European Union Aviation Safety Agency

Air Operations

In case the answer you were looking for in this FAQ section is not available: you might submit your enquiry here

Air Operations - General

In the definition of ‘commercial operation’ published in Art. 2 of Regulation (EU) 965/2012 (introduced by the amending Reg. (EU) 2018/1975), what is the meaning of the term “control”?

Answer

Reference: Reg. (EU) 965/2012, Article 2:

‘“commercial operation” shall mean any operation of an aircraft, in return for remuneration or other valuable consideration, which is available to the public or, when not made available to the public, which is performed under a contract between an operator and a customer, where the latter has no control over the operator.’

Pursuant to Article 140(2)(a) of Regulation (EU) 2018/1139 (the New Basic Regulation), ‘commercial operation’ shall still be understood as a reference to point (i) of Article 3 of Regulation (EC) No 216/2008. This is a transitional provision until not later than 12 September 2023, when the implementing rules adopted on the basis of Regulations (EC) No 216/2008 and (EC) No 552/2004 shall be adapted to this Regulation. The same definition of ‘commercial operation’ has already been transposed in Article 2 of Reg. (EU) No 965/2012 on air operations and is applicable as of 9 July 2019.

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02/09/2019

Link:
https://www.easa.europa.eu/en/faq/19129

Would there be a restriction that requires baby bassinets to be removed and stowed during in-flight turbulent weather conditions? Where is it documented?

Answer

Reference: CS-25 (Large Aeroplanes)

Baby bassinets are currently included in a certification process of the particular aircraft in which they will be installed; baby bassinets are not certified as a separate device and they are not certified for taxi, take-off, landing and turbulent weather conditions. Placards advising on their stowage during taxi, take-off, landing and turbulence are required either at the location where baby bassinets will be fixed to the aircraft structure (e.g. bulkhead) or a clearly visible instruction advising on the same must be in place on the baby bassinet itself.

Because of the standard fixation of the unit, they are not stable during turbulence, they may swing up and down, and therefore they must be stowed during turbulence.

The placarding requirements are related to the general certification requirements on placarding and intended function in accordance with Certifications Specifications and Acceptable Means of Compliance for Large Aeroplanes CS-25 (ED Decision 2012/008/R) and the marking requirements as specified in the approval of the equipment. The applicable reference paragraph is CS 25.1301, 25.1541. There is no specific mention of baby bassinets, however, equipment installed in an aircraft must meet the applicable requirements of the certification basis, the equipment specifications (if available) or aircraft manufacturer specifications (if available), or NAA requirements applicable to the operation of the aircraft.

For any questions on certification matters, do not hesitate to contact EASA Certification directorate.

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Link:
https://www.easa.europa.eu/en/faq/19128

What are the essential requirements?

Answer

Reference: Regulation (EU) 2018/1139, Regulation (EU) No 965/2012 on Air Operations

Essential requirements are high-level safety objectives and obligations put on persons and organisations undertaking aviation activities under Regulation (EU) 2018/1139 (the Basic Regulation). Detailed rules are then adopted by the European Commission based on technical advice from EASA to further detail how to achieve these objectives and obligations. For example, the implementing rules for air operations (i.e. Reg. (EU) No 965/2012) have been

developed in order to ensure uniform implementation of essential requirements related to air operations.

The Basic Regulation has annexes containing essential requirements for:

- airworthiness (Annex II),
- environmental compatibility related to products (Annex III)
- aircrew (Annex IV),
- air operations (Annex V),
- qualified entities (Annex VI),
- aerodromes (Annex VII),
- ATM/ANS and air traffic controllers (Annex VIII), and
- unmanned aircraft (Annex IX).

The Essential Requirements can be amended by the European Commission where necessary for reasons of technical, operational or scientific developments or evidence.

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02/09/2019

Link:

https://www.easa.europa.eu/en/faq/19109

What do 'grandfathering', 'transition measure' and 'opt-out' mean?

Answer

Reference: Regulation (EU) No 1178/2011, Regulation (EU) No 965/2012

These terms refer to certain legal concepts used in aviation safety regulations, in particular Reg. (EU) No 1178/2011 on aircrew and Reg. (EU) No 965/2012 on air operations.

'Grandfathering' designates the legal recognition and acceptance of certificates issued on the basis of national legislation by national authorities prior to the entry into force of a specific regulation. For example, in Reg. (EU) No 1178/2011, the conditions for the grandfathering of JAR-compliant and non-JAR-compliant pilot licences and medical certificates are set forth in its Articles 4 and 5. In Reg. (EU) No 965/2012, the conditions for grandfathering of EU-OPS AOCs are set forth in Article 7(1).

Grandfathering measures are included in the Cover Regulation to assist Member States in the transition from national rules to unified EU rules. In the case of aircrew licensing, provisions on grandfathering consider some national certificates issued in compliance with given regulations and by a certain date as being in compliance with the new Aircrew Regulation (i.e. Reg. (EU) No 1178/2011).

A 'transition measure' is a provision helping the national competent authorities and regulated entities to gradually adapt to the new EU rules. Several examples can be found in the Aircrew Regulation, such as in Article 11c (in relation to the obligation of Member States regarding the transfer of records and certification processes of those organisations for which the Agency is the competent authority) and in Article 4 (1) — the obligation of Member States to adapt grandfathered pilot licences to the new format by a certain date.

The 'opt-out' is a form of transition measure applicable to Member States. Opt-out provisions allowed Member States to decide not to implement an EU regulation or certain provisions thereof for a certain period of time, delaying the date of application of the new regulation (or certain provisions thereof) within that Member State. For example, the opt-out provisions contained in the Aircrew and Air Ops regulations required the Member State to notify the European Commission and EASA of the 'opt-out', describing the reasons for such derogation and the programme for the phasing out of the opt-out and achieving full implementation of the common requirements.

Read more on opt-in and opt-out.

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Link:
https://www.easa.europa.eu/en/faq/19111

What is the difference between 'entry into force' and 'date of applicability' in the Cover Regulations?

Answer

Many Commission Regulations adopted in EASA domains contain two different dates, usually under the heading “entry into force”. The example below is from Regulation (EU) No 965/2012 on air operations:

Article 10
Entry into force
1. This Regulation shall enter into force on the third day following that of its publication in the Official Journal of the European Union.
It shall apply from 28 October 2012.

The entry into force of an EU regulation represents the date when the regulation has legal existence in the EU legal order and in the national legal order of each Member State.

It is common practice that the regulation enters into force 20 days after its publication in the Official Journal of the EU. That is the case when the legislator simply uses the expression “This Regulation enters into force on the 20th day after its publication in the Official Journal of the European Union.” Shorter periods are also used, as was the case in the example above.

Sometimes the date of entry into force is also the date of applicability of a regulation, meaning that from the date when it enters into force, the regulation is also applicable; it can be fully invoked by its addressees and is fully enforceable.

However, due to the complexity of the domains that are regulated, a period of time may be needed between the date the regulation enters into force, i.e. it legally exists, and the date it can actually be applied, i.e. the date when it is enforceable and the legal rights and obligations can be effectively exercised.

This period of time (vacatio legis) is deliberately introduced for Member States, competent authorities, operators, organisations, licence holders and any other addressees or beneficiaries of the regulations to prepare their systems, processes, procedures, documentation, etc. for compliance with the new rules.

Vacatio legis is also a period given for the addressees of the regulation to adjust to the upcoming rights and obligations and take the necessary measures to benefit from the legal effects of the regulation, namely for the purposes of mutual recognition of certificates and approvals in the aviation internal market.

In those cases, it is common practice of the legislator to establish two different dates under the article on entry into force. One date establishes the legal existence of the act (**entry into force**); the second date establishes the date when it becomes applicable (**applicability**).

The date of applicability therefore represents the date from which the regulation can produce rights and obligations on the addressees and can be directly enforced towards the courts, administrations, national governments, etc. This means that before the date of applicability, obligations or privileges can neither be exercised nor enforced.

The same understanding is shared by the Legal Service of the Commission, which has also clarified in EASA Committee that the privileges provided for in a regulation can only be exercised as of the applicability date chosen by the legislator. Persons subject to the relevant regulation (including national aviation authorities) may prepare themselves for such an effective date (adapting their procedures and practices), but can neither enjoy the privileges nor enforce the obligations.

Legal consequences

This means that Member States cannot start delivering authorisations, approvals, certificates,

etc. issued in accordance with the new regulations and at the same time producing all the legal effects of the regulation from the date of entry into force of the regulation, **but only from the date of its applicability**. However, during the gap period existing between the date of entry into force and the date of applicability, Member States and competent authorities can prepare the process towards the issuance of such authorisations, approvals, and any other certificates in accordance with the new provisions.

In addition, during the period of vacatio legis, an option that Member States and competent authorities can consider, in order to avoid issuing certificates on the last day before the date of applicability, is to issue the new certificates in accordance with the new regulation while clearly indicating in those certificates that they are only valid as of a certain date that would coincide with the date of applicability of the regulation on the basis of which those certificates are issued. This means that those new certificates may be issued, but are not yet effective and cannot be mutually recognised among Member States until the common date of applicability established by the regulation. Until they become effective, licence holders, organisations and operators should still retain and use the certificates already issued under the previous regime. Competent authorities are only obliged to accept the new certificates once the regulation has become applicable.

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Link:
https://www.easa.europa.eu/en/faq/19112

When will the new rules on air operations be applicable?

Answer

Reference: Regulation (EU) No 965/2012 on Air Operations and its amendments

Regulation (EU) No 965/2012 entered into force on 28 October 2012.

Article 10 of the Air OPS Regulation includes an opt-out provision allowing Member States to postpone the applicability of Annexes I to V until 28 October 2014. This means that entire Annexes and/or specific parts of the Annexes will not be applicable if a Member States chooses to opt-out. The Agency has published an overview of the opt-out period applied by Member States here.

The amendments to the Regulation (EU) No 965/2012 have different applicability dates:

- Commission Regulation (EU) No 800/2013 on non-commercial operation became applicable on 25 August 2013 and the opt-out period is 3 years.

- Commission Regulation (EU) No 71/2014 on operational suitability data was published on 27 January 2014; it entered into force on the twentieth day following that of its publication and must be applied not later than 18 December 2017 or two years after the approval of the operational suitability data, whichever is the latest.
- Commission Regulation (EU) No 83/2014 on flight and duty time limitations and rest requirements was published on 29 January 2014, entered into force on the twentieth day following that of its publication and shall apply from 18 February 2016 and from 17 Feb 2017 for ORO.FTL.205(e).

Once the Implementing Rules have been adopted, it is still possible that transition measures defer their applicability to a later date. Therefore, the exact date of applicability of each requirement will depend on the transition measures adopted by the European Commission. Until the date the new Implementing Rules apply, Member States' national rules and EU-OPS remain in force.

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https://www.easa.europa.eu/en/faq/19113

What is the comitology procedure?

Answer

Please refer to the information provided by the European Commission oncomitology.

More information

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Link:
https://www.easa.europa.eu/en/faq/19114

Why can't I find EU-OPS on the EASA website?

Answer

Reference: Regulation (EU) No 965/2012 on Air Operations, associated Decisions (AMC/GM)

EU-OPS was the basis for the creation of Regulation (EU) No 965/2012 on air operations, which is the currently applicable regulation in the field of air operations with aeroplanes and

helicopters.

EU-OPS is published in the Official Journal of the EU as Regulation (EC) No 859/2008 of 20 August 2008 amending Council Regulation (EEC) No 3922/91 as regards common technical requirements and administrative procedures applicable to commercial transportation by aeroplane.

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What is the status of 'Implementing Rules', 'Acceptable Means of Compliance' (AMC), ‘Certification Specifications’ (CS), Alternative Means of Compliance (AltMOC), 'Guidance Material' (GM), ‘Special Conditions’ and 'Frequently Asked Questions'(FAQ)?

Answer

Implementing rules (IRs) are binding in their entirety and used to specify a high and uniform level of safety and uniform conformity and compliance. They detail how to comply with the essential requirements of the Basic Regulation and regulate the subject matters included in its scope. The IRs are adopted by the European Commission in the form of Regulations. EU law is directly applicable (full part of Member States' legal order).

Detailed implementation aspects are included as Certification Specifications (CS) or Acceptable Means of Compliance (AMC).

Acceptable Means of Compliance (AMC) are non-binding. The AMC serves as a means by which the requirements contained in the Basic Regulation and the IRs can be met. The AMC illustrate a means, but not the only means, by which a requirement of an implementing rule can be met. Satisfactory demonstration of compliance using a published AMC shall provide for presumption of compliance with the related requirement; it is a way to facilitate certification tasks for the applicant and the competent authority. However, NAAs and organisations may decide to show compliance with the requirements using other means. Both NAAs and the organisations may propose alternative means of compliance (AltMoCs). ‘Alternative Means of Compliance’ are those that propose an alternative to an existing AMC. Those AltMoC proposals must be accompanied by evidence of their ability to meet the intent of the IR. Use of an existing AMC gives the user the benefit of compliance with the IR.

Read more on the difference between AMC and AltMoC.

Certification Specifications (CS) are non-binding technical standards adopted by EASA to meet the essential requirements of the Basic Regulation. CSs are used to establish the certification basis (CB) as described below. Should an aerodrome operator not meet the recommendation of the CS, they may propose an Equivalent Level of Safety (ELOS) that demonstrates how they meet the intent of the CS. As part of an agreed CB, the CS become binding on an individual basis to the applicant.

Special Conditions (SC) are non-binding special detailed technical specifications determined by the NAA for an aerodrome if the certification specifications established by EASA are not adequate or are inappropriate to ensure conformity of the aerodrome with the essential requirements of Annex VII to the Basic Regulation. Such inadequacy or inappropriateness may be due to:

- the design features of the aerodrome; or
- where experience in the operation of that or other aerodromes, having similar design features, has shown that safety may be compromised.

SCs, like CSs, become binding on an individual basis to the applicant as part of an agreed CB.

Guidance Material (GM) is non-binding explanatory and interpretation material on how to achieve the requirements contained in the Basic Regulation, the IRs, the AMCs and the CSs. It contains information, including examples, to assist the user in the correct understanding and application of the Basic Regulation, its IRs, AMCs and the CSs.

Frequently Asked Questions: FAQs are published on the EASA website and cover a wide range of material. Although the information contained in the FAQs is a summary of existing law or procedures, it may contain the results of a more complex interpretation of IR or other rules of law. In such cases there is always an internal quality consultation within the Agency prior to the publication of the FAQ on the website. The EASA FAQs are necessary to share information and enable to get a common understanding.

The FAQs are not additional GM.

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Link:

https://www.easa.europa.eu/en/faq/19117

Does Reg. (EU) No 965/2012 on air operations also apply to non-commercial operations?

Answer

References: Regulation (EU) No 965/2012 on air operations as amended by Regulation (EU) No 800/2013; Reg. (EC) No 216/2008

Yes, non-commercial operations with aeroplanes and helicopters are covered by Reg. (EU) No 965/2012 on air operations. The applicable rules are determined by the complexity of the aircraft being used: Annex VI (Part–NCC) applies to non-commercial operations with complex motor-powered aircraft) and Annex VII (Part–NCO) applies to non-commercial operations with other-than-complex motor-powered aircraft.

The definition of complex motor-powered aircraft is found in Article 3 of Reg. (EC) No 216/2008. Pursuant to Article 140(2)(a) of Regulation (EU) 2018/1139 (the New Basic Regulation), ‘complex motor-powered aircraft’ shall still be understood as a reference to point (j) of Article 3 of Regulation (EC) No 216/2008. This is a transitional provision until not later than 12 September 2023, when the implementing rules adopted on the basis of Regulations (EC) No 216/2008 and (EC) No 552/2004 shall be adapted to this Regulation. The definition is as follows:

“complex motor-powered aircraft' shall mean:

(i) an aeroplane:

- with a maximum certificated take-off mass exceeding 5 700 kg, or
- certificated for a maximum passenger seating configuration of more than nineteen, or
- certificated for operation with a minimum crew of at least two pilots, or
- equipped with (a) turbojet engine(s) or more than one turboprop engine, or

(ii) a helicopter certificated:

- for a maximum take-off mass exceeding 3 175 kg, or
- for a maximum passenger seating configuration of more than nine, or
- for operation with a minimum crew of at least two pilots,

or

(iii) a tilt rotor aircraft”.

The definition for 'commercial operation' is in Article 2 of Regulation (EU) No 965/2012:

“(1)(d) 'commercial operation' means any operation of an aircraft, in return for remuneration or other valuable consideration, which is available to the public or, when not made available to the public, which is performed under a contract between an operator and customer, where the latter has no control over the operator”.

Training flights fall under either Part-NCC or Part-NCO, depending on the complexity of the

aircraft used for the non-commercial operations.

In addition, Part-SPA applies to any operation requiring a specific approval (e.g. low visibility operations, transport of dangerous goods, performance-based navigation and more).

Finally, Annexes II (Part-ARO) and III (Part-ORO) contain the authority requirements and respectively the organisation requirements. Annex III applies to operators of complex motor-powered aircraft, both commercial and non-commercial.

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Link:
https://www.easa.europa.eu/en/faq/19123

I am not familiar with the Air ops rules' structure. Which parts apply to which operators?

Answer

Reference: Regulation (EU) No 965/2012 on Air Operations and the associated Decisions

This is determined by the nature of your flight, and in the case of non-commercial operations, by the type of aircraft used. The following diagram indicates under which requirements your flight should be operating.

<table>
<tr><td rowspan="4">Commercial operations</td><td rowspan="2">Commercial air transport (CAT) operations</td><td colspan="2">Technical rules: Part-CAT</td></tr>
<tr><td colspan="2">Operator rules: Part-ORO</td></tr>
<tr><td rowspan="2">Specialised operations (aerial work)</td><td colspan="2">Technical rules: Part-SPO</td></tr>
<tr><td colspan="2">Operator rules: Part-ORO</td></tr>
<tr><td rowspan="2">Non-commercial operations</td><td rowspan="2">Non-commercial operations other than SPO (e.g. business/corporate flights, leisure flights, private flights, training flights)</td><td>With CMPA:</td><td>Technical rules: Part-NCC
Operator rules: Part-ORO</td></tr>
<tr><td>With Ot-CMPA:</td><td>Technical rules: Part-NCO</td></tr>
</table>

	Specialised operations (aerial work)	**With CMPA:**	Technical rules: **Part-SPO** Operator rules: **Part-ORO**
		With Ot-CMPA	Technical rules: **Part-NCO**

Part-SPA (specific approvals) applies to all types of operations, as the case may be.

CMPA = complex motor-powered aircraft

Ot-CMPA = other-than complex motor-powered aircraft

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How can I find out where a rule from EU-OPS / JAR-OPS 3 has been transposed in the new Regulation (EU) 965/2012 on Air Operations and its amendments, as well as its associated EASA Decisions, and if any changes have been introduced?

Answer

Reference: Regulation (EU) No 965/2012 on Air Operations, associated Decisions (AMC/GM)

The Agency has published a cross-reference table to assist industry in transitioning to the new rules. This table contains detailed information on the transposition of EU-OPS / JAR-OPS 3 provisions (both Section 1 and Section 2 - for aeroplanes, TGL 44) into the new Implementing Rules (IR), Acceptable Means of Compliance (AMC) and Guidance Material (GM):

- new rule reference and rule title;
- old rule reference and rule title;
- indication of any differences to EU-OPS / JAR-OPS 3 provisions by stating “No change”, “Amended”, “New” or “Not transposed”; and
- short description of the differences, if any, between the old and new rules.

With this cross-reference table one can analyse in detail where and how the old provisions have been transposed into the new regulatory framework.

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Link:
https://www.easa.europa.eu/en/faq/19125

Which operational requirements (EU/EASA Parts) apply to flight activities carried out by an aircraft designer or aircraft manufacturer?

