight of aircraft-specific standard



operating procedures (SOPs) of Subpart B of the Operations Manual (OM) and tasks related to flight crew training and checking programmes of Subpart D of the OM should:

(1) have operational experience in air transport operations appropriate to the allocated tasks;

(2) have experience in either operational management in air transport operations; or as an examiner; or as an instructor;

(3) hold or have held a valid type rating on the aircraft type concerned; or class rating as appropriate; or **on aircraft types/classes with similar technical and operational characteristics.**

(b) For in-flight inspections, the inspector should have relevant knowledge of the route and area.

ECA's Comments:

Recommendation:

The term "similar" should be more accurately defined. For example: "inspectors should hold or have held type rating on aircraft with either equal performance characteristics or common operation philosophy".

Reasoning:

The term "similar" aircraft / route is in ECA's view too broad, and could induce bad practices. It should be more accurately defined. Eg: 737 and 320 are similar in size, performance, type of operations etc, however - quite different to fly. Someone could even argue that all twin-jet aircraft are similar as they got wings, 2 engines and whenever you pull the stick it would climb. Furthermore, the route recency should be addressed as well. Some minimums should be set for the criteria, eg: must have flown the route at least once during the past 365 days.

response *Not accepted*

The proposed GM3 specifies what should be understood by the term 'similar'.

comment 246

comment by: IATA

IATA considers very important that the oversight is performed in a competent, experienced manner to ensure a comprehensive partnership between the organisation and the NAA. The oversight should not be a documentation only exercise but a comprehensive process in the frame of the performance based approach.

response *Accepted*

comment 255

comment by: Civil Aviation Authority of Norway

These competence issues should not necessarily be required to be combined in one and the same person. Real life may be that one inspector may have operational experience in the type of operations, areas and routes, but not be qualified on the type used.

Team philosophy should be more prevalent in the struggle to do as good an assessment as possible. Two inspectors working together, one with operations experience and one with more type competence would be a powerful team in this respect.

This could perhaps be solved by a central statement saying that the important thing is that the team doing the assessment/job possesses the complete competence e.g. in GM2



response	<p>ARO.GEN.200(a)(2).</p> <p><i>Accepted</i></p> <p>Agreed. However, no changes in the AMC is necessary. It is a standard common practice that NAAs organise their work according to the available knowledge and skills necessary. The proposed AMC3 does not state that one inspector has to have all the necessary skills. For instance, a specific approval requiring different skills can, of course, be assessed by several inspectors.</p>
comment	<p>275 comment by: Finnish Transport Safety Agency</p> <p>AMC3 ARO.GEN.200(a)(2) Point (a)(2)</p> <p>In Trafi's opinion the requirement of experience in operational management, or as an examiner, or as an instructor, is unnecessary and too burdensome. Our experience do not support (a)(2).</p> <p>The initial requirements in (a)(1) and (a)(3) are already comprehensive enough. Other comparable elements will be covered in the training. In addition the inspector will naturally learn the examiner/instructor and other comparable aspects of the inspector position with normal on-the-job-training. Initially only the relevant operational experience is needed. Trafi has excellent experience of pilot-inspectors without the initial experience described in (a)(2).</p> <p>Please delete point (a)(2).</p>
response	<p><i>Partially accepted</i></p> <p>EASA has amended the proposal and has introduced additional flexibility to ensure that inspectors with experience in either operational management or as an examiner or as an instructor are only necessary for certain specific types of operation.</p>

3.1.2. AMC/GM to Annex II (Part-ARO) — AMC4 ARO.GEN.200(a)(2) Management system

p. 20-21

comment	<p>29 comment by: Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)</p> <p>AMC4 ARO.GEN.200(a)(2) Management system on FATIGUE RISK MANAGEMENT INSPECTOR TRAINING.</p> <p>A new GM5 ARO.GEN.200(a)(2) Management system on the content of Fatigue risk management inspector training Sweden supports the AMC and GM</p>
response	<p><i>Noted</i></p>
comment	<p>188 comment by: DGAC France</p> <p>DGAC finds the content of this AMC very pertinent. However, it creates an important</p>



	<p>difference between the level of details of the training needed for the approval of IFTSS compared to any other approval. That's why DGAC proposes to put these rules in a guidance material.</p>
response	<p><i>Noted</i></p> <p>Fatigue risk management is a rather new approach. Therefore, the minimum level of required knowledge is set by AMC to achieve a similar level of maturity of fatigue management oversight capacity in all Member States.</p>
comment	<p>240 comment by: <i>European Cockpit Association</i></p> <p>AMC4 ARO.GEN.200(a)(2) Management system - FATIGUE RISK MANAGEMENT INSPECTOR TRAINING</p> <p>Commented text:</p> <p><i>An inspector involved in the approval process of operator's flight time specification schemes and Fatigue Risk Management (FRM) should receive the following training:</i></p> <p><i>(a) Initial training</i></p> <p><i>(1) Theory and effects of fatigue:</i></p> <p><i>(2) Human factors related to fatigue.</i></p> <p><i>(3) Typical hazards and risks related to fatigue and their possible mitigation measures and the maturity of hazard identification models (reactive, proactive and predictive).</i></p> <p><i>(4) FRM training and promotion methodologies and how to support ongoing development of FRM.</i></p> <p><i>(5) Data collection and analysis methods related to FRM.</i></p> <p><i>(6) Integration of FRM into the Management System.</i></p> <p><i>(7) Fatigue management documentation, implementation and assurance methodologies.</i></p> <p><i>(8) Regulatory framework and current best practices.</i></p> <p><i>(9) Auditing and assessment of the effectiveness of an operator's FRM.</i></p> <p><i>(b) Recurrent training (at least every 3 years)</i></p> <p><i>(1) Review of FRM implementation issues</i></p> <p><i>(2) Recent incidents related to fatigue</i></p> <p><i>(3) New FRM developments</i></p> <p><i>(4) Review of changes in legislation and best practices</i></p> <p>ECA's Comment:</p> <p>Crew fatigue is a difficult phenomenon to assess for non-crew. Such Inspector should either be a pilot holding a valid type rating and recency on the airline / route / operations covered by the FRMS, or should be assisted by such pilot on the exercise of the task to assess the fatigue reports and mitigations with an operational point of view. Pilots' representatives should be integrated in the process of training.</p>
response	<p><i>Noted</i></p> <p>Although it is widely accepted that frontline staff (e.g. pilots, cabin crew members, rostering staff) should be involved in FRM in accordance with ORO.FTL.120, the need to be a pilot holding a type rating and recency is not justified.</p>
comment	<p>276 comment by: <i>Finnish Transport Safety Agency</i></p>



	<p>AMC4 ARO.GEN.200(a)(2)</p> <p>Trafi agrees that when new issues are added in the regulation, guidance is needed. However, in Trafi's opinion the guidance material for FRM is in unbalance/excessive when compared to guidance material for SMS (see AMC2 ARO.GEN.200(a)(2) point (a)(5)).</p> <p>Please reconsider simplifying AMC4 ARO.GEN.200(a)(2) taking into account today's regulation principles, and adding similar performance based guidance for SMS.</p>
response	<p><i>Noted</i></p> <p>Fatigue risk management is a rather new approach. Therefore, the minimum level of required knowledge is set by AMC to achieve a similar level of maturity of fatigue management oversight capacity in all Member States.</p>

3.1.2. AMC/GM to Annex II (Part-ARO) — GM1 ARO.GEN.200(a)(2) Management system

p. 21-23

comment	<p>11</p> <p>comment by: ICEALDA</p>
	<p>EASA should drop down the authority of the operators Management due to the operators do not full fill their obligation regarding qualification concerning Operation Control and responsibility.</p> <p>We and EASA Shall not accept that regarding safety that the operators state that only one person can be responsibility and that can be person from the Management of the Operators but most of the airline have 24/7 Operation Control Center and not only one person and full fill that position 24/7 365 day of the year.</p> <p>EASA have to change all sections under Management to responsibility to full trained qualified Personnel based on ICAO Annex I</p>
response	<p><i>Noted</i></p>
comment	<p>30</p> <p>comment by: Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)</p> <p>GM1 ARO.GEN.200(a)(2) Inspector Training and Qualification</p> <p>Sweden supports the proposed change.</p>
response	<p><i>Noted</i></p>
comment	<p>247</p> <p>comment by: IATA</p> <p>Comment to (b)(1)(iv) ".... as well as the estimated number of subcontracted....."</p> <p>The number of subcontracted organisations should not affect in a significant manner the oversight resources. Subcontractors are under the responsibility of the organisations using them, the oversight processes will have to ensure the organisations are properly monitoring their subcontractors.</p>



response *Not accepted*

The number of subcontracted organisations creates an additional level of complexity for the operator. The NAA therefore needs to assess how the operator manages this additional level of complexity. See also report of the Working Group on New Business Models and the elements related to subcontracting.

3.1.2. AMC/GM to Annex II (Part-ARO) — GM2 ARO.GEN.200(a)(2) Management system

p. 23-24

comment 31 comment by: *Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)*

GM2 ARO.GEN.200(a)(2) Inspector Training and Qualification

Sweden supports the proposed change.

response *Noted*

comment 131 comment by: *Virgin Atlantic*

(a) and (b) - We feel that these are a good addition.

response *Noted*

comment 161 comment by: *Luftfahrt-Bundesamt*

This additional GM focuses under b) too much on “commanding the professional respect”. As there are also other important criteria in the light of safety management, just culture and human factors, at the end this new GM is not really helpful and can be deleted.

response *Not accepted*

Commanding the professional respect is contained in ICAO Guidance Material on inspector competency. Until now, transposition of this element of the ICAO guidance material was missing and this GM is trying to close this gap.

comment 241 comment by: *European Cockpit Association*

GM2 ARO.GEN.200(a)(2) Management system on INSPECTOR COMPETENCY

Commented text:

(a) *Competency is a combination of individual skills, practical and theoretical knowledge, attitude, training and experience.*

(b) *An inspector should, by his/her qualifications and competencies, command the professional respect of the inspected personnel.*

ECA's Comment:

We would like to ask for **clarification** of the point **b)**, i.e. the reasoning behind prescribing such level of detail for the inspected / inspector behaviour.

response *Noted*



Commanding the professional respect is contained in ICAO Guidance Material on inspector competency. Until now, transposition of this element of the ICAO guidance material was missing and this GM is trying to close this gap.

3.1.2. AMC/GM to Annex II (Part-ARO) — GM3 ARO.GEN.200(a)(2) Management system

p. 24

comment	32	comment by: <i>Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)</i>
		GM3 ARO.GEN.200(a)(2) Inspector Training and Qualification Sweden supports the proposed change.
response		<i>Accepted</i>
comment	189	comment by: <i>DGAC France</i>
		Amend the subtitle of this GM for consistency with the description of amendment #(13) [Development of a new <i>GM3 ARO.GEN.200(a)(2) Management system</i> on FLIGHT OPERATIONS INSPECTOR (FOI) QUALIFICATION]
		GM3 ARO.GEN.200(a)(2) Management system SPECIFIC FLIGHT OPERATIONS INSPECTOR (FOI) QUALIFICATION
response		<i>Accepted</i> The subtitle of the GM has been amended.

3.1.2. AMC/GM to Annex II (Part-ARO) — GM4 ARO.GEN.200(a)(2) Management system

p. 24-25

comment	33	comment by: <i>Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)</i>
		GM4 ARO.GEN.200(a)(2) Inspector Training and Qualification Sweden supports the proposed change.
response		<i>Noted</i>
comment	190	comment by: <i>DGAC France</i>
		ICAO Annex 10 should be added to the “relevant ICAO annexes and documents”
response		<i>Accepted</i> The text has been changed accordingly.
comment	256	comment by: <i>Civil Aviation Authority of Norway</i>
		Under bulletpoint b) 1) “relevant parts of Annex 14” is missing. It is important to have an understanding of airport issues, not least for helicopter operations.



response	"Relevant parts" could also be added to Annex 6, as Annex 6 contains 3 (really 4) parts, CAT/GA and FW/RW. Not all may be relevant for all inspectors.	
	<i>Partially accepted</i>	
comment	Since this is GM not all parts have to be trained on. Only the ones that are relevant. Annex 14 has been included as proposed.	
	277	comment by: <i>Finnish Transport Safety Agency</i>
response	GM4 ARO.GEN.200(a)(2)	
	It would be useful to add also ICAO Doc 9995 'Manual of Evidence-based Training' for inspector training, as it is introduced for flight crew in GM1 ORO.FC.230(a);(b);(f).	
response	<i>Accepted</i>	

3.1.2. AMC/GM to Annex II (Part-ARO) — GM5 ARO.GEN.200(a)(2) Management system

p. 25

comment	34	comment by: Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)
	GM5 ARO.GEN.200(a)(2) Inspector Training and Qualification Sweden supports the proposed change.	
response	Noted	

comment	111	comment by: UK CAA
	Page No: 25	
	Paragraph No: N/A	
	Comment: Proposed additional guidance material regarding Fatigue Risk Management Training for Inspectors.	
	Justification: This GM was discussed at the EASA FRM TAG meeting and it was strongly supported by NAAs. By using the ICAO GM, a clear and standardised approach would be provided, in order to support the knowledge requirements for the Inspectors. It would also provide support that this was the accepted practice in order to achieve FRM approval	
	Proposed Text:	
	“GM6 ARO.GEN.200(a)(2)	
	In order to ensure that Inspectors are trained in Fatigue Risk Management in sufficient detail to understand the subject, CAs should consider basing their training on the ICAO Fatigue Management for Regulators Guidance Manual.”	



response	<p><i>Accepted</i></p> <p>A reference to ICAO Doc 9966 shall be introduced.</p>
comment	<p>242 comment by: <i>European Cockpit Association</i></p> <p>GM5 ARO.GEN.200(a)(2) Management system - FATIGUE RISK MANAGEMENT INSPECTOR TRAINING</p> <p>Commented text:</p> <p><i>Theory and effects of fatigue refers to:</i></p> <ul style="list-style-type: none"> <i>(a) Sleep</i> <i>(b) Circadian Rhythm</i> <i>(c) Adaptation (acclimatisation) after time zone crossing (westbound and eastbound) and jet lag</i> <i>(d) Shift work</i> <i>(e) Bio-mathematical fatigue models</i> <i>(f) Measurement of fatigue</i> <p>ECA's comment:</p> <p>ECA suggests to change the text to clarify that the list may not be exhaustive.</p> <p>We suggest to change item (a) to include the effect of accumulation of sleep shortage</p> <p>We further suggest to add an item (g) physiological effect of food.</p> <p>Finally, we would like to suggest adding also the repetitive early duties issues, extended duty period, non-punitive issues for the fatigue reports, etc...</p> <p><u>Reasoning:</u> inclusion of other possible aspects that influence fatigue, including possible new future insights.</p>
response	<p><i>Not accepted</i></p> <p>A GM is never an exhaustive list, since it is guidance material only. The wider term of sleep also includes the effect of accumulation of sleep shortage. Adding a reference to physiological effects of foods, repetitive early duties issues, extended duty periods, non-punitive issues for the fatigue reports is very specific and does not align with the more generic nature of this GM. In addition, EASA has added new GM that refers to the respective ICAO guidance material, where more specific guidance can be found.</p>

3.1.2. AMC/GM to Annex II (Part-ARO) — GM1 ARO.GEN.300(a);(b);(c) Oversight

p. 27

comment	<p>35 comment by: <i>Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)</i></p> <p>Insertion of a new sub-paragraph (d) that specifies that oversight of the operator includes a review and assessment of the qualifications of nominated persons into GM1 ARO.GEN.300(a);(b);(c) Oversight.</p> <p>Sweden supports the proposed change regarding oversight, however regarding first time assessment of nominated persons in relation to management system see comment on GM1 ARO.GEN.130(a)</p>
response	<p><i>Noted</i></p>



comment	257	comment by: Civil Aviation Authority of Norway
	Qualifications of NPs are important, but is this not more of an initial certification issue, rather than oversight?	
	If there is a proper process when a NP is nominated, then what may be seen as a rather inappropriate assessment of competence during a normal audit/inspection will be avoided. (see also comment to GM1 ORO.GEN.130(a) below)	
response	Noted	

3.1.2. AMC/GM to Annex II (Part-ARO) — AMC1 ARO.GEN.305(b);(c);(d);(d1) Oversight programme

p. 28

comment	36	comment by: Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)
	Insertion of a new point (a)(5) into AMC1 ARO.GEN.305(b);(c);(d);(d1) Oversight programme	
	Sweden supports the proposed changes	
response	Noted	

3.1.2. AMC/GM to Annex II (Part-ARO) — AMC2 ARO.GEN.305(b) Oversight programme

p. 28-29

comment	37	comment by: Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)
	AMC2 ARO.GEN.305(b) Oversight programme on PROCEDURES FOR OVERSIGHT OF OPERATIONS	
	Sweden supports the proposed changes.	
response	Noted	

comment	133	comment by: DGAC France
	The terms “Inspectors should be satisfied [...]” should be replaced by “Inspecting NAA should be satisfied [...]”	
response	Accepted	
	The text of the AMC has been amended to read ‘the competent authority should be satisfied’.	

comment	258	comment by: Civil Aviation Authority of Norway
	It is a bit difficult to understand what is meant by this, and the addition does not make it clearer. There has been no significant difference between how authority audits and authority inspections have been conducted as far as we understand. It could be that this is changing	



	<p>and that audits address organisational issues more, whilst inspections is more just observing things.</p> <p>With "flight inspection" most people think of the very limited inspection of the conduct of a flight, during / on board the flight itself.</p> <p>"Flight operations inspection", including training, could better be added as a separate bulletpoint or included in the ground inspection/audit.</p> <p>It the intention of the change is to emphasise that inspectors should attend (look at) both flight operations i.e. observe a flight and do the same with training sessions, i.e. sit in in the simulator, then that is fine. Similarly with ground operations (loading, boarding etc.) But this could be spelled out, rather than hidden in some vague terminology.</p> <p>The two last paragraphs of c) should be considered broken out to a separate bullet point and changed slightly, to reflect that this applies to audits as well as (actually probably more than) inspections.</p>
response	<p><i>Not accepted</i></p> <p>EASA confirms that the intent of the proposal was to clarify the meaning of flight inspection and ground inspection. EASA wanted to ensure that the items in brackets are examples of inspections and that those inspections include not only flight operations, but also flight and ground training inspections.</p> <p>Breaking up the two last paragraphs of (C) as separate bullets point does not follow the logic of the previous paragraphs.</p>

3.1.2. AMC/GM to Annex II (Part-ARO) — GM1 ARO.GEN.305(b);(c);(d);(d1) Oversight programme	p. 29
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comment	<p>38 comment by: <i>Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)</i></p> <p>new GM1 ARO.GEN.305(b);(c);(d);(d1) Oversight programme on STORAGE PERIODS OF RECORDS</p> <p>Sweden supports the proposed changes</p>
response	<p><i>Noted</i></p>

