

Executive Director Decision

2019/001/R

of 28 January 2019

issuing Acceptable Means of Compliance and Guidance Material to Article 3 and to Annex II (Part-SAO) to Commission Implementing Regulation (EU) 2018/1976¹

‘Acceptable means of compliance and guidance material to the operational rules for sailplanes’

THE EXECUTIVE DIRECTOR OF THE EUROPEAN UNION AVIATION SAFETY AGENCY (EASA),

Having regard to Regulation (EU) 2018/1139², and in particular Article 104(3)(a) thereof,

Whereas:

- (1) EASA shall, pursuant to Article 76(3) of Regulation (EU) 2018/1139, issue certification specifications and acceptable means of compliance, as well as guidance material, for the application of Regulation (EU) 2018/1139 and of the delegated and implementing acts adopted on the basis thereof.
- (2) Acceptable means of compliance are non-binding standards issued by EASA which may be used by persons and organisations to demonstrate compliance with Regulation (EU) 2018/1139 and its delegated and implementing acts.
- (3) Guidance material is non-binding material issued by EASA which helps to illustrate the meaning of a requirement or specification and is used to support the interpretation of Regulation (EU) 2018/1139, its delegated and implementing acts, and acceptable means of compliance.
- (4) EASA shall, pursuant to Article 4(1)(a) of Regulation (EU) 2018/1139, reflect the state of the art and the best practices in the field of aviation and update its decisions taking into account worldwide aviation experience and scientific and technical progress in the respective fields.

¹ Commission Implementing Regulation (EU) 2018/1976 of 14 December 2018 laying down detailed rules for the operation of sailplanes pursuant to Regulation (EU) 2018/1139 of the European Parliament and of the Council (OJ L 326, 20.12.2018, p. 64).

² Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91 (OJ L 212, 22.8.2018, p. 1) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1535612134845&uri=CELEX:32018R1139>)

- (5) In the context of the General Aviation Road Map, EASA extracted the rules for air operations with sailplanes from Commission Regulation (EU) No 965/2012³ (except for the authority requirements specified in Part-ARO) and established a simpler and proportionate draft regulatory framework (EASA Opinion No 07/2017⁴). The new rules for air operations with sailplanes have been adopted by Regulation (EU) 2018/1976 and shall apply from 9 July 2019. With this Decision, EASA is publishing the associated acceptable means of compliance and guidance material.
- (6) EASA, pursuant to Article 115(1)(c) of Regulation (EU) 2018/1139 and Article 16 ‘Special rulemaking procedure: accelerated procedure’ of the EASA Rulemaking Procedure⁵, has consulted the affected stakeholders as well as its Advisory Bodies on the matters which are the subject of this Decision and has considered the comments received,

HAS DECIDED:

Article 1

The guidance material to Article 3 of Regulation (EU) 2018/1976 is laid down in Annex I to this Decision.

Article 2

The acceptable means of compliance and guidance material to Annex II (Part-SAO) to Regulation (EU) 2018/1976 are laid down in Annex II to this Decision.

Article 3

This Decision shall enter into force on the day following that of its publication in the Official Publication of EASA. It shall apply from 9 July 2019.

Cologne, 28 January 2019

*For the European Union Aviation Safety Agency
The Executive Director*

Patrick KY

³ 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).

⁴ <http://www.easa.europa.eu/document-library/opinions>

⁵ EASA Management Board (MB) 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/system/files/dfu/EASA%20MB%20Decision%2018-2015%20on%20Rulemaking%20Procedure.pdf>