Answer

Reference: Regulation (EU) No 965/2012 on Air Operations

At the present stage no EU operational requirements exist for flights related to design and production activities (“manufacturer flights”). Instead these flights are regulated under national law. This is laid down in Paragraph 3 of Article 6 of Regulation (EU) No 965/2012 as follows:

“By way of derogation from Article 5 of this Regulation and without prejudice to point (b) of Article 18(2) of Regulation (EU) 2018/1139 and to Subpart P of Annex I to Commission Regulation (EU) No 748/2012 concerning the permit to fly, the following flights shall continue to be operated under the requirements specified in the national law of the Member State in which the operator has its principal place of business, or, where the operator has no principal place of business, the place where the operator is established or resides:

(a) flights related to the introduction or modification of aeroplane or helicopter types conducted by design or production organisations within the scope of their privileges; (…)”

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https://www.easa.europa.eu/en/faq/19127

Where can I find a list of alternative means of compliance that have been adopted by operators and NAAs in the EU?

Answer

In the Information on Alternative Means of Compliance notified to the Agency page there is a list with all the AltMoCs adopted by the Member States.

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20/05/2019

Link:
https://www.easa.europa.eu/en/faq/97716

Definitions

What are critical phases of flight?

Answer

Reference: Regulation (EU) No 965/2012, Annex I Definitions

Annex I (Definitions) of the Regulation (EU) 965/2012 on air operations contains definitions for critical phases of flight for aeroplanes and helicopters:

“'Critical phases of flight' in the case of aeroplanes means the take-off run, the take-off flight path, the final approach, the missed approach, the landing, including the landing roll, and any other phases of flight as determined by the pilot-in-command or commander.

'Critical phases of flight' in the case of helicopters means taxiing, hovering, take-off, final approach, missed approach, the landing and any other phases of flight as determined by the pilot-in-command or commander.”

As one can see from these definitions, for helicopters taxiing is defined as a critical phase of flight, while for aeroplanes it is not. Rules for activities considered acceptable during critical phases of flight are provided in the Regulation (EU) No 965/2012 on air operations – in Annex III (Part-ORO), Annex IV (Part-CAT), Annex VI (Part-NCC), Annex VII (Part-NCO) and Annex VIII (Part-SPO). Basically, these implementing rules require crew members during critical phases of flight:

- to be seated at his/her assigned station; and
- not to perform any activities other than those required for the safe operation of the aircraft

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What are 'Sterile Flight Deck Procedures'?

Answer

Reference: Regulation (EU) No 965/2012 on Air Operations, Annex I (Definitions) and Annex III (Part-ORO)

The term 'Sterile Flight Deck' is used to describe any period of time when the flight crew members shall not be disturbed e.g. by cabin crew, except for matters critical to the safe operation of the aircraft and/or the safety of the occupants. In addition, during these periods of time the flight crew members should focus on their essential operational activities without being disturbed by non-flight related matters, i.e. flight crew members should avoid non-essential conversations, should not make non-safety related announcements towards the passengers, etc.

Sterile flight deck procedures are meant to increase the flight crew members' attention to their essential operational activities when their focused alert is needed, i.e. during critical phases of flight (take-off, landing, etc.), during taxiing and below 10 000 feet (except for cruise flight).

The sterile flight deck procedures were published in Regulation (EU) 2015/140 as an amending regulation to (EU) No 965/2012 on air operations. EASA published the associated AMC and GM with ED Decision 2015/005/R.

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What is the difference between 'commercial operation' and 'commercial air transport (CAT) operation'?

Answer

Reference: Regulation (EC) No 216/2008, Regulation (EU) No 965/2012

The term 'commercial operation' is now defined in Article 2 of Regulation (EU) No 965/2012 as follows (previously in Reg. (EC) No 216/2008):

"'Commercial operation' means any operation of an aircraft, in return for remuneration or other valuable consideration, which is available to the public or, when not made available to the public, which is performed under a contract between an operator and a customer, where the latter has no control over the operator."

The term 'commercial air transport (CAT) operation' is defined in Article 3 of Regulation (EU)

2018/1139 as follows:

“'Commercial air transport' means an aircraft operation to transport passengers, cargo or mail for remuneration or other valuable consideration.”

The two definitions make it clear that 'commercial operations' include 'CAT operations'. Specialised operations (SPO) are another type of commercial operations. They are also defined in Article 2 of Reg. (EU) No 965/2012.

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Part-ARO

AMC2 ARO.GEN.305(c) Oversight programme (c) stipulates that audits should include at least one on-site audit within each oversight planning cycle. What is meant by an 'on-site audit' in this sentence? Could it be so that every audit undertaken by an NAA could be performed while sitting in the NAA's office and reviewing operator's documents and procedures and only one of those audits should be undertaken in a way that NAA inspectors actually visit an operator on-site?

Answer

Reference: Regulation (EU) No 965/2012 on Air Operations, Annex II (Part ARO, ARO.GEN and ARO.RAMP)

There is no further guidance on how many on-site audits should actually be performed. This decision depends on the confidence of the authority in the operator, on results of past certification and/or oversight activities required by ARO.GEN and ARO.RAMP and on the assessment of associated risks. The number of on-site audits is therefore part of the oversight responsibility of the authority.

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How do the provisions on wet-leasing articulate with Regulation (EU) No 452/2014 on Third Country Operators (TCO)?

Answer

Reference: Regulation (EU) No 965/2012, Annex III (Part ORO)

The TCO authorisation issued by the Agency is no substitute for requirements regarding wet-lease agreements between EU and third country operators that are contained in Part ORO of Regulation (EU) No 965/2012 on Air Operations. For wet-lease agreements, the TCO operator must demonstrate equivalence to EU safety requirements. Before entering into a wet-lease agreement, the EU operator should demonstrate to the authority that (1) the TCO has a valid AOC, (2) that safety standards of the TCO regarding continuing airworthiness and air operations are equivalent to the EU continuing airworthiness requirements of Reg. (EU) No 1321/2014 and (3) the aircraft has a standard Certificate of Airworthiness (CofA) issued in accordance with ICAO Annex 8.

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Must the competent authority check and approve the content of the operator's Safety Management Manual?

Answer

Reference: Regulation (EU) No 965/2012 on Air Operations, Annex II (Part ARO), Annex III (Part ORO)

As stated in ORO.AOC.100, an operator has to submit, as part of its application for an AOC, a description of its management system, including the organisational structure, which constitutes its safety management manual, whose content is described in AMC1 and AMC2 to ORO.GEN.200(a)(5).
The Competent Authority has to check the content of the operator's Safety Management Manual (SMM) as mentioned in ARO.GEN.310(a) and in the corresponding AMC to ARO.GEN.310.

Information on the content of the operator's Safety Management Manual (SMM), which can be part of the Operations Manual or included in a separate manual, can be found in AMC1 and AMC2 to ORO.GEN.200(a)(5). It should be noted that the SMM is not required to be approved according to ORO.GEN.200(a)(5) and the related AMCs. Nevertheless, changes affecting the operator's management system are required to be approved (ORO.GEN.130 + GM1) and these changes would have to be reflected in the operator's manual dealing with Safety management.

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https://www.easa.europa.eu/en/faq/19138

How do the provisions on code-sharing articulate with the Regulation applying to Third Country Operators (Part TCO)?

Answer

Reference: Regulation (EU) No 965/2012, Annex III (Part-ORO)

Regarding code-sharing, Regulation (EU) No 965/2012 on air operations requires from the EU Operator, who wishes to enter into a code-sharing agreement with a third country operator (TCO), compliance with the requirements of Annex III to Regulation (EU) No 965/2012. This means the TCO as a code-share partner will undergo comprehensive audits for the initial verification of compliance and continuous compliance with the applicable ICAO standards [AMC1 ORO.AOC.115(a)(1)]. These audits can be performed either by the EU operator itself or a third party provider. The AMC (AMC2 ORO.AOC.115(b)) refers to the possibility of using industry standards. The audit will focus on the operational, management and control systems of the TCO (see AMC1 ORO.AOC.115(a)(1)).

Continuous compliance of the code-sharing TCO with the applicable ICAO standards will be performed on the basis of a code-share audit programme (see AMC1 ORO.AOC.115(b)).

This means that the audit and verification requirements contained in Part-ORO of Regulation 965/2012 cannot be substituted by a TCO authorisation issued by the Agency. For code-share, an EU operator must, in addition to the TCO authorisation, audit and monitor the TCO.

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22/05/2019

Link:

https://www.easa.europa.eu/en/faq/19135

Part-ORO

ORO.GEN

ORO.GEN.110 (a): “The operator is responsible for the operation of the aircraft in accordance with Annex IV to Regulation (EC) No 216/2008”. Is this requirement met when an Operator follows the Implementing Rules (965/2012)?

Answer

Reference: Regulation (EU) No 965/2012 on Air Operations, Annex III (Part-ORO)

The Essential Requirements (ER) are as applicable as the implementing rules.

The operators are responsible for checking that they comply with all the Essential Requirements contained in Annex IV of the Regulation (EC) 216/2008.

Some implementing rules make a direct reference to the Essential Requirements. This is the case when an ER is not further developed in the implementing rules.

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20/05/2019

Link:
https://www.easa.europa.eu/en/faq/19144

What are the responsibilities of the AOC holder required to implement a management system in accordance with ORO.GEN.200 in regards to continuing airworthiness management and contracted maintenance?

Answer

Reference: Regulation (EU) No 965/2012 on Air Operations, Annex III (Part-ORO); Regulation (EU) No 1321/2014 on continuing airworthiness, Part-M

1. Continuing airworthiness management

The EU licensed air carrier hereafter referred to as ‘the operator’, needs to consider both the relevant Part-ORO rules that will become fully applicable on 29 October 2014 and the applicable Part-M requirements. For these operators, the Part-M Subpart-G approval is an integral part of the AOC (as defined in Part-M, M.A.201(h)).

The Part-M requirements have not yet been amended to align with the management system

framework adopted for air operations. However the operator should ‘scrutinise’ all its activities under its hazard identification and risk management processes, including the continuing airworthiness activities. It is the operator’s responsibility to ensure that hazards entailed by any continuing airworthiness management task are subject to the applicable hazard identification procedures and that related risks are managed as part of the operator’s management system procedures.

If the operator’s continuing airworthiness activities do not comply with the new management system requirements adopted with Part-ORO the competent authority may not raise any finding in reference to Part-M Subpart G, but may do so under Part-ORO should it consider that the operator’s safety risk management process does not sufficiently capture those risks stemming from the continuing airworthiness management activities that may impact the safety of operations. The integration of safety management across all activities will lead to increased efficiency and effectiveness in hazard identification and risk management as compared to a system where activities are being dealt with in isolation through separate management systems. This will improve the assessment of risks identified and ensure better allocation of resources to address these risks, by eliminating conflicting or duplicating procedures and objectives.

When it comes to assessing compliance with Part-ORO competent authorities should acknowledge that implementing effective safety risk management capabilities for all activities subject to the approval will take time and therefore a balanced approach for checking compliance is needed to enable a smooth transition towards the new management system requirements.

Considering the benefits of taking a holistic, integrated approach to management system for effective safety management, competent authorities should also not mandate the implementation of separate management systems for the different approvals of the same organisation. Competent authorities should instead focus on assessing whether the management system implemented is adequate as regards the size, nature and complexity of the activities it is deemed to cover.

2. Maintenance

The issue is slightly different in the area of contracted maintenance: As the Part-145 requirements have not yet been amended to align with the management system framework adopted for air operations, the maintenance organisation may not have established a management system to effectively identify maintenance specific hazards and manage related risks. However, the operator would still need to consider such hazards and risks entailed by contracted maintenance, as it would do for any other contracted activity that has an impact on aviation safety, under its own management system. Once Part-145 organisations will have implemented the new management system requirements including safety risk management, the

operator will be able to establish an interface with the hazard identification and risk management processes of the maintenance organisation and consider the contracted organisation's capability to properly address maintenance specific hazards and risks for their own safety risk management.

This FAQ addresses the case of EU licensed air carriers, meaning operators holding both and AOC in accordance with Regulation (EU) No. 965/2013 and an operating licence in accordance with Regulation (EC) No 1008/2008

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Link:
https://www.easa.europa.eu/en/faq/19145

Is there a difference between safety risk management (SRM) and SMS?

Answer

Reference: Regulation (EU) No 965/2012 on Air Operations, ICAO Annex 19

ICAO defines SMS as "a systematic approach to managing safety, including the necessary organisational structures, accountabilities, policies and procedures."

While SRM is an essential element within a management system for safety, it is not the only element required. To be effective, SRM needs a structured approach and an organisational framework with clearly defined policies, safety responsibilities and accountabilities. Such framework is essential to facilitate and encourage hazard identification, ensure a structured & consistent approach to risk assessment, as well as for allowing informed decisions to be made at the right organisational level, e.g. in relation to risk acceptability or different risk mitigation options. For example, the organisation needs to put in place policies, procedures and mechanisms for internal safety reporting and then maintain the conditions for allowing such reporting to take place.

Also, in order to ensure that the organisation is continually managing its risks it needs to monitor how well it performs, both in terms of effectiveness of risk controls implemented and effective compliance with applicable requirements. This is part of safety assurance, which is another component of an SMS as per ICAO Annex 19.

Additionally the organisation has to train their staff to fulfil their duties, including those related to any safety management task and to properly communicate on any safety relevant issue.

All this should lead to ensuring a systematic approach to SRM and help fostering the necessary

‘culture’ within the organisation to enable careful management and sound understanding of risk, including in day-to-day activities.

In conclusion, SRM, while being a core element of any management system for safety, should not be singled out as the only element required to implement such system.

See also the FAQ on SMS versus management system above.

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11/09/2014

Link:
https://www.easa.europa.eu/en/faq/19147

Why do the EASA Air Operations rules use the term ‘management system’ (ORO.GEN.200) and not ‘safety management system’ (SMS), like in ICAO Annex 19? Is there a difference between the two concepts?

Answer

Reference: Regulation (EU) No 965/2012 on Air Operations, Annex III (Part-ORO)

In the area of SMS the Agency promotes consolidated general requirements for an organisation’s management system. The starting point for drafting the ‘first extension’ rules are the essential requirements attached in the annexes to the Basic Regulation (Regulation (EU) 2018/1139) and these refer to ‘management system’, cf. the essential requirements for air operations (Annex V, point 8.1 (c)):

> “(…) the aircraft operator must implement and maintain a management system to ensure compliance with the essential requirements set out in this Annex, manage safety risks and aim for continuous improvement of this system;” (…)

The underlying concept is that for managing safety it is essential to take a holistic approach and to implement the new safety risk management (SRM) related processes while making use of and integrating these into the already existing management system (e.g. quality system as per JAR-OPS/ EU-OPS). For example, the internal audit process (compliance monitoring) is kept as an essential element of the management system, while ICAO Annex 19 is not that clear about it.

Hence, organisations should be encouraged to integrate the new SRM elements into their existing system and articulate these with the way the organisation is managed, addressing every facet of management, as any organisational change and any decision (even in areas such as Finance, Human Resources) will need to be assessed for their impact on safety. Such

integrated approach to management is much more efficient for monitoring compliance, managing risks and maximising opportunities.

Finally, it is not required that organisations adapt their terminology to that used in Part-ORO: Should they wish to refer to SMS, QMS or SQMS etc., this is possible as long as they can demonstrate that all requirements are met. In the same vein, they can still use the title ‘quality manager’, although the rules refer to compliance monitoring manager.

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20/05/2019

Link:

https://www.easa.europa.eu/en/faq/19146

If an operator is considered complex , may a person hold the position as a Safety Manager and at the same time be one (or more) of the nominated persons as described in ORO.GEN.210(b), taken into account the size and complexity of the operator?

Answer

There is no guidance indicating that the safety manager may not be a nominated person in the organisational set up of a complex operator.

However, when assessing the organisational set-up of a complex operator, please consider also GM1 ORO.GEN.200(a)(1) point (b): “Regardless of the organisational set-up it is important that the safety manager remains the unique focal point as regards the development, administration and maintenance of the operator’s safety management system”.

In summary, the role of the safety manager is not addressed at the level of implementing rules. The acceptable means of compliance describe the functions of the safety manager in complex operators. The guidance material emphasises on the importance of having a unique focal point for the operator’s safety management system.

It is for the operator to determine if the combination of the safety manager function with that of a nominated person allows to fulfil the management functions of the nominated persons post associated with the scale and scope of the operation. It is then for the competent authority to assess if such organisational set-up corresponds to the size of the operator and the nature and complexity of its activities, taking into account the hazards and associated risks inherent in these activities.

For the assessment of the appropriateness of the organisational set-up, the competent authority should also be satisfied that the operator complies with ORO.GEN.210(c) “The operator shall have sufficient qualified personnel for the planned tasks and activities to be

performed in accordance with the applicable requirements.”

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26/05/2014

Link:

https://www.easa.europa.eu/en/faq/19148

I am looking for the acceptance of post holders, particularly the Safety manager. In the AMC we agreed on the functions of the Safety manager, but did we agree on his or her acceptance?

Answer

Reference: Regulation (EU) No 965/2012 on Air Operations, Annex II (Part ARO, ARO.GEN.310, ARO.GEN.330), Annex III (Part ORO, ORO.GEN.130)

Part ORO does not mention anymore the notion of acceptance/acceptability of nominated persons. This is now replaced by the notion of changes requiring prior approval or changes not requiring prior approval.

During the initial certification process, nominations of personnel in general are considered to be part of the verification of compliance performed by the competent authority and therefore covered by the issuance of the AOC.

Regarding changes to certified organisation, the notion of changes requiring prior approval/changes not requiring prior approval applies and therefore, a formal approval of certain change is required. Guidance is provided through GM1 ORO.GEN.130(a) and GM3 ORO.GEN.130(c). Likewise, upon initial certification, the competent authority may agree with the organisation on a more specific scope of changes that do not require prior approval, on the basis of ARO.GEN.310(c), and within the limits of the applicable requirements. Items not required to get a prior approval are managed by the organisation based on a procedure approved by the competent authority for the management of such changes. In any case, these changes have to be notified to the competent authority which will verify compliance with the applicable requirements (cf. ORO.GEN.130(c) and ARO.GEN.330(c)).

Regarding the specific case of the safety manager, it should be noted that there is no requirement for a safety manager at an implementing rule level. The nomination of a safety manager is one means to comply with the IR objective. Therefore, a change in safety manager is not listed in the GMs to ORO.GEN.130: A change in safety manager is not considered a change requiring a prior approval from the competent authority, unless, the accountable manager fulfils the role of safety manager, in which case a change would obviously require

prior approval.

The above references are those to Regulation (EU) No 965/2012; the same provisions are included in Regulation (EU) No 290/2012 (ARA/ORA).

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14/02/2014

Link:
https://www.easa.europa.eu/en/faq/19140

Regarding ORO.GEN.200, could a commercial operator of complex motor powered aircraft, such as the Cessna Citation Bravo that operates within Europe and with no SPAs, be considered non-complex?

Answer

Reference: Regulation (EU) No 965/2012 on Air Operations, Annex III (Part ORO)

As defined in AMC1 ORO.GEN.200(b) the criterion in terms of full-time equivalents (FTEs) is the first one to be checked. This relates not only to the required organisational capability to implement and maintain a management system in line with Part ORO, but also to the fact that the larger the organisation gets, the more complex its procedures, communication and feedback channels will be, hence the need for robust processes related to hazard identification, safety risk management, performance measurement etc. For an organisation up to 20 FTEs, it is important to assess the 'risk profile' of the organisation in relation to the way it operates and this may justify the need for robust management processes for safety. The AMC defines the most relevant ones. The extent of contracting, the number, complexity and diversity of aircraft operated and type of operations (CAT, commercial, local, standard routes, hostile environment etc.) are all to be considered. It is important to note that the complexity criteria are included in an AMC to Part ORO and this makes a strong point as to the responsibility of the operator to make the assessment and justify the option chosen (complex or non-complex management system) to the satisfaction of the competent authority. If the option is to implement the provisions applicable to complex organisations, having details of management system implementation included in the form of AMCs to ORO.GEN.200, the operator may apply for an alternative means of compliance should it consider any of the elements of these AMCs inadequate for its specific type of organisation and operations.