3.1.2. AMC/GM to Annex II (Part-ARO) — AMC2 ARO.GEN.305(c) Oversight programme	p. 30
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comment	<p>39 comment by: <i>Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)</i></p> <p>AMC2 ARO.GEN.305(c) Oversight programme to replace the phrase ‘reason to believe’ with the word ‘evidence’</p> <p>Sweden supports the proposed changes.</p>
response	<p><i>Noted</i></p>



3.1.2. AMC/GM to Annex II (Part-ARO) — AMC1 ARO.GEN.310(a) Initial certification procedure — organisations	p. 30-32
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comment	40	comment by: <i>Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)</i>
		<p>AMC1 ARO.GEN.310(a) Initial certification procedure — organisations on VERIFICATION OF COMPLIANCE</p> <p>Sweden supports the proposed changes.</p>
response		<i>Noted</i>

3.1.2. AMC/GM to Annex II (Part-ARO) — GM2 ARO.GEN.350(d) Findings and corrective actions — organisations	p. 32
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comment	41	comment by: <i>Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)</i>
		<p>A new GM2 ARO.GEN.350(d) Findings and corrective actions — organisations</p> <p>Sweden supports the proposed amendment.</p>
response		<i>Noted</i>

comment	218	comment by: <i>KLM</i>
		<p>This GM is superfluous as this is already stipulated in ARO.GEN.350(d)(2)(i)</p>
response		<p><i>Not accepted</i></p> <p>Clarification on when the 3-month period commences was necessary following feedback received from authorities.</p>

3.1.2. AMC/GM to Annex II (Part-ARO) — GM1 ARO.OPS.100(b) Issue of the air operator certificate	p. 33-34
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comment	42	comment by: <i>Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)</i>
		<p>new GM1 ARO.OPS.100(b) Issue of the air operator certificate to provide guidance for authorities when defining the area of operation in Appendix II (OPS SPECS)</p> <p>Sweden supports the proposed amendment. EASA might consider to add a vertical boundary.</p>
response		<p><i>Noted</i></p> <p>EASA does not see an added value for a vertical limit except when the operator flies above 49 000 ft. This limit used to be in EU-OPS and is the threshold for an on-board measuring equipment.</p>



comment	<p>112</p> <p>comment by: UK CAA</p> <p>Page No: 33</p> <p>Paragraph No: (24) - GM1 ARO.OPS.110(b) Issue of the air operator certificate</p> <p>Comment: Paragraph GM1 ARO.OPS.110(b) Issue of the air operator certificate is an incorrect reference. The UK CAA suggests it should state GM1 ARO.OPS.100(b).</p> <p>Justification: ARO.OPS.100 refers to AOC issues and ARO.OPS.110 refers to Leasing</p> <p>Proposed Text: Amend this reference to “GM1 ARO.OPS.100(b)...”</p>
response	Accepted
comment	<p>134</p> <p>comment by: DGAC France</p> <p>The numbering of the GM should be corrected : « GM1 ARO.OPS.100(b) » instead of « GM1 ARO.OPS.110(b) »</p>
response	Accepted
comment	<p>135</p> <p>comment by: DGAC France</p> <p>In the list of examples for the designation of the boundaries of a permissible area of operation, the following possibility could be added : (5) ICAO region(s)</p>
response	Accepted
comment	<p>136</p> <p>comment by: DGAC France</p> <p>In line with the recommendation made to NAAs in the EASA SIB 2015-13, a reference to operations in the ICTZ (Inter-Tropical Convergence Zone) could be added among the factors that should be taken into account when deciding the area of operation.</p>
response	Accepted
comment	<p>194</p> <p>comment by: Mario Tortorici</p> <p>Change No. (24) - new GM1 ARO.OPS.100(b)</p> <p>The GM looks outdated in an operator mature management system. All listed checks are performed by the operator when it assesses its risks in operating in a certain area. The Authority may only check the risk assessment to confirm or limit the area. My suggestion is to move the guidance to part ORO.</p>
response	<p>Not accepted</p> <p>The ARO.OPS requirement and respective AMC/GM is addressed to the authority when approving the AOC and OPS SPECS. For those items, a prior approval is necessary and the authority can not only rely on the risk assessment of the operator when making its decision.</p>



3.1.2. AMC/GM to Annex II (Part-ARO) — GM2 ARO.OPS.110 Lease agreements

p. 34

comment	<p>43 comment by: <i>Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)</i></p> <p>new GM2 ARO.OPS.110 Lease agreements on LONG-TERM LEASE AGREEMENTS BETWEEN OPERATORS REGISTERED IN AN EU MEMBER STATE</p> <p>Amendment of GM2 ARO.OPS.110 Lease agreements Sweden supports the proposal to limit the prior approval requirement to lease agreements concerning aircraft registered in a third country and to remove the prior approval for lease agreements between EU operators.</p>
response	Noted
comment	<p>113 comment by: <i>UK CAA</i></p> <p>Page No: 34</p> <p>Paragraph No: (25) - GM2 ARO.OPS.110</p> <p>Comment: Refers to long-term lease agreements of more than 7 months between EU operators, the UK CAA suggests this should clarify that it is 7 months cumulative within any 12 consecutive months.</p> <p>Justification: Clarification is required, otherwise consecutive 6 month lease agreements could run indefinitely without having to comply with the new GM2.</p> <p>Proposed Text: “In <i>the</i> case of a long-term lease agreement of more than 7 months cumulative within 12 consecutive months between operators having their principal place of business in an EU Member States...”</p>
response	Accepted
comment	<p>195 comment by: <i>Mario Tortorici</i></p> <p>Change No. (25) - new GM2 ARO.OPS.110 If the intention is to consider the long term wet lease-in as a contracted activity we believe that it is necessary to write it in the regulation more than in the GM.</p> <p>NOTE: please consider also ENAC comments to ARO.OPS.110 and ORO.GEN.110 about leasing btwn UE operators. In any case a GM is too weak to replace current obligation of prior approval.</p>
response	<p>Not accepted</p> <p>Leasing is a contracted activity according to ARO.GEN200(c). A GM is sufficient, because the rule already applies and therefore the GM is only a further clarification of a rule that applies.</p>
comment	<p>223 comment by: <i>IACA International Air Carrier Association</i></p>



Long-term lease between operators Sub-NPA (B) p34 new GM2 ARO.OPS.110	Deleting the prior approval for leasing agreements between EU operators, IACA carriers support the mutual exchange of all necessary information between the Competent Authority of Lessee and the Competent Authority of Lessor.
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response *Noted*

3.1.2. AMC/GM to Annex II (Part-ARO) — AMC1 ARO.RAMP.115(b)(2) Qualification of ramp inspectors

p. 35

comment 44 comment by: *Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)*

Amendment of AMC1 ARO.RAMP.115(b)(2) Qualification of ramp inspectors

new GM2 ARO.RAMP.115(b)(2) Qualification of ramp inspectors

Sweden supports the proposed amendment.

response *Noted*

comment 107 comment by: *Luftfahrt-Bundesamt*

To simplify the rule and to keep the requirements in a structured order, we propose to change 'with no less than 20 ramp inspections' to 'with no less than 24 ramp inspections'. So that the only used numbers are 12 for inspectors and 24 for senior inspectors only.

A period of 6 month ('during each half of that calendar year') is rather short, especially for inspectors at smaller airports with limited and seasonal traffic. Here, a short but unexpected absence of the inspector can induce the need for OJT. We expect a huge increase in the number of OJT due to this massive intensification of the rule. We propose to delete 'with no less than 12 ramp inspections during each half of that calendar year.' The word 'half' should be deleted accordingly out of section (e).

response *Partially accepted*

Agreed. Although this proposal was intended as a flexibility provision, the comment is accepted since using the same numbers is better manageable.



Not accepted. The GM explains that the half years are defined as from January to June and July to December, which should eliminate the seasonal influence.

comment

206

comment by: *Federal Office of Civil Aviation (FOCA), Switzerland***AMC1 to ARO.RAMP.115(b)(2)**

Comments FOCA: *The suggested improvements are focused to the initial and the repetitive training for SAFA- and SAFA Senior inspectors. These specific requirements are entirely fulfilled with today's SAFA FOCA organization, despite the fact, that some of the aiming points would have to be adjusted. Regardless the fact that these legal changes have no direct effect to the current training (recurrent) scheme nor to the daily SAFA operation, the future planning and organization would be unnecessarily restricted. Especially authorities like the Swiss CAA, organized and managed according to a so called "Militia – System" would be faced with additional planning demands (at least 6 inspections during every 6 month) not necessarily leading to better quality.*

response

Not accepted

Not accepted. The proposed changes are alleviating the planning requirements, whereas the previous requirements referred to 'any 12 months period' which could theoretically imply the need for a daily verification of the compliance.

comment

249

comment by: *IATA*

IATA understands that the very specific number of ramp inspections to be performed by ramp inspectors is meant to ensure standardization and the proper application of the inspection guidelines.

However the numbers of inspections mentioned in the AMC should not lead to an over burden on the airlines so that each inspector performs its required inspection quota (SAFA/SACA). As mentioned before we are supporting EASA is developing a European integrated formula for SAFA/SACA inspection quota calculation which will reduce the number of inspections on airlines. This formula should be performance based and focused on valid safety issues.

response

Noted
3.1.2. AMC/GM to Annex II (Part-ARO) — GM2 ARO.RAMP.115(b)(2) Qualification of ramp inspectors

p. 35-36

comment

106

comment by: *Luftfahrt-Bundesamt*

The first part of (a) is only a duplication of the rules already mentioned in (27) AMC1, therefore the first 3 sentences should be deleted. Only the part 'Regard to the recent experience, contrary to the requirements for non-senior inspectors, the mentioned number of inspections for senior inspectors are always ramp inspections, and may not be



response

reduced by other inspections.' should be left.

In accordance with our comment to (27) AMC 1 'and 1 July' in section (b) should be deleted.

Not accepted

Not accepted. The AMC/GM is containing explanatory material which provides clarifications on how to interpret the rule, rather than merely duplicating it.

comment

114

comment by: UK CAA

Page No: 35

Paragraph No: 28

Comment: The UK CAA suggests this should allow for SANA inspections to be included as part of senior inspector qualification number.

Justification: SANA follows the same procedure and checklist.

Proposed Text: Amend the text to make it clear that the 72 inspections could include SANA inspections.

response

Not accepted

Not accepted. There is no requirement in ARO.RAMP that SANA should follow the same procedures and checklist (but a recommendation only). Consequently, it cannot be accepted that it replaces SAFA/SACA ramp inspections.

comment

207

comment by: Federal Office of Civil Aviation (FOCA), Switzerland

GM2 to ARO.RAMP.115(b)(2)

Comments FOCA: The suggested improvements are focused to the initial and the repetitive training for SAFA- and SAFA Senior inspectors. These specific requirements are entirely fulfilled with today's SAFA FOCA organization, despite the fact, that some of the aiming points would have to be adjusted. Regardless the fact that these legal changes have no direct effect to the current training (recurrent) scheme nor to the daily SAFA operation, the future planning and organization would be unnecessarily restricted. Especially authorities like the Swiss CAA, organized and managed according to a so called "Militia – System" would be faced with additional planning demands (at least 6 inspections during every 6 month) not necessarily leading to better quality.



response *Not accepted*

Not accepted. The proposed changes are alleviating the planning requirements, whereas the previous requirements referred to 'any 12 months period' which could theoretically imply the need for a daily verification of the compliance.

comment 250

comment by: IATA

IATA understands that the very specific number of ramp inspections to be performed by ramp inspectors is meant to ensure standardization and the proper application of the inspection guidelines.

However the numbers of inspections mentioned in the AMC should not lead to an over burden on the airlines so that each inspector performs its required inspection quota (SAFA/SACA). As mentioned before we are supporting EASA is developing a European integrated formula for SAFA/SACA inspection quota calculation which will reduce the number of inspections on airlines. This formula should be performance based and focused on valid safety issues.

response *Noted*

3.1.2. AMC/GM to Annex II (Part-ARO) — AMC1 ARO.RAMP.115(b)(3) Qualification of ramp inspectors

p. 36

comment 208

comment by: Federal Office of Civil Aviation (FOCA), Switzerland

AMC1 to ARO.RAMP.115(b)(3)

Comments FOCA: *The suggested improvements are focused to the initial and the repetitive training for SAFA- and SAFA Senior inspectors. These specific requirements are entirely fulfilled with today's SAFA FOCA organization, despite the fact, that some of the aiming points would have to be adjusted. Regardless the fact that these legal changes have no direct effect to the current training (recurrent) scheme nor to the daily SAFA operation, the future planning and organization would be unnecessarily restricted. Especially authorities like the Swiss CAA, organized and managed according to a so called "Militia – System" would be faced with additional planning demands (at least 6 inspections during every 6 month) not necessarily leading to better quality.*

response *Not accepted*

Not accepted. The proposed changes are alleviating the planning requirements, whereas the previous requirements referred to 'any 12 months period' which could theoretically imply the need for a daily verification of the compliance.

3.1.2. AMC/GM to Annex II (Part-ARO) — AMC2 ARO.RAMP.115(b)(3) Qualification of ramp inspectors

p. 36-37

comment 108

comment by: Luftfahrt-Bundesamt

In accordance with our comment to (27) AMC 1 'with no less than 6 ramp inspections



	<p>during each half of that calendar year' in section (a) should be deleted.</p> <p>In paragraph (c) 'paragraphs' should be changed to 'paragraph'.</p> <p>In accordance with our comment to (27) AMC 1 'half' in section (c) should be deleted.</p> <p>The '6' in section (d) seems to be a typo and should be changed to '2'. However, in accordance with the above mentioned comments and with the fact that an inspector can also be engaged in performing inspections (as not finished OJT) without being requalified afterwards, we propose the following text: Whenever a ramp inspector loses his/her qualification as a result of failure to meet the conditions on minimum number of ramp inspections mentioned in paragraph (a) above and will not be requalified in accordance with paragraph (c) in the next calendar year, he/she may be requalified by the competent authority only after successfully completing on-the-job-training as prescribed in AMC2 ARO.RAMP.115(b)(2) and any required recurrent training.</p>
response	<i>Partially accepted</i>
comment	<p>137 comment by: DGAC France</p> <p>The terms “6 consecutive halves of a calendar year” should be replaced by “2 consecutive halves of a calendar year”</p>
response	<i>Accepted</i>
comment	<p>177 comment by: FAA</p> <p>ARO.RAMP.115(b)(3)(d) Should this read “2 consecutive halves of a calendar year”, otherwise there appears to be no difference in the time frames, 6 consecutive halves of a calendar year vs. 3 calendar years, that are specified in paragraphs (d) and (e). However, there appears to be a significant difference in the training requirements for requalification that are specified in paragraph (d) and (e).</p>
response	<p><i>Partially accepted</i></p> <p>Partially accepted. The NPA included a typo, therefore the text is being revised..</p>
comment	<p>196 comment by: Mario Tortorici</p> <p>Change No. (30) - AMC2 ARO.RAMP.115(b)(3) - point (d) and (e)</p> <p>The difference between "more than 6 consecutive halves of a calendar year" and "more than 3 years" is not clear.</p>
response	<p><i>Partially accepted</i></p> <p>Partially accepted. The NPA included a typo, therefore the text is being revised..</p>
comment	<p>209 comment by: Federal Office of Civil Aviation (FOCA), Switzerland</p>



AMC2 to ARO.RAMP.115(b)(3)

Comments FOCA: *The suggested improvements are focused to the initial and the repetitive training for SAFA- and SAFA Senior inspectors. These specific requirements are entirely fulfilled with today's SAFA FOCA organization, despite the fact, that some of the aiming points would have to be adjusted. Regardless the fact that these legal changes have no direct effect to the current training (recurrent) scheme nor to the daily SAFA operation, the future planning and organization would be unnecessarily restricted. Especially authorities like the Swiss CAA, organized and managed according to a so called "Militia – System" would be faced with additional planning demands (at least 6 inspections during every 6 month) not necessarily leading to better quality.*

response **Not accepted**

Not accepted. The proposed changes are alleviating the planning requirements, whereas the previous requirements referred to 'any 12 months period' which could theoretically imply the need for a daily verification of the compliance.

comment

219

comment by: KLM

Please clarify the distinction between sub d and e .What is the difference between 6 consecutive halves of a calender year and 3 years?

response

Partially accepted

Partially accepted. The NPA included a typo, therefore the text is being revised.

comment

251

comment by: IATA

IATA understands that the very specific number of ramp inspections to be performed by ramp inspectors is meant to ensure standardization and the proper application of the inspection guidelines.

However the numbers of inspections mentioned in the AMC should not lead to an over burden on the airlines so that each inspector performs its required inspection quota (SAFA/SACA). As mentioned before we are supporting EASA is developing a European integrated formula for SAFA/SACAinspection quota calculation which will reduce the number of inspections on airlines. This formula should be performance based and focused on valid safety issues.

response

Noted

3.1.2. AMC/GM to Annex II (Part-ARO) — GM1 ARO.RAMP.115(b)(3) Qualification of ramp inspectors

p. 37

comment

45

comment by: Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)

A new GM1 ARO.RAMP.115(b)(3) on Qualification of ramp inspectors

Sweden supports the proposed amendment.



response *Noted*

comment 109

comment by: *Luftfahrt-Bundesamt*

In accordance with the comments above 'and 1 July' and 'half' should be deleted.

response *Not accepted*

The GM explains that the half years are defined as from January to June and July to December, which should eliminate the seasonal influence.



comment 210

comment by: *Federal Office of Civil Aviation (FOCA), Switzerland*

GM1 to ARO.RAMP.115(b)(3)

***Comments FOCA:** The suggested improvements are focused to the initial and the repetitive training for SAFA- and SAFA Senior inspectors. These specific requirements are entirely fulfilled with today's SAFA FOCA organization, despite the fact, that some of the aiming points would have to be adjusted. Regardless the fact that these legal changes have no direct effect to the current training (recurrent) scheme nor to the daily SAFA operation, the future planning and organization would be unnecessarily restricted. Especially authorities like the Swiss CAA, organized and managed according to a so called "Militia – System" would be faced with additional planning demands (at least 6 inspections during every 6 month) not necessarily leading to better quality.*

response *Not accepted*

Not accepted. The proposed changes are alleviating the planning requirements, whereas the previous requirements referred to 'any 12 months period' which could theoretically imply the need for a daily verification of the compliance.

3.1.3. AMC/GM to Annex III (PART-ORO) — AMC1 ORO.GEN.110(e) Operator responsibilities

p. 38

comment 47

comment by: *Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)*

ORO.GEN.110 Operator responsibilities

AMC1 ORO.GEN.110(e) Operator responsibilities

Sweden find the proposed amendment acceptable.

response *Noted*

3.1.3. AMC/GM to Annex III (PART-ORO) — AMC1 ORO.GEN.130 Changes related to an AOC

p. 38-39



holder

comment 48 comment by: *Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)*

AMC1 ORO.GEN.130 Changes related to an AOC holder to increase the notification period for changes of nominated persons from 10 to 20 days.

