European Union Aviation Safety Agency

FAQ n.19201

FAQs:

Part-CAT, Air Operations, Regulations

Question:

What is the meaning of 'where applicable' in relation to the data link recording requirements in CAT.IDE.A.195, CAT.IDE.H.195, NCC.IDE.A.170, NCC.IDE.H.170, SPO.IDE.A.150 and SPO.IDE.H.150?

Answer:

- The requirement to record data link communication messages stated in paragraphs CAT.IDE.A.195, CAT.IDE.H.195, NCC.IDE.A.170, NCC.IDE.H.170, SPO.IDE.A.150 and SPO.IDE.H.150 should be understood as follows: if an aircraft is equipped with data link communication equipment and it is going to use this equipment during part or the entire flight (when also required to be equipped with a CVR and first issued with an individual CofA on or after the applicability date stated in the relevant paragraph), then it must also have a working data link recording function. The expression 'where applicable' in CAT.IDE.A.195(a) is to indicate that the requirement applies when information enumerated in CAT.IDE.A.195(a)(1) is exchanged or could be exchanged via data link replacing voice during the flight. This is also valid for the expression 'where applicable' in CAT.IDE.H.195(a), NCC.IDE.A.170(a), NCC.IDE.H.170(a), SPO.IDE.A.150(a) and SPO.IDE.H.150(a).
- Examples where this requirement would not apply include but are not limited to:
  - the case where the aircraft is only operated in airspace where no data link communication service is offered and therefore only voice communications are used between the aircraft and ATS;
  - the case where the airborne data link communication equipment is not compatible with the data link services of the airspace where it is operating and therefore, voice remains the means of communication between the aircraft and ATS;
  - the case where the data link communication equipment is disabled permanently and in a way that it cannot be enabled again during the flight and therefore voice remains the means of communication between the aircraft and ATS.

Note:

Commission Regulation (EU) No 29/2009 requires aircraft performing IFR flights above Flight

Level 285 in the airspace of most EASA Member States to ‘have the capability to operate some data link services by February 2020 , except for older aircraft and State aircraft.

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Link:

https://www.easa.europa.eu/en/faq/19201