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14/02/2014

Link:

https://www.easa.europa.eu/en/faq/19143

ORO.MLR

How should an operator use external material in relation with its operations manual (OM)?

Answer

Reference: Regulation (EU) No 965/2012 on Air Operations, Annex III (Part ORO)

AMC1 ORO.MLR.100 states that when the operator chooses to use material from other sources, either this material is copied or the OM should contain a reference to the appropriate section of this material.

In any case, this material from another source is considered to be part of the OM and therefore should meet all the general requirements applicable to the OM. It includes:

- (c) of ORO.MLR.100, which states that the OM shall be kept up-to-date;
- (d) of ORO.MLR.100, which states that the personnel shall have easy access to the portions of the OM relevant for their duties;
- (c)(3) of AMC1 ORO.MLR.100, which states that the content and amendment status of the manual is controlled and clearly indicated;
- (d)(3) of AMC1 ORO.MLR.100, which states that the OM should include a description of the amendment process which specifies the method by which the personnel are advised of the changes.

Regulation (EU) No 965/2012 does not define any specific way to achieve this; therefore it is left to the operator to identify the best way to achieve these objectives. It is then the responsibility of the operator's competent authority during the initial certification process/evaluation of change process to determine if the solution chosen by the operator allows meeting these requirements.

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11/09/2014

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https://www.easa.europa.eu/en/faq/19149

ORO.FTL

Status of the EASA FAQ: What is the legal status of the EASA FAQ? My own understanding of this document is that it has no legal standing at all, insofar as it is

neither an Implementing Rule (IR), Acceptable Means of Compliance (AMC), Alternative Means of Compliance (AltMoc) nor even Guidance Material (GM).

Answer

EASA is not the competent authority to interpret EU Law. The responsibility to interpret EU Law rests with the judicial system, and ultimately with the European Court of Justice. Therefore any information included in these FAQs shall be considered as EASA's understanding on a specific matter, and cannot be considered in any way as legally binding.

The answers provided represent EASA's technical opinion and also indicate the manner how EASA is evaluating, as part of its standardisation continuous monitoring activities, the application by national competent authorities of the respective regulatory provisions.

In the margins of its future rulemaking activities, EASA will consider the opportunity to include some of these FAQ in Subpart FTL as GM.

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13/07/2018

Link:
https://www.easa.europa.eu/en/faq/47556

Applicability of FTL requirements of Regulation (EU) No 965/2012: Why should we comply with the FTL requirements of Regulation (EU) No 965/2012, since we have a policy in our company that says otherwise?

Answer

Regulation (EU) No 965/2012, including Subpart FTL, is mandatory in all Member States (MS).

This means that an operator cannot maintain a 'policy' it has had before the date of application of Subpart FTL of Regulation (EU) No 965/2012, unless the policy has been found compliant with that Regulation.

The competent authority of the operator is responsible for checking for compliance and for taking enforcement measure when a non-compliance is found.

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Link:
https://www.easa.europa.eu/en/faq/47557

Applicability of Regulation (EU) No 965/2012: What is the meaning of "applicable national flight time limitation legislation" in Article 8 (4) of Regulation 965/2012?

Answer

Reference: Regulation (EU) No 965/2012 as amended by Regulation (EU) No 83/2014
Topic: Applicability of Regulation (EU) No 965/2012

Article 8(4) of Regulation (EU) No 965/2012 stipulates that specialised operators continue to comply with *applicable national flight time limitation legislation* until EU implementing rules are adopted and apply.

'Applicable national flight time limitation legislation' is understood to mean the national law of the Member State in which the operator has its principal place of business, or, where the operator has no principal place of business, the place where the operator is established or resides.

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Link:
https://www.easa.europa.eu/en/faq/47558

Collective Labour Agreements (CLA) - Regulation (EU) No 83/2014: Our company has a Collective Labour Agreement (CLA) and an approved IFTSS. Both contain rules about FPD's, DP's and rostering. Which one is leading?

Answer

Recital (4) of Regulation (EU) No 83/2014 stipulates that: 'The provisions of this Regulation do not preclude and should be without prejudice to more protective national social legislation and CLA concerning working conditions and health and safety at work.'

This means that more protective measures concerning FDP, DP and rostering, agreed under a CLA, are 'leading'.

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Link:
https://www.easa.europa.eu/en/faq/47559

Applicability of Subpart FTL (see also ORO.AOC.125): Does Subpart FTL apply in

relation to non-revenue flights (ferry flights)?

Answer

Any flight conducted by an AOC holder falls under Subpart FTL with the exception of:

- some non-revenue flights such as: non-commercial, test, training, delivery, ferry and demonstration flights;
- air taxi, single pilot and emergency medical services operations by aeroplane; and
- CAT operations by helicopter, including HEMS.

However, aircraft positioning conducted by an AOC holder, immediately before or after a CAT sector counts as FDP and sector.

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Link:
https://www.easa.europa.eu/en/faq/47560

Acclimatisation ORO.FTL.105(1): How should we determine the state of crew member acclimatisation in complex rotations?

Answer

Acclimatised crew members

A crew member is considered to be acclimatised to the time zone of the reference time for the first 48 hours.

In the following example there are 4 departure places: A, B, C and D and the crew member is in a known state of acclimatisation all the time.

- between A and B there is a 2-hour time difference
- between A and C – a 4 hour-time difference
- between A and D – a 6-hour time difference

Day 1: The crew member starts acclimatised at A and finishes at B. The reference time is the local time at A, because the crew member is acclimatised at A and reports at A. The time difference between A and B is 2 hours. That means that after resting at B, the crew will be considered acclimatised at B.

Day 2: The crew member reports at B acclimatised to the local time at B for an FDP to C. At C the crew member has a rest period and becomes acclimatised to C. He/she has now covered 4-hour time difference, but in 2 days.

Day 3: The crew member reports at C acclimatised to the local time at C for an FDP to D. At D

the crew member has a rest period and becomes acclimatised to D. He/she has now covered 6-hour time difference.

Day 4: The crew member reports again considered to be acclimatised at D. The local time at D is the reference time. The FDP between D and A covers 6-hour time difference. Crossing 6-hour time difference in one day (one FDP) induces time zone de-synchronisation. If the rotation finishes at A, the rest requirements in CS FTL.1.235 (b)(3)(i) are applicable.

Unknown state of acclimatisation

After the first 48 hours of the rotation have elapsed, the crew member is considered to be in an unknown state of acclimatisation.

The crew member only becomes acclimatised to the destination time zone, if he/she remains in that destination time zone for the time established in the table in ORO.FTL.105 (1).

During that time the crew member may have the rest in accordance with CS FTL.1.235(b)(3) and/or take other duties that end in different time zones than the first arrival destination, until he/she becomes acclimatised in accordance with the values in the table in ORO.FTL.105(1). In the case of duties to different time zones, the state of acclimatisation should be determined in accordance with GM1 ORO.FTL.105(1) (d)(3).

Where the rotation continues with duties to/from subsequent destinations, the greatest time difference from the reference time should be used for the purpose of rest in accordance with CS FTL.1.235(b)(3)(i).

Time elapsed since reporting (h) in the tables ORO.FTL.105 (1) and CS FTL.1.235 (b)(3)(i) is the time that runs from first reporting at home base to the reporting at destination and includes the FDP from home base to destination plus layover time.

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Link:

https://www.easa.europa.eu/en/faq/47576

Accommodation ORO.FTL.105 (3): Can the airport crew lounge be considered as “accommodation” for the purpose of standby or split duty? Can a hotel room for several crew members of the same gender be considered as “accommodation” for the purpose of standby and split duty?

Answer

As long as an airport crew lounge or a shared hotel room fulfils all criteria of ORO.FTL.105 (3) it

could be used as accommodation.

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Link:
https://www.easa.europa.eu/en/faq/47577

Disruptive schedule ORO.FTL.105(8): Which criteria should be applied to determine a duty as disruptive if there is a time zone difference between the reporting point and the place where the duty finishes?

Answer

The criteria to be applied is the reference time e.g. the local time (LT) where the crew member reported for duty.

Example with “Late type” of Disruptive schedule:

LT in A = LT in B + 1 hour.

Day 1: The crew member starts the FDP acclimatised to A. He/she reports at 15:00 (LT-A) and finishes FDP in B at 23:30 (LT-B). It is a ‘Late finish’ because he/she is acclimatised to A, and FDP finishes at 00:30 (LT-A).
Rest in B. After resting in B, which is within two hours’ time difference from A, the crew member gets acclimatised to B.

Day 2: The crew member reports in B at 15:00 (LT-B) and finishes FDP in A at 00:30 (LT-A). It is not a late finish, because he/she is acclimatised to B, and the FDP finishes at 23:30 (LT-B).

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Link:
https://www.easa.europa.eu/en/faq/47578

Definition of duty and duty period, ORO.FTL.105 (10), ORO FTL 105 (11): Must the time for self-preparation (e.g. preparing for the checks associated with initial or recurrent training) be entered in the schedule of the crew members and recorded?

Answer

The time needed for self-preparation, is not a duty and is not recorded.

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Link:
https://www.easa.europa.eu/en/faq/47579

Single day free of duty ORO FTL 105 (23): A ‘single day free of duty’ consists of one day and two local nights. Does the last day of several consecutive days free of duty need to contain at least one day and two nights?

Answer

Whenever one of the local days prescribed by Clause 9, Directive No 2000/79/EC, is assigned as a single day, it must contain two local nights. Whenever consecutive local days are assigned, the last day may not contain a local night. However, from a fatigue management perspective, planning the last day to end at midnight, reduces the restorative effect of that last day to a minimum. Rising before midnight to report at 00:01 on the last day could generate sleep debt.

The term ‘single day free of duty’ has been included in Regulation No 965/2012 in order to enable the implementation of Directive No 2000/79/EC, in particular its Clause 9:

‘Clause 9
Without prejudice to Clause 3, mobile staff in civil aviation shall be given days free of all duty and standby, which are notified in advance, as follows:
(a) at least seven local days in each calendar month, which may include any rest periods required by law; and
(b) at least 96 local days in each calendar year, which may include any rest periods required by law.’

Clause 9 above employs the term ‘local day’ i.e. a period of 24 hours finishing at 00:00 LT. At the same time, a ‘single day free of duty’ is a period of one day, including two local nights, that may finish between 06:00 and 08:00 LT, depending on the local night start and end times.

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09/04/2019

Link:
https://www.easa.europa.eu/en/faq/47580

Sector ORO.FTL.105 (24), (see also ORO.FTL.205 (f)(6)): In an abnormal or emergency

situation a take-off might not be executed meaning that a sector was not completed. Such situation is likely to increase flight crew workload and fatigue. How could this be mitigated?

Answer

In such cases, in order to mitigate the increased workload and fatigue, the commander has the possibility to exercise commander's discretion and decide on reducing the maximum daily FDP or increasing the minimum rest period.

ORO.FTL.205 (f)(6) requires operators to implement a non-punitive process for the use of commander's discretion.

Also, if as a result of such situation a flight crew member feels unfit dues to fatigue, he/she may discontinue his duties on the aircraft for the day.

Regulation (EU) No 376/2014 on the reporting, analysis and follow-up of occurrences in civil aviation, requires the ability for crew members to report fatigue.

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12/07/2018

Link:
https://www.easa.europa.eu/en/faq/47581

Changes to a published roster: Is it possible to make changes to a published roster?

Answer

Yes, provided that the changes do not breach the limitations of the operator's Individual Flight Time Specification Scheme (IFTSS).

All changes must be notified to the crew member before the pre-flight rest period commences so that the crew member is able to plan adequate rest as required by ORO.FTL.110 (a).

In support of this requirement the minimum period of time for notification of changes should be established by the operator and available in the Operations manual

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Link:
https://www.easa.europa.eu/en/faq/47582

Change of FDP after reporting: Can a rostered FDP be changed (re-planned) after crew

members have reported?

Answer

There are no specific provisions and conditions for such changes except in unforeseen circumstances, where, on the day, a Commander may use the provisions of Commander's Discretion:

- to continue with an FDP which exceeds the maximum FDP that the crew will operate or reduces the minimum rest period, or
- to reduce the actual FDP and/or increase the rest period, in case of unforeseen circumstances which could lead to severe fatigue.

The operator may not plan or change an FDP at any time such that it exceeds the maximum applicable FDP.

FTL rules build upon the predictability of rosters so that crews can plan and achieve adequate rest (ORO.FTL.110 (a) and (g)). Operators are expected to plan sufficient capacity, at their operating bases, to deal with disruptions normally expected in daily operations using the specific FTL provisions (e.g. stand-by, reserve). Therefore, FDP changes after reporting should be an infrequent event as such changes can create roster instability and may generate fatigue. An aircrew member remains at all times under the responsibilities set out in CAT.GEN.MPA.100 (c)(5) to report unfit to fly, if s/he suspects fatigue which may endanger flight safety.

If changes to planned duties are to be made on the day of operation, all applicable limits apply: in particular the limits established pursuant to ORO.FTL. 205(b), (d), (e) or ORO.FTL.220. If a duty has not been planned with an operator's extension under ORO.FTL. 205(d), it cannot be changed into a duty with such extension on the day of operation.

In addition, the operator must ensure that the impact on forward duties and days off, and importantly on cumulative limits, is accounted for.

EASA recommends that changes made on the day of operation to duties and FDP's are monitored through appropriate performance indicators that operators use to demonstrate they fulfil all the required elements within ORO.FTL.110. The 33% exceedance threshold on the max FDP as set out in ORO.FTL.110 (j) may not always be adequate to capture negative trends.

EASA also recommends that appropriate performance indicators for FDP changes after reporting be part of the operator's approved IFTSS to ensure that any resulting fatigue hazards are properly identified and mitigated.

Last updated:
18/11/2019

Link:
https://www.easa.europa.eu/en/faq/47583

Roster publication, (see also AMC1 ORO.FTL.110(a) and ORO.GEN.120): Are airline operators allowed to publish monthly rosters in less than 14 days in advance?

Answer

According to AMC1 ORO.FTL.110 (a), rosters should be published 14 days in advance.

This requirement is an acceptable means of compliance (AMC). The AMC is one example of how operators could demonstrate compliance with this rule.
In accordance with ORO.GEN.120, an operator may use an alternative means of compliance.

It is therefore possible to use an alternative means of compliance (AltMoc) for the publication of rosters, provided the operator has demonstrated that the requirements of ORO.FTL.110 (a) are met.

An alternative means of compliance requires prior approval from the competent authority.

The competent authority must notify all approved alternative means of compliance to EASA.

Last updated:
12/07/2018

Link:
https://www.easa.europa.eu/en/faq/47584

Reporting times ORO.FTL.110(c), (see also ORO.FTL.205(c)): Can the pre-flight reporting time for non-augmented flight crew members reporting for the same FDP be different?

Answer

No. The pre-flight reporting time for all non-augmented flight crew members reporting for the same FDP is the same.

The minimum reporting times, which have been defined by the operator in the Operations manual for different types of aircraft, operations and airport conditions, shall always apply to all flight crew.

Reporting time for the same FDP may be different between flight crew and cabin crew in accordance with ORO.FTL.205(c).

Last updated:
12/07/2018

Link:

https://www.easa.europa.eu/en/faq/47585

Operational robustness ORO.FTL.110(j): How should operational robustness be assessed?

Answer

The operator is required to have measures in place to protect the integrity of schedules and of individual duty patterns.

The operator must monitor for exceedances to the planned flight duty periods and if the planned flight duty periods in a schedule are being exceeded more than 33% during a scheduled seasonal period, change a schedule and/or crew arrangements.

Operational robustness should be measured through performance indicators to determine if the planning is realistic and the rosters are stable.

The operator may measure the cases where a rostered crew pairing for a duty period is achieved within the planned duration of that duty period.

Performance indicators may also be established to measure the following:

- difference between planned and actual flight hours;
- difference between planned and actual duty hours;
- difference between planned and actual number of days off;
- number of unscheduled overnights;
- number of roster changes per scheduled seasonal period;
- use of commander's discretion;
- changes of schedule carried out after published roster

With regard to operator's responsibilities, in particular operational robustness of rosters, we also recommend guidance material to ORO.FTL.110 developed by UK CAA.

Last updated:

12/07/2018

Link:

https://www.easa.europa.eu/en/faq/47586

Flying activities outside an AOC (see also ORO.FC.100): How will activities as an instructor or an examiner performed by an operating crew member in their free time be considered for the purpose of duty time and rest periods?

Answer

The purpose of Subpart-FTL is to ensure that crew members in commercial air transport operations are able to operate with an adequate level of alertness. It does not regulate the activities performed by crew members in their free time.

Nonetheless, it is the responsibility of crew members to make optimal use of the rest periods and to be properly rested so they will not perform duties when unfit due to fatigue.

A crew member in commercial air transport operations may be required to report to the operator his/her professional flying activities outside the commercial air transport operation to allow the operator to discharge its responsibilities (ORO.FTL.110) appropriately.

An operator should establish its policy with regard to crew members conducting these kinds of activities.

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12/07/2018

Link:

https://www.easa.europa.eu/en/faq/47587

Deviation from the applicable CS ORO.FTL.125 (c) (see also ARO.OPS.235): What does a deviation from the applicable CS mean or derogation from an implementing rule?

Answer

The flight time specification schemes of an individual operator (IFTSS) may differ from the applicable CS / IRs under strict conditions.

The operator has a number of steps to follow before implementing a deviation/derogation.

Additionally, the competent authority has a number of steps to follow before approving a deviating/derogating IFTSS.

All the steps are described in this Evaluation Form (link) developed by EASA to facilitate NAAs and operators in this process.

Last updated:

12/07/2018

Link:

https://www.easa.europa.eu/en/faq/47588

Flight time specification scheme for air taxi operations, (see also Articles 2 (6) and 8(2) of Regulation (EU) no 965/2012): An air taxi operator has both an aeroplane with less than 19 seats and one aeroplane with more than 20 seats. What FTL regulation shall the crew who is flying both types follow?

Answer

The operator implements Subpart ORO.FTL for its operations with aeroplanes of 20 seats or more.

For air taxi operations with aeroplanes of 19 seats or less, the operator complies with EU OPS, Subpart Q.

However, the aim of the requirements is to ensure that crew members are able to operate at a satisfactory level of alertness. Fatigue accrued during an operation in one fleet might impact on the performance of a crew member when conducting a following flight in the other fleet.

Therefore, from a fatigue management perspective, it makes sense to apply a common FTL scheme under Subpart ORO.FTL consistently to pilots in such operations.

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12/07/2018

Link:
https://www.easa.europa.eu/en/faq/47589

Approval of Individual Flight Time Specification Schemes (IFTSS), (see also ARO.OPS.235):

Answer

May a competent authority give ONE approval for an individual flight specification scheme to be used by three different operators with three AOCs?

No. Each operator needs its own approved individual flight time specification scheme.

Last updated:
12/07/2018

Link:
https://www.easa.europa.eu/en/faq/47813

Unknown state of acclimatisation GM1 ORO.FTL.205(b)(1): If the crew member is in an unknown state of acclimatisation, what is the reference time?

Answer

In that case, there is no reference time. For crew members in an unknown state of

acclimatisation Table 3 in ORO.FTL.205 (b)(2) or Table 4 ibidem applies. These Tables do not contain any reference time.

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12/07/2018

Link:
https://www.easa.europa.eu/en/faq/47590

Unknown state of acclimatisation ORO.FTL.205(b)(3): What are the daily FDP limits when crew members are in an unknown state of acclimatisation under fatigue risk management (FRM)?

Answer

Table 4 in ORO.FTL.205 (b)(3) establishes the limits of the maximum daily FDP when crew members are in unknown state of acclimatisation and the operator has implemented FRM.