Sweden finds the proposed amendment regarding 20 days acceptable.

response *Noted*

comment 220 comment by: *KLM*

As a change of a nominated person does not constitute a change for which a prior approval is required anymore (ref GM1 ORO.GEN.130(a)), why increase the notification period? This seems illogical.

response *Noted*

The change of nominated persons in AMC1 ORO.GEN.130 refers to planned changes. For this reason, the operator should be aware of such changes ahead of the change. A notification period of 10 days prior to the change was deemed to be too short for the authority to assess the change. A notification period of 20 days for a planned change in the nominated person does not constitute undue burden for the operator and ensures better oversight of changes.

comment 224 comment by: *IACA International Air Carrier Association*

Notification nominated persons Sub-NPA (B) p38-39 amendment AMC1 ORO.GEN.130	IACA carriers support the increase of the notification period from 10 to 20 days, and support that changes to nominated persons or post-holders do not require prior approval.
--	--

response *Noted*

3.1.3. AMC/GM to Annex III (PART-ORO) — GM1 ORO.GEN.130(a) Changes related to an AOC holder

p. 39

comment 2 comment by: *Air Pannonia*

GM1 ORO.GEN.130(a) Changes related to an AOC holder;
point (a)(7) can be deleted as it is not necessary any more because ORO.GEN.210(a) is about appointment and responsibility of accountable manager, and he is mentioned in point (a)(6) of GM1 ORO.GEN.130(a).

response *Accepted*



comment

49

comment by: *Swedish Transport Agency, Civil Aviation Department
(Transportstyrelsen, Luftfartsavdelningen)*

Amendment of GM1 ORO.GEN.130(a) Changes related to an AOC holder on *GENERAL* to delete a reference to nominated postholders in point (a)(7)

Sweden does not agree in removing the references to Nominated Persons as we consider a change among the nominated persons as a change that can affect the management system, hence subject to authority assessment of the relevant system.

Rationale: This change would give that the competent authorities are just given a prior notice about a change of a nominated person in an organisation and would not be subject to authority assessment. The amendment of the paragraph constitutes a major change to the current application for authorities. This suggestion requires well mature organisations in respect of the recently implemented management system rules. Sweden suggests that EASA draft provisions, on a more detailed level, that specify that the operator needs develop procedures for required knowledge, skills, and attitude.

As AMC1 ARO.GEN.330 (a), still gives the NAAs the right to interview the nominees to verify his/her suitability and competence before acceptance, the proposed change might conflict with this paragraph.

Suggestion: Do not remove the reference to nominated persons in point (a)(7)

response

Not accepted

EASA clarifies that the nomination of a nominated person does not require a prior approval. Neither during the process of issuance of an AOC, even though the AMC in Part-ARO refers to the importance on initial application of a careful review of the qualifications of the organisations' nominated persons, nor when there is a change in the nominated person. ORO.GEN.130(a)(1) stipulates that changes to the operator's management system related to ORO.GEN.200(a)(1) (i.e. clearly defined lines of responsibility and accountability) require a prior approval. Ultimately, it is the accountable manager, who is directly responsible and accountable. For this reason, a change in the accountable manager requires a prior approval. Other changes linked to personnel do not require a prior approval. While EASA acknowledges that many changes can affect the management system, e.g. a change in the de-icing provider, many of those changes do not require a prior approval.

During the initial drafting of the rules relating to nominated persons, the rulemaking group at the time could not agree on the required qualifications of a nominated person. For this reason, the qualification criteria are now contained in a GM and not in AMC. As the rules were adopted in 2012, a change in a nominated person was seen as being part of the change management process to be agreed between the authority and the operator under ARO.GEN.330(c) and ORO.GEN.130(c).

EASA understands that point (a) of AMC1 ARO.GEN.330 might be interpreted as requiring a prior approval for the nominated person. Therefore, EASA has also amended AMC1 ARO.GEN.330 to clarify that nominated persons do not require a prior approval, but that any



change to nominated persons should be subject to the change management procedure.

comment 102

comment by: Civil Aviation Authority of Norway

Amendment of GM1 ORO.GEN.130(a)

The proposal to delete a reference to nominated postholders in point (a)(7) is not supported. Having qualified and experienced NPs, is to our experience a significant prerequisite for the operator's ability to perform safely. We do see from time to time that operators nominate NPs that are not qualified, and we would therefore like to maintain today's requirement for prior approval of these nominations.

To alternatively address such shortcomings of an NPs qualifications through the regular oversight of the operator, will in our opinion be a more bureaucratic approach and will cause additional work for the competent authorities. Also, the need for a competent authority to address NP qualification shortcomings through its oversight, perhaps by issuing a finding, will probably be a more harmful approach for the operator and the particular NP, than to not accept the nomination of that NP as it is today.

It should be noted that AMC1 ARO.GEN.330 requires an assessment of a NP's acceptability when changing the person, but we have not found any similar requirement to assess the initial acceptability in e.g. in ORO.GEN.210 or ORO.AOC.135.

response *Not accepted*

EASA clarifies that the nomination of a nominated person does not require a prior approval. Neither during the process of issuance of an AOC, even though the AMC in Part-ARO refers to the importance on initial application of a careful review of the qualifications of the organisations' nominated persons, nor when there is a change in the nominated person. ORO.GEN.130(a)(1) stipulates that changes to the operator's management system related to ORO.GEN.200(a)(1) (i.e. clearly defined lines of responsibility and accountability) require a prior approval. Ultimately it is the accountable manager, who is directly responsible and accountable. For this reason a change in the accountable manager, requires a prior approval. Other changes linked to personnel do not require a prior approval. While EASA acknowledges that many changes can affect the management system, e.g. a change in the de-icing provider, many of those changes do not require a prior approval.

During the initial drafting of the rules relating to nominated persons, the rulemaking group at the time could not agree on the required qualifications of a nominated person. For this reason, the qualification criteria are now contained in a GM and not in AMC. As the rules were adopted in 2012, a change in a nominated person was seen as being part of the change management process to be agreed between the authority and the operator under ARO.GEN.330(c) and ORO.GEN.130(c) .

EASA understands that point (a) of AMC1 ARO.GEN.330 might be interpreted as requiring a prior approval for the nominated person. Therefore, EASA has also amended AMC1 ARO.GEN.330 to clarify that nominated persons do not require a prior approval, but that any change to nominated persons should be subject to the change management procedure.

comment 138

comment by: DGAC France

Revise the wording of point (a)(7) for consistency as the accountable manager would be the



response	<p>only person affected by the change.</p> <p>(7) any of the persons referred to in ORO.GEN.210 (a) and (b);</p> <p>(« the person » iso « any of the persons »)</p> <p><i>Accepted</i></p>
comment	<p>178 comment by: AeroEx GmbH</p> <p>(a6) & (a7) could be merged in case ORO.GEN.210 (b) is removed.</p>
response	<p><i>Accepted</i></p>
comment	<p>197 comment by: Mario Tortorici</p> <p>Change No. (34) - GM1 ORO.GEN.130(a)</p> <p>The change of a nominated person or postholder shall absolutely remain a change requiring prior approval as it is since first draft of JAR OPS, due to the significant impact on management system of any operator and to safety of the operations</p> <p>If this provision is deleted there will be a significant change in the Regulation and in the role of the CA to oversee the safety of the CAT operations for european operators.</p> <p>Moreover in our experience also the change of the Compliance Monitoring Manager and of the Safety Manager are significant changes.</p>
response	<p><i>Not accepted</i></p> <p>EASA clarifies that the nomination of a nominated person does not require a prior approval. Neither during the process of issuance of an AOC, even though the AMC in Part-ARO refers to the importance on initial application of a careful review of the qualifications of the organisations' nominated persons, nor when there is a change in the nominated person. ORO.GEN.130(a)(1) stipulates that changes to the operator's management system related to ORO.GEN.200(a)(1) (i.e. clearly defined lines of responsibility and accountability) require a prior approval. Ultimately it is the accountable manager, who is directly responsible and accountable. For this reason a change in the accountable manager, requires a prior approval. Other changes linked to personnel do not require a prior approval. While EASA acknowledges that many changes can affect the management system, e.g. a change in the de-icing provider, many of those changes do not require a prior approval.</p> <p>During the initial drafting of the rules relating to nominated persons, the rulemaking group at the time could not agree on the required qualifications of a nominated person. For this reason, the qualification criteria are now contained in a GM and not in AMC. As the rules were adopted in 2012, a change in a nominated person was seen as being part of the change management process to be agreed between the authority and the operator under ARO.GEN.330(c) and ORO.GEN.130 c) .</p> <p>EASA understands that point (a) of AMC1 ARO.GEN.330 might be interpreted as requiring a prior approval for the nominated person. Therefore, EASA has also amended AMC1 ARO.GEN.330 to clarify that nominated persons do not require a prior approval, but that any change to nominated persons should be subject to the change management procedure.</p>



comment	236	comment by: <i>IACA International Air Carrier Association</i>	
	<div><div><div><div><div><div>Notification nominated persons</div><div>Sub-NPA (B) p38-39 amendment</div><div>GM1</div><div>ORO.GEN.130(a)</div></div></div></div></div></div>	IACA carriers support the increase of the notification period from 10 to 20 days, and support that changes to nominated persons or post-holders do not require prior approval.	
response	<i>Accepted</i>		

3.1.3. AMC/GM to Annex III (PART-ORO) — AMC1 ORO.GEN.130(b) Changes related to an AOC holder

p. 39

comment	50	comment by: <i>Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)</i>
	<p>Development of a new AMC1 ORO.GEN.130(b) Changes related to an AOC holder to ensure that for changes, the operator should provide the safety risk assessment to the competent authority upon request.</p> <p>Sweden finds the proposed new AMC acceptable.</p> <p>Amendment of the title of GM3 ORO.GEN.130(b) Changes related to an AOC holder to now read GM1 ORO.GEN.130(b).</p> <p>Sweden find the proposed amendment acceptable.</p>	
response	Noted	
comment	139	comment by: <i>DGAC France</i>
	<p>Point (a) doesn't seem to be necessary as it is only a reminder of an already existing requirement</p> <p>Point (b) could introduce some misunderstandings as it could induce that, for changes not requiring a prior approval, a safety risk assessment is not needed.</p>	
response	<p><i>Partially accepted</i></p> <p>EASA agrees that point (a) is superfluous. Point (b) has been amended to avoid the misunderstandings raised by the commenter.</p>	
comment	179	comment by: <i>AeroEx GmbH</i>
	<p>(a) this requirement is a duplication as this is already addressed under the Management System requirements. If the meaning of this requirement is that changes requiring prior approval should be managed under the management of change process the text could be amended as follows;</p> <p>The organisation should manage safety risks related to any changes requiring prior approval</p>	



	<p>to the organisation in accordance with AMC1 ORO.GEN.200(a)(3) point (e). (b) This requirement is considered to be too prescriptive and should be deleted. The Operator has anyhow to identify external and internal change that may have an adverse effect on safety as required by ORO.GEN.200 In case this proposal is maintained, a safety risk assessment should only be required for those changes that have an impact on safety or hazard flight safety.</p>
response	<p><i>Not accepted</i></p> <p>EASA agrees to delete point (a). The title of the AMC has been changed to only refer to changes requiring prior approval from the authority.</p>
comment	<p>221 comment by: KLM</p> <p>Sub (b) of this AMC is superfluous and should be deleted. Management of change is part of SMS. Whether a change requiring prior approval requires a safety risk assessment, is a decision of the SAG.</p>
response	<p><i>Not accepted</i></p> <p>This AMC is only limited to changes requiring prior approval. There are considered to require additional scrutiny of the competent authority. In order to ensure that the authority can assess the impact of the change on safety, a safety risk assessment upon request of the authority should be provided to the authority.</p>
comment	<p>278 comment by: Finnish Transport Safety Agency</p> <p>AMC1 ORO.GEN.130(b) point (b)</p> <p>The text should be modified to make it clear that the risk analysis must be done always, not only upon request.</p> <p>Proposed text: (b) For changes requiring prior approval, the operators should provide a the required safety risk assessment to the competent authority upon request.</p>
response	<p><i>Partially accepted</i></p> <p>The wording of the AMC has been changed and now reads: For changes requiring prior approval, the operators should conduct a safety risk assessment and provide it to the competent authority upon request.</p>

3.1.3. AMC/GM to Annex III (Part-ORO) — GM3 ORO.GEN.130(b) Changes related to an AOC holder

p. 40-42

comment	<p>225 comment by: IACA International Air Carrier Association</p> <table border="1"> <tr> <td>Evacuation with reduced cabin crew Sub-NPA (B) p40</td><td>IACA carrier support that evacuation procedures with reduced number of required cabin crew during ground operations or unforeseen circumstances do not require prior approval.</td></tr> </table>	Evacuation with reduced cabin crew Sub-NPA (B) p40	IACA carrier support that evacuation procedures with reduced number of required cabin crew during ground operations or unforeseen circumstances do not require prior approval.
Evacuation with reduced cabin crew Sub-NPA (B) p40	IACA carrier support that evacuation procedures with reduced number of required cabin crew during ground operations or unforeseen circumstances do not require prior approval.		



	amendment GM1 ORO.GEN.130(b)	
response	Accepted	
comment	259	comment by: Civil Aviation Authority of Norway
	<p>This could not be seen as purely an editorial change. Approval of ARA may be one thing, but use of offshore alternates is quite different and should not be removed.</p> <p>One general point to this GM: There is a need to complete the list in this GM of issues to be approved. As it is now, it is unfortunately not very useful and actually counterproductive as one still has to search for other things that might have be approved. We propose to preferrably make the list complete, but if not, remove it.</p>	
response	<p>Partially accepted</p> <p>The removal of reference to evacuation procedures with a reduced number of CC is necessary, since this does not constitute a prior approval. The GM is a collection of items that require prior approval, but as correctly stated by the commenter it is not a complete list of all prior approval items. EASA is considering to develop safety promotion material in the form of a checklist that authorities could use to identify all items requiring prior approval.</p>	

3.1.3. AMC/GM to Annex III (Part-ORO) — AMC1 ORO.GEN.200(a)(1);(2);(3);(5) Management system

p. 42

comment	51	comment by: Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)
	<p>AMC1 ORO.GEN.200(a)(1);(2);(3);(5) Management system on NON-COMPLEX OPERATORS Sweden finds the proposed AMC acceptable.</p>	
response	Noted	

3.1.3. AMC/GM to Annex III (Part-ORO) — GM1 ORO.GEN.200(a) Management system

p. 42

comment	54	comment by: Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)
	<p>A new GM1 ORO.GEN.200(a) Management system on INTEGRATED MANAGEMENT SYSTEM Sweden find the proposed new GM acceptable.</p>	
response	Noted	



comment	140	comment by: DGAC France		
	<p>Contrary to the announcement made in the explanatory note of point (38), this GM doesn't seem to introduces guidance on how to integrate a Management System for an organisation with several certificates. This is the subject of the open question n°5.</p> <p>The difference between 'combined' and 'integrated' is not clear.</p>			
response	<p><i>Accepted</i></p> <p>EASA agrees to delete the proposed GM. It does not provide additional guidance on how to establish an integrated management system. Such guidance would make more sense in the form of safety promotion material.</p>			
comment	162	comment by: Luftfahrt-Bundesamt		
	<p>Contrary to the explanation under point (38) of the NPA this GM does not provide guidance on <u>how</u> to integrate such a Management System. It just states as GM <u>that</u> the Management System may be combined. At the end this GM is just adding not helpful information to the rule book. We propose to delete this GM and instead of such GM to push a decision on "horizontal approaches" for authority and organisational requirements.</p>			
response	<p><i>Accepted</i></p> <p>EASA agrees to delete the proposed GM. It does not provide additional guidance on how to establish an integrated management system. Such guidance would make more sense in the form of safety promotion material.</p>			
comment	180	comment by: AeroEx GmbH		
	<p>fully Support this GM which should also be included in Part M / 145 GM.</p>			
response	<p><i>Accepted</i></p> <p>EASA agrees to delete the proposed GM. It does not provide additional guidance on how to establish an integrated management system. Such guidance would make more sense in the form of safety promotion material.</p>			
comment	226	comment by: IACA International Air Carrier Association		
	<table><tr><td>Integrated management system Sub-NPA (B) p42 new GM1 ORO.GEN.200(a)</td><td>IACA carriers support the concept of an integrated management system for organisations with several certificates.</td></tr></table>	Integrated management system Sub-NPA (B) p42 new GM1 ORO.GEN.200(a)	IACA carriers support the concept of an integrated management system for organisations with several certificates.	
Integrated management system Sub-NPA (B) p42 new GM1 ORO.GEN.200(a)	IACA carriers support the concept of an integrated management system for organisations with several certificates.			
response	<p><i>Accepted</i></p>			

EASA agrees to delete the proposed GM. It does not provide additional guidance on how to establish an integrated management system. Such guidance would make more sense in the form of safety promotion material.

comment	260	comment by: <i>Civil Aviation Authority of Norway</i>
	We propose to change the text from "may" to "should", as separate/compartmented management systems could be considered less effective.	
response	<i>Accepted</i>	
	EASA agrees to delete the proposed GM. It does not provide additional guidance on how to establish an integrated management system. Such guidance would make more sense in the form of safety promotion material.	
comment	283	comment by: <i>FNAM</i>
	The FNAM supports the promotion of an integrated management system for organizations holding one or more additional organization certificates within the Regulation (CE) 216/2008. This should remain an opportunity at the choice of the concerned organizations.	
response	<i>Accepted</i>	
	EASA agrees to delete the proposed GM. It does not provide additional guidance on how to establish an integrated management system. Such guidance would make more sense in the form of safety promotion material.	

