

Executive Director Decision

2018/003/R

of 23 March 2018

amending Acceptable Means of Compliance and Guidance Material to the Articles, Part-ARO, Part-CAT, Part-NCO and Part-SPO of Commission Regulation (EU) No 965/2012

‘Amendments to acceptable means of compliance and guidance material to Regulation (EU) No 965/2012 as regards balloons’

GM to Commission Regulation (EU) No 965/2012 — Amendment 1

AMC/GM to Part-ARO — Issue 3, Amendment 7

AMC/GM to Part-CAT — Issue 2, Amendment 14

AMC/GM to Part-NCO — Issue 2, Amendment 7

AMC/GM to Part-SPO — Amendment 10

THE EXECUTIVE DIRECTOR OF THE EUROPEAN AVIATION SAFETY AGENCY,

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

Whereas:

- (1) EASA shall, pursuant to Article 18(c) of Regulation (EC) No 216/2008, issue certification specifications and acceptable means of compliance, as well as guidance material, for the application of Regulation (EC) No 216/2008 and its implementing rules.
- (2) Acceptable means of compliance are non-binding standards adopted by EASA which may be used by persons and organisations to demonstrate compliance with Regulation (EC) No 216/2008 and its implementing rules; when acceptable means of compliance are complied with, the related requirements of the implementing rules are met.
- (3) Guidance material is non-binding material developed by EASA which helps to illustrate the meaning of a requirement or specification and is used to support the interpretation of Regulation (EC) No 216/2008, its implementing rules, certification specifications and acceptable means of compliance.

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).

- (4) EASA shall, pursuant to Article 19(2) of Regulation (EC) No 216/2008, reflect the state of the art and the best practices in the fields concerned and update its decisions taking into account worldwide aircraft experience in service, and scientific and technical progress.
- (5) In the context of the General Aviation Road Map, EASA extracted the rules for air operations with balloons from Commission Regulation (EU) No 965/2012² (except for the authority requirements specified in Part-ARO) and proposed a simpler and proportionate regulatory framework (EASA Opinion 01/2016³). The new rules for air operations with balloons have been adopted by Commission Regulation (EU) 2018/395⁴ and shall apply from 8 April 2019. With this Decision, EASA is publishing the associated amendments (mainly deletions) to acceptable means of compliance and guidance material to Commission Regulation (EU) No 965/2012.
- (6) EASA, pursuant to Article 52(1)(c) of Regulation (EC) No 216/2008 and Article 15 ‘Special rulemaking procedure: direct publication’ of the EASA Rulemaking Procedure⁵, has consulted its Advisory Bodies on the matters which are the subject of this Decision.

HAS DECIDED:

Article 1

The Annex to Decision 2014/019/R (GM to Commission Regulation (EU) No 965/2012) of the Executive Director of the Agency of 24 April 2014 is amended as laid down in Annex I to this Decision.

Article 2

The Annex to Decision 2014/025/R (AMC and GM to Part-ARO) of the Executive Director of the Agency of 28 July 2014 is amended as laid down in Annex II to this Decision.

Article 3

The Annex to Decision 2014/015/R (AMC and GM to Part-CAT) of the Executive Director of the Agency of 24 April 2014 is amended as laid down in Annex III to this Decision.

Article 4

The Annex to Decision 2014/016/R (AMC and GM to Part-NCO) of the Executive Director of the Agency of 24 April 2014 is amended as laid down in Annex IV to this Decision.

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 (EU) No 216/2008 of the European Parliament and of the Council (OJ L 296, 25.10.2012, p. 1).

³ <http://www.easa.europa.eu/document-library/opinions>.

⁴ Commission Regulation (EU) 2018/395 of 13 March 2018 laying down detailed rules for the operation of balloons pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council (OJ L 71, 14.3.2018, p. 10).

⁵ Management Board Decision No 18-2015 of 15 December 2015 replacing Decision 01/2012 concerning the procedure to be applied by the Agency for the issuing of opinions, certification specifications, acceptable means of compliance and guidance material (‘Rulemaking Procedure’) (<http://www.easa.europa.eu/the-agency/management-board/decisions/easa-mb-decision-18-2015-rulemaking-procedure>).



Article 5

The Annex to Decision 2014/018/R (AMC and GM to Part-SPO) of the Executive Director of the Agency of 24 April 2014 is amended as laid down in Annex V to this Decision.

Article 6

This Decision shall enter into force on the day following that of its publication in the Official Publication of EASA. It shall apply from 8 April 2019.

Cologne, 23 March 2018

*For the European Aviation Safety Agency
The Executive Director*

Patrick KY