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Link:
https://www.easa.europa.eu/en/faq/47591

Mixing FDPs extended without in-flight rest and FDP's extended due to in-flight rest ORO.FTL.205 (d) ORO.FTL.205 (e): Is it possible to roster two extended FDPs without in-flight rest and one extended FDP with in-flight rest in 7 consecutive days?

Answer

Yes. The limit of two extensions of up to 1 hour in 7 consecutive days specified in ORO.FTL.205 (d) (1) only applies to the use of extensions without in-flight rest by an individual crew member.

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Link:
https://www.easa.europa.eu/en/faq/47592

Planned FDP extensions ORO.FTL.205(d): Must planned extensions be included in the operator's roster?

Answer

Published duty rosters may or may not include extended FDPs.

However, FDPs extended in accordance with ORO.FTL.205 (d) must be planned and notified to crew members in advance i.e. allowing each crew member to plan adequate rest.

The time limit for notification of a planned extended FDP to an individual crew member need to be established by the operator in line with ORO.FTL.110 and specified in the OM-A.

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Link:
https://www.easa.europa.eu/en/faq/47593

Planned FDP extensions ORO.FTL.205(d) (see also ORO.FTL.105(1)): Can a crew member acclimatised to the local time of the departure time zone (‘B’ state), but not acclimatised to the local time where he/she starts the next duty (‘D’ state), be assigned a planned extended flight?

Answer

While it may be legal to roster an extended FDP (no in-flight rest) to a crew member who is not acclimatised to the local time where the actual duty starts, the actual operational environment may be such that it would be very fatiguing for a particular crew member to perform that FDP.

Although operations on an extended FDP are possible under ORO FTL.1.205(d), the operator still needs to comply with the fatigue management obligations stemming from ORO.FTL.110 and especially to ensure that the crew members are sufficiently rested to operate.

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12/07/2018

Link:
https://www.easa.europa.eu/en/faq/47594

Commander’s discretion ORO.FTL.205(f): Do we need to use Commander’s discretion if actual FDP is going to last more than planned but less than the maximum daily FDP allowed?

Answer

No. If the actual FDP is less than the maximum allowed, commander's discretion is not needed.

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12/07/2018

Link:
https://www.easa.europa.eu/en/faq/47595

Commander's discretion ORO.FTL.205(f): When should commander's discretion be used?

Answer

Commander's discretion may be used to modify the limits on the maximum daily FDP (basic or with extension due to in-flight rest), duty and rest periods in the case of unforeseen circumstances in flight operations beyond the operator's control, which start at or after the reporting time.

Considering the ICAO definition of 'unexpected conditions', unforeseen circumstances in flight operations for the purpose of ORO.FTL.205(f) are events that could not reasonably have been predicted and accommodated, such as adverse weather, equipment malfunction or air traffic delay, which may result in necessary on-the-day operational adjustments.

Commanders cannot be expected to exercise discretion without an understanding of the events that constitute unforeseen circumstances. It is therefore necessary that they receive appropriate training on the use of commander's discretion along with how to recognize the symptoms of fatigue and to evaluate the risks associated with their own mental and physical state and that of the whole crew.
Operators should ensure that sufficient margins are included in schedule design so that commanders are not expected to exercise discretion as a matter of routine

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Link:
https://www.easa.europa.eu/en/faq/47598

Commander's discretion ORO.FTL.205(f), (see also ORO.FTL.205 (d)): 1. What is the maximum FDP extension allowed under commander's discretion? 2. How would commander's discretion apply when the FDP of a non-augmented crew has already been extended in accordance with ORO.FTL.205 (d))?

Answer

1. Up to 2 hours for two pilot crew and up to 3 hours for augmented crew.

2. For a two pilot extended FDP operation, the use of commander's discretion is always based on the maximum daily FDP table ORO.FTL.205 (b) (1).

For example, when 1 hour has already been added to the maximum daily FDP in accordance with ORO.FTL.205 (d), then only 1 hour is left for commander's discretion.

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Link:
https://www.easa.europa.eu/en/faq/47599

Commander's discretion ORO.FTL.205(f): Referring to commander's discretion, do I need to consider the reporting time and number of sectors?

Answer

Yes. The commander needs to consider the actual number of sectors that the crew members will complete as this may be different from the plan. This FDP calculation would be based on the time the crew member actually reported.

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12/07/2018

Link:
https://www.easa.europa.eu/en/faq/47600

Conversion/line checks Post flight duty ORO.FTL.210: How should briefings and debriefings during conversion/line checks be accounted for?

Answer

In accordance with the definition of duty, conversion/line training is duty.

Any duty (including the briefing and debriefing for training purposes) after reporting for a duty that includes a sector or a series of sectors until the aircraft finally comes to rest and the engines are shut down, at the end of the last sector on which the crew member acts as an operating crew member, is considered flight duty period.

Post flight duties, on the other hand (including debriefings also for training purposes), are considered as duty period.

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12/07/2018

Link:

https://www.easa.europa.eu/en/faq/47601

Post-flight duty AMC1 ORO.FTL.210(c): What should the operator do if the actual post flight duty time is longer than the established time in the OM?

Answer

The operator needs to implement a monitoring system to ensure that the minimum time period for post-flight duties is adequate since rest or shortened rest could potentially impact fatigue.

The commander or a cabin crew member should inform the operator where the post-flight duties have taken longer than planned and this is then accounted for in duty and rest periods.

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12/07/2018

Link:

https://www.easa.europa.eu/en/faq/47602

Positioning for purposes other than operating ORO.FTL.215 (b): How should time spent to travel from the place of rest or home base to a simulator (when outside the base) be taken into account?

Answer

The time spent to travel from a place of rest or home base to a simulator, at the request of the operator, counts as a duty period.

Any transfer of a non-operating crew member from one place to the other at the request of the operator is called positioning and is counted as a duty period.

Travel from a crew member's private place of rest to the reporting point at home base and vice versa, and local transfers from a place of rest to the commencement of duty and vice versa are travelling, but not positioning, and so not counted as duty period.

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12/07/2018

Link:
https://www.easa.europa.eu/en/faq/47603

Positioning ORO.FTL.215: Does positioning begin when the crew member arrives at the airport/train station or when the aeroplane/train leaves?

Answer

Positioning begins after reporting at the designated reporting point.

The operator should publish reporting times taking into account the time necessary for completing the travelling procedures depending on the mode of transportation (e.g. registration of passengers and baggage, security checks, etc.).

First example: Crewmember 1 is required to position from A to B on the commercial flight of an airline other than the airline which Crewmember 1 is flying for. This commercial flight is departing at 10:00, but airport A is an international airport and the time necessary for passenger and baggage registration and security checks is 2h before departure time. In this case, the positioning begins 2h before departure time.

Second example: Crewmember 2 is required to position from A to B on a high speed train. This train is departing at 10:00 and the time necessary for passenger and baggage registration and security checks is 15 minutes before departure time. In this case, the positioning begins 15min before departure time.

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Link:
https://www.easa.europa.eu/en/faq/47604

Positioning ORO.FTL.215: Shall a positioning between active sectors count as a sector for a pilot or cabin crew?

Answer

No, any positioning within an FDP does not count for the sector calculation of the FDP limit but counts towards the FDP.

Last updated:
12/07/2018

Link:
https://www.easa.europa.eu/en/faq/47605

Split duty ORO.FTL. 220: Is it possible to have more than one split duty within one FDP?

Answer

No. ORO.FTL.220 provides for a break on the ground which implies a single break on the ground, for the purpose of extending the basic daily FDP.

A Member State can propose an amendment to ORO.FTL.220, in particular, and to the implementing rules, in general, in accordance with Article 71 of Regulation (EU) 2018/1139.

Last updated:
21/05/2019

Link:
https://www.easa.europa.eu/en/faq/47606

Standby ORO.FTL.225(a) (see also CS FTL.1.225 and GM1 CS FTL.1.225(a)): Can a standby be finished before the planned "end time notified in advance", after a notification during the standby (saying that there will be no assignment) and the rest period be initiated at the time of the notification of the new standby end?

Answer

Yes. According to ORO.FTL.225 (a), a time period with a start and end time, during which a crew member must be available to be contacted to receive an assignment, must be defined.

A crew member may, during the standby period, be notified that standby has ceased. CS FTL.1.225 establishes further conditions.

GM1 CS FTL.1.225 (a) explains that a minimum rest period according to ORO.FTL.235 should be provided after the notification of the revised end of the standby period.

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12/07/2018

Link:
https://www.easa.europa.eu/en/faq/47607

Reserve ORO.FTL.230: Can a reserve, during which no flight was assigned, be considered as a day off afterwards?

Answer

No, a reserve period may not retrospectively be considered as part of a recurrent extended recovery rest period.

Last updated:
09/04/2019

Link:
https://www.easa.europa.eu/en/faq/47608

Rest prior to an FDP ORO.FTL.235 (a): If a crew member with office duties spends one day in the office, what should be the duration of the rest before his/her reporting for an FDP?

Answer

The minimum rest period at home base before undertaking an FDP shall be in accordance with ORO.FTL.235 (a) (1) and (2).

Time spent at the office is duty time in accordance with ORO.FTL.105 (10).

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12/07/2018

Link:
https://www.easa.europa.eu/en/faq/47609

Rest prior to a duty other than FDP ORO.FTL.235 (a): What is the duration of the rest period prior to a duty without FDP?

Answer

The term ‘minimum rest period’ under the Regulation (EU) No 965/2012 is only used for the recovery period before an FDP.

Otherwise, it is an off-duty period. The Regulation does not contain requirements for off-duty periods prior to a duty without FDP.

Example: FDP1 – off duty – DP1 – off duty – DP2 – rest – FDP2.

Nevertheless, the operator needs to be able to demonstrate they have considered the fatiguing nature and cumulative effects of these duty periods under their operator responsibilities as they can generate fatigue that could affect crew member’s ability to rest prior to his/her next FDP.

Also, the national law of the Member State regarding working time (as required by Council

Directive 2000/79/EC) would be applicable and should be reviewed as it may contain minimum rest periods for crew members based in that Member State.

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12/07/2018

Link:
https://www.easa.europa.eu/en/faq/47610

Reduction of recurrent extended recovery rest by commander's discretion ORO.FTL.235(d) (see also ORO.FTL.205(f)): Can the extended recovery rest period be reduced with commander's discretion?

Answer

No, commander's discretion cannot be applied to an extended recovery rest period

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Link:
https://www.easa.europa.eu/en/faq/47611

Increase of interval between two recurrent extended recovery rest periods by commander's discretion ORO.FTL.235(d) (see also ORO.FTL.205(f)): May the crew member exercise his/her discretion to finish back at home base exceeding the 168 hours' time between two extended recovery rest periods? For example, a crew member is planned to finish his last FDP flying back to home base, two hours prior to reaching 168 hours. There is a departure delay which occurred after reporting. As a result, the crew member would exceed the 168 hours by 1 hour.

Answer

No. Extension of the 168 hours between two recurrent extended recovery rest periods is not allowed.

The operator must better plan duties and rest times. The Regulation does not say that exactly 168 h must be reached; they are not a target, they are a maximum threshold.

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Link:

https://www.easa.europa.eu/en/faq/47612

Increase of interval between two recurrent extended recovery rest periods
ORO.FTL.235(d): Can the 168h limit between two extended recovery rest periods be extended? For example, a crew member reports at Paris on Monday at 7am and ends a series of flights in Singapore, on Sunday, at 8 pm; he/she should be given his/her extended recovery rest period in Singapore, but might be willing to come back to his/her base, hence infringing the 168h limit through positioning.

Answer

No. The 168h limit between two extended recovery rest periods can only be extended through an amendment of ORO.FTL.235 (d).

A Member State can propose an amendment to ORO.FTL.235 (d), in particular, and to the implementing rules, in general, in accordance with Article 71 of Regulation (EU) 2018/1139.

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21/05/2019

Link:

https://www.easa.europa.eu/en/faq/47613

Re-planning of recurrent extended recovery rest period ORO.FTL.235 (d): Is re-planning of a recurrent extended recovery rest period allowed and when?

Answer

Yes. This is provided that re-planning of rest is completed and notified before the rest period has started and the re-planning practices do not conflict with a crew member’s opportunity to plan adequate rest as required by ORO.FTL.110 (a).

In any case, the time between the end of one recurrent extended recovery rest period and the beginning of the next recurrent extended recovery rest period cannot be more than 168 hours.

Operator’s procedures for re-planning should describe by which means the opportunity for crew members to plan adequate rest is provided in the case of re-planning.

Last updated:

12/07/2018

Link:

https://www.easa.europa.eu/en/faq/47614

Record keeping ORO.FTL.245: Do records required in ORO.FTL.245 have to reflect planned or actual FDP, DP and rest?

Answer

Planned rosters may differ substantially from achieved rosters.

In order to ensure appropriate oversight of FTL by the competent authority, operators need to maintain (for a period of 24 months) records of the actual values of flight times, FDP, rest periods and days free of all duties.

According to AMC1 ORO.FTL.110 (j) on operational robustness operators should establish and monitor performance indicators for operational robustness rosters.

This can only be done if operators keep records of both, planned and achieved rosters.

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12/07/2018

Link:
https://www.easa.europa.eu/en/faq/47615

Home base change CS FTL.1.200(b): Is it correct to understand that if a crew member is asked to report for an FDP at a reporting point other than his/her home base without extension of his/her recurrent extended recovery to 72h incl. 3 local nights, immediately prior to that FDP, the home base has not been changed for the purpose of Subpart FTL?

Answer

Yes. In such case, the requirements for reporting out of home base apply.

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12/07/2018

Link:
https://www.easa.europa.eu/en/faq/47616

Consecutive night duties CS FTL.1.205(a)(1): What does ‘consecutive’ mean in the context of the requirements and limits of CS FTL.1.205?

Answer

‘Consecutive’ is referring to two night duties only separated by a rest period.

Two night duties would not be considered as ‘consecutive’, if there is a recurrent extended recovery rest period between them or if they are separated by rest periods surrounding a non-night duty

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12/07/2018

Link:
https://www.easa.europa.eu/en/faq/47617

Night duties CS FTL.1.205(a)(2), (see also GM1 CS FTL1.205 (a)(2)): Is it necessary to have an ‘approved’ FRM to operate long night duties (FDP over 10hrs)?

Answer

No, for night duties of over 10 hours an appropriate fatigue risk management applies. Guidance for that is provided in GM1 CS FTL1.205 (a) (2).

A FRM compliant with ORO.FTL.120 is only required in two cases: reduced rest and crew members in unknown state of acclimatisation on a longer FDP.

Additionally, the approval of FRM is not a stand-alone approval. FRM, if required, is approved as a constituent part of the IFTSS approval.

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Link:
https://www.easa.europa.eu/en/faq/47618

In-flight rest CS FTL.1.205(c) : Is it possible to extend the FDP, if not all pilots get an in-flight rest?

Answer

CS FTL.1.205(c)(1)(ii) specifies that, for the purpose of FDP extension, each crew member needs to have an in-flight rest period.

First example where an extension of the FDP due to in-flight rest is possible:

Pilot 1 and Pilot 2 commence a FDP from A to B (1:30 h sector). When arriving at B, a third pilot (Pilot 3) joins the crew and they fly from B to C (11 h sector).

The length of the flight from B to C allows each crew member on board (pilots 1, 2 & 3) to have the minimum in-flight rest period during cruise phase: 2 consecutive hours for the flight crew members at control during landing and consecutive 90-minute period for the third pilot.

Second example, where an extension of the FDP due to in-flight rest is not possible:

Pilot 1 and Pilot 2 commence a FDP from A to B (7 h sector). When arriving at B, a third pilot (Pilot 3) joins the crew and they fly from B to C (5 h sector).

The length of the flight from B to C does not allow each crew member on board (pilots 1, 2 & 3) to have the minimum in-flight rest period during cruise phase: 2 consecutive hours for the flight crew members at control during landing and consecutive 90-minute period for the third pilot.

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Link:
https://www.easa.europa.eu/en/faq/47619

Maximum daily FDP with the use of extensions due to in flight rest CS FTL.1.205(c)(2): Why does the 'maximum daily FDP with the use of extensions due to in flight rest' not take into account the start of FDP at reference time?

Answer

An extended duty period will usually involve operating during the WOCL. The in-flight rest opportunity during the WOCL mitigates the absence of reduction of the FDP based on the reference time.

The limits of CS FTL.1.205(c) (2) are therefore irrespective of the WOCL of crew members, on the condition that the minimum flight crew is augmented and in-flight rest facilities, meeting certain standards, are available to provide recuperative sleep

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12/07/2018

Link:
https://www.easa.europa.eu/en/faq/47620

Delayed reporting CS FTL.1.205(d)(1): Is it possible to inform crew members of a delay without giving the new reporting time?

Answer

No. An actual reporting time must be given when the crew member is informed that the delayed reporting procedure is activated.

If an operator does not have a delayed reporting procedure, then it can't be used.

Last updated:
12/07/2018

Link:
https://www.easa.europa.eu/en/faq/47621

Delayed reporting CS FTL.1.205(d)(1)(iii): Why does delayed reporting with a delay of less than 4 hours not account for the WOCL? Is there any scientific evidence for this?

Answer

There is no scientific evidence, on the basis of which a delay of less than 4 hours does not take the WOCL into account.

In any case, operator's procedures on delayed reporting should avoid or minimise the negative effect of WOCL encroachment.

Importantly, the maximum FDP will never become longer due to a delayed reporting time:

- If the delay is less than 4 hours – the maximum FDP as originally planned, remains the same.
- If the delay is more than 4 hours – the maximum FDP will be shorter than the originally planned FDP, because the delayed reporting time has a limiting effect on it.

Procedures for delayed reporting must be described in the OM, including a notification time that allows the crew member to continue his/her rest when the delayed reporting procedure is activated.

A delayed reporting procedure may be triggered by the operator, while the crew member is still at home or in the suitable accommodation facility, when prior to the beginning of a flight duty period an unforeseen event occurs which will delay the planned flight departure.

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12/07/2018

Link:

https://www.easa.europa.eu/en/faq/47624

Split duty (see also ORO.FTL.205 (b)(2) and ORO.FTL.220): Can split duty be scheduled when crew members are in an unknown state of acclimatisation?

Answer

Yes, but any extension of the FDPs limits in Table 3 of ORO.FTL.205 (b)(2) falls under the requirement for a FRM.

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12/07/2018

Link:
https://www.easa.europa.eu/en/faq/47625

Split duty CS FTL.1.220 (b): Are the 30 minutes for post and pre-flight duties as well as travelling counted in total or 30 min for post flight duties, 30 min for travelling after post flight duties, 30 min for travelling before pre-flight duties and 30 min for pre-flight duties?

Answer

CS FTL.1.220 (b) instructs the operator to specify actual times for post and pre-flight duties and for travelling in its operations manual. The minimum for the total is 30 minutes.

The operator must demonstrate how travelling in both directions, and post and pre-flight duties are accomplished in the time defined in the OM.

Last updated:
12/07/2018

Link:
https://www.easa.europa.eu/en/faq/47627

Split duty CS FTL.1.220(d): Should suitable accommodation be provided for a split duty?

Answer

Suitable accommodation as defined in ORO FTL 105 (4) is required to be provided for a break of 6 hours or more or for a break that encroaches the WOCL.

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12/07/2018

Link:
https://www.easa.europa.eu/en/faq/47628

Rest after airport standby or other-standby CS FTL.1.225 (a)(1)& CS FTL.1.225 (b)(4): What is the basis for rest calculation after a standby followed by an FDP? Is it the reporting time for standby or the "actual reporting time" for the assigned FDP?

Answer

The minimum rest period depends on the length of previous duty.

Airport standby counts as duty for the purpose of ORO.FTL.235. Therefore the rest calculation after airport standby followed by an FDP is based on the reporting time for that standby. This also applies to airport duty.