3.1.3. AMC/GM to Annex III (Part-ORO) — GM2 ORO.GEN.200(a)(1) Management system

p. 43

comment	55	comment by: <i>Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)</i>
	Amendment of point (d)(2) of GM2 ORO.GEN.200(a)(1) Management system to clarify the wording in relation to the safety action group. Sweden find the proposed amendment acceptable.	
response	<i>Noted</i>	
comment	199	comment by: <i>ICEALDA</i>
	EASA should drop down the authority of the operators Management due to the operators do not full fill their obligation regarding qualification concerning Operation Control and responsibility.	
	We and EASA Shall not accept that regarding safety that the operators state that only one person can be responsibility and that can be person from the Management of the Operators	



	<p>but most of the airline have 24/7 Operation Control Center and not only one person and full fill that position 24/7 365 day of the year.</p> <p>EASA have to change all sections under Management to responsibility to full trained qualified Personnel based on ICAO Annex I</p> <p>EASA Must/Shall take out should due to Operators always try to go around responsibility.</p> <p>(d) Add definition of responsibility within the management system for the operators.</p> <p>EASA Must not accept that operators can put one personel responsibility for operatons 24/7 365 days a year.</p> <p>Operators Must/Shall definition which personnel with in Operaton Control is responsigility, that must be at least FOO Flight Opeaton Officer full trained based on ICAO doc 7192 D3 for FOO.</p>
response	<i>Noted</i>
comment	<p>261 <i>comment by: Civil Aviation Authority of Norway</i></p> <p>"Define strategies to mitigate the identified safety risks" is rather difficult to grasp. One would have thought that strategies were more for the SRB.</p> <p>Is it not rater e.g. "...methods to assess and treat (or mitigate) risk ..."?</p>
response	<p><i>Accepted</i></p> <p>EASA agrees and has changed the GM to now read 'actions' instead of 'strategies'.</p>

3.1.3. AMC/GM to Annex III (Part-ORO) — GM3 ORO.GEN.200(a)(1) Management system

p. 43

comment	<p>56 <i>comment by: Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)</i></p> <p>Development of a new GM3 ORO.GEN.200(a)(1) Management system on the <i>MEANING OF THE TERMS 'ACCOUNTABILITY' AND 'RESPONSIBILITY'</i></p> <p>Sweden find the proposed amendment acceptable.</p>
response	<i>Noted</i>
comment	<p>200 <i>comment by: ICEALDA</i></p> <p>EASA should drop down the authority of the operators Management due to the operators do not full fill their obligation regarding qualification concerning Operation Control and responsibility.</p> <p>We and EASA Shall not accept that regarding safety that the operators state that only one person can be responsibility and that can be person from the Management of the Operators but most of the airline have 24/7 Operation Control Center and not only one person and full fill that position 24/7 365 day of the year.</p> <p>EASA have to change all sections under Management to responsibility to full trained qualified Personnel based on ICAO Annex I</p>



	<p>EASA Must/Shall take out should due to Operators always try to go around responsibility.</p> <p>Add definition of responsibility within the management system for the operators.</p> <p>EASA Must not accept that operators can put one personel responsibility for operators 24/7 365 days a year.</p> <p>Operators Must/Shall definition which personnel with in Operaton Control is responsigility, that must be at least FOO Flight Opeaton Officer full trained based on ICAO doc 7192 D3 for FOO.</p>
response	<i>Noted</i>

3.1.3. AMC/GM to Annex III (Part-ORO) — AMC1 ORO.GEN.200(a)(3) Management system

p. 43-45

comment	<p>15</p> <p>comment by: <i>NetJets Europe</i></p> <p>AMC1.ORO.GEN200(a)(3) (g) (2) (iv)</p> <p>NetJets does NOT agree with inclusion of para. (iv). The ERP is the plan <i>per se</i> which is executed in case of an emergency and it does not need to include circumstantial information related to training, drills, etc. which are related to the ERP process rather than the plan itself.</p>
response	<p><i>Accepted</i></p> <p>EASA agrees and has removed this addition from the AMC.</p>
comment	<p>201</p> <p>comment by: <i>ICEALDA</i></p> <p>EASA should drop down the authority of the operators Management due to the operators do not full fill their obligation regarding qualification concerning Operation Control and responsibility.</p> <p>We and EASA Shall not accept that regarding safety that the operators state that only one person can be responsibility and that can be person from the Management of the Operators but most of the airline have 24/7 Operation Control Center and not only one person and full fill that position 24/7 365 day of the year.</p> <p>EASA have to change all sections under Management to responsibility to full trained qualified Personnel based on ICAO Annex I</p> <p>EASA Must/Shall take out should due to Operators always try to go around responsibility.</p> <p>Add definition of responsibility within the management system for the operators.</p> <p>EASA Must not accept that operators can put one personel responsibility for operators 24/7 365 days a year.</p> <p>Operators Must/Shall definition which personnel with in Operaton Control is responsigility, that must be at least FOO Flight Opeaton Officer full trained based on ICAO doc 7192 D3 for FOO.</p> <p>(a) 2. for safety risk management, operators Must/Shall have FOO in all safety risk management so the operators full fill their obligation to hold standards with in OCC Operaton Control Center or which ever the operators call for responsibility of the flight and</p>



	method of Operaton Control
response	<i>Noted</i>

3.1.3. AMC/GM to Annex III (Part-ORO) — AMC2 ORO.GEN.200(a)(3) Management system

p. 45-46

comment	57 comment by: <i>Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)</i>
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A new AMC2 ORO.GEN.200(a)(3) Management system on COMPLEX ORGANISATIONS — SAFETY RISK MANAGEMENT-INTERFACES BETWEEN ORGANISATIONS was inserted to provide extensive guidance on setting-up effective safety risk management and managing the interfaces between organisations.

Sweden finds the proposed new AMC acceptable.

response	<i>Noted</i>
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comment	181 comment by: <i>AeroEx GmbH</i>
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This should not be limited to maintenance organizations but include also other contracted safety-related activities like handling, flight planning etc.
It might be appropriate to just refer to contractors in the text.

response	<i>Accepted</i>
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EASA agrees. 'Subcontracting' has been deleted.

comment	191 comment by: <i>DGAC France</i>
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AMC 2 ORO.GEN.200(a)(3)(b)

The notion of "independent personnel" is not found in regulation (UE) n° 1321/2014.

"Contract levels" should be mentionned along "subcontract levels".

The reference to paragraph M.A.706 seems to limit the applicability of this AMC to interfaces with CAMOs, either a reference to Part 145.A.30 should be introduced or only the general terms "key personnel" should be kept.

response	<i>Accepted</i>
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The correct reference to ORO.GEN.210 has been added and the wrong reference has been deleted.

comment	202 comment by: <i>ICEALDA</i>
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EASA should drop down the authority of the operators Management due to the operators do not full fill their obligation regarding qualification concerning Operation Control and responsibility.

We and EASA Shall not accept that regarding safety that the operators state that only one person can be responsibility and that can be person from the Management of the Operators but most of the airline have 24/7 Operation Control Center and not only one person and full



	<p>fill that position 24/7 365 day of the year. EASA have to change all sections under Management to responsibility to full trained qualified Personnel based on ICAO Annex I</p> <p>EASA Must/Should take out should due to Operators always try to go around responsibility.</p> <p>Add definition of responsibility within the management system for the operators. EASA Must not accept that operators can put one person responsibility for operators 24/7 365 days a year. Operators Must/Should definition which personnel within Operator Control is responsibility, that must be at least FOO Flight Operation Officer full trained based on ICAO doc 7192 D3 for FOO.</p> <p>for safety risk management, operators Must/Should have FOO in all safety risk management so the operators full fill their obligation to hold standards within OCC Operation Control Center or whichever the operators call for responsibility of the flight and method of Operator Control</p>		
response	<i>Noted</i>		
comment	<p>222 comment by: KLM</p> <p>Sub (b), (c) and (d) are too prescriptive. These subs should be in a GM instead of an AMC.</p>		
response	<p><i>Not accepted</i></p> <p>Interface management is an essential element of safety risk management.</p> <p>In addition, the AMC addresses a safety recommendation: — Safety recommendation following serious incident to Boeing 737-73V, G-EZJK occurred on 12 January 2009 West of Norwich, Norfolk: ‘It is recommended that the European Aviation Safety Agency review the regulations and guidance in OPS 1, Part M and Part-145 to ensure they adequately address complex, multi-tier, sub-contract maintenance and operational arrangements. The need for assessment of the overall organisational structure, interfaces, procedures, roles, responsibilities and qualifications/competency of key personnel across all subcontract levels within such arrangements should be highlighted.’ Therefore the subparts b,c,and d are maintained as an AMC.</p>		
comment	<p>227 comment by: IACA International Air Carrier Association</p> <table border="1"> <tr> <td> Contracted activities Sub-NPA (B) p45 new AMC2 ORO.GEN.200(a)(3) </td><td> IACA carriers agree that safety hazards associated with contracting and purchasing are part of the operator’s management system, and note the Guidance Material on effective management of safety risks and interfaces between organisations. </td></tr> </table>	Contracted activities Sub-NPA (B) p45 new AMC2 ORO.GEN.200(a)(3)	IACA carriers agree that safety hazards associated with contracting and purchasing are part of the operator’s management system, and note the Guidance Material on effective management of safety risks and interfaces between organisations.
Contracted activities Sub-NPA (B) p45 new AMC2 ORO.GEN.200(a)(3)	IACA carriers agree that safety hazards associated with contracting and purchasing are part of the operator’s management system, and note the Guidance Material on effective management of safety risks and interfaces between organisations.		
response	<i>Noted</i>		

comment	<p data-bbox="359 235 406 280">262</p> <p data-bbox="901 235 1484 280">comment by: <i>Civil Aviation Authority of Norway</i></p> <p data-bbox="359 291 1484 548">This description in the new AMC illustrates the challenges caused by the fact that the specific requirement for a quality (management) system, well established under JAR OPS and before, has been dropped from the ORO.GEN.200 text. What is described here as Safety risk management system seems mainly to be what is required to determine the processes within a quality management system and has less to do with risk management. One way of seeing this is perhaps to establish the processes within a quality management context first and then apply (safety) risk management wherever relevant to those processes.</p> <p data-bbox="359 582 1484 683">The Safety Management System could be seen to include Safety Risk Management (system) and the major part of a quality management system (the remainder - auditing - separated out as "compliance monitoring").</p> <p data-bbox="359 716 1484 862">Propose to replace "Safety risk management" by "Safety management" in the title, and in a) and c). b) could perhaps better begin with: "Hazard identification and risk assessment The process should start with ..."</p>
response	<p data-bbox="359 884 518 929"><i>Not accepted</i></p> <p data-bbox="359 940 1484 1299">In many areas, prior to the introduction of SMS, aviation safety regulations have traditionally required organisations to maintain a system to monitor compliance with applicable requirements and the organisation's policies and procedures, act on findings, verify the effectiveness of corrective actions and report back to the accountable manager. For example, JAR-OPS 1.035 imposed a quality (assurance) system which mainly focused on ensuring and monitoring compliance with requirements and a feedback system to the accountable manager to ensure that corrective actions are both identified and promptly addressed. Quality assurance being defined as all those planned and systematic actions necessary to provide adequate confidence that operational and maintenance practices satisfy given requirements.</p> <p data-bbox="359 1310 1484 1512">This type of regulatory requirement, usually referred to as 'quality system', sometimes 'quality assurance', generally entails the obligation to nominate a dedicated manager, the 'quality manager', as well as the implementation of an internal audit process and an internal audit programme. It is important to state this not equivalent to an ISO 9001 or AS/EN9100 series industry standards type of 'Quality Management System' (QMS), which requires much more than an internal audit process & feedback mechanisms.</p> <p data-bbox="359 1523 1484 2018">QMS and SMS make use of common methods and techniques (e.g. process analysis, auditing, communication and training, performance monitoring; nevertheless, they have very different objectives: While QMS focuses on customer satisfaction, meeting applicable requirements, minimising business risks and maximising opportunities, SMS focuses on safety. In other words, QMS will ensure a compliant product and support the achievement of business objectives, but it is not sufficient to ensure safety. This does however not mean that an effective QMS would not create a good basis for the implementation of SMS. Organisations having implemented a QMS will already be familiar with a number of elements and processes that are also relevant to the SMS, such as systems and process approach, causal analysis, performance monitoring and review, etc. In addition, it can be expected that such organisations will have documented its main policies and processes to a certain standard. However, organisations should be conscious of the nature of QMS, which usually draws management's attention to the business bottom line and corresponding performance metrics, while SMS requires a focus on hazard identification, safety risk assessment and risk</p>



control. More specifically, while under the QMS audits usually focus on process outputs only for variance to specifications, SMS requires a broader perspective, including not only process outputs, but also unwanted events and hazards, with investigations and risk analyses looking into causal and contributing factors from all influencing sources. In an integrated management system with unified goals and decision-making considering the wider impacts across all activities, quality management and safety management processes will be highly complementary and will support the achievement of the overall safety goals. ORO.GEN.200 is intended to support such integration.

comment 284

comment by: *FNAM*

Any article in redundancy with the regulation EU n°376/2014 should be carefully evaluated to avoid overlaps. Considering a GM about reporting is harmless while a new binding AMC, as proposed, may be confusing.

response *Accepted*

3.1.3. AMC/GM to Annex III (Part-ORO) — GM1 ORO.GEN.200(a)(3) Management system

p. 46

comment

58

comment by: *Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)*

Amendment of GM1 ORO.GEN.200(a)(3) Management system to now be an AMC, because internal reporting constitutes an important element.
Sweden finds the proposed GM acceptable.

response *Noted*

comment

141

comment by: *ENAC*

AMC2 ORO.GEN.200 (a)(3) Management system INTERNAL SAFETY REPORTING SYSTEM

It is suggested to include in the AMC also elements concerning the confidentiality of the voluntary reporting and securing/identity data protection in order to guaranty the reporter and boost the internal reporting. Also the feedback to the reporter (currently quoted in AMC1 ORO.GEN.200(a)(3)) should be better moved under this AMC.

response *Accepted*

This will be addressed in the context of RMT.0681.

comment

144

comment by: *DGAC France*

DGAC agrees with the need for additional guidance on safety risk management.

However, the proposed GM raises several issues :

- ALARP can be a very complex concept which is difficult to apply in practice, in particular for organisations with little or no previous experience in risk management. This is a new concept with regards to current practices aiming at defining an acceptable threshold below which it is



	<p>possible to have an evolution of the safety risks. The following sentence is not always true : "An increase in the risk level at any time should be considered unacceptable even if the safety risk is below the maximum allowed"</p> <p>- The following sentence may be difficult to understand : « The maximum acceptable risk is in most cases directly or indirectly influenced or determined by regulations which either specify a target or an acceptable means of how to achieve the minimum required safety level. »</p> <p>- The following paragraph introduces several heterogeneous criteria which are difficult to take into account simultaneously in practice :</p> <p>« Safety risk acceptance criteria should, at least, address the following, as applicable to the organisation's scope of work:</p> <p>(i) third parties;</p> <p>(ii) maintenance personnel;</p> <p>(iii) the natural environment; and</p> <p>(v) corporate well-being. »</p> <p>In consequence, DGAC proposes to create a working group, gathering several stakeholders, which could have the task, starting from this draft GM, to write a new version.</p>
response	<p><i>Accepted</i></p> <p>This comment is about the proposed GM2 ORO.GEN.200(a)(3). EASA has decided to delete the originally proposed GM and to include the content in safety promotion material. Your comments will be considered for such purposes.</p>
comment	<p>163 comment by: <i>Luftfahrt-Bundesamt</i></p> <p>Considering Question No. 6 and 7 of this NPA we have the following comments:</p> <p>In principal it serves the purpose of "GM", but on the other hand it is more or less a short SRM-summary of a typical 1-week-training course on SMS. However the Safety Manager should have this knowledge and experience. As aviation safety starts with human beings the competence of the Safety Manager, Accountable Manager and all nominated persons must be ensured by an appropriate regulatory frame.</p> <p>Moreover Question 7 triggers a valuable debate on future European principles about the proportion of regulations, AMC, GM and further safety (promotion) material (not only in the Air Ops domain). Another example might be the introduced extensive GM on volcanic ash contamination (GM2 ORO.GEN.200(a)(3)).</p> <p>Considering increasing concerns about volume, complexity and permanent instability of the European regulations we propose once more to set one strong focus on the foundation of a robust cross-domain-regulatory-framework, which would include above issues. There are several stakeholder bodies already established to support this process.</p>
response	<p><i>Accepted</i></p> <p>This comment is about the proposed GM2 ORO.GEN.200(a)(3). EASA has decided to delete the originally proposed GM and to include the content in safety promotion material. Your comments will be considered for such purposes.</p>
comment	<p>204 comment by: <i>ICEALDA</i></p> <p>We and EASA Shall not accept that regarding safety that the operators state that only one person can be responsibility and that can be person from the Management of the Operators</p>

	<p>but most of the airline have 24/7 Operation Control Center and not only one person and full fill that position 24/7 365 day of the year.</p> <p>EASA have to change all sections under Management to responsibility to full trained qualified Personnel based on ICAO Annex I</p> <p>EASA Must/Shall take out should due to Operators always try to go around responsibility.</p> <p>Add definition of responsibility within the management system for the operators.</p> <p>EASA Must not accept that operators can put one personel responsibility for operatons 24/7 365 days a year.</p> <p>Operators Must/Shall definition which personnel with in Operaton Control is responsigility, that must be at least FOO Flight Opeaton Officer full trained based on ICAO doc 7192 D3 for FOO.</p> <p>for safety risk management, operators Must/Shall have FOO in all safety risk management so the operators full fill their obligation to hold standards with in OCC Operaton Control Center or which ever the operators call for responsibility of the flight and method of Operaton Control</p> <p>4) Risk acceptance criteria. add (iv) FOO Flight Operaton Officer/Dispatch</p>
response	<i>Noted</i>
comment	<p>263 comment by: <i>Civil Aviation Authority of Norway</i></p> <p>Whilst in the process of changing other parts of this (now) AMC, one should consider removing or revising bullet point d) which unfortunately appears rather meaningless. First of all it is difficult to imagine that there could exist a report which is not: "... judged reportable by the person submitting the report ...". Secondly if there were any such reports, this would be more of a records issue or perhaps a requirement for the reporting system or the processes within it.</p>
response	<p><i>Partially accepted</i></p> <p>Point (d) of the proposed GM is in line with the commentator's concerns and ensures that whenever the person, who reports and this person deems the report to be valuable, the report must be retained. Otherwise, valuable safety information may get lost.</p>
comment	<p>279 comment by: <i>Finnish Transport Safety Agency</i></p> <p>GM1 ORO.GEN.200(a)(3)</p> <p>The proposed material is basically for complex and big operators, so it would be too burdensome for the small operators. The material shall be kept as a guidance material only.</p>
response	<p><i>Accepted</i></p> <p>EASA agrees. The GM will be replaced by promotion material.</p>



comment	<p>12 comment by: <i>Miguel van Leeuwen García</i></p> <p>The GM1 ORO.GEN.200 (a) (3) seems like a good guidance, and my suggestion for improvement would be to increase in point C-11 the importance of the “conclusions”, to highlight a risk assesment as a tool. For example, by changing “<i>The risk assessment should contain conclusions. The conclusions should be unambiguous, precise and robust in order to enable decision makers to accept the risk assessment</i>” to <u>The desired outcome of a risk assessment are unambiguous, precise and robust conclusions that enable decisions makers to accept or refuse the risk level, and to specify the needed actions to mitigate and control the identified hazards.</u></p>
response	<p><i>Accepted</i></p> <p>EASA will transfer the material into safety promotion material and the proposed GM will be deleted. Your suggestions will be taken into account when drafting the safety promotion material.</p>
comment	<p>21 comment by: <i>safe-runway.GmbH</i></p> <p>Proposed comments</p> <p>NPA 2015-18(B) PARAGRAPH AMC2 ORO.GEN 200(a)(3) Management system, paragraph (d) Risk assessment process steps (7) Analysis of severity, PAGE 51</p> <p>Suggested text</p> <p>7) Analysis of severity</p> <p>The severity of consequence resulting from the hazards identified should be analysed. The analysis should consider both short-term and long-term consequences. Consequences could be grouped as loss or damage of life/health, environment, material values/assets, functions and reputation. The determination of severity should normally be of a descriptive (qualitative) nature. A qualitative analysis describes the chains of events that could follow from the hazard, and its possible consequences. Quantitative analysis could calculate the extent of damage that could be caused and should be expressed in a financial entity. That enables to calculate the return of investment of risk reducing mitigating measures and thus the level of ALARP.</p> <p>Motivation:</p> <p>Risk is a function of likelihood and severity as explained in paragraph (4): Risk acceptance criteria. ALARP is related and possibly even limited / determined to the costs: (“<i>Showing that the safety risk is ALARP means that any further risk reduction is either impracticable or grossly outweighed by the cost</i>”).</p> <p>The costs associated with the risk are defined as (“<i>loss or damage of life/health, environment, material values/assets, functions and reputation (paragraph (d)(7))</i>”). In order to establish the level of risk are thus the costs of severity, derived from the qualities analysis required.</p> <p>Various and recent studies relate (e.g. cost- benefit analysis based on arresting systems) to quantifying aviation accident costs. These include the costs related to casualties, injuries, equipment and property. Therefore is calculation of the severity aspect possible.</p>



response	<p>Basically it boils down to the question what will be the return of investment (ROI) of a safety enhancing investment? When the answer would be 1000 years, the risk would probably be acceptable; if the ROI would be 2 years, than investing in mitigating measure(s) would be likely. To make it more explicit that a calculation of the financial effects of a safety occurrence is needed, is it recommended to add the suggested text.</p> <p><i>Accepted</i></p> <p>EASA will transfer the material into safety promotion material and the proposed GM will be deleted. Your suggestions will be taken into account when drafting the safety promotion material.</p>
comment	<p>22 comment by: <i>Regional Director</i></p> <p>The severity/total cost of consequences of an occurrence should also be calculated in order to analyze and determine ALARP.</p> <p>Motivation:</p> <p>The definition of ALARP refers to the cost and more specifically, the amount that is reasonable to spend. Therefore, it appears necessary to calculate the financial risk or consequence of an occurrence. The addition of a financial measure related to severity is essential to linking it to all other issues, therefore adds impact and value to the whole paragraph.</p>
response	<p><i>Accepted</i></p> <p>EASA will transfer the material into safety promotion material and the proposed GM will be deleted. Your suggestions will be taken into account when drafting the safety promotion material.</p>
comment	<p>132 comment by: <i>Virgin Atlantic</i></p> <p>Page 48 - Sentence currently reads:- “An increase in the risk level at any time should be considered unacceptable even if the safety risk is below the maximum allowed.”</p> <p>However this is not the case, as it may be that you accept a risk increasing in one area if it is to reduce a more significant risk (maybe temporarily) in another.</p> <p>We note that the rest of this section does explain this aspect.</p>
response	<p><i>Accepted</i></p> <p>EASA will transfer the material into safety promotion material and the proposed GM will be deleted. Your suggestions will be taken into account when drafting the safety promotion material.</p>
comment	<p>203 comment by: <i>ICEALDA</i></p>



	for safety risk management, operators Must/ Shall have FOO in all safety risk management so the operators full fill their obligation to hold standards with in OCC Operaton Control Center or which ever the operators call for responsibility of the flight and method of Operaton Control
response	<i>Noted</i>
comment	<p data-bbox="363 504 411 533">243</p> <p data-bbox="957 504 1476 533" style="text-align: right;">comment by: <i>European Cockpit Association</i></p> <p data-bbox="363 560 730 589">GM1 ORO.GEN.200(a)(3)(c)(4)</p> <p data-bbox="363 633 574 663">Commented text:</p> <p data-bbox="363 667 1476 734"><i>(4) Risk acceptance criteria (...) Safety risk acceptance criteria should, at least, address the following, as applicable to the organisation’s scope of work:</i></p> <p data-bbox="363 739 550 768"><i>(i) third parties;</i></p> <p data-bbox="363 772 699 801"><i>(ii) maintenance personnel;</i></p> <p data-bbox="363 806 758 835"><i>(iii) the natural environment; and</i></p> <p data-bbox="363 840 654 869"><i>(v) corporate well-being.</i></p> <p data-bbox="363 913 574 943">ECA's Comments:</p> <p data-bbox="363 947 1220 976">ECA would like to suggest changing item (ii) to “operational personnel”</p> <p data-bbox="363 1021 1476 1088">Reasoning: Reasoning: Maintenance personnel is only part of the staff that is directly involved with safety</p>
response	<p data-bbox="363 1120 475 1149"><i>Accepted</i></p> <p data-bbox="363 1176 1476 1276">EASA will transfer the material into safety promotion material and the proposed GM will be deleted. Your suggestions will be taken into account when drafting the safety promotion material.</p>
comment	<p data-bbox="363 1344 411 1373">264</p> <p data-bbox="901 1344 1476 1373" style="text-align: right;">comment by: <i>Civil Aviation Authority of Norway</i></p> <p data-bbox="363 1400 1476 1534">It is very commendable that EASA will provide more guidance of the various elements of the management system. Risk Assessment is one of the more important aspects and this is a good start. There should also be a similar guide for the Quality/process management part of the Safety Management System.</p> <p data-bbox="363 1579 1476 1646">We do however have quite a few comments to the content of this GM, too many in fact to try to include here.</p> <p data-bbox="363 1691 1476 1892">It appears that this to a large extent is built on the text from the CRD to NPA 2008-22c and NPA 2009-02c - Part -OR (which we were quite involved in writing). That text was specifically tailored for risk assessment of SOPs and is now almost 10 years old. The changes that have been introduced from the original have also not necessarily made it more suited as a general text on risk assessment. We suggest to rewrite this text for the CRD, and that a further GM is added for Process management (QMS). We can offer to write proposals.</p> <p data-bbox="363 1937 1476 2004">Alternatively the GM could be dropped for now and reference given to recognised standards for risk management/safety risk assessment/quality management/auditing.</p>



response	<p>It would also have been extremely welcome if EASA had considered and consulted well, and then decided on a terminology to use in Risk Management. As it is now, that part of the original CRD has been dropped, and the use of terminology in this field in the EASA OPS text is unfortunately not consistent. It complicates things unnecessarily, when different terms are used for the same thing in the same document.</p> <p><i>Accepted</i></p> <p>EASA will transfer the material into safety promotion material and the proposed GM will be deleted. Your suggestions will be taken into account when drafting the safety promotion material.</p>
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3.1.3. AMC/GM to Annex III (Part-ORO) — GM1 ORO.GEN.200(a)(5) Management system

p. 56

comment	<p>182 comment by: AeroEx GmbH</p> <p>(a) Suggest to remove the text in brackets</p>
response	<p><i>Accepted</i></p>

3.1.3. AMC/GM to Annex III (Part-ORO) — GM5 ORO.GEN.200(a)(6) Management system

p. 56

comment	<p>52 comment by: Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)</p> <p>new GM5 ORO.GEN.200(a)(6) on the organisational review programme as part of the management system for non-complex organisations.</p> <p>Sweden finds the proposed GM acceptable.</p>
response	<p><i>Noted</i></p>
comment	<p>142 comment by: ENAC</p> <p>GM5 ORO.GEN. 200(a)(6)</p> <p>It seems that the intention of the GM is to permit the replacement of the compliance monitoring system with an organizational review program; in this case a modification of ORO.GEN.200 (as done for ORA.GEN.200(a)(6)) should be considered.</p>
response	<p><i>Partially accepted</i></p> <p>EASA has removed the proposed GM and agrees that the introduction of an organisational review programme for certain non-complex (non-commercial) operators, requires an integrated cross-domain assessment of compliance monitoring requirements in all domains.</p>
comment	<p>145 comment by: DGAC France</p> <p>In this GM, it is suggested to check all items once within any 12-month period for a non-complex operator.</p> <p>There is no such equivalent for complex operators. It seems to be quite a strong requirement for non-complex operators.</p>



response	<p><i>Partially accepted</i></p> <p>EASA has removed the proposed GM and agrees that the introduction of an organisational review programme for certain non-complex (non-commercial) operators, requires an integrated cross-domain assessment of compliance monitoring requirements in all domains</p>
comment	<p>164 comment by: <i>Luftfahrt-Bundesamt</i></p> <p>GM5 & 6 introduces additional information on the organisational review programme of non-complex organisations. To reduce complexity we recommend to combine and harmonise GM3 on “Non-complex organisations – compliance monitoring” with GM5 as there are many overlapping requirements.</p> <p>Furthermore a “GM” cannot request “each item being checked at least once within any 12-month-period.”.</p>
response	<p><i>Partially accepted</i></p> <p>EASA has removed the proposed GM and agrees that the introduction of an organisational review programme for certain non-complex (non-commercial) operators, requires an integrated cross-domain assessment of compliance monitoring requirements in all domains</p>
comment	<p>265 comment by: <i>Civil Aviation Authority of Norway</i></p> <p>We suppose this is intended to bring back the concept applied in JAR-OPS for a "Quality system" for very small operators. It should be noted that the checklist system was acceptable for operators with 5 or less FTE. This is now for up to 20 FTE. That means that this could be a significant reduction in the requirement for a management system for the small/medium size operator. This is done without any justification or risk assessment. Checklists may have worked for some of the very small operators, but if it is adequate for the small/medium size operators is not adequately assessed.</p> <p>In bullet point (a) "organisational review" is used, without explaining what it is or rather what it is referring to in the requirements. It is possible that "Compliance monitoring" would be better wording to avoid confusion. This GM would then an alternative means of achieving the requirement for compliance monitoring.</p> <p>In bullet point (a)(1): Suggest changing "... in the management system documentation and training manual; ..." to "... in the management system documentation and operations manual; ..."</p>
response	<p><i>Partially accepted</i></p> <p>EASA has removed the proposed GM and agrees that the introduction of an organisational review programme for certain non-complex (non-commercial) operators, requires an integrated cross-domain assessment of compliance monitoring requirements in all domains</p>

3.1.3. AMC/GM to Annex III (Part-ORO) — GM6 ORO.GEN.200(a)(6) Management system

p. 56-59

comment	<p>53 comment by: <i>Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)</i></p>
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response	<p>new GM6 ORO.GEN.200(a)(6) on the organisational review programme as part of the management system for non-complex organisations. Sweden finds the proposed GM acceptable.</p> <p><i>Noted</i></p>
comment	<p>165 comment by: <i>Luftfahrt-Bundesamt</i></p> <p>GM5 & 6 introduces additional information on the organisational review programme of non-complex organisations. To reduce complexity we recommend to combine and harmonise GM3 on “Non-complex organisations – compliance monitoring” with GM5 as there are many overlapping requirements. Furthermore a “<u>GM</u>” cannot request “each item being checked at least once within any 12-month-period.”.</p>
response	<p><i>Partially accepted</i></p> <p>EASA has removed the proposed GM and agrees that the introduction of an organisational review programme for certain non-complex (non-commercial) operators, requires an integrated cross-domain assessment of compliance monitoring requirements in all domains</p>
comment	<p>266 comment by: <i>Civil Aviation Authority of Norway</i></p> <p>There is what may be seen as a similar list in GM3 ORO.GEN.200(a)(6). That list is presented as a report format, but it is for non-complex operators and the layout and most items seem to coincide. If the intention to keep both lists, the difference should perhaps be explained more closely.</p> <p>One comment to both lists is that they are somewhat disproportionate with respect to depth for the different subjects.</p> <p>Firstly there does not seem to be many checklist items for safety risk management/risk assessments, except internal reporting, (which possibly is not a requirement for non-complex operators, as it is only addressed in Guidance Material (GM1 ORO.GEN.200(a)(3)).</p> <p>Secondly it is rather shallow for some important and rather complex issues e.g. “Operations have been performed in accordance with the Declaration and any Specific Approval (SPA)” There is just one field for this issue. And there are only two items for flight operations altogether.</p> <p>Finally it is quite deep for “record keeping”, which may by many be seen as less important, although easier to check.</p> <p>Suggest the scope and depth of the checklist should be revisited and that there probably only need to be one checklist unless they are for different purposes.</p>
response	<p><i>Partially accepted</i></p> <p>EASA agrees to remove the GM. The need for further alleviation for non-complex (i.e. small) organisations will have to be carefully assessed in a dedicated rulemaking task.</p>



3.1.3. AMC/GM to Annex III (Part-ORO) — AMC1 ORO.GEN.200(b) Management system

p. 59-60

comment	<p>115</p> <p>comment by: UK CAA</p> <p>Page No: 60</p> <p>Paragraph No: (48) - AMC1 ORO.GEN.200(b),(c)</p> <p>Comment: The proposed text makes the statement that operation of 2 aircraft of the same type makes the organisation non-complex by default. This is questionable and should be reviewed as for an example of an operation of 2 B747s on a world-wide basis with a FTE of 40 or more would hardly seem to imply a non-complex organisation. The details contained in sub-paragraphs (a) and (b), which are ignored under (c), would seem to provide adequate, clear and safe provisions. It is recommended that (c) be deleted.</p> <p>Justification: Potential for unintended consequences due to unsubstantiated change.</p> <p>Proposed Text: n/a</p>
response	<p><i>accepted</i></p> <p>The proposed AMC has been removed</p>

comment	<p>116</p> <p>comment by: UK CAA</p> <p>Page No: 60</p> <p>Paragraph No: 48 - AMC1 ORO.GEN.200(b)(c)</p> <p>Comment: It is not clear from this amendment whether an operator can operate several other-than complex aircraft in addition to two complex aircraft of the same type and still be considered to be a non-complex organisation.</p> <p>Justification: The UK CAA suggests it should be made clear whether or not it can be a mixed fleet, with a maximum of two complex aircraft of the same type, plus additional other-than complex aircraft and still be considered a non-complex organisation by default.</p> <p>Proposed Text: Text will depend upon intention of the rulemaker.</p>
response	<p><i>accepted</i></p> <p>The proposed AMC has been removed</p>

comment	<p>143</p> <p>comment by: ENAC</p> <p>AMC1 ORO.GEN.200(b) item (c)</p> <p>Justifications for the introduction of item (c) and impacts are not evident.</p>
response	<p><i>accepted</i></p>



	The proposed AMC has been removed	
comment	183	comment by: AeroEx GmbH
	(b) 2 (i) for PBN amend the text to include only RNP APCH AR	
response	accepted	
	The proposed AMC has been removed	
comment	267	comment by: Civil Aviation Authority of Norway
	There is no explanation/justification for this change as far as we can see. It also seems rather specific, when there is such large room for interpretation between complex and non-complex for commercial operations.	
	One might e.g. ask why the type of operation is not relevant when assessing complexity for NCC operators, in particular since NCC operators could be in “competition” with commercial operators in the future in highly complex operations, such as HOFO.	
response	accepted	
	The proposed AMC has been removed	

3.1.3. AMC/GM to Annex III (Part-ORO) — AMC2 ORO.GEN.205 Contracted activities

p. 60-61

comment	59	comment by: Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)
	new AMC2 ORO.GEN.205 Contracted activities establishing conditions for the acceptance of audits from third-party audit providers.	
	Sweden finds the proposed new AMC acceptable.	
response	Noted	
comment	147	comment by: DGAC France
	The terms “ and any additional requirements set by the operator for safety purposes ” should be added at the end of (2) and (9):	
	(2) the audit standards applied by the third-party provider addresses the scope of this Regulation in sufficient detail and any additional requirements set by the operator for safety purposes	
	(9) procedures have been established for monitoring continued compliance of the contracted organisation with the applicable requirements and any additional requirements set by the operator for safety purposes	
response	Not accepted	
	The operator is always able to establish additional safety requirements. It is not necessary to	



specify this in the AMC to Part-ORO, which is applicable to the operator.

comment 184 comment by: *AeroEx GmbH*

Enable operators to pool audits is welcomed, however this AMC is too much focused on code share and too detailed.
Suggest moving part of this proposed AMC to GM.

response *Not accepted*

The AMC applies to all pooled audits that are performed by third-party providers. It has been drafted to apply also to other audits, and not only to code-share audits, because when tasking a third-party provider, the operator needs to ensure that the third-party provider's audits comply with certain standards.

comment 228 comment by: *IACA International Air Carrier Association*

Pooling audits Sub-NPA (B) p60 new AMC2 ORO.GEN.205	IACA carriers support the provisions and welcome the AMC enabling operators to pool audits of contracted organisations and third parties.
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response *Noted*

comment 268 comment by: *Civil Aviation Authority of Norway*

This AMC seems only to address third party auditing. It should be considered to include that operators also could share/pool their audits.

It should also be added that the third-party auditor as such, is to be considered a contractor and itself falls under the requirements of ORO.GEN.205.

response *Partially accepted*

The AMC only addresses third-party auditing, because as the commentator rightly said, this is a contracted activity and the AMC is therefore directly linked to the implementing rule on contracted activities. Whenever the operators want to pool audits without making use of a third-party auditor, then this is possible, but as the commentator rightly states it is not addressed in this AMC.