Other standby does not count as duty for the purpose of rest (it counts partly as duty for the purpose of ORO.FTL.210 only). Therefore the rest calculation after other-standby followed by an FDP is based on the reporting time for the assigned FDP

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12/07/2018

Link:
https://www.easa.europa.eu/en/faq/47630

Airport standby CS FTL.1.225 (a)(2)(ii): Why does CS FTL.1.225 (a)(2)(ii) not stipulate the maximum duration of airport standby?

Answer

The maximum duration of airport standby is defined indirectly by the limits of the combined duration of airport standby and FDP.

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Link:
https://www.easa.europa.eu/en/faq/47631

Airport standby CS FTL 1.225(a)(2)(ii), (see also ORO.FTL.205 (b)&(d); CS FTL 1.205 (a)

(2)): We understand that the limit of 16 hours is not applicable when airport standby is followed by a FDP with in-flight rest. Does that mean that there is no limit for that kind of situation?

Answer

Yes, there is no limit.
The limit of 16 hours only applies to basic maximum daily FDPs without in-flight rest under ORO.FTL.205 (b) and to extended daily FDPs without in-flight rest under ORO.FTL.205 (d).

Furthermore, the operator applies appropriate fatigue risk management to actively manage the fatiguing effect of night duties of more than 10 hours in relation to the surrounding duties and rest periods

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12/07/2018

Link:
https://www.easa.europa.eu/en/faq/47632

Other-standby followed by an FDP CS FTL.1.225(b)(2): How shall an operator expect a crew member to use whole or part of a standby for sleep when there are disturbance factors like difficulty to fall asleep, disturbed sleep due to sick children, waking-up by external noise, etc.?

Answer

According to CS FTL.1.225 (b)(2), the operator designs its standby procedures in a certain way. The expectation is on the design of the procedure by the operator, not on the individual crew member.

The expectation on the crew member is to follow the procedure to the best of his/her abilities and in good faith at all times.

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12/07/2018

Link:
https://www.easa.europa.eu/en/faq/47633

Awake time CS FTL 1 225 (b)(2): Who is responsible for making sure that the 18h are not exceeded? The crew member or the operator? Can the operator fully transfer the

responsibility to the crew member?

Answer

The operator is only required to have established such procedures (control mechanisms) so as to prevent situations where the combination of standby and FDP would lead to more than 18 hours awake time.

18 hours awake time is mentioned in the context of the combination of other-standby prior to an FDP and the FDP itself. A simple mathematical equation between the sum of the standby time and FDP, on the one hand, and the time awake on the other, is not possible to do, because the start time of the awake period is an unknown value i.e. the operator may be unable to verify how long a crew member has been awake.

It is reasonable for the operator to expect crew members to manage their rest and sleep opportunities during pre-duty rest periods and while on standby in order to be able to perform FDP.

The procedure and expectation for the crew to rest appropriately during their standby should also be included when training crew on FTL and fatigue management.
The following are examples of what an operator should consider when designing procedures:

- the duties and rest periods prior to the scheduled standby;
- the time of the day in which the rest period prior to the scheduled standby occurs;
- a minimum of 8 hours' sleep opportunity before or within the scheduled standby, during which the crew member is not disturbed;
- the length of the standby and the subsequent FDP;
- the time for post flight duties and for travelling to the suitable accommodation if away from home base;
- provision of training and advice to crew members

The NAAs are responsible for verifying that the above procedures have been established and are effective.

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12/07/2018

Link:
https://www.easa.europa.eu/en/faq/47639

Other-standby CS FTL.1.225(b)(2), (see also CAT.OP.MPA.210(a)(3)): Would using a controlled rest procedure while the flight crew member is at his/her assigned station break the 18-hour awake time?

Answer

No. Controlled rest procedure is a countermeasure to manage unexpected fatigue, whilst the 18-hour awake time target is part of the operator roster planning procedures.

According to CAT.OP.MPA.210 (a)(3) controlled rest organised by the commander, if workload permits, shall not be considered to be part of a rest period for purposes of calculating flight time limitations nor used to justify any extension of the duty period.

Under CS FTL.1.225 (b)(2), the operator designs standby procedures in a way that makes unexpected fatigue unlikely by avoiding excessive awake times.

The frequent use of controlled rest after having been called from other-standby could indicate that the standby procedure does not fulfil the expectation to avoid excessive awake times.

Controlled rest procedure to manage unexpected fatigue should be described in the operations manual. (ref. AMC3 ORO.MLR.100).

The operator should be able to monitor the use of controlled rest to evaluate effectiveness of mitigation strategies.

Last updated:
12/07/2018

Link:
https://www.easa.europa.eu/en/faq/47640

Other-standby CS FTL.1.225(b)(3): How is the time spent on other-standby before an assignment accounted for?

Answer

According to CS FTL.1.225 (b) (3), 25% of time spent on other-standby counts as cumulative duty.

Last updated:
12/07/2018

Link:
https://www.easa.europa.eu/en/faq/47641

Other-standby CS FTL.1.225 (b), (see also ORO.FTL.105 (25)): Is it possible during other-standby to assign an FDP with a reporting time after the rostered end of that standby period has elapsed?

Answer

It is possible during other-standby to assign a duty that will start after the rostered end of the standby period.

Duties assigned during other-standby should in principle start within the operator's defined response time from the call. For example, a cabin crew while on home standby between 08:00h and 14:00h (as planned in the roster) receives a call at 13:55 h to report for duty at 14:55 h since the operator's response time is 60 min. The response time between the call and reporting is considered a continuation of the standby, notwithstanding the rostered end of the standby; this time also includes travelling to the reporting point.

Operators describe their procedures and practices regarding standby, including reporting after the rostered standby period ends, in the OM-A. In doing so, they take into account that the Regulation provides a number of cumulative protections to crew member from excessive periods of combined standby and duty:

1. Operators shall only use the rostered standby availability period to place their call for duty. ORO.FTL.105 (25) defines standby as the period of time during which a crew member is required by the operator to be available to receive an assignment for a flight;
2. The maximum duration of other-standby is 16 hours. In its OM-A however, the operator may specify shorter periods considering its type of operation and the impact of the time spent on standby on the duty that may be assigned. Under the obligations of ORO.FTL.110 (b & e), operators must carefully evaluate what duration of standby is safely allowable within their particular operation;
3. The combination of standby and FDP do not lead to more than 18 hours awake time (see FAQ # 60);
4. The maximum FDP is reduced, if the standby period ceases after the first 6 hours (or 8 hours in case of extended FDP);
5. A crew member is always able to consider whether his/her duties on board an aircraft will be performed with the necessary level of alertness (CAT.GEN.MPA.100(c))

If no duty has been assigned during the rostered standby availability period, other-standby is followed by a rest period in accordance with ORO.FTL.235.

Last updated:

09/04/2019

Link:

https://www.easa.europa.eu/en/faq/47642

Other-standby modified to airport standby CS FTL.1.225, (see also ORO.FTL.105 (25)): Can other-standby be modified to airport standby during the standby? For example, can a pilot on home standby be required to go to the airport to continue on airport standby? What limits must be used?

Answer

Yes. During a standby period any duty may be assigned (ORO.FTL.105 (25)). That includes airport standby or duty at the airport.

Limits for assignment of airport standby after home standby are not explicitly mentioned in CS FTL.1.225.

The assignment of airport standby is considered as airport duty and the subsequent FDP counts from the airport reporting time as stated in ORO.FTL.225 (d).

If the other-standby lasts less than 6 hours, the maximum FDP counts from reporting for the airport standby. If the other-standby lasts more than 6 hours, a reduction is applicable to the subsequent FDP.

If an FDP is assigned during the airport standby, the combination of home standby and FDP does not lead to more than 18 hours awake time.

Last updated:
12/07/2018

Link:
https://www.easa.europa.eu/en/faq/47643

Reserve and other-standby CS FTL.1.230: While a crew member is on reserve, can his/her assignment be changed and continue as a home standby?

Answer

No, but the crew member can be assigned a home standby after the end of the reserve period.

Last updated:
12/07/2018

Link:
https://www.easa.europa.eu/en/faq/47644

Reserve CS FTL 1.230(b): Is there any rest requirement after a reserve period, if there is

no assignment of duty period during the reserve?

Answer

Reserve times do not count as duty period for the purpose of ORO.FTL.210 and ORO.FTL.235.

That means that there is no requirement for a minimum rest period after reserve, if no duty has been assigned.

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Link:
https://www.easa.europa.eu/en/faq/47645

Reserve CS FTL.1.230 (d): Is it necessary to have an FRM to protect an 8-hour sleep opportunity during reserve?

Answer

No. Operators are however encouraged to apply appropriate fatigue risk management techniques to be able to fulfil their responsibilities under ORO.FTL.110.

The techniques described in the ICAO Fatigue Management Guide for Airline Operators may be useful reference to assist operators developing their approach.

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12/07/2018

Link:
https://www.easa.europa.eu/en/faq/47646

Reserve CS FTL 1.230(d): Should the period of 8 hours run consecutively or is it possible to break it in two different periods?

Answer

The period of 8 hours consists of 8 consecutive hours.

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12/07/2018

Link:
https://www.easa.europa.eu/en/faq/47647

Rest between disruptive schedules CS FTL.1.235(a)(1), (see also ORO.FTL.105(8)): The rule for transition between late finish/night duty and early start says that the rest between the FDPs needs to include a local night. Does this mean that the rule only applies if the late finish/night duty and the early duty are FDP's?

Answer

It depends on the type of the early duty following a late or night duty.

If an early duty is a standby or a duty at the airport that leads to an FDP, then the rest period before that early duty must include a local night.

Otherwise, the rest period between the 2 other duties or between a FDP and other duty (e.g. night training in a simulator) does not need to include 1 local night.

Nevertheless, Subpart FTL provides a system of measures which jointly act to reduce the risk of increased fatigue and reduced alertness and performance levels of crew members, and to mitigate the acute disruption of the sleep pattern in the case of disruptive schedules.

For example, the operator must avoid practices that cause a serious disruption of an established sleep/work pattern, such as alternating day/night duties (ORO.FTL.110).

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Link:
https://www.easa.europa.eu/en/faq/47648

Rest compensation for time zone differences CS FTL.1.235(b)(3)(i): How should we count the time elapsed (h) since reporting for the first FDP in a rotation involving at least 4 hour time difference to the reference time?

Answer

Elapsed time (h) should be counted from the first FDP including at least 4 hour time difference to the reference time, as the rest compensation for time zone differences is given when the crew becomes affected by the time zone differences.

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12/07/2018

Link:
https://www.easa.europa.eu/en/faq/47649

Reduced rest CS FTL.1.235(b)(3)(ii), (see also ORO.FTL.235 (c) and (e)): Is it possible to reduce the 14h rest away from home base following an FDP involving a 4-hour time difference or more?

Answer

No. CS FTL.1.235 (b)(3)(ii) does not foresee a reduction of the 14h rest away from home base to compensate for time zone crossing.

ORO.FTL.235 (c) describes the conditions under which the minimum rest periods according to ORO.FTL.235 (a) and (b) may be reduced.

ORO.FTL.235 (e) establishes the rest periods to compensate the effects of time zone crossing.

Additional rest periods to compensate the effects of time zone crossing shall be specified in flight time specification schemes.

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Link:
https://www.easa.europa.eu/en/faq/47650

Rest to compensate for time zone differences CS FTL.1.235(b)(4): What does Eastward-Westward or Westward-Eastward transition mean?

Answer

For the purpose of CS FTL.1.235 (b) (4), ‘Eastward-Westward and Westward-Eastward transition’ means the transition at home base between a rotation in one direction and a rotation in the opposite direction, each involving a 4-hour time difference or more.

At least 3 local nights of rest at home base are provided between such alternating rotations.

However, irrespective of where the transition occurs - at home base or away from home base, the operator, using safety risk management processes, should monitor rotations in opposite directions in terms of their impact on crew members’ circadian rhythm and fatigue, and provide sufficient rest to crew members between such rotations.

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Link:
https://www.easa.europa.eu/en/faq/47651

Monitoring Time Zone Differences CS FTL.1.235(b)(5): Does the requirement to monitor combinations of rotations require FRM in accordance with ORO.FTL.120?

Answer

No. FRM is not required. However, CS FTL.1.235 (b)(5) requires that fatigue risks arising from combinations of rotations be monitored under the operator's management system.

The techniques described in the ICAO Fatigue Management Guide for Airline Operators (associated to ICAO Doc 9966) may be useful reference to assist operators developing their approach.

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Link:
https://www.easa.europa.eu/en/faq/47652

Reduced rest CS FTL.1.235(c)(5): Is it possible to apply reduced rest to two consecutive rest periods?

Answer

Yes. Up to 2 reduced rest periods in any 168 hours are allowed. They may be consecutive.

Reduced rest is only possible under FRM, as part of an approved IFTSS.

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12/07/2018

Link:
https://www.easa.europa.eu/en/faq/47653

Nutrition ORO.FTL.240: Are nutrition provisions subject to a specific NAA's approval and can they be documented elsewhere in the OM-A, not necessarily Chapter 7.

Answer

Nutrition is part of the operator's individual flight time specification scheme (IFTSS) which is subject to approval by the competent authority under ARO.OPS.235 (a).

Chapter 7 of the OM-A is the place where the operator describes its IFTSS. Nutrition opportunities during duty periods are therefore to be included under that Chapter.

In cases where nutrition provisions are documented elsewhere in the OM-A, the operator should provide references in Chapter 7 to those nutrition provisions to enable aircrew to easily trace and read about the applicable nutrition arrangements. Irrespective of the place where nutrition opportunities are described in detail, they are part of the IFTSS and subject to NAA's approval.

IFTSS is customised to the operator's specific operating conditions e.g. routes and airports served, specific rest requirements and duty length. The later in turn impacts nutrition opportunities – timing, duration and other arrangements.

The content of the OM need be presented in a form that can be used without difficulty by cre members. The same applies to the operator's IFTSS.

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08/04/2019

Link:

https://www.easa.europa.eu/en/faq/95252

Fatigue management training ORO.FTL.250 AMC1 ORO.FTL.250: What should be the minimum requirements for a fatigue management instructor? Is a CRMi course enough? Is a safety manager ready and without other training to deliver a course? Can someone that has received a few hours course in accordance with AMC1 ORO.FTL.250 repeat the course to others?

Answer

Although ORO.FTL does not contain prescriptive requirements determining the qualification of fatigue management instructors, those instructors are an operator's personnel and hence, need to acquire at least the knowledge specified in AMC1 ORO.FTL.250.

Any operator needs to demonstrate to the competent authority that their personnel has acquired at least the knowledge as per the syllabus in AMC1 ORO.FTL.250.

In essence, the fatigue management training is a competency-based training. The operator should identify what training and competences are needed for each personnel group: aircrew, instructors, rostering and management staff to perform their roles effectively, and what means

of measuring the level of competency attained by each person who receives the training is available.

For example, a fatigue management instructor must have the training required by AMC1 ORO.FTL.250. The operator may, in addition to that, require that the instructor also complete training normally required for FRM inspectors in accordance with AMC5 ARO.GEN 200(a) (2).

Recommended fatigue management training topics for specific groups of employees can be found in the ICAO Doc 9966 Manual for the Oversight of Fatigue Management Approaches/Second Edition 2016.

Operators who aim to establish a system for fatigue risk management (FRM), should consider including the following additional subjects, for aircrew, FSAG members, FRM instructors, FRM auditors, managers, according to their functions:

- the science behind FRM;
- requirements of Part-ORO with respect to FRM;
- components of the FRM of that particular operator and its functioning;
  - FRM predictive, reactive and proactive processes
  - roster fatigue metrics
  - fatigue safety performance indicators
- employees' responsibilities with respect to the FRM;
- use of fatigue reporting systems and implementing mitigations;
- collection of fatigue data (both subjective and objective) to feed the FRM system.

The content and frequency of fatigue management training should be proportional to the operator's fatigue risk exposure. For example, a scheduled airline and an on-demand night cargo operator are likely to establish different syllabus and frequency for their aircrew training. Also, an airline with crew members commuting long hours to/from their home base, should particularly focus on the use of company's airport or hotel crew rooms for fatigue mitigation of disruptive schedules when providing fatigue management training.

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09/04/2019

Link:

https://www.easa.europa.eu/en/faq/95253

Individual crew members' records of flight time and duty periods ORO.FTL.245, (see also ORO.FTL.105):

Answer

Our employer does not provide individual records of the time spent for e-learning and for certain administrative tasks such as visa renewal.

The purpose of subpart FTL is to mitigate the risks related to fatigue. Therefore, maintaining crew member's records is to ensure compliance with the requirements of that subpart.

A proper implementation of ORO.FTL.245 would fully account for the term ‘duty’ i.e. any task assigned by the operator must be recorded in crew members’ individual records.

The time required for crew training at the behest of the operator and when required by Regulation (EU) No 965/2012 is a duty.

For example, the time needed to complete an e-learning task, if assigned by the operator, is to be notified in advance and recorded as duty time.

The same applies to some ground activities, such as administrative tasks, (including the visa renewal, a second passport when required) or training (briefing or debriefing when required).

Tasks that are part of pilot’s individual responsibility such as renewal of the medical certificate need not be rostered or registered.

In accordance with ORO.FTL.245 records of duties are maintained for a period of 24 months. Moreover, in accordance with ORO.MLR.115, records of crew member training, checking & qualifications must be retained for 3 years.

These records are necessary for the operator and crew member to be able to not only account for a particular duty, but also for the cumulative limits stipulated in ORO.FTL.210 (a).

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08/02/2022

Link:

https://www.easa.europa.eu/en/faq/47814

Must the time for all training at the behest of the operator be entered in the schedule of the crew members and recorded?

Answer

To any training at the behest of the operator regardless of the method (e-learning[1]) or self-study or otherwise) that an aircrew member is assigned to by the operator the following applies:

1. It is a duty and the time spent on training task constitutes a duty period.
2. It cannot be considered a rest period or a day free of all duty or an annual leave period (ORO.FTL.105).

E-learning[1] or self-study may be included as a single duty period in the CM roster with start and end times or assigned as a number of hours to be used over certain time (week(s) or month(s)), by the crew member to study the training material, in parts or at once, at the crew member discretion.

When assigning a number of hours, the operator should notify the crew member concerned in advance, specifying the allocated hours and time period for completion of the training. The training methods described above should comply with all daily or cumulative duty limits and rest requirements of Commission Regulation (EU) No 965/2012 and of Council Directive 2000/79/EC of 27 November 2000 (WTD), considering the period allocated for completion[2]. The policy and description on how these training methods are managed should be clearly documented in the operations manual (OM). As part of their shared responsibilities with regard to crew fatigue, the crew members should manage their time and tasks considering other assigned duties and rest requirements as per ORO.FTL.115 (b).

As part of their shared responsibilities with regard to crew fatigue, the operator should ensure that the training duties are assigned in a way that enables crew members to fulfil their flight duties to a satisfactory level of safety under all circumstances. The operator should in particular provide rest periods of sufficient time prior to the next flight duty/duties and an adequate number of hours and period of time to enable a successful fulfilment.

[1] ICAO Circular 356 definition: E-Learning – is the delivery of a learning, training or education programme by electronic means.

[2] ORO.FTL.205; ORO.FTL.210; ORO.FTL.235; CS FTL.1.235; WTD Annex Clause 8 & 9.

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Link:

https://www.easa.europa.eu/en/faq/139223

Passenger Safety

Use of baby bassinets on board

Use of baby bassinets on board

Answer

Reference: Certification Specifications and Acceptable Means of Compliance for Large Aeroplanes CS-25 (ED Decision 2012/008/R) is available on EASA website.

Provision of a baby bassinet is a cabin service provided by an airline to a parent travelling with

a baby for the purpose of relieving the parent from holding the lap-held baby for a long period of time, especially on long-haul and ultra-long-haul flights.