3.1.3. AMC/GM to Annex III (Part-ORO) — AMC2 ORO.GEN.210(a) Application for an air operator certificate

p. 61-62

comment 60 comment by: *Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)*

AMC2 ORO.GEN.210(a) Personnel requirements on INFORMATION ON THE ACCOUNTABLE



	<p>MANAGER to mirror the existing Form 4.</p> <p>The NPA suggests a new AMC2 ORO.GEN.201(a) to reflect EASA Form 4, but the header state it will be AMC1 ORO.AOC.100(b)?</p> <p>Suggestion: To have the new AMC to ORO.GEN.210(a) and a reference to this from ORO.AOC.100.</p>
response	<p><i>Partially accepted</i></p> <p>The editorial mistake has been corrected. However, an additional reference in ORO.AOC.100 is not deemed necessary, since too many cross references do not improve the readability of the Air OPS Regulation.</p>
comment	<p>117 comment by: UK CAA</p> <p>Page No: 61</p> <p>Paragraph No: (50) - AMC1 ORO.AOC.100(b)</p> <p>Comment: The introductory heading describes a change “without suggesting that an EASA Form 4 should be provided, but in the proposal it states ‘regarding the accountable manager in accordance with EASA Form 4’? The UK suggests clarification of the text and intent would be helpful.</p> <p>Justification: Clarification and explanation of intent.</p>
response	<p><i>Noted</i></p> <p>The AMC indeed mirrors the existing Form 4 from the continuing airworthiness requirements. However, the AMC does not suggest that an EASA Form 4 should be provided. It should be noted that while mirroring Form 4, the content of AMC1 ORO.GEN.210(a) makes no reference to Form 4.</p>
comment	<p>175 comment by: Luftfahrt-Bundesamt</p> <ul style="list-style-type: none"> · - The reference to which it is belonging is not clear: AMC1 ORO.AOC .100 (b) or AMC2 (or AMC1?) ORO.GEN.210 (a). - We recommend to harmonize the requirements under ORO.GEN.210 with the requirements under ORO.AOC.100 (b) as appropriate. The later states for example explicitly what has to be provided: “(4) the <u>name</u> of the accountable manager;”. Thus for ORO.AOC.100 (b) this AMC can unfortunately not be used because it is adding additional requirements. · (Pls. see in comparison in this regard ORO.AOC (b) (5).). <p>In addition:</p> <ul style="list-style-type: none"> · - the used wording „in accordance with EASA Form 4“ is misleading, · - the template should be reworked as it is copy and paste (containing too specific filling instructions), · - information on qualification and work experience is requested, but the important information and evidence on sufficient air operation funding allocation is not. <p>Therefore we recommend adaption of the regulation and AMC considering above issues.</p>
response	<p><i>Accepted</i></p>



	The editorial mistake has been corrected. The AMC now is linked to ORO.GEN.210(a). In addition, the AMC now includes a point on information on means to ensure that all activities can be financed and carried out	
comment	185	comment by: AeroEx GmbH
	if this form is only used for the Accountable manager suggest to clarify under point 1 that these details are required for the accountable manager as specified in Part ORO	
response	Accepted	

3.1.3. AMC/GM to Annex III (Part-ORO) — GM1 ORO.GEN.210(a) Personnel requirements

p. 62

comment	61	comment by: Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)
	<p>new GM1 ORO.GEN.210(a) Personnel requirements on the <i>FUNCTION OF THE ACCOUNTABLE MANAGER</i> to explain the position and function of the accountable manager within the organisation.</p> <p>Sweden find the proposed clarifications acceptable.</p>	
response	Noted	
comment	94	comment by: ICEALDA
	<p>Regarding accountable manager they have to have knowledge and qualification of the industry if they need take decision.</p> <p>A minimum knowledge and qualification of personnel requires Must/Shall be at least Flight Operation Officer FOO or hold at least 4 years working as Flight Operation Officer or have Maintenance knowledge or hold a CPL licenses.</p>	
response	Noted	
comment	148	comment by: DGAC France
	<p>Point (a) states that the “Accountable manager is normally intended to mean the chief executive officer of the operator”</p> <p>In many cases this is not the case but this does not prevent the AM from carrying on his accountabilities.</p> <p>Point (c) seems to be sufficient and point (a) should be removed.</p> <p>According to ORO.GEN.200 (a)(1), the AM has a direct safety accountability. In order to deal with this accountability, the AM will have to have a minimum background on technical matters and applicable requirements. Indeed, such a knowledge is useful and sometimes needed when the AM has to take the final decisions in the framework of the management system.</p>	



Point (b) stating that “The AC [...] is not required to be knowledgeable on technical matters” should therefore be removed.

response *Accepted*

comment 166 comment by: *Luftfahrt-Bundesamt*

- - The guidance material should be dedicated to ORO.GEN.210 (a).
- - The content is “copied” from e.g. Part-M- AMC. To adapt it on Air Ops, (b) should state that it “is not required to be knowledgeable on operational matters” rather than “technical matters”.
- - In addition also this GM shows the need for a cross-domain-approach for organisational requirements.

response *Accepted*

3.1.3. AMC/GM to Annex III (Part-ORO) — GM1 ORO.AOC.100(c) Application for an AOC

p. 63

comment 62 comment by: *Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)*

new GM1 ORO.AOC.100(c) Application for an AOC to explain the meaning of certificate of airworthiness.

Sweden finds the proposed new GM acceptable.

response *Noted*

3.1.3. AMC/GM to Annex III (Part-ORO) — AMC1 ORO.AOC.110 Leasing agreement

p. 63

comment 63 comment by: *Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)*

Amendment of AMC1 ORO.AOC.110 Leasing agreement.

Sweden finds the proposed AMC acceptable.

response *Noted*

comment 118 comment by: *UK CAA*

Page No: 63

Paragraph No: (53) - AMC1 ORO.AOC.110 (a) (1)

Comment: “once available” has been added to the request for information on aircraft type, registration and serial number. The UK CAA suggests this should also include when this information must be provided by and would suggest at least 30 minutes prior to the specific



	<p>aircraft being used.</p> <p>Justification: This will ensure that NAAs have current and accurate information of the leased aircraft and the lessor and lessee must know which aircraft will be used by this time.</p> <p>Proposed Text: “... The aircraft type, registration markings and serial number, once available but at least 30 minutes prior to the lease commencing;...”</p>
response	<p><i>Partially accepted</i></p> <p>While the intent of the comment is clearly understood, the authority requirements are not designed to contain detailed working instructions for authorities and operators.</p> <p>A 30-minute requirement could be introduced by means of the change management procedure.</p> <p>The AMC has been amended to read : ‘as soon as available to ensure that NAAs obtain the information prior to the lease commencing’.</p>

3.1.3. AMC/GM to Annex III (Part-ORO) — AMC1 ORO.AOC.110(c) Leasing agreement

p. 63-64

comment	<p>149</p> <p>comment by: DGAC France</p> <p>ORO.GEN.205 is meant for any contracted activities.</p> <p>Therefore it is proposed to amend (g) of this newly amended “AMC1 ORO.AOC.110(c) Leasing agreement - WET LEASE-IN WITH A THIRD-COUNTRY OPERATOR” as follows, in order to keep the parallelism with the wording of the new provisions for both ‘long-term wet lease-in agreement between operators registered in an EU member state’ (55) and the rewording for ‘Code-share agreements’ (57) :</p> <p>“(g) the operator should provide the competent authority with</p> <p>(1) a full description of the flight time limitation scheme(s), operating procedures and safety assessment demonstrating compliance with the safety objectives set out in points (b) (1)-(6)</p> <p>(2) a statement explaining how it intends to comply with ORO.GEN.205 on contracted activities during the wet lease-in agreement.”</p>
response	<p><i>Not accepted</i></p> <p>While it is acknowledged that a statement that the operator complies with the applicable rules for some authorities might be required in order to satisfy the oversight requirements of the authority, other authorities do not require statements from operators on compliance with rules that already apply. Therefore, EASA recommends making use of the change management procedure to advise operators how to deal with changes as a result of leasing. In addition, ORO.GEN.110(a) already stipulates that the operator operates in accordance with the applicable requirements.</p>
comment	<p>231</p> <p>comment by: IACA International Air Carrier Association</p> <p>Sub-NPA (B) p63-64 IACA carriers support the clarification that this AMC only applies for</p>



response	amendment AMC1 ORO.AOC.110(c) new point (f) AMC1 ORO.AOC.110(c)	wet lease-in with third country operator; at the same time IACA carriers note the retroactive requirements Part-26.
	Noted	

3.1.3. AMC/GM to Annex III (Part-ORO) — AMC3 ORO.AOC.110(g) Leasing agreement

p. 64

comment	64 comment by: <i>Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)</i> new AMC3 ORO.AOC.110(g) Leasing agreement on <i>LONG-TERM WET LEASE-IN AGREEMENT BETWEEN OPERATORS REGISTERED IN AN EU MEMBER STATE</i> . Sweden finds the proposed AMC acceptable.
	response Noted
comment	119 comment by: <i>UK CAA</i> Page No: 64 Paragraph No: (55) - AMC3 ORO.AOC.110(g) Comment: The UK CAA believes wet lease-in agreements between 1 day and up to 7 months should also require the lessee to provide the signed statement. Justification: Wet leasing-in is considered a contracted activity and therefore falls under the requirements of ORO.GEN.205, regardless of who the operators are and the length of the wet lease. Proposed Text: “In the case of a long-term wet lease-in agreement of more than 7 months between operators having their principal place of business in an EU Member State, the lessee should provide the competent authority with a statement explaining how it intends to comply with ORO.GEN.205 on contracted activities during the long-term wet lease-in agreement”.
	response Not accepted The applicability covering only long-term wet-lease in agreements between EU operators is maintained for the following reasons: ORO.GEN.205 on contracted activities applies in all cases. The AMC for long-term wet-leases between EU operators has been included as a means for authorities to assess the lease following the removal of the prior approval for leases between EU operators. If the authority for certain operators deems it necessary to verify how the operator manages the change for leases of less than 7 months, this can be done via the means of the change management



procedure for changes not requiring prior approval.

comment	230	comment by: IACA International Air Carrier Association	
		<div>Sub-NPA (B) p64 new AMC3 ORO.AOC.110(g)</div>	IACA carriers agree to provide their Competent Authority a statement on how to comply with ORO.GEN.205 on contracted activities during long-term wet lease-in with an EU operator.
response	Noted		

3.1.3. AMC/GM to Annex III (Part-ORO) — GM1 ORO.AOC.110(c) Leasing agreement

p. 65

comment	65	comment by: <i>Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)</i>
		Amendment of GM1 ORO.AOC.110(c) Leasing agreement to clarify that this GM only applies to <i>SHORT-TERM WET LEASE-IN WITH A THIRD-COUNTRY OPERATOR</i> . Sweden finds the proposed GM acceptable.
response		<i>Noted</i>

comment	232	comment by: <i>IACA International Air Carrier Association</i>	
	Sub-NPA (B) p65 amendment ORO.AOC.110(c)	GM1	IACA carriers agree this GM only applies to short-term wet lease-in with third country operators.
response	Noted		

comment	235	comment by: <i>IACA International Air Carrier Association</i>	
	<div><div>Text (56) Sub-NPA (B) p65</div><div>Typographical error: ‘...to clarify this AMC GM only applies to short-term wet lease-in with third country operator.’</div></div>		
response	Accepted		

3.1.3. AMC/GM to Annex III (Part-ORO) — AMC2 ORO.AOC.115(b) Code-share agreements

p. 65-66



comment	66	comment by: <i>Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)</i>
		Amendment of AMC2 ORO.AOC.115(b) Code-share agreements. Sweden finds the proposed AMC acceptable.
response		<i>Noted</i>

comment	229	comment by: <i>IACA International Air Carrier Association</i>			
	<table border="1"> <tr> <td>Pooling audits Sub-NPA (B) p65 amendment ORO.AOC.115(b)</td><td>AMC2</td><td>IACA carriers support the provisions and welcome the AMC enabling operators to pool audits of contracted organisations and third parties.</td></tr> </table>	Pooling audits Sub-NPA (B) p65 amendment ORO.AOC.115(b)	AMC2	IACA carriers support the provisions and welcome the AMC enabling operators to pool audits of contracted organisations and third parties.	
Pooling audits Sub-NPA (B) p65 amendment ORO.AOC.115(b)	AMC2	IACA carriers support the provisions and welcome the AMC enabling operators to pool audits of contracted organisations and third parties.			
response		<i>Noted</i>			

3.1.3. AMC/GM to Annex III (Part-ORO) — AMC3 ORO.MLR.100 Operations manual — general

p. 67-84

comment	67	comment by: <i>Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)</i>
		Amendment of AMC3 ORO.MLR.100 Operations manual — general Sweden finds the proposed change acceptable.
response		<i>Noted</i>

comment	104	comment by: <i>British Airways Flight Operations</i>
		Regarding the inclusion of the new 7.3 Description of the Fatigue Risk Management in the list of contents of OM Part A – the Agency’s continued use of this term is unhelpful. When it is used in the relevant FTL rules, it is not clear when the Agency means ‘management of fatigue’ and when it means ‘Fatigue Risk Management System.’ Indeed the rules continue to obfuscate the difference between the two – using the term Fatigue Risk management as though it was a noun, as is the case in this proposed amendment. In this particular regard, we note that ORO.FTL.120 talks about ‘when required’, but the new 7.3 requires a description. As a general note for the Agency, when reviewing the FTL rules, it will be most helpful if it could make clear the distinction between the management of fatigue (which is always required) and an FRMS (which is not). We appreciate that this comment is somewhat wider than the scope of the context in this NPA; nevertheless, we would like the Agency to take note of it.
response		The comment is very useful, but somewhat wider than the proposed amendment. Regarding the difference between fatigue management and fatigue risk management, please note that the Opinion introduces a reference to the ICAO manual on FRM, which clarifies the difference.



comment	150	comment by: DGAC France
	<p><u>Subparagraph A - 8.3.2(b)</u></p> <p>The terms “required navigation performance (RNP)” should be replaced by “performance-based navigation procedures (PBN)”</p>	
response	Accepted	
comment	151	comment by: DGAC France
	<p><u>Subparagraph A - 9</u></p> <p>“LVO” should be added and “PBN” used instead of “RNAV, RNP” in the following sentence: “The MEL should also include the dispatch conditions associated with operations required for a specific approval (e.g. . RNAV, RNP, PBN, RVSM, ETOPS, LVO)).”</p>	
response	Accepted	
comment	244	comment by: European Cockpit Association
	<p>AMC3 ORO.MLR.100 1.1</p> <p>Commented text:</p> <p><i>1 ORGANISATION AND RESPONSIBILITIES</i></p> <p><i>1.1 Organisational structure. A description of the organisational structure, including the general organogram and operations departments’ organograms. The organogram should depict the relationship between the operations departments and the other departments of the operator. In particular, the subordination and reporting lines of all divisions, departments, etc., which pertain to the safety of flight operations, should be shown.</i></p> <p>ECA's comments:</p> <p>ECA would like to suggest including a reference to Reg (EU) 2014-376.</p> <p>Reasoning: To emphasize the organisational requirements stemming from Reg (EU) 2014-376</p>	
response	<p>Not accepted</p> <p>Regulation (EU) No 376/2014 of the European Parliament and of the Council of 3 April 2014 on the reporting, analysis and follow-up of occurrences in civil aviation, amending Regulation (EU) No 996/2010 of the European Parliament and of the Council and repealing Directive 2003/42/EC of the European Parliament and of the Council and Commission Regulations (EC) No 1321/2007 and (EC) No 1330/2007, is not the only relevant Regulation determining the organisational set-up of the operator.</p>	

3.1.3. AMC/GM to Annex III (Part-ORO) — AMC1 ORO.MLR.105(d)(3) Minimum equipment list

p. 84

comment	68	comment by: Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)
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	AMC1 ORO.MLR.105 (d)(3) Minimum equipment list Sweden finds the proposed change acceptable.
response	<i>Noted</i>

3.1.3. AMC/GM to Annex III (Part-ORO) — AMC1 ORO.MLR.105(g) Minimum equipment list

p. 84

comment	69 comment by: <i>Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)</i>
	AMC1 ORO.MLR.105 (g) Minimum equipment list Sweden finds the proposed change acceptable.
response	<i>Noted</i>

comment	95 comment by: <i>ICEALDA</i>
	Regarding MEL, we Must or Shall put in as minimum that maintenance Must/Shall adv FOO Flight Operation Officer on duty if something affect operational, performance or airworthiness of the aircraft. If EASA still use the word should then the Operators will always try to go around all regulations to hold standards.
response	<i>Noted</i>

3.1.3. AMC/GM to Annex III (Part-ORO) — GM1 ORO.MLR.115(c) Record-keeping

p. 85

comment	3 comment by: <i>Air Pannonia</i>
	The last sentence should be corrected: "These record include detailed examination data (either paper or electronic)." In a case of CBT organisation cannot store detailed examination papers.
response	<i>Accepted</i>

comment	152 comment by: <i>DGAC France</i>
	Use of the word « paper » is too restrictive. Examination forms or test results may be of an electronic form. PERSONNEL RECORDS 'Personnel records' in ORO.MLR.115(c) means detailed crew member training, checking and qualification records. These records include detailed detail of examination papers .
response	<i>Accepted</i>



comment	186	comment by: <i>AeroEx Gmbh</i>
	What is the meaning of “examination papers”? This could be misleading as it would not be possible to store records electronically.	
response	<i>Accepted</i>	

3.1.3. AMC/GM to Annex III (Part-ORO) — GM1 ORO.MLR.115(d) Record-keeping

p. 85

comment	153	comment by: <i>DGAC France</i>
	This GM adds no value: the proposed sentence is identical to the one included in ORO.MLR.115 (d)	
	Training, checking and qualification records include records of all training, checking and qualifications of each crew member, as prescribed in Part-ORO.	
response	<i>Not accepted</i>	
	ORO.MLR (c) is targeted at the detailed records while ORO.MLR (d) only includes the training and checks being done (without necessarily keeping the detailed examination papers). The proposed GM clarifies this difference.	

3.1.4. AMC/GM to Annex IV (Part-CAT) — AMC1 CAT.OP.MPA.115 Approach flight technique — aeroplanes

p. 86-88

comment	16	comment by: <i>NetJets Europe</i>
	NetJets supports the proposed change to (b) (4) as it has lead to confusion and the phrase is contradicting.	
response	<i>Noted</i>	
comment	17	comment by: <i>NetJets Europe</i>
	AMC1 CAT.OP.MPA.115 (b) (5) (v) (A).	
	This paragraph limits the CDFA technique to being used for NPA's that have a maximum approach-track off-set of 15° for CAT A & B aeroplanes and 5° for other aeroplanes categories.	
	NetJets proposes that the limitation is reviewed and revised to be in line with the straight-in approach criteria in ICAO DOC 8168 PAN OPS i.e. 30° for CAT A & B and 15° for other categories.	
	There is currently no provision or guidance for approaches flown using the CDFA technique, where the final approach track off-set is more than stated in the AMC but within the PAN OPS criteria and this leaves the operators in a grey area as to what to apply. The only guidance provided, is for operations not using the CDFA technique where there is a level off segment during the final approach.	
	This means that an approach that is offset by e.g. 6° for a CAT C aeroplane, and where the	



operator uses the CDFA technique as mandated, may effectively have to apply for approval from the CA for every one of these approaches.

States publish straight-in approach procedures in accordance with PAN OPS and the chart providers publish these accordingly with the respective AIR OPS compliant AOM. However, the straight –in criteria as per PANS OPS (15° and 30° offset) are used as per the state AIPs for the NPAs and the AMC limitation is not published and stated. This not only leads to confusion but also sets up the crew and therefore the operator to unintentionally not comply with the AIR OPS AMC.

AMC4 CAT.OP.MPA.110 (a) (1) (iii) and AMC5 CAT.OP.MPA.110 Table 6.A, compliant with ICAO doc 9365 AWO, already requires the increase of the lower cut off minimum RVR/CMV for approaches that are offset by more than 5° and 15° respectively and have an additional add on if the CDFA technique is not used.

Furthermore ICAO Annex 6 Part I, ICAO Doc 8168 Vol I and ICAO doc 9365 AWO, have no requirement to limit the use of the CDFA technique to offsets of 5° and 15°. We are also not aware of any other regulator that imposes these offset limits.

response *Noted*

The AMC has been removed. Any changes will be done in the context of a dedicated RMT on AWO. The comments have been saved as valuable contributions for this RMT.

comment 213

comment by: *KLM*

(b) (4) When this is the intention then this has to be mentioned in the amendment. Only mentioning it here will leave room for doubt as soon as the new version is implemented. Therefore advise to explicitly mention at b3 for IMC and with b4 for ops in VMC.

response *Noted*

The AMC has been removed. Any changes will be done in the context of a dedicated RMT on AWO. The comments have been saved as valuable contributions for this RMT.

3.1.4. AMC/GM to Annex IV (Part-CAT) — AMC1 CAT.OP.MPA.115 Approach flight technique — aeroplanes

p. 88-92

comment 18

comment by: *NetJets Europe*

AMC1 CAT.OP.MPA.140 (d)

Table 1 - planning minima still refers to PA (precision approaches). NETjets suggests that the table is revised in line with the correct designation of CAT I approaches and also the addition of minima for APVs.

response *accepted*

This table will be proposed to be deleted in the frame of RMT.695 (Non-ETOPS operations with performance class A aeroplanes with an MOPSC of 19 or less). RMT.695 has the objective to accommodate new business-jet aeroplanes operated by European CAT



operators in the 180' non-ETOPS category. The Opinion is scheduled for Q1/2018.

comment 96

comment by: ICEALDA

If EASA still use the word should, then the Operators will always try to go around all regulations to hold standards due to Operators say they do not need follow regulations which say should.

We want to see in all regulations that EASA take responsibility for what they stand fo,r safety with in Europe.

Regarding ETOPS EASA have to put in the regulations that crew and maintenance have to inform FOO Flight Operation Officer if something affect operations part of the flight which could affect safety of the flight planning or airworthiness of the aircraft.

response *Noted*

3.1.4. AMC/GM to Annex IV (Part-CAT) — AMC1 CAT.OP.MPA.195 Refuelling/defuelling with passengers embarking, on board or disembarking

p. 93-94

comment 269

comment by: Civil Aviation Authority of Norway

The addition of "... either rotors are stopped or rotors are turning ..." does not appear to change the meaning of the text, it just adds more words.

response *Accepted*

comment 281

comment by: OHI Pedro Vilela

?? will the same text be include in the:

NCC.OP.155
SPO.OP.155

response *Accepted*

3.1.4. AMC/GM to Annex IV (Part-CAT) — GM1 CAT.OP.MPA.295 Use of airborne collision avoidance system (ACAS)

p. 94

comment 1

comment by: Tim SINDALL

The new references numbered 3, 4, 5 and 6 to GM1 CAT.OP.MPA.295 (ICAO Annex 10, Volume IV; ICAO PANS-OPS, Volume 1; ICAO PANS-ATM; and ICAO Attachment E of State Letter AN 7/1.3.7.2-97/77) have earlier been declared redundant and should now be deleted as their contents are now included in the new references numbered 1 and 2 (ICAO PANS-OPS, Volume 1 Attachments A and B; and ICAO PANS-ATM Chapters 12 and 15). Please note that Executive Director Decision 2012/002/R adopted a revised list of advisory documents that excluded the redundant documents that I have described above.



response *Accepted*

comment 70 comment by: *Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)*

Amendment of sub-paragraph (a) of GM1 CAT.OP.MPA.295 Use of airborne collision avoidance system (ACAS) to be aligned with ED Decision 2012/002/R on common airspace usage requirements and operating procedures.

Confusing text when already point 1 and 2 are included in the old paragraph 2, 3. We suggest that the old text is deleted.

GM1 CAT.OP.MPA.295 Use of airborne collision avoidance system (ACAS)

GENERAL

(a) The ACAS operational procedures and training programmes established by the operator should take into account this GM. It incorporates advice contained in:

- (1) ICAO PANS-OPS, Volume 1 Flight Procedures, Attachment A (ACAS Training Guidelines for Pilots) and Attachment B (ACAS High Vertical Rate Encounters) to Part III, Section 3, Chapter 3; and
- (2) ICAO PANS-ATM Chapters 12 and 15 phraseology requirements.

~~(31) ICAO Annex 10, Volume IV;~~

~~(42) ICAO PANS-OPS, Volume 1;~~

~~(53) ICAO PANS-ATM; and~~

~~(64) ICAO guidance material 'ACAS Performance-Based Training Objectives' (published under Attachment E of State Letter AN 7/1.3.7.2-97/77).~~

response *Accepted*

comment 154 comment by: *DGAC France*

The following documents should be deleted since they are already listed under points (1) and (2) :

- (4) ICAO PANS-OPS, Volume 1;
- (5) ICAO PANS-ATM; and

response *Accepted*

3.1.4. AMC/GM to Annex IV (Part-CAT) — AMC2 CAT.IDE.A.225 Emergency medical kit

p. 94-95

comment 19 comment by: *NetJets Europe*

NetJets supports the new text.

response *Noted*

comment 71 comment by: *Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)*



	Amendment of AMC2 CAT.IDE.A.225 Emergency medical kit			
	Sweden supports the new text in AMC2.			
response	Noted			
comment	105	comment by: <i>British Airways Flight Operations</i>		
	British Airways greatly welcomes this amendment, which is pragmatic and sensible.			
response	Accepted			
comment	120	comment by: <i>UK CAA</i>		
	Page No: 95			
	Paragraph No: (68) AMC2 CAT.IDE.A.225			
	Comment: The UK CAA suggests deleting the word ‘secure’ in the proposed text.			
	Justification: The purpose of the amendment is to ensure that the emergency medical kit is readily available for use when required, but that access to the kit is adequately controlled such that unauthorised access is prevented. The term ‘secure’ in this context is likely to be interpreted as a location that is firmly fastened, i.e. locked, and would defeat the purpose of the amendment. ‘Prevents authorised access’ is the wording used in the CAT.IDE.A.225(c)(2) and is adequate on its own to specify what is required and would allow the flexibility needed to achieve the aim of the amendment.			
	Proposed Text: “ <i>The emergency medical kit should be kept either in the flight crew compartment or in another secure-location in the cabin that prevents unauthorised access to it.</i> ”			
response	Partially accepted			
	EASA has carefully reviewed the comment and consulted it with the EASA TAG Expert group on cabin safety. The word ‘secure’ is maintained in the sentence and the new GM1 CAT.IDE.A.225 has been developed to explain the reference to ‘secure location’.			
comment	233	comment by: <i>IACA International Air Carrier Association</i>		
	<table><tr><td>Emergency Medical Kit (EMK) Sub-NPA (B) p94 amendment AMC2 CAT.IDE.A.225(c)(2)</td><td>IACA carriers support replacing ‘locked compartment’ by ‘secure location in the cabin that prevents unauthorised access to it.’</td></tr></table>	Emergency Medical Kit (EMK) Sub-NPA (B) p94 amendment AMC2 CAT.IDE.A.225(c)(2)	IACA carriers support replacing ‘locked compartment’ by ‘secure location in the cabin that prevents unauthorised access to it.’	
Emergency Medical Kit (EMK) Sub-NPA (B) p94 amendment AMC2 CAT.IDE.A.225(c)(2)	IACA carriers support replacing ‘locked compartment’ by ‘secure location in the cabin that prevents unauthorised access to it.’			
response	Noted			



comment	280	comment by: <i>Finnish Transport Safety Agency</i>
	AMC2 CAT.IDE.A.225	
	Trafi supports the proposal.	
response	<i>Noted</i>	

3.1.4. AMC/GM to Annex IV (Part-CAT) — GM1 CAT.IDE.A.125 & CAT.IDE.A.130 Operations under VFR by day & Operations under IFR or at night — flight and navigational instruments and associated equipment p. 95-96

comment	4	comment by: <i>Bruno Herencic</i>
	"prevents unauthorised access to it" presents problems onboard business jets.	
	Most of business jets do have an EMK, and most don't even have a cockpit door, so this presents an issue.	
	Propose to add text: For aeroplanes with an MOPSC of 30 or less, if the Emergency Medical Kit is carried, and it is not possible to locate it in a secure location in cabin that prevents unauthorised access due to the configuration of the aircraft, the Emergency Medical Kit shall be stored in a location normally not accessed by passengers.	
response	<i>Partially accepted</i>	
	The additional GM explains that 'secure location' refers to a location in the cabin that is not intended for the use by passengers and preferably to which passengers do not have access. For a business jet operator, the emergency medical kit can be stored in the flight crew compartment. It is evident that even though there is no cockpit door, the flight crew compartment is not intended for the use of passengers.	

3.1.4. AMC/GM to Annex IV (Part-CAT) — AMC2 CAT.IDE.A.280 Emergency locator transmitter (ELT) p. 96-97

comment	90	comment by: <i>Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)</i>
	AMC2 CAT.IDE.A.280 Emergency locator transmitter (ELT) TYPES OF ELT AND GENERAL TECHNICAL SPECIFICATIONS	
	Sweden supports the new text in AMC2.	
response	<i>Noted</i>	

3.1.4. AMC/GM to Annex IV (Part-CAT) — AMC2 CAT.IDE.H.280 Emergency locator transmitter (ELT) p. 98-99



comment	72	comment by: <i>Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)</i>
		AMC2 CAT.IDE.H.280 Emergency locator transmitter (ELT) Sweden supports the new text in AMC2.
response		<i>Noted</i>

3.1.5. AMC/GM to Annex V (Part-SPA) — AMC1 SPA.GEN.105(b)(2) Application for a specific approval

p. 100

comment	73	comment by: <i>Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)</i>
		Development of a new AMC1 SPA.GEN.105(b)(2) Application for a specific approval on NON-MANDATORY (RECOMMENDATION) ELEMENTS OF OPERATIONAL SUITABILITY DATA. Sweden supports the proposed amendment.
response		<i>Noted</i>

comment	167	comment by: <i>Luftfahrt-Bundesamt</i>
		SPA.GEN.105 (b)(2) explicitly requires to consider only the mandatory part of the OSD, but the new AMC requests for consideration of the non-mandatory elements when developing training programmes. Although the intention is fully understood this is not the way to achieve it as the AMC goes beyond the regulation or is actually contrary to it.
response		<i>Accepted</i>

comment	214	comment by: <i>KLM</i>
		This is mixing up technical requirements with operational requirements and is therefore confusing.
response		<i>Accepted</i>

3.1.5. AMC/GM to Annex V (Part-SPA) — AMC1 SPA.RVSM.1045 RVSM operational approval

p. 100-101

comment	74	comment by: <i>Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)</i>
		Insertion of a new sub-paragraph (h) with regard to continuing airworthiness items into AMC1 SPA.RVSM.105 RVSM operational approval on the CONTENT OF OPERATOR RVSM APPLICATION. Sweden find the change acceptable



response *Noted*

comment

155

comment by: *DGAC France*

Revise the proposed wording: aircraft maintenance programme and continuing airworthiness procedures do not need an “amendement” if RVSM compliance was basically part of the initial TC.

(h) Continuing airworthiness

~~The amendment to the a~~Aircraft maintenance programme and continuing airworthiness procedures in support of the RVSM operations.

response *Accepted*

comment

168

comment by: *Luftfahrt-Bundesamt*

Once more the intention is fully understood but this is not the way to achieve it as the AMC goes beyond the regulation. SPA.RVSM.105 clearly lists what must be provided. This is further detailed and explained in the actual AMC/GM.

The continuing airworthiness requirements, now added to AMC1, usually already has been considered in the past, however there is no “legal hook” in the regulation under SPA.RVSM.105. Furthermore the CAME as well as any maintenance programme has to be approved under Part-M, and even the CAMO Approval Certificate refers to regulation 1321/2014 only. Therefore specific maintenance programme and continuing airworthiness procedures requirements should not be “hidden” in the Air Ops regulation and/or AMC to Air Ops. Once more a consistent cross-domain-approach is needed for the legal framework.

response *Not accepted*

SPA.RVSM.105 RVSM operational approval in point (a) already requires an airworthiness approval; this implies the conditions prescribed in this AMC. Regarding the comment that inclusion of such an AMC should be placed into Part-M rather than the Air OPS rules, there are today ongoing discussions in the airworthiness domain to remove from *M.A.710 Airworthiness review* and *M.A.904 Import of aircraft* all of the references related to operational equipment checks. The major argument is that the airworthy condition of the aircraft could be maintained even without certain operational equipment required by operational requirements, but not required for the particular flight/type of operations. Such approach is supported by the text of the changes of rule and AMC/GM of RMT.0521 ‘Airworthiness Review Process’ and NPA 2016-08 of RMT.0278 ‘Import of aircraft from other regulatory system, and Part-21 Subpart H review’. Therefore, it would even more substantiate placing the maintenance requirements related the operational equipment in the operational rules.

Additionally there are already some maintenance/airworthiness requirements/provisions related to FDR/CVR/Data link checks inside the Air OPS rules (CAT.GEN.MPA.195(b)), PBN Operations (GM1 SPA.PBN.100(c)(3), (c)(5) and (c)(8)), ETOPS (SPA.ETOPS.105(a)) and Helicopter Hoist operations (SPA.HHO.110). In the future, there might be even more related to AWO and Ageing aircraft (through the Part-26 referenced in the Air OPS Regulation).



comment	<p>75 comment by: <i>Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)</i></p> <p>Development of a new AMC3 SPA.RVSM.105 RVSM operational approval on <i>CONTINUING AIRWORTHINESS</i></p> <p>Sweden find the change acceptable.</p>
response	<i>Noted</i>

comment	<p>169 comment by: <i>Luftfahrt-Bundesamt</i></p> <p>Once more the intention is fully understood but this is not the way to achieve it as the AMC goes beyond the regulation. SPA.RVSM.105 clearly lists what must be provided. This is further detailed and explained in the actual AMC/GM.</p> <p>The continuing airworthiness requirements, now added to AMC1, usually already has been considered in the past, however there is no “legal hook” in the regulation under SPA.RVSM.105. Furthermore the CAME as well as any maintenance programme has to be approved under Part-M, and even the CAMO Approval Certificate refers to regulation 1321/2014 only. Therefore specific maintenance programme and continuing airworthiness procedures requirements should not be “hidden” in the Air Ops regulation and/or AMC to Air Ops. Once more a consistent cross-domain-approach is needed for the legal framework.</p>
response	<p><i>Not accepted</i></p> <p><i>SPA.RVSM.105 RVSM operational approval</i> in point (a) already requires an airworthiness approval; this implies the conditions prescribed in this AMC. Regarding the comment that inclusion of such an AMC should be placed into Part-M rather than the Air OPS rules, there are today ongoing discussions in the airworthiness domain to remove from <i>M.A.710 Airworthiness review</i> and <i>M.A.904 Import of aircraft</i> all of the references related to operational equipment checks. The major argument is that the airworthy condition of the aircraft could be maintained even without certain operational equipment required by operational requirements, but not required for the particular flight/type of operations. Such approach is supported by the text of the changes of rule and AMC/GM of RMT.0521 ‘Airworthiness Review Process’ and NPA 2016-08 of RMT.0278 ‘Import of aircraft from other regulatory system, and Part-21 Subpart H review’. Therefore, it would even more substantiate placing the maintenance requirements related the operational equipment in the operational rules.</p> <p>Additionally there are already some maintenance/airworthiness requirements/provisions related to FDR/CVR/Data link checks inside the Air OPS rules (CAT.GEN.MPA.195(b)), PBN Operations (GM1 SPA.PBN.100(c)(3), (c)(5) and (c)(8)), ETOPS (SPA.ETOPS.105(a)) and Helicopter Hoist operations (SPA.HHO.110). In the future, there might be even more related to AWO and Ageing aircraft (through the Part-26 referenced in the Air OPS Regulation).</p>

comment	<p>215 comment by: <i>KLM</i></p> <p>This mixing up technical requirements with operational requirements and is therefore confusing.</p>
response	<i>Noted</i>



SPA.RVSM.105 RVSM operational approval in point (a) already requires an airworthiness approval; this implies the conditions prescribed in this AMC. Regarding the comment that inclusion of such an AMC should be placed into Part-M rather than the Air OPS rules, there are today ongoing discussions in the airworthiness domain to remove from M.A.710 Airworthiness review and M.A.904 Import of aircraft all of the references related to operational equipment checks. The major argument is that the airworthy condition of the aircraft could be maintained even without certain operational equipment required by operational requirements, but not required for the particular flight/type of operations. Such approach is supported by the text of the changes of rule and AMC/GM of RMT.0521 'Airworthiness Review Process' and NPA 2016-08 of RMT.0278 'Import of aircraft from other regulatory system, and Part-21 Subpart H review'. Therefore, it would even more substantiate placing the maintenance requirements related the operational equipment in the operational rules.

Additionally there are already some maintenance/airworthiness requirements/provisions related to FDR/CVR/Data link checks inside the Air OPS rules (CAT.GEN.MPA.195(b)), PBN Operations (GM1 SPA.PBN.100(c)(3), (c)(5) and (c)(8)), ETOPS (SPA.ETOPS.105(a)) and Helicopter Hoist operations (SPA.HHO.110). In the future, there might be even more related to AWO and Ageing aircraft (through the Part-26 referenced in the Air OPS Regulation).