Baby bassinets are included in the certification process of the aircraft in which they will be installed. They are not certified as separate devices, therefore an aircraft may not have a baby bassinet at all. The choice is up to the airline. The airline may choose to have a permanently installed ‘baby bed’ on its aircraft and its use during taxi, take-off, landing and turbulence will be described in the attached placards.

If baby bassinets are available on board, their number in the cabin depends on the cabin arrangement of the aircraft and locations where the bassinets can be safely attached/positioned. The number of baby bassinets at one location, usually at a bulkhead, depends on the available space, the weight the bulkhead can hold and the number of oxygen masks for the adults and babies located in that individual row.

Baby bassinet is not a child restraint device. Baby bassinets are not certified for taxi, take-off, landing and turbulent weather conditions. They may swing up and down and are not stable during turbulence, therefore the baby must be removed from the baby bassinet during turbulence and secured as instructed by your cabin crew members.

Airlines carrying baby bassinets on board may have varying policies on their use, therefore it is necessary to check the airline’s website or get in contact with the airline. The International Air Transport Association (IATA) may also be able to provide more information.

Certification placarding requirements
Placards advising on the stowage of baby bassinets during taxi, take-off, landing and turbulence are required either at the location where baby bassinets will be fixed to the aircraft structure (e.g. bulkhead) or a clearly visible instruction advising on the same must be placed on the baby bassinet itself.

The placarding requirements are related to the general certification requirements on placarding and intended function in accordance with Certifications Specifications and Acceptable Means of Compliance for Large Aeroplanes CS-25 (ED Decision 2012/008/R) and the marking requirements as specified in the approval of the equipment. For any questions on certification matters, please contact the EASA Certification directorate.

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25/02/2019

Link:
https://www.easa.europa.eu/en/faq/71607

Use of Child Seats on Board

Can I use a child seat on board for my baby/child? What about a rear-facing child seat?

Answer

EASA cares for the safe transport of babies and children by air and encourages the use of child seats on board an aircraft.
Having a child seat on board an aircraft requires an assessment of several aspects, such as the aircraft seat itself, if the aircraft seat is forward-facing or rear-facing, how the child seat can be safely secured on the aircraft seat, the distance between seat rows where the child seat is intended to be placed, etc. Practically all child seats allowed on board are those that have been tested and certified for the use in cars. There may be limitations for their use in cars and there are also limitations for their use in an aircraft cabin. Depending on the specifics of the child seat, but also on the specifics of the aircraft seats and of the aircraft cabin arrangement, the operator decides which child seats are accepted on board its aircraft and which ones cannot be accepted due to safety reasons.

Rear-facing child seats are recommended for the use in cars for babies and children up until the age of 4. The use of a rear-facing (also referred to as ‘aft-facing’) child seat on board an aircraft may however be limited due to the distance between passenger seat rows (so-called ‘seat pitch’). Airlines are free to order from an aircraft manufacturer an aircraft with a cabin arrangement of their choice (including the distance between seat rows) provided it is compliant with the existing aircraft certification rules. Each cabin arrangement must be approved by EASA and must comply with the applicable safety standards including emergency evacuation. EU legislation however does not specify a prescriptive figure related to the minimum distance between seats (i.e. seat rows), aircraft designers comply with the standards using a range of biometrics.

It is the operator’s responsibility to establish procedures for its operation which are subject to the approval or acceptance by the National Aviation Authority of that EU Member State. Please, contact your airline for information on types of child seats and their use on board the airline’s aircraft. You may also wish to visit the EASA webpage ‘Travelling with children’.

Extract from the EU rules on air operations related to the acceptance of child seats on board:

CAT.IDE.A.205 Seats, seat safety belts, restraint systems and child restraint devices

(a) Aeroplanes shall be equipped with:

(1) a seat or berth for each person on board who is aged 24 months or more;

(2) a seat belt on each passenger seat and restraining belts for each berth except as specified

in (3);

(3) a seat belt with upper torso restraint system on each passenger seat and restraining belts on each berth in the case of aeroplanes with an MCTOM of 5 700 kg or less and with an MOPSC of nine or less, having an individual CofA first issued on or after 8 April 2015;

(4) a child restraint device (CRD) for each person on board younger than 24 months;

(5) …

AMC1 CAT.IDE.A.205 Seats, seat safety belts, restraint systems and child restraint devices
CHILD RESTRAINT DEVICES (CRDs)

(a) A CRD is considered to be acceptable if:

(1) it is a ‘supplementary loop belt’ manufactured with the same techniques and the same materials as the approved safety belts; or

(2) it complies with (b).

(b) Provided the CRD can be installed properly on the respective aircraft seat, the following CRDs are considered acceptable:

(1) CRDs approved for use in aircraft according to the European Technical Standard Order ETSO-C100c on Aviation Child Safety Device (ACSD);

(2) CRDs approved by EASA through a Type Certificate or Supplemental Type Certificate;

(3) Child seats approved for use in motor vehicles on the basis of the technical standard specified in point (i) below. The child seat must be also approved for use in aircraft on the basis of the technical standard specified in either point

(ii) or point (iii):

(i) UN Standard ECE R44-04 (or 03), or ECE R129 bearing the respective ‘ECE R’ label; and

(ii) German ‘Qualification Procedure for Child Restraint Systems for Use in Aircraft’ (TÜV/958-01/2001) bearing the label ‘For Use in Aircraft’; or

(iii) Other technical standard acceptable to the competent authority. The child seat should hold a qualification sign that it can be used in aircraft.

(4) Child seats approved for use in motor vehicles and aircraft according to Canadian CMVSS 213/213.1 bearing the respective label;

(5) Child seats approved for use in motor vehicles and aircraft according to US FMVSS No 213 and bearing one or two labels displaying the following two sentences:

(i) ‘THIS CHILD RESTRAINT SYSTEM CONFORMS TO ALL APPLICABLE FEDERAL MOTOR VEHICLE SAFETY STANDARDS’; and

(ii) in red letters ‘THIS RESTRAINT IS CERTIFIED FOR USE IN MOTOR VEHICLES AND AIRCRAFT’;

(6) Child seats approved for use in motor vehicles and aircraft according to Australia/New Zealand’s technical standard AS/NZS 1754:2013 bearing the green part on the label displaying ‘For Use in Aircraft’; and

(7) CRDs manufactured and tested according to other technical standards equivalent to those listed above. The devices should be marked with an associated qualification sign, which shows the name of the qualification organisation and a specific identification number, related to the associated qualification project. The qualifying organisation should be a competent and independent organisation that is acceptable to the competent authority.

(c) Location

(1) Forward-facing child seats may be installed on both forward-and rearward-facing passenger seats, but only when fitted in the same direction as the passenger seat on which they are positioned. Rearward-facing child seats should only be installed on forward-facing passenger seats. A child seat should not be installed within the radius of action of an airbag unless it is obvious that the airbag is de-activated or it can be demonstrated that there is no negative impact from the airbag.

(2) An infant/child in a CRD should be located in the vicinity of a floor level exit.

(3) An infant/child in a CRD should not hinder evacuation for any passenger.

(4) An infant/child in a CRD should neither be located in the row (where rows are existing) leading to an emergency exit nor located in a row immediately forward or aft of an emergency exit. A window passenger seat is the preferred location. An aisle passenger seat or a cross aisle passenger seat that forms part of the evacuation route to exits is not recommended. Other locations may be acceptable provided the access of neighbour passengers to the nearest aisle is not obstructed by the CRD.

(5) In general, only one CRD per row segment is recommended. More than one CRD per row segment is allowed if the infants/children are from the same family or travelling group provided the infants/children are accompanied by a responsible adult sitting next to them in the same row segment.

(6) A row segment is one or more seats side-by-side separated from the next row segment by an aisle.

(d) Installation

(1) CRDs tested and approved for use in aircraft should only be installed on a suitable passenger seat by the method shown in the manufacturer's instructions provided with each CRD and with the type of connecting device they are approved for the installation in aircraft. CRDs designed to be installed only by means of rigid bar lower anchorages (ISOFIX or equivalent) should only be used on passenger seats equipped with such connecting devices and should not be secured by passenger seat lap belt.

(2) All safety and installation instructions should be followed carefully by the responsible adult accompanying the infant/child. Operators should prohibit the use of a CRD not installed on the passenger seat according to the manufacturer's instructions or not approved for use in aircraft.

(3) If a forward-facing child seat with a rigid backrest is to be fastened by a seat lap belt, the restraint device should be fastened when the backrest of the passenger seat on which it rests is in a reclined position. Thereafter, the backrest is to be positioned upright. This procedure ensures better tightening of the child seat on the aircraft seat if the aircraft seat is reclinable.

(4) The buckle of the adult safety belt must be easily accessible for both opening and closing, and must be in line with the seat belt halves (not canted) after tightening.

(5) Forward-facing restraint devices with an integral harness must not be installed such that the adult safety belt is secured over the infant.

(e) Operation

(1) Each CRD should remain secured to a passenger seat during all phases of flight unless it is properly stowed when not in use.

(2) Where a child seat is adjustable in recline, it must be in an upright position for all occasions when passenger restraint devices are required.

Extract from the International Civil Aviation Organisation (ICAO) guidance on the approval and use of child restraint systems (ICAO Document 10049):

2.4.3 The seat pitch or the available space between two rows of seats may also be an issue and particularly significant for aft-facing CRS as they are further reclined and take up more horizontal space. The inability to be effectively installed using existing aircraft seat belts may also render motor vehicle CRS ineffective on board. The location of anchor points can also be problematic. This includes the location of the aircraft seat belt attachment to the aircraft seat, as a CRS must translate forward until the belt path angle allows for belt tension forces to restrain the device.

Note: CRS stands for 'child restraint system' and means the same as 'child restraint device'.

Last updated:

Link:
https://www.easa.europa.eu/en/faq/48276

Passenger safety briefing

Is there any requirement on what language(s) should be used for information provided to passengers via safety briefings and announcements?

Answer

Reference: Regulation (EU) No 965/2012 Air Operations, Annex III: Part-ORO is available on EASA website. ICAO Doc 10086 Manual on information and instructions for passenger safety is available on ICAO website.

Regulation (EU) No 965/2012 mandates the operator to ensure that briefings and demonstrations related to safety are provided to passengers in a form that facilitates the application of the procedures applicable in case of an emergency and that passengers are provided with a safety briefing card on which picture type-instructions indicate the operation of emergency equipment and exits likely to be used by passengers. It is therefore the operator's responsibility to choose the languages to be used on its flights, which may vary depending on the destination or a known passenger profile. It is indeed difficult, if not impossible, to accommodate every 'required' language on board as this differs on daily basis from a flight to flight. For example, a German airline has a flight departing from Frankfurt to Rome and it is assumed that the most required languages on this flight will be German and Italian. The passenger profile may, however, be such that these languages are not 'desired' on this flight as passengers do not necessarily speak or understand any of the two languages (passengers may be e.g. Irish, Canadian, Russian, Chinese, Iranian, Egyptian, Pakistani, Latvian, Finnish, Croatian, Hungarian, Bulgarian, Czech, Slovak, etc., or there is a large group of e.g. Japanese tourists). It is therefore a practice of some operators to employ 'language speakers', i.e. cabin crew members speaking certain languages, who mainly operate their language-desired route(s). The aircraft may also have an option of a multi-language pre-recorded set of public announcements, the operator may choose this feature when modifying the cabin systems on its aircraft configuration.

ICAO Doc 10086 recommends that information provided to passengers via safety briefings, announcements and safety demonstrations should be transmitted in the language of the operator and in English to promote appropriate communication with passengers. Further, that in order to cover the largest percentage of passengers on board on international flights, the

operator should consider the use of English and the use of the official language of the State of departure and destination. In addition, the operator should consider the language(s) of the passengers on board and assign language-qualified cabin crew members or interpreters on board the aircraft, on specific routes. The operator should verify that emergency exit-row occupants comprehend the language spoken by the crew.

Last updated:
25/09/2018

Link:
https://www.easa.europa.eu/en/faq/48610

Part-CAT

Are there any requirements for loadmasters?

Answer

Reference: Regulation (EU) No 965/2012 on Air Operations, Annex IV (Part-CAT)

There are no specific provisions for loadmasters, either in terms of their duties or in terms of their qualification. The only provision applicable to loading is in Part-CAT:

CAT.POL.MAB.100 Mass and balance, loading

CAT.POL.MAB.105 Mass and balance data and documentation, stating:

- The loading of an aircraft shall be performed under the supervision of qualified personnel in a way that is consistent with the results of mass and balance calculations.
- The person supervising the loading of the aircraft shall confirm by hand signature or equivalent that the load and its distribution are in accordance with the mass and balance documentation given to the commander.
- The person who prepared the mass and balance documentation must be named on it.
- The operator has to specify principles and methods for the loading and the mass and balance system in use in its Operations Manual.

Regarding the categorization of such personnel, a loadmaster can be either ground personnel or a crew member if the operator assigns him/her duties on board (as it is the case for some cargo operators), but certainly not flight crew.

Of course this does not prevent a flight crew member to be also qualified as a loadmaster, but he or she would be flight crew independently from being a loadmaster at the same time.

Please note that in accordance with ORO.GEN.110(e), it is the operator's responsibility to “ensure that all personnel assigned to, or directly involved in, ground and flight operations are properly instructed, have demonstrated their abilities in their particular duties and are aware of their responsibilities and the relationship of such duties to the operation as a whole”.

Last updated:

14/02/2014

Link:

https://www.easa.europa.eu/en/faq/19162

Referring to Annex II - AMC 20-6 rev.2, on ETOPS Applicability, is an ETOPS operational approval required or not for aircraft with a seating configuration of 19 or less and not exceeding 180 minutes at the approved one-engine-inoperative (OEI) speed (in still air) from an adequate aerodrome?

Answer

“The acceptable means of compliance for operators seeking an ETOPS operational approval to operate aeroplanes with a maximum passenger seating configuration of 19 or less, in excess of 180 minutes at the approved one-engine-inoperative (OEI) speed (in still air) from an adequate aerodrome is AMC 20-6. For operations in excess of 120 minutes at the approved OEI, refer to the below”

Reference: Regulation (EU) No 965/2012 on Air Operations, Annex IV (Part CAT)

Regulation (EU) No 965/2012 must be considered, especially point CAT.OP.MPA.140, which states:

“(a) Unless approved by the competent authority in accordance with Annex V (Part SPA), Subpart F, the operator shall not operate a two-engined aeroplane over a route that contains a point further from an adequate aerodrome, under standard conditions in still air, than the appropriate distance for the given type of aeroplane among the following:

[...].

for performance class A aeroplanes with an MOPSC of 19 or less, the distance flown in 120 minutes or, subject to approval by the competent authority, up to 180 minutes for turbojet aeroplanes, at the OEI cruise speed determined in accordance with (b);”

Therefore, a specific ETOPS approval under Part-SPA (Annex V to Regulation (EU) No 965/2012) is not required to operate between 120 and 180 minutes from an adequate aerodrome; nevertheless, an operator is required to hold an approval based on the provisions contained in AMC1 CAT.OP.MPA.140(c). Without this approval, an operator cannot operate in

excess of 120 minutes from an adequate aerodrome.

Last updated:

20/08/2024

Link:

https://www.easa.europa.eu/en/faq/19164

NPAs CDFA-SA with IAP instrument approach procedure expressing minima as a "DA/H" should have an "ADD-ON" or not? Am I allowed to go a little bellow the "DA/H" while performing a missed approach/going around?

Answer

Reference: Regulation (EU) No 965/2012 on Air Operations, Annex IV (Part CAT)

Please note that the rules on CDFA are now specified in the following rule of Regulation (EU) 965/2012: CAT.OP.MPA.115 Approach flight technique - aeroplanes. To this implementing rule, three AMCs and one Guidance Material are assigned.

AMC1 CAT.OP.MPA.115 (a)(5) specifies the following: “This DA/H should take into account any add-on to the published minima as identified by the operator's management system and should be specified in the OM (aerodrome operating minima).” This means that the use of any add-on is left to the responsibility of the operator.

Usually, the operator should avoid going below DA/H if the missed approach is initiated. Therefore, (a)(7) specifies: “The operator should establish a procedure to ensure that an appropriate callout is made when the aeroplane is approaching DA/H. If the required visual references are not established at DA/H, the missed approach procedure is to be executed promptly.”

Last updated:

14/02/2014

Link:

https://www.easa.europa.eu/en/faq/19165

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.

Last updated:

20/05/2019

Link:

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

AMC1 (a) to CAT.IDE.A.280 says, "Batteries used in the ELTs should be replaced (or recharged, if the battery is rechargeable) when the equipment has been in use for more than 1 cumulative hour". What should be understood by "in use for more than 1 cumulative hour"?

Answer

Reference: Regulation (EU) No 965/2012 on Air Operations, Annex IV (Part CAT)

“In use for more than 1 cumulative hour” should be understood as an hour of cumulative ELT operation, whatever the purpose may be (testing, intended or unintended transmitting).

Last updated:

14/02/2014

Link:

https://www.easa.europa.eu/en/faq/19168

Does the operator need an exemption to CAT.OP.MPA.160 to use the passenger cabin as a cargo compartment?

Answer

The passenger cabin is not approved for as a cargo compartment and it does not meet the applicable requirements for the transportation of cargo. This is in accordance with the type certification of the large aeroplanes certified for passenger transport. The carriage of cargo in the cabin beyond already approved stowage areas is therefore neither covered by the approval of the aircraft nor by the approval of the seats and that is the reason why an exemption is needed. Additionally, limitations and/or procedures must be introduced to compensate for the non-compliance related to smoke detection or fire suppression means.

The details as to what extent cargo can be carried in a passenger compartment without additional certification are also provided by the relevant EASA Special Condition on this subject, recognized by both Boeing MOM-MOM-20-0239-02B and Airbus FOT 999.0028/20.

AMC2 CAT.OP.MPA.160 (b) (2) specifies the need for approved restraint equipment to secure the intended cargo. However, the term “cargo” in this AMC refers to anything that belongs to the passenger traveling in the adjacent seat but it is not a piece of luggage (e.g., a musical instrument that may have to be restrained to the seat). Thus, the AMC was never intended to facilitate the use of the cabin as a cargo compartment.

Last updated:

24/04/2020

Link:

https://www.easa.europa.eu/en/faq/113210

Is there any regulatory statement by which it is required for all European aeroplanes to carry a defibrillator on board?

Answer

By means of the ED Decision 2021/005/R the AMC/GM to CAT.IDE.A.220 and CAT.IDE.A.225 have been updated in line with the existing evidence and expert opinion. The use of automated external defibrillators (AED) is essential to increase the chances of survival in case of a cardiac arrythmias such as ventricular fibrillation (VF) and non-perfusing ventricular tachycardia (VT) when used in the first 10 minutes.

AMC1 CAT.IDE.A.220 (b) (4) stipulates that the aircraft operators should carry automated external defibrillator (AED) on board all aircraft equipped with a first-aid kit and required to carry at least one cabin crew. When operating multi-deck aircraft, operators should assess if additional equipment is needed on each deck.

Last updated:
04/08/2021

Link:
https://www.easa.europa.eu/en/faq/19169

What are the obligations when carrying AED's (Automated Emergency Defibrillators) on board as per CAT.IDE.A.220 and CAT.IDE.A.225?

Answer

AED (Automated Emergency Defibrillators) can be considered as carry on board medical equipment. The provision where the AED will be stowed should be certified (capable to carry the load and placarded accordingly). If the AED is stowed in a stowage as for passenger luggage we would not necessarily ask for full 25.853 compliance especially when considered as carry on board equipment. If you want to certify it (being part of the modification) then compliance to the applicable CS requirements must be demonstrated.

In addition, you should have a look into the guidance material to Part CAT 140. Here you will find some information related to the electro mechanical interference of medical equipment.
If the AED is considered as carry on board medical equipment, there is no need for a certified installation. The operator is however obliged to conduct an assessment as per AMC1 CAT.GEN.MPA.140.