3.1.5. AMC/GM to Annex V (Part-SPA) — GM1 SPA.RVSM.105(d)(9) RVSM operational approval

p. 102

comment

76

comment by: Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)

GM1 SPA.RVSM.105(d)(9) RVSM operational approval

SPECIFIC REGIONAL PROCEDURES

Sweden supports the proposed amendment.

response

Noted

3.1.5. AMC/GM to Annex V (Part-SPA) — GM1 SPA.LVO.120 Flight crew training and qualifications

p. 102

comment

77

comment by: Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)

GM1 SPA.LVO.120 Flight crew training and qualifications

FLIGHT CREW TRAINING

Sweden supports the proposed change of the provision.

response

Noted

comment

157

comment by: DGAC France

Comment related to the existing AMC1 SPA.LVO.120 :



response	<p>Take the opportunity of NPA 2015-18 to correct an error in AMC1 SPA.LVO.120. In point (10) delete the reference to the RVR of 200 m for category D aeroplanes. Difference between category C and category D aeroplanes was not transposed from EU OPS. (10) procedures and precautions to be followed with regard to surface movement during operations when the RVR is 400 m or less and any additional procedures required for take-off in conditions below 150 m (200 m for category D aeroplanes);</p> <p><i>Accepted</i></p> <p>EASA welcomes this editorial amendment.</p>
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3.1.5. AMC/GM to Annex V (Part-SPA) — AMC1 SPA.DG.105(a) Approval to transport dangerous goods

p. 103

comment	<p>79 comment by: <i>Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)</i></p> <p>AMC1 SPA.DG.105(a) Approval to transport dangerous goods TRAINING PROGRAMME</p> <p>Sweden support the proposed changes.</p>		
response	<p><i>Noted</i></p>		
comment	<p>198 comment by: <i>ICEALDA</i></p> <p>Regading DGR on aircraft, the handling agent Must/ Shall adv and send to qualified/Licence trained Flight Operation Offiecr of the Operators all info of tranporting of DGR on board the aircraft.</p> <p>The Operators Must/ Shall have initial training before Operators can hold re-current traing for FOO personel which is responsibility for DGR carry on board the aircraft. EASA have to indentify more about Flight Operaion Officer FOO responsibility due to Operators is trying to go around training qualificaton for the Operaton Control/Operatons/Network Control Personel</p> <p>(2) ADD) (iii) ATS or crew Must/ Shall notification of an in-flight emergency occur.</p>		
response	<p><i>Noted</i></p>		
comment	<p>234 comment by: <i>IACA International Air Carrier Association</i></p> <table border="1" data-bbox="363 1749 1481 1899"> <tr> <td data-bbox="363 1749 804 1899"> <p>Dangerous Goods Sub-NPA (B) p103 amendment (f) of AMC1 SPA.DG.105(a)</p> </td><td data-bbox="804 1749 1481 1899"> <p>IACA carriers support to align with ICAO Technical Instructions.</p> </td></tr> </table>	<p>Dangerous Goods Sub-NPA (B) p103 amendment (f) of AMC1 SPA.DG.105(a)</p>	<p>IACA carriers support to align with ICAO Technical Instructions.</p>
<p>Dangerous Goods Sub-NPA (B) p103 amendment (f) of AMC1 SPA.DG.105(a)</p>	<p>IACA carriers support to align with ICAO Technical Instructions.</p>		



response *Noted*

3.1.5. AMC/GM to Annex V (Part-SPA) — AMC5 SPA.LVO.105 LVO approval

p. 104

comment

7

comment by: ICEALDA

Regarding Operator's shall add training for planning for LOV to operate with in CAT II, and CAT III area this is not only equipment, operators need as well height qualified personnel to look into that all is sufficient to operate with in this kind of weather phenomena not only in air as well on ground and if that or can affect the safety of the flight.

response

Noted

comment

78

comment by: Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)

AMC5 SPA.LVO.105 LVO approval to provide the correct reference to the current Continuing Airworthiness Regulation.

Sweden supports the proposed change of the provision.

response

Noted

comment

156

comment by: DGAC France

Comment related to the existing AMC6 SPA.LVO.105 :

Take the opportunity of NPA 2015-18 to correct an error in AMC6 SPA.LVO.105.

« Cat II » was omitted in the list of LVOs in point (b) during transposition from EU OPS to AIR-OPS of point (h)(2) of Appendix 1 to OPS 1.440.

(b) For runways with irregular pre-threshold terrain or other foreseeable or known deficiencies, each aircraft type/runway combination should be verified by operations in CAT I or better conditions, prior to commencing LTS CAT I, **CAT II**, OTS CAT II or CAT III operations.

response

Accepted

EASA welcomes this change and has amended AMC6 accordingly.

3.1.6. AMC/GM to Annex VI (Part-NCC) — AMC1 NCC.GEN.140(a)(3) Documents, manuals and information to be carried

p. 105

comment

80

comment by: Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)

AMC1 NCC.GEN.140(a)(3) Documents, manuals and information to be carried
CERTIFICATE OF AIRWORTHINESS



response	Sweden find the change acceptable.
	<i>Noted</i>
comment	<p>170 comment by: <i>Luftfahrt-Bundesamt</i></p> <p>Referring to 21.A.701 and related GM we recommend to review the deletion of “permit to fly” as there might be cases, where the issuance of a CofA and restricted CofA might not be possible or appropriate.</p>
response	<p><i>Not accepted</i></p> <p>Not accepted. The permit to fly should not be confused with a CofA.</p>

3.1.6. AMC/GM to Annex VI (Part-NCC) — GM1 NCC.IDE.A.100(b) Instruments and equipment — general

p. 105

comment	<p>81 comment by: <i>Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)</i></p> <p>GM1 NCC.IDE.A.100(b) Instruments and equipment — general</p> <p>REQUIRED INSTRUMENTS AND EQUIPMENT THAT DO NOT NEED TO BE APPROVED IN ACCORDANCE WITH THE APPLICABLE AIRWORTHINESS REQUIREMENTS</p> <p>Sweden find the change acceptable.</p>
response	<i>Noted</i>
comment	<p>121 comment by: <i>UK CAA</i></p> <p>Page No: 105</p> <p>Paragraph No: (81) - GM1 NCC.IDE.A.100(b)</p> <p>Comment: An incorrect reference has been copied into the text. Delete “SPO.IDE.A.100(b)” and replace with NCC.IDE.A.100(b).</p> <p>Justification: Correction.</p> <p>Proposed Text: Delete “SPO.IDE.A.100(b)” and replace with “NCC.IDE.A.100(b).”</p>
response	<i>Accepted</i>
comment	<p>171 comment by: <i>Luftfahrt-Bundesamt</i></p> <p>The new guidance material contains a wrong reference to SPO.IDE.A.100 (b). It should be read NCC.IDE.A.100 (b) and NCC.IDE.H.100 (b) respectively.</p>
response	<i>Noted</i>



3.1.6. AMC/GM to Annex VI (Part-NCC) — GM1 NCC.IDE.A.100(b)&(c) Instruments and equipment — general

p. 105-106

comment

82

comment by: *Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)*

Development of a new GM1 NCC.IDE.A.100(b) Instruments and equipment — general on REQUIRED INSTRUMENTS AND EQUIPMENT THAT DO NOT NEED TO BE APPROVED IN ACCORDANCE WITH THE APPLICABLE AIRWORTHINESS REQUIREMENTS.

ACCORDANCE WITH THE APPLICABLE AIRWORTHINESS REQUIREMENTS, BUT ARE CARRIED ON A FLIGHT.

Sweden find the change acceptable.

response

Noted

3.1.6. AMC/GM to Annex VI (Part-NCC) — AMC2 NCC.IDE.A.215 Emergency locator transmitter (ELT)

p. 106

comment

83

comment by: *Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)*

Amendment of point (a)(4) of AMC2 NCC.IDE.A.215 Emergency locator transmitter (ELT).

Sweden find the change acceptable.

response

Noted

3.1.6. AMC/GM to Annex VI (Part-NCC) — GM1 NCC.IDE.H.100(b) Instruments and equipment — general

p. 107

comment

84

comment by: *Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)*

Development of a new GM1 NCC.IDE.H.100 Instruments and equipment — general (Several paragraphs)

Sweden find the change acceptable.

response

Noted

comment

122

comment by: *UK CAA*

Page No: 107

Paragraph No: (84) - GM1 NCC.IDE.H.100(b)

Comment: An incorrect reference has been copied into the text. Delete “SPO.IDE.A.100(b)” and replace with NCC.IDE.H.100(b).



response	Justification: Correction.
	Proposed Text: Delete “SPO.IDE.A.100(b)” and replace with “NCC.IDE.H.100(b).”
comment	172 comment by: <i>Luftfahrt-Bundesamt</i>
	The new guidance material contains a wrong reference to SPO.IDE.A.100 (b). It should be read NCC.IDE.A.100 (b) and NCC.IDE.H.100 (b) respectively.
response	Accepted
comment	270 comment by: <i>Civil Aviation Authority of Norway</i>
	Should this not refer to SPO.IDE.H.100(b) instead of SPO.IDE.A.100(b)?
response	Accepted

3.1.6. AMC/GM to Annex VI (Part-NCC) — GM1 NCC.IDE.H.100(b)&(c) Instruments and equipment — general

p. 107

comment	93 comment by: <i>Airbus Helicopters</i>
	<i>Formal comment</i>
	Comment: Although the explanatory note states that change (85) is only related to the numbering and sub-title of the GM, there are several changes in the text itself, which have not been identified as such. For example, in sub-paragraph (a): <ul style="list-style-type: none">• "helicopter" unduly changed to "aeroplane",• "Certification Specifications" unduly changed to "airworthiness codes".
	Suggestion: Unlike proposed in this NPA, keep for GM2 NCC.IDE.H.100(c) the original text of GM1 NCC.IDE.H.100(b)&(c).
response	Partially accepted The GM has been amended as requested. However, the GM had to be split into two GMs in line with the GMs already adopted for Part-SPO and Part-NCO.

3.1.6. AMC/GM to Annex VI (Part-NCC) — AMC1 NCC.IDE.H.115 Operating lights

p. 108



comment	<p>123</p> <p>comment by: UK CAA</p> <p>Page No: 108</p> <p>Paragraph No: (86) - AMC1 NCC.IDE.H.115</p> <p>Comment: The ‘optional’ landing light text is not altogether clear and the UK CAA suggests that the text is amended as shown.</p> <p>Justification: Clarity of purpose and safety intent.</p> <p>Proposed Text:</p> <p>“LANDING LIGHT The landing light should be trainable, at least in the vertical plane or optionally be supplemented by an additional fixed light or lights positioned to give a wide spread of illumination.”</p>
response	<p><i>Accepted</i></p> <p>EASA welcomes this clarification.</p>

3.1.7. AMC/GM to Annex VIII (Part-NCO) — GM1 NCO.OP.200 Simulated situations in flight

p. 110

comment	<p>124</p> <p>comment by: UK CAA</p> <p>Page No: 110</p> <p>Paragraph No: (90) - new GM1 NCO.OP.180</p> <p>Comment: The UK CAA suggests that this definition would be better placed in the GM to Annex I Definitions as it provides a useful explanation for definition (new) 30 – Crew member.</p> <p>Justification: Simplification and clarity.</p>
response	<p><i>Not accepted</i></p> <p>The issue has been identified by the GA community and for this reason a GM in the relevant Parts (Part-NCO and Part-SPO) is the appropriate response. The flexibility that an accompanying pilot can be considered as part of the crew is needed for GA flights only.</p>
comment	<p>126</p> <p>comment by: The Norwegian Air Sports Federation</p> <p>The Norwegian Air Sports Federation (NLF) strongly supports the new provision of GM1.NCO.OP.180, as accompanying pilots on non-commercial flights can be considered as part of the crew. This is important for safety reasons and to allow for reasonable simulation scenarios.</p>
response	<p><i>Noted</i></p>



comment	<div data-bbox="359 235 406 280">173</div> <div data-bbox="1053 235 1476 280">comment by: <i>Luftfahrt-Bundesamt</i></div> <p>Although Germany is taking part in the GA Roadmap activities we were not further involved in this topic. However the main intention might be addressed by changes similar to the related CAA UK initiative in this regard (see original position paper on “Definition of Passenger” dated FEB 2015), which is clear and serve the purpose.</p> <p>Now this topic is specifically addressed to NCO.OP.180/SPO.OP.185 only.</p> <p>However the overall-definition of “crew members” (in Annex I) remains unchanged.</p> <p>According to the proposal “this GM ensures that an accompanying pilot can be considered as part of the crew.”</p> <p>Considering above points and the content of the proposed GM it might be understood over and above this intention.</p>
response	<div data-bbox="359 672 438 728"><i>Noted</i></div>
comment	<div data-bbox="359 772 406 817">211</div> <div data-bbox="1157 772 1476 817">comment by: <i>Julian Scarfe</i></div> <p>Thank you for addressing the issue identified by EAS.</p> <p>The definition of 'crew member' is in Annex I as definition 29. The text fits much more naturally as GM there than in GM1 NCO.OP.180. The proposed GM, for example, mentions 'task specialists', which are not part of the NCO paradigm.</p> <p>(To avoid confusion, there is a mis-numbering in the NPA section metadata. The relevant rule is NCO.OP.180, not NCO.OP.200.)</p>
response	<div data-bbox="359 1131 438 1176"><i>Noted</i></div> <p>NCO operations may also conduct non-commercial specialised operations. The respective rules are contained in NCO.SPEC. Please refer to the EASA website's rule structure. The issue has been identified by the GA community and for this reason a GM in the relevant Parts (Part-NCO and Part-SPO) is the appropriate response. The flexibility that an accompanying pilot can be considered as part of the crew is needed for GA flights only.</p>
comment	<div data-bbox="359 1433 406 1478">271</div> <div data-bbox="901 1433 1476 1478">comment by: <i>Civil Aviation Authority of Norway</i></div> <p>The text seems to be of a general character; if it is only intended to be applicable for the purpose of this IR, it should be more specific.</p>
response	<div data-bbox="359 1579 438 1624"><i>Noted</i></div>
comment	<div data-bbox="359 1680 406 1724">285</div> <div data-bbox="1005 1680 1476 1724">comment by: <i>Sandra WECHSELBERGER</i></div> <p>In the past, the question has often arisen, whether a student pilot (not on controls!) is part of the crew or not.</p> <p>The practice of many ATOs is to take two or three student pilots on a round-trip in a 4-seat aeroplane with one instructor. The aim is to reach more destinations and also that the student pilots in the back seat see the procedures, hear the instructor’s explanations, etc.</p> <p>Of course, the one or two student pilots in the back seat have no effect on the safety of the flight, since they take over no active roles.</p>

	<p>In the light of the proposed GM1.NCO.OP.180 (a)(1): does the agency, as author of that rule, believe that the term „achieve an operational objective of the flight“</p> <ul style="list-style-type: none"> • applies to student pilots (off controls) in any case or • applies to student pilots (off controls) only in specially designated cases (e.g. when the training plan explicitly requires a student to attend such a flight) or • does not apply to student pilots in any case because the objective to „learn“ is not an objective of the flight itself?
response	<p><i>Noted</i></p> <p>The existing rule of NCO.OP.180 already contains a clear derogation for training flights in point (b).</p> <p>NCO.OP.180 Simulated situations in flight</p> <p>(a) The pilot-in-command shall, when carrying passengers or cargo, not simulate:</p> <ul style="list-style-type: none"> (1) situations that require the application of abnormal or emergency procedures; or (2) flight in instrument meteorological conditions (IMC). <p>(b) Notwithstanding (a), when training flights are conducted by an approved training organisation, such situations may be simulated with student pilots on-board.</p>

3.1.8. AMC/GM to Annex VII (Part-SPO) — GM1 SPO.OP.185 Simulated situations in flight

p. 113

comment	<p>97</p> <p>comment by: ICEALDA</p> <p>If EASA still use the word should, then the Operators will always try to go around all regulations to hold standards due to the Operators say they do not need follow regulations which say should.</p> <p>We want to see in all regulations that EASA take responsibility what they stand for safety with in Europe.</p> <p>C) Add FOO Flight Operation Officer/Flight Dispatcher which hold Licence can be a one of crew member as well, due to the regulation that FOO have to take at least once a year observe flight to full fill their obligation for his job functions.</p>
response	<p><i>Noted</i></p>
comment	<p>98</p> <p>comment by: ICEALDA</p> <p>If EASA still use the word should, then the Operators will always try to go around all regulations to hold standards due to the Operators say they do not need follow regulations which say should.</p>



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response	<i>Noted</i>
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comment

125

comment by: *UK CAA*

Page No: 113

Paragraph No: (93) - new GM1 SPO.OP.185

Comment: The UK CAA suggests that this definition would be better placed in the GM to Annex I Definitions as it provides a useful explanation for definition (new) 30 – Crew member.

Justification: Simplification and clarity.

response	<i>Noted</i>
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See response to the previous comment.

comment

174

comment by: *Luftfahrt-Bundesamt*

Although Germany is taking part in the GA Roadmap activities we were not further involved in this topic. However the main intention might be addressed by changes similar to the related CAA UK initiative in this regard (see original position paper on “Definition of Passenger” dated FEB 2015), which is clear and serve the purpose.

Now this topic is specifically addressed to NCO.OP.180/SPO.OP.185 only.

However the overall-definition of “crew members” (in Annex I) remains unchanged.

According to the proposal “this GM ensures that an accompanying pilot can be considered as part of the crew.”

Considering above points and the content of the proposed GM it might be understood over and above this intention.

response	<i>Noted</i>
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See response to the previous comment.

comment

212

comment by: *Julian Scarfe*

The issue that was raised by the GA community concerned Part-NCO and NCO.OP.180. The SPO issue is a little different.

SPO.OP.185 Simulated situations in flight

Unless a task specialist is on-board the aircraft for training, the pilot-in-command shall, when carrying task specialists, not simulate:

	<p>(a) situations that require the application of abnormal or emergency procedures; or (b) flight in instrument meteorological conditions (IMC).</p> <p>Both NCO.OP.180 and SPO.OP.185 were introduced before the European GA Safety Strategy was put in place, and identified as disproportionate measures by the GA community.</p> <p>The principles of risk differentiation can be used to make a clear distinction between fare-paying passengers on a CAT flight on the one hand, and passengers/task-specialists carried on NCO/SPO, who are much closer to the operation. A prohibition on the simulation of abnormals on CAT revenue flights is reasonable. It is not proportionate when applied to NCO/SPO. In particular, it should not be necessary to create different levels of regulatory protection for crew members and task specialists</p> <p>As suggested by the exception, there are situations in which it is in the interests of safety for task specialists to be carried during the simulation of abnormals. It makes little sense to distinguish between whether this is for the training of the flight crew, or for the training of the task-specialists themselves. It is often educational for both groups.</p> <p>NCO.OP.180 is an transposed from an essential requirement in Annex IV of the BR. It refers only to passengers. NCO.OP.180, while disproportionate, is therefore necessary for legal consistency until the BR can be amended.</p> <p>SPO.OP.185 on the other hand, has no essential requirement to underpin it. SPO.OP.185 should be deleted at the level of the implementing rule.</p>
response	<p>Accepted</p> <p>The GM in Part-SPO has been deleted</p>
comment	<p>216 comment by: KLM</p> <p>No person will be designated to a certain role if he/she is not capable of doing so. This is overregulation.</p>
response	<p>Noted</p>
comment	<p>272 comment by: Civil Aviation Authority of Norway</p> <p>The justification for this change appears irrelevant as it is not clear what the GA community has to do with SPO which is a commercial activity. ("...in response to the EASA GA Safety Strategy, identified by Europe Air Sports at the request of the General Aviation community,...")</p> <p>See also the comment to the new GM1 NCO.OP.200.</p> <p>There may be good intentions behind the proposal, but if interpreted widely this could have quite an effect on the application of Part SPO, as this appears to say that anybody can be designated a "crew member". And there seems to be no restriction on the number of "crew members". Could this then not open the regulation up to abuse, as operators may attempt to avoid being captured by CAT regulations when transporting persons/passengers (ref. 965/2012, article 5, item 7)?</p>



response

Accepted

The GM in Part-SPO has been deleted