Last updated:
09/06/2022

Link:

https://www.easa.europa.eu/en/faq/136618

Part-SPA

SPA.HEMS.110 Equipment requirements for HEMS operations specifies: "The installation of all helicopter dedicated medical equipment and any subsequent modifications and, where appropriate, its operation shall be approved in accordance with Regulation (EC) No 1702/2003". Does it mean that even a defibrillator or an oxylog has to be approved in accordance with Regulation (EC) 1702/2003 or (EU) 748/2012? Or does it mean that only the fix installed medical equipment, such as a stretcher or a fix provision, has to be approved?

Answer

Reference: Regulation (EU) No 965/2012 on Air Operations, Annex V (Part SPA)

It is not the medical equipment itself that has to be approved in accordance with Regulation (EU) No 748/2012, but its installation on the helicopter. Therefore, if it is a fixed installed equipment, it has to be approved; if it is removable, the housing or any other part which is installed has to be approved. In general terms, the principle applied here is that no kind of equipment (medical or not, installed or not) shall affect the airworthiness or the safe operation of the aircraft even in the case of failures or malfunctions.

This means, for example, that if the equipment is powered by a power source of the aircraft, there shall be no adverse effect on the power source itself or on other systems or parts of the aircraft, or that the equipment is checked and cleared against electromagnetic interference.

Last updated:
14/02/2014

Link:
https://www.easa.europa.eu/en/faq/19174

Dangerous Goods

Is there a European regulation on dangerous goods training requirements or should each European country follow its own national regulations?

Answer

Reference: Regulation (EU) No 965/2012 on Air Operations, Annex III (Part ORO), Annex IV (Part CAT), Annex V (Part SPA), Annex VI (Part NCC), Annex VII (Part NCO)

European rules regarding the transport of dangerous goods can be found in the Commission Regulation (EU) No 965/2012 on Air Operations (Air OPS). Air OPS Regulation substitutes the EU-OPS Regulations. So far, only the rules for commercial air transport and non-commercial operations have been published in Annexes I to VII of the Air OPS. The rules on aerial work (specialised operations) will follow later to complete it.

Apart from the implementing rules which are comprised in the Regulation (EU) 965/2012, the Acceptable Means of Compliance (AMC) and Guidance Material (GM), which are published as EASA Decisions on the Agency's website, should be taken into account as well (namely Decisions 2012/015/R through to 2012/019/R, respectively the amended ones 2013/017/R through to 2013/022/R).

The requirements in ORO.GEN.110, CAT.GEN.MPA.200, SPA.DG.105, NCC.GEN.150 and NCO.GEN.140 are more general, whereas the related AMC/GM (especially AMC1 SPA.DG.105(a) in ED Decision 2013/020/R on Part SPA) include more specific details.

The requirements stipulated in Part I, Chapter 4 of the ICAO Doc 9284-AN/905, Technical Instructions for the Safe Transport of Dangerous Goods by Air, mentioned as a further reference in the Air OPS Regulation, must also be complied with.

In addition, national aviation authorities are responsible for approving the dangerous goods training in their countries and therefore they have to establish the conditions under which they shall be approved. For detailed information on training requirements (including the type of training interaction - classroom or computer-based training), each operator should contact the national aviation authority in their country of registration.

Last updated:
14/02/2014

Link:
https://www.easa.europa.eu/en/faq/19170

Q2: What are the rules concerning the carriage of portable air concentrators (POC) on board? Can they be used during the whole flight?

Answer

Reference: Regulation (EU) No 965/2012 on Air Operations, Annex IV (Part CAT); Regulation (EC) No 1107/2006 on the right of disabled persons and persons with reduced mobility when

travelling by air

Portable air concentrators (POC) do not contain oxygen as such; they only concentrate the oxygen in the surrounding area. Therefore they should not be confused with oxygen bottles/cylinders. Under the European regulations, POCs do not have to be approved to be carried and used on board.

As POCs contain batteries, they fall under the definition of portable electronic devices (PEDs).

In accordance with the European regulations (AMC1 CAT.GEN.MPA.140 (b)(2)(i)), medical equipment necessary to support physiological functions (i.e. POCs) does not need to be switched-off during any phases of the flight.

Regulation (EC) No 1107/2006 establishes the rights of disabled persons and persons with reduced mobility when travelling by air. Article 4(3) of this Regulation requires an air carrier or its agent to make publicly available the safety requirements and relevant information on restrictions. For more information on Regulation (EC) No 1107/2006, please refer to the Commission's interpretative guidelines on this regulation from 11.06.2012, which has been published on the Commission's website and can be accessed using this link.

If passengers have special needs, they should request more information from the airline at the time of booking.

Last updated:
14/02/2014

Link:
https://www.easa.europa.eu/en/faq/19173

Q1: What are the rules for passengers using bottled oxygen on board an aircraft?

Answer

[NOTE: Q1 and Q2 must be read together as they are closely related.]

Reference: Regulation (EU) No 965/2012 on Air Operations; Regulation (EC) No 1107/2006 on the right of disabled persons and persons with reduced mobility when travelling by air

Article 10 of Regulation (EC) No 1107/2006 establishes the rights of disabled persons and persons with reduced mobility when travelling by air. The Regulation also stipulates that air operators should provide assistance, including transportation of medical equipment subject to dangerous goods legislation. Article 4(3) of this Regulation requires an air carrier or its agent to

make publicly available the safety requirements and relevant information on restrictions. Annex II to the Regulation stipulates that the relevant legislation on dangerous goods can be invoked to limit the transport of mobility equipment. For more information on Regulation 1107/2006, please refer to the Commission's interpretative guidelines on this regulation from 11.06.2012, which has been published on the Commission's website and can be accessed here.

Regulation (EU) No 965/2012 of 5 October 2012 on Air Operations (Air OPS Regulation) refers to Annex 18 of the Chicago Convention and the Technical Instructions for the Safe Transport of Dangerous Goods by air when relating to their carriage on board. For safety reasons, oxygen/air cylinders or bottles are considered dangerous goods and fall under Annex 18 of the Chicago Convention; therefore, the provisions under Part 8 of the ICAO Technical Instructions must be applied to passengers who intend to carry these items with them on board. Oxygen/air cylinders for medical use of no more than 5 kg gross weight and never containing liquid oxygen are allowed in checked and carry-on baggage or on the person, with approval of the operator. In addition, the operator must provide the pilot-in-command with written information on their number and location on board. The valves and regulators of oxygen bottles must be protected from damage which could cause inadvertent release of the contents. Under the ICAO Technical Instructions, spare oxygen cylinders of a similar size are also allowed to ensure an adequate supply for the duration of the journey. The operator's Operations Manual, which has been approved by the National Authority, will contain procedures on the use of oxygen bottles.

Nevertheless, for safety reasons, national authorities may decide to prohibit all oxygen bottles, irrespective of their size, from being carried on board by passengers. Where the national authorities allow oxygen bottles of less than 5 kg to be taken on board, it is still left to the discretion of the operator to accept them, also due to safety reasons (oxygen is highly flammable and it cannot be guaranteed that the bottles/valves have been maintained properly).

If passengers have special needs, they should request more information from the airline at the time of booking.

Last updated:
14/02/2014

Link:
https://www.easa.europa.eu/en/faq/19172

Which operators have to establish and maintain dangerous goods training programmes? Which training programmes should be approved by the authority?

Answer

The rule reference is ORO.GEN.110 (j). All operators subject to ORO.GEN.005 must establish and maintain dg training programmes in all cases. The approval, however, is only necessary if:

- It is a CAT operation
- The operator is transporting dangerous goods and performing:
  - Commercial specialised operations:
  - Non-commercial operations with complex motor-powered aircraft; or
  - Non-commercial specialised operations with complex motor-powered aircraft.

There is also an alleviation in ORO.GEN.110 (k) for operators of sailplanes, balloons, and certain single-engined propeller-driven airplanes and single-engined other-than motor-powered helicopters of 5700 Kg or less of MCTM and an MOPSC of 5 or less operating in a flight taking off and landing at the same aerodrome/operating site under VFR by day, where the requirement is that operators shall ensure that the flight crew has received an appropriate training or briefing to enable them to recognise undeclared dangerous goods brought on-board by passengers or as cargo (refer to the rule for more information).

Last updated:
28/04/2017

Link:
https://www.easa.europa.eu/en/faq/20496

Part-NCC/NCO

Are there differences between the European Air Ops rules for NCC and ICAO SARPs?

Answer

There are some differences between European Air Ops rules for NCC and ICAO Annex 6 SARPs. However, none of these differences would result in a lower safety level than intended by ICAO.

The following list describes differences generated by Regulation (EC) 216/2008 and Regulation (EU) No 965/2012 on air operations.

Differences generated by Reg. (EC) 216/2008:

- Aircraft category (difference in drawing the line between complex and non-complex aircraft): some aircraft are considered complex in the European rules, while at ICAO level, they are

considered non-complex; European rules exceed ICAO standards.
- Oversight: European rules assign oversight responsibilities to the State of the Operator and not to the State of Registry; European rules achieve the safety target with an alternative method.
- Declaration: the operator requirement to declare itself to the competent authority supports authorities to discharge their responsibilities; European rules exceed ICAO standards.

Differences generated by Reg. (EU) No 965/2012 on air operations:

- List of specific approvals: European rules exceed ICAO standards; ICAO may require this list by November 2018.

Last updated:
20/05/2019

Link:
https://www.easa.europa.eu/en/faq/20077

Do NCC operators with non-EU registered aircraft need to maintain two different Operations Manuals?

Answer

The European provisions for the structure of the Operations Manual are specified in AMC2 ORO.MLR.100. The structure is very flexible and – where needed – could be amended through an alternative means of compliance.

It is strongly advised that the operator work with a single Operations Manual, which should address the specified minimum items of the State of the Operator and the State of Registry.

Last updated:
20/11/2015

Link:
https://www.easa.europa.eu/en/faq/20076

My operations manual (OM) uses a template provided by a recognised industry standard. Is this sufficient for me to be compliant with the rules?

Answer

An OM template helps an operator to organise its procedures and information that the personnel need in order to accomplish their safety tasks. However, the operator has to make

sure that its OM reflects the specificity of its operation – be it commercial or non-commercial. At the same time, the manual should cover the areas described in Subpart ORO.MLR.

In parallel with that, the operator has to ensure also that the operation itself – not just the manual – is compliant with the applicable rules. The requirements related to the operations manual are only a part of the applicable rules.

Last updated:
20/12/2017

Link:
https://www.easa.europa.eu/en/faq/44669

What is the intent of the declaration?

Answer

The intent of the declaration is to:

a. have the operator acknowledge its responsibilities under the applicable safety regulations and that it holds all necessary approvals;
b. inform the competent authority of the existence of an NCC or an SPO operator; and
c. enable the competent authority to fulfil its oversight responsibilities in accordance with ARO.GEN.300 and 305.

When the NCC operation is managed by a third party on behalf of the owner, that party may be the operator in the sense of Article 3(13) of the Basic Regulation (EU) 2018/1139, and therefore has to declare its capability and means to discharge the responsibilities associated with the operation of the aircraft to the competent authority.

In such a case, it should also be assessed whether the third party operator undertakes a commercial operation in the sense of Article 2(1)(d) of Regulation (EU) No 965/2012.

Last updated:
20/05/2019

Link:
https://www.easa.europa.eu/en/faq/20078

How can an NCC operator establish if its organisation is complex or non-complex?

Answer

AMC1 ORO.GEN.200(b) ‘Management system. Size, nature and complexity of the activity’ provides criteria to determine if an operator belongs to the group of complex organisations or the one of non-complex organisations. These criteria are based on the assessment of the size, nature and complexity of the operator’s activity.

The idea behind this AMC is to provide some basic criteria for an organisation (an operator) to establish which AMCs on management system they should follow — the more ‘comprehensive’ ones for complex organisations, or those including some specific ‘alleviations’ for the non-complex ones.

It is important to note that the assessment of organisational complexity is not only a function of size, but it also needs to consider the specific activities, the operating environment, the scope, the variety of different aircraft types operated, the contracted activities, etc. Therefore, the AMC includes some specific risk criteria.

The fact that this AMC is included in Part-ORO indicates that it is the operator’s responsibility to determine the right ‘layout’ of their management system. The competent authority will need to validate this determination during the oversight activities, and it may challenge the operator on the option retained (complex or non-complex).
At the same time, AMC1 ORO.GEN.200(b) does not include any overly detailed complexity criteria. This is because it is impossible to address all cases and, more importantly, it is not the intent that the AMC be used as a substitute for the operator’s own risk assessment.

The main ‘alleviations’ for a non-complex operator are the following:

- The operator may use simple procedures and tools for its safety risk management process (e.g. checklists), and safety performance monitoring and measurement (no need to perform extensive safety studies, surveys, etc.).
- The accountable manager or a person with an operational role in the organisation may fulfil the role of safety manager.
- The organisation does not need to have a safety review board.
- The accountable manager may also be the compliance-monitoring manager if he or she has demonstrated to have the required competence and that the independence of the internal audits is maintained.
- Simple checklists may be used to document compliance monitoring audits and inspections.

Before the operator decides which AMCs to follow, it should demonstrate proper understanding of the risks entailed by its activities. Upon initial implementation of the EASA management system framework, the organisation will normally start describing and analysing its activity and processes, to determine not only how best to implement the management system framework,

but also where to focus the risk management efforts. Not investing in this step will lead to inefficient/costly management system implementation and require subsequent rework.

Such system description and related analysis will be an effective means for identifying hazards proactively. It will also create a baseline for the management of changes and will allow identifying safety performance requirements for safety relevant processes, as well as related performance indicators and controls in order to manage the defined performance goals.

Last updated:
20/12/2017

Link:
https://www.easa.europa.eu/en/faq/20080

Is the European State of the Operator principle for NCC operations in contradiction to the Chicago Convention?

Answer

The standards and recommended practices (SARPs) of ICAO Annex 6, Part II are based on the State of Registry (SoR) principle.

The European rules for NCC operations are based on the State of the Operator (SoO) principle.

This does not constitute a contradiction to the Chicago Convention but rather establishes a complementary safety instrument, particularly when a European operator uses third-country registered aircraft.

The SoR is responsible for the oversight of the aircraft in its registry. The EU SoO is responsible for the oversight of operators having their principal place of business in an EU Member State. Although the EU SoO is the competent authority for the operators having their principal place of business in an EU Member State, the EU SoO and the foreign SoR should cooperate in order to ensure proper oversight of these operators, in compliance with the ICAO requirements.

When the SoR and the SoO are both EU Member States, they oversee the aircraft, as well as the organisations and personnel involved in their operation in a complementary manner and according to the same rules. The European regulatory framework permits both the SoR and the SoO to duly exercise their respective oversight responsibilities and to take the appropriate enforcement actions. Oversight and enforcement are therefore ensured at all times, irrespective of the EU Member State in which the aircraft is registered or where the operations take place. It is at all times legally clear which EU Member State is responsible for each aspect of the safety

oversight of any aircraft registered in an EU Member State and operated by an operator having its principal place of business in an EU Member State acting as SoO.

Last updated:
17/02/2016

Link:
https://www.easa.europa.eu/en/faq/20072

Is a CAMO required for a European NCC operator using a third-country registered aircraft?

Answer

European Implementing rules for continuing airworthiness (EU) 2014/1321 do not apply to **European NCC operators for third-country registered aircraft** unless the regulatory oversight has been delegated to an EU Member State.

In particular, tasks related to the continuing airworthiness management do not need to be implemented by a CAMO in the sense of Regulation (EU) No 1321/2014. However, the essential requirements established in Annex V of Regulation (EU) 2018/1139 (the “Basic Regulation”) must be complied with. For airworthiness, the elements required in Annex V point 6 must be ensured by an organisation as required in point 8.8.

In short, European NCC operators of third-country registered aircraft need to ensure that an organisation is managing the continuing airworthiness of their aircraft and that this organisation is able to demonstrate that the aircraft comply with the continuing airworthiness requirements contained in Annex V of Regulation (EU) 2018/1139 (the "Basic Regulation"). This organisation does not need to be a CAMO; it can be the operator itself or any other organisation or natural person under the responsibility of the operator.

Please also see FAQ 47404.

Last updated:
20/12/2017

Link:
https://www.easa.europa.eu/en/faq/20074

Why are non-commercial operations treated in two Parts, i.e. Part NCC (non-commercial with complex motor-powered aircraft and a Part NCO (non-commercial with other-than-complex motor-powered-aircraft)?

Answer

The rules concerning non-commercial operations are developed separately for complex motor-powered aircraft (MPA) and other-than-complex MPA because it does not make sense to have the same requirements apply to operations with an Airbus 320 for example and a Cessna 172. This way, the principle of proportionality of rules is preserved.

Last updated:
14/02/2014

Link:
https://www.easa.europa.eu/en/faq/19176

Which requirements does an ATO need to follow? Is Part ORO applicable?

Answer

An ATO is required to comply with Part ORA of Regulation (EU) No 1178/2011 and either Part-NCC or Part-NCO of Regulation (EU) No 965/2012, depending on the aircraft being operated. Part-ORO is not applicable to ATOs.

Last updated:
26/05/2014

Link:
https://www.easa.europa.eu/en/faq/19178

What is the meaning of the term NCC?

Answer

NCC stands for non-commercial operations with complex motor-powered aircraft. The term ‘complex motor-powered aircraft’ is defined in the Article 2(1)(d) of Regulation (EU) No 965/2012 on air operations (previously in Reg. (EC) No 216/2008).

Last updated:
20/05/2019

Link:
https://www.easa.europa.eu/en/faq/20069

Which is the competent authority responsible for the oversight of the NCC

operations in Europe?

Answer

NCC.GEN.100 specifies the following: “The competent authority shall be the authority designated by the Member State in which the operator has its principal place of business or is residing”.
This means that the State of the Operator (SoO) designates the competent authority for NCC operators. Here are some examples:

1. For a European NCC operator with aircraft registered in a Member State, the Competent Authority is designated by the State of the Operator.
2. For a European NCC operator with third-country registered aircraft, the Competent Authority is designated by the State of the Operator. These operators may also have to comply with rules of the third-country State of Registry (SoR) if this State has not delegated its responsibilities to the European State of the Operator.
3. For a third-country NCC operator having its principal place of business in a third country and performing operations with aircraft registered in a Member State, the Competent Authority is designated by the State of the Operator (the third country SoO). However, these operators may also have to comply with rules of the EU Member State (State of Registry) related to the aircraft if the State of Registry has not delegated its responsibilities to the State of the Operator.

For cases under (2) and (3), the State of Registry and the State of the Operator need to coordinate their safety and security oversight actions in accordance with ICAO SARPs (3.4.2.1.2 of ICAO Annex 6 Part II).

To avoid interferences with the responsibility of a third-country State of Registry for specific approvals, Part-SPA SPA.GEN.100 specifies that the European competent authority shall not issue operational approvals when they are required by Annex 6 and issued by the third-country State of Registry.

EASA has published a draft Guidance Material (GM) related to this topic, in order to make it easier for declared operators (NCC and SPO) to determine which their competent authority is. The GM can be found in the draft AMC&GM related to Opinion 04/2017, published for information 'draft GM proposed to Annex I Definitions'.

Last updated:
20/05/2019

Link:

https://www.easa.europa.eu/en/faq/20073

Which Annexes of Regulation (EU) No 965/2012 are applicable to NCC operations?

Answer

The following Annexes contain applicable rules for NCC operations:

- Annex I – Definitions
- Annex II – Part-ARO
- Annex III – Part-ORO
- Annex V – Part-SPA
- Annex VI – Part-NCC.

Last updated:
20/11/2015

Link:
https://www.easa.europa.eu/en/faq/20070

May a European NCC or NCO operator use third-country registered aircraft?

Answer

Yes, this is permitted.

Last updated:
05/10/2016

Link:
https://www.easa.europa.eu/en/faq/20071

Which pilot licence is required for flying a third-country registered aircraft in the EU?

Answer

Which pilot licence is required to fly an aircraft registered in a third country?

European pilots, or pilots flying for a European operator, have to hold a European licence irrespective of whether the aircraft is EU-registered or registered in a third country. However,

holding a European licence may not be sufficient to operate an aircraft registered in a third country. The state of registry may apply its own licensing requirements to the operation of aircraft on its register, and these may differ from, or be additional to, those of the EU. Licence holders are responsible for verifying and complying with the requirements of the state of registry before operating such an aircraft.

Aircraft registered in the United States (N-registered aircraft)

Under the FAA's current interpretation of 14 CFR § 61.3(a)(1)(vii), operating an N-registered aircraft with only a Part-FCL licence is permitted solely within the Member State that issued that licence.

From an EU licensing perspective, pilots remain qualified and entitled to exercise the privileges of their licence, rating or certificate (e.g. instructor certificate), and no additional Part-FCL licence endorsement is required.

Therefore, pilots who intend to operate N-registered aircraft outside the Member State that issued their licence should check the applicable FAA requirements before doing so, including whether they need to hold additional authorisation issued by the FAA.

Last updated:
15/10/2026

Link:
https://www.easa.europa.eu/en/faq/20075

Why do European rules require a list of specific approvals?

Answer

Appendix V of the Authority Requirements (Part-ARO) contains a list of specific approvals for non-commercial operations and specialised operations. This list replicates in a proportionate manner the OpSpecs template for CAT operations.

The reasons for this list are to standardise the documentation of specific approvals for non-commercial operators and to support ramp inspectors in their oversight activities.

Last updated:
20/11/2015

Link:
https://www.easa.europa.eu/en/faq/20079

Do the European rules recognise if an operator conforms to European

industry standards?

Answer

The European rule recognises the compliance with European industry standards.

The declaration form specified in the Organisation Requirements (Part-ORO, Appendix 1) requires operators to declare if they conform to an industry standard. Any compliance with a recognised European industry standard should be taken into account by the competent authority when planning and implementing their risk-based oversight activities. The competent authority may adapt its oversight programme, in order to avoid duplication of specific audit items.

This is further described in AMC1 ARO.GEN.305(b);(d);(d1) ‘Oversight programme’ and AMC1 ARO.GEN.305(b);(c);(d);(d1) ‘Oversight programme’.

Last updated:
20/11/2015

Link:
https://www.easa.europa.eu/en/faq/20081

How should I start building my SMS if I have a very small organisation (up to 2-3 persons) and I operate a complex aeroplane or helicopter?

Answer

A good starting point would be to describe your regular operation, the daily business. The description of your operation will give direction to your organisation’s effective SMS and will become its foundation.

This description should simply be a checklist containing the day-to-day activities, as it provides the understanding necessary to identify and manage the risks associated with the operation.

The analysis of your daily operation should consider the following aspects (this list is not exhaustive):

- What is the frequency of your flights?
- What aircraft type(s) do you have in your fleet?
- What are your departure & destination points?
- What is specific to the aerodromes you use?
- Which are the routes on which you fly – more or less the same routes or very different routes?

- Do you carry passengers?
- What type of operation do you perform on those routes? Be as specific as you can.
- Do you have a system that helps you prepare your flight?
- How do you plan and calculate the necessary fuel supply?
- Do you have any specific approvals (e.g., LVO, PBN, etc.)?
- Are your pilots' training and qualifications compliant with the requirements? How about the other employees involved in operation?
- Are the operational procedures and any flight documents current and available to all the personnel involved in operation?
- How do you ensure that the necessary information is communicated to the right persons involved in operation?
- How do you ensure aircraft maintenance?
- What do you do if any of the elements above changes for one reason or another? Are you prepared to cope with that change and minimise its effects in your daily operation? How do you deal with such changes?
- Make sure you include the aspect of disruptive changes in your analysis.
- Have you set up the minimum levels of acceptance to which every key operational activity (e.g. scheduling, planning, flight execution, fuel consumption, training, aircraft maintenance) can go? In other words, have you set up your performance expectations?

The last two questions will lead to the second step in building your SMS:

- What could be the main potential risks associated to each of the elements above – what could go wrong with these daily variables?

Identifying the key elements of risk in this day-to-day operation will help you to spot more easily the strengths and weaknesses in your regular business, the errors, as well as the good practices.

The third step is then to choose/apply adequate mitigation measures to reduce the risks inherent to your daily operation:

- Make a list of solutions to reduce each risk to an acceptable level. Consider to use the Risk register checklist proposed in GM3 ORO.GEN.200(a)(3) for your safety risk management/assessment.

A fourth step is to assess whether the mitigation measures that you have prepared are effective and help you to achieve the required level of safety.

- Keep evidence of any occurrence, identify their cause, and see if they are repetitive and if they have anything in common.
- Find ways to prevent them from reoccurring by addressing the "root cause".
- Check how well your solutions helped in preventing the reoccurrence of that event.

A fifth step ensures that the whole process becomes cyclic, and that you learn from your

previous experience in order to make your operation safer and more efficient.

- Run this check once a year or after an event or change in the aspects mentioned above.

Does this scheme address your needs and help you to have a safe operation?

Last updated:

20/12/2017

Link:

https://www.easa.europa.eu/en/faq/44670

We are an aero-club authorised by Member State X to perform skydiving operations. We operate a non-complex aircraft dry-leased from an operator registered in Member State Y. Our skydivers and the tandem passengers are registered members of the aero-club; there is no profit distributed outside our organisation. Which Parts of Regulation (EU) 965/2012 apply to us? Which is our competent authority?

Answer

As an organisation (aero club) approved under the national legislation of Member State X, the national legislation of State X applies to you, to the skydivers, to the tandem passengers and all other registered members. Reg. (EU) No 1178/2011 on aircrew is not applicable to aero clubs that do not provide training for one of the Part-FCL licences and ratings — LAPL, PPL, CPL or ATPL.

The **operation of the aircraft** must be performed in accordance with Part-NCO of Reg. (EU) No 965/2012 on air operations, as the aircraft you operate is a non-complex aircraft.

The **competent authority** for the oversight of your dry-leased aircraft is the State of registry, that is, the state where your aircraft is registered (see Reg. (EU) No 965/2012, NCO.GEN.100 ‘Competent authority’). However, the competent authority of Member State Y may delegate its oversight tasks to the competent authority of Member State X.

Last updated:

20/12/2017

Link:

https://www.easa.europa.eu/en/faq/44671

Does an NCO operator established in an EU Member State and operating an

aircraft registered in a third country need to comply with the Airworthiness Directives (AD) issued by EASA, in addition to the ADs issued by the State of Registry?

Answer

Reg. (EU) No 965/2012 NCO.GEN.145 point (b) states: 'The operator shall implement […] (b) any relevant mandatory safety information issued by the Agency, including airworthiness directives.'

For NCO operations in the EU of a third country-registered aircraft, only the ADs mandated by the State of Registry apply — not the EASA ADs.

The word 'relevant' in point (b) of NCO.GEN.145 should be understood as 'if applicable' and allows to distinguish the different situation of an aircraft registered in an EASA Member State (ADs issued by EASA are relevant to these aircraft) as opposed to third-country registered aircraft, on which ADs mandated by the third-country State of Registry should be applied (refer to Annex 8 to the Chicago Convention).

It is common that ADs first issued by the State of Design are identically (or very similarly) issued or adopted by all States of Registry concerned. By European law (article 77 of Reg. (EU) 2018/1139, the so-called Basic Regulation (BR)), EASA performs State of Design functions on behalf of the EASA Member States.

Note 1: In accordance with Article 83-bis of the Chicago Convention, if agreed, the country where an aircraft is registered may transfer the oversight functions (including airworthiness) to the country of the aircraft operator. If, in such case, the operator is established or resides in an EASA Member State, EASA ADs are relevant to this aircraft.

Note 2: In accordance with article 77 of the BR, ***aircraft registered in an EASA Member State*** *are required to comply with EASA-issued or adopted ADs. As per ED Decision No. 2/2003, EASA adopts ADs issued by the State of Design unless the Agency decides differently. Read more about ADs applicable to EASA Member State-registered aircraft in the EASA FAQ page on ADs.*

Last updated:
06/03/2019

Link:
https://www.easa.europa.eu/en/faq/79890

Part-SPO

How to distinguish between a ‘commercial’ SPO operator and a ‘non-commercial’ SPO operator?

Answer

‘Commercial’ or ’non-commercial’ operation - Reference: Reg. (EU) No 965/2012 on Air Operations: Article 5

A commercial SPO operator is an operator who performs or intends to perform commercial non-transport operation such as specialised operations by receiving remuneration or other valuable consideration against those services.

Sometimes the distinction between ‘commercial’ and ‘non-commercial’ is not easily evident, especially when the remuneration or another way of compensation is not formalised e.g. a farmer comes with its own aircraft to spray crops to another farmer, against some compensation agreed verbally between the parties.

A clear example of non-commercial SPO operator is a farmer spraying his crops with his plane.

Competent authorities responsible for the oversight of SPO operators and operations should assess carefully each individual case to establish if there is a commercial operation, resorting if necessary to information otherwise available to social security or taxation bodies.

Specialised operations (SPO) are not commercial air transport (CAT) operation; hence, passengers cannot be transported during a SPO mission flight. However, task specialists may be carried during such a flight.

Last updated:
06/06/2017

Link:
https://www.easa.europa.eu/en/faq/22595

Are we a ‘complex’ or ‘non-complex’ operator considering the fact that we have five FTEs and four types of non-complex helicopters?

Answer

Size and complexity of the operator - Reference: Reg. (EU) No 965/2012 on Air Operations:

ORO.GEN.200 (b)

AMC1 ORO.GEN.200 (b) paragraph (a) defines how to assess if an operator is complex or non-complex:

The operator is non-complex if its workforce is less than 20 full time equivalents (FTEs). However, point AMC1 ORO.GEN.200 (b) paragraph (b) indicates that an operator with less than 20 FTEs may also be considered complex if, for example, it performs high-risk commercial SPO or operates in a challenging environment (offshore, mountainous area, etc.).

Prior to sending a declaration an operator should check with the competent authority, if their assessment of complexity is correct.

Last updated:
06/06/2017

Link:
https://www.easa.europa.eu/en/faq/22596

Can I use third-country registered aircraft for my SPO operations?

Answer

Third country registered aircraft - References: Reg. (EU) No 965/2012 on Air Operations; Reg. (EU) No 748/2012 on initial airworthiness

In accordance with ORO.SPO.100 (b), the aircraft used in commercial SPO (SPO-COM) shall have a certificate of airworthiness (CofA) issued by an EU Member State in accordance with Reg. (EU) No 748/2012 or shall be leased-in in accordance with ORO.SPO.100 (c). This means that operators conducting SPO-COM must operate aircraft registered in an EU MS or, alternatively, leased-in aircraft registered outside the EU.

In non-commercial SPO operations (SPO-NCC and SPO-NCO), there is no requirement with regard to the State of registration of aircraft.

For operations, such as parachute dropping, sailplane towing or aerobatic flights with non-complex motor powered aircraft, eligible for the exemption under SPO.GEN.005 (c), there is no requirement with regard to the registration of aircraft either.

Last updated:

06/06/2017

Link:
https://www.easa.europa.eu/en/faq/22597

We operate a helicopter that is Annex II aircraft according to the Basic Regulation. How should we continue to conduct SPO now? Do we need any exemption?

Answer

Annex II aircraft - Reference: Reg. (EU) 2018/1139 (The Basic Regulation): Annex I

The use of Annex I aircraft in SPO activities is not regulated at EU level. You may be allowed to continue carrying out SPO with you Annex I helicopter or aeroplane, if this is permitted under your country national regulation. Please ask your competent authority what conditions apply to SPO operations with Annex I aircraft in your country.

Note, however, that any authorisation or certificate required by your national legislation may not be recognised by other Member States.

Last updated:
21/05/2019

Link:
https://www.easa.europa.eu/en/faq/22598

Why may a SPO operator not carry on board passengers on an aerobatic flight?

Answer

Passengers - Reference: Reg. (EU) No 965/2012 on Air Operations: Article 5(7)

Except for crew members, persons other than those indispensable to the mission shall not be carried on board of flights, which take place immediately before, during or immediately after specialized operations and are directly connected to those operations.

When SPO related rules apply to a flight or a number of flights, passengers (fare paying or not) cannot be carried on board such flights. In some SPO operations, the concept of “passenger” and “task specialist” do blend into each other. Therefore, for regulatory and risk mitigation

purposes persons carried on board are considered task specialists, even if their “task” is to enjoy 0-G flight, a tandem jump, or a looping. The rules call for task specialists to be instructed on their tasks, including the risks connected to those tasks of which they are not sufficiently or at all informed.

If passengers are being transported, the flight has to be performed in accordance with Part-CAT or Part-NCC or Part-NCO, as applicable.

Last updated:
21/05/2019

Link:
https://www.easa.europa.eu/en/faq/22599

Now, thanks to Art. 6 (8) of Reg. (EU) 965/2012, I operate non-commercially a twin turbo-propeller aircraft below 5.7 t MCTOM in accordance with Part-NCO. May I also carry out non-commercial specialised operations with the same aircraft under Part-NCO?

Answer

Twin turboprops at or below 5.7 t MCTOM - Reference: Reg. (EU) No 965/2012 on Air Operations: Article 6(8)

The derogation of Art 6(8) of Regulation 965/2012 does not apply to non-commercial specialised operations or to commercial operations. It is only applicable to ‘pure’ non-commercial operations of complex motor-powered aeroplanes with a maximum certificated take-off mass (MCTOM) at or below 5 700 kg, equipped with turboprop engines. When operating such aircraft the operators shall comply with Part-NCO, instead of Part-NCC and Part-ORO.

Last updated:
06/06/2017

Link:
https://www.easa.europa.eu/en/faq/22600

Is it permissible for me to determine myself whether the operations I

conduct are eligible for the alleviation of SPO.GEN.005 (c)?

Answer

Limited operations - Reference: Reg. (EU) No 965/2012 on air operations: SPO.GEN.005 (c)

The purpose of SPO.GEN.005 (c) is to alleviate certain flights that might otherwise be qualified as commercial (where compliance with Part-SPO is required) to comply with the less demanding rules of Part-NCO.

The operator must check with the competent authority whether the operations it conducts are eligible for the alleviation of SPO.GEN.005 (c). The competent authority makes the final determination.

Last updated:
06/06/2017

Link:
https://www.easa.europa.eu/en/faq/22601

What do the terms ‘marginal activity’, ‘direct cost’, ‘annual cost’ and ‘organisation created with the aim of promoting aerial sport or leisure aviation’ mean?

Answer

‘Marginal activity’, ‘Direct cost’… - Reference: Reg. (EU) No 965/2012 on air operations: SPO.GEN.005 (c)

These terms are used in SPO.GEN.005 (c) as well as in Article 6, paragraph 4a of Reg. (EU) No 965/2012.

Their meaning, in the context of Reg. (EU) No 965/2012, can be found in the guidance material placed under Article 6, paragraph 4a. The same meaning is also applicable for the purpose SPO.GEN.005 (c).

As regards ‘marginal activity’, AMC1 ARO.OPS.300 also applies in the case of parachute dropping, sailplane towing or aerobatic flights. This is because whenever a competent authority publishes criteria specifying to which extent it considers an activity marginal and how this is being overseen, the nature of flight (introductory, parachute dropping, sailplane towing or aerobatic flights) has little importance.

Last updated:
06/06/2017

Link:
https://www.easa.europa.eu/en/faq/22602

Are we high-risk or non-high-risk commercial specialised operator?

Answer

Reference: Reg. (EU) No 965/2012 on air operations: Article 2 (8)
Each competent authority may decide for their territory which commercial SPO operation poses a high risk, in particular to third parties on the ground. If you operate in the Member State where you are residing or your organisation is established or has its principal place of business, this is your competent authority; if you operate in another Member State, this is the competent authority designated by that Member State.
Even if the competent authority has not established its list of high-risk commercial SPO operations, the operator must determine through a risk assessment whether a particular operation is posing high risk to third parties on the ground in the event of an emergency.
The competent authority should publish and regularly update the list of high-risk SPO for their territory.
For more information, please refer to various publications about the high-risk SPO operations in the Member States available on this webpage, including the *Guidelines for cross-border high-risk commercial SPO*.

Last updated:
21/03/2019

Link:
https://www.easa.europa.eu/en/faq/22603

Do I need two authorisations, if the lists of high-risk commercial SPO of different Member States differ?

Answer

Reference: Reg. (EU) No 965/2012 on air operations: ARO.OPS.150 (f)
No, you do not. Where the cross-border SPO operation you are planning to carry out is on the

list of high-risk SPO established by the competent authority of the place of operation, you shall seek authorisation from your own competent authority, irrespective of whether that authority considers this particular operation ‘high risk’ or not. This is because in the EU the HR authorisation issued by your competent authority under Regulation (EU) No 965/2012 is recognised as valid by the competent authority of another Members State.
For that purpose, the competent authorities involved will coordinate the validation process. The safety considerations of the competent authority of the place where the operation will be conducted need to be accounted for; both competent authorities need to be satisfied with the operator’s risk assessment and standard operating procedures - SOPs.
For more information, please refer to various publications about the high-risk SPO operations in the Member States available on this webpage, including the *Guidelines for cross-border high-risk commercial SPO*.

Last updated:
21/03/2019

Link:
https://www.easa.europa.eu/en/faq/22604

What is the meaning of "applicable national flight time limitation legislation" in Article 8 (4) of regulation 965/2012?

Answer

Cross-border commercial SPO - Reference: Reg. (EU) No 965/2012 on air operations: Art. 8(4)

Article 8 (4) of Regulation 965/2012 foresees that specialised operators continue to comply with applicable national flight time limitation legislation until EU implementing rules are adopted and apply.

In the context of Part-SPO, the intent of ‘applicable national flight time limitation legislation’ with regard to specialised operators is understood to mean the national law of the Member State in which the operator has its principal place of business, or, where the operator has no principal place of business, the place where the operator is established or resides.

Last updated:
06/06/2017

Link:
https://www.easa.europa.eu/en/faq/22605

My SPO operations fall under Part-SPO. What type of certification shall I expect from my competent authority – AOC or other type?

Answer

AOC or other certification - Reference: Reg. (EU) No 965/2012 on air operations: Part-ORO and Part-SPO

You are not required to obtain an air operator certificate (AOC). You are however required to submit a declaration to your competent authority. Please make sure that the Declaration is properly completed.

In addition, depending on the operations you conduct, you might need a specific approval for one or more of these: RVSM, MNPS, RNP AR APCH, LVO and DG.

In some cases of high-risk commercial SPO, an authorisation may be required.

Last updated:
06/06/2017

Link:
https://www.easa.europa.eu/en/faq/22606

Who must submit a declaration?

Answer

Declaration - Reference: Reg. (EU) No 965/2012 on air operations: ORO.DEC.100

Every SPO operator (commercial and non-commercial), except NCO-SPO, submits a declaration.

An operator may perform both commercial and non-commercial flights with complex motor-powered aircraft based on one declaration.

Operators are not required to submit a declaration before each flight, but must submit a new declaration in the case of changes.

Last updated:
06/06/2017

Link:
https://www.easa.europa.eu/en/faq/22607

Is the skydiving activity itself under the scope of Regulation (EU) No 965/2012?

Answer

Skydiving/parachute dropping

Parachutes are completely outside Regulation (EU) 2018/1139 (the Basic Regulation), on account that they are not an aircraft.

In addition, the way people do skydiving (parachute jumps/tandem jumps) does not belong to the scope of Regulation 965/2012.

Regulation (EU) No 965/2012 applies to the flight operation of bringing parachutists at the required level for the execution of the jumps.

Last updated:
30/04/2019

Link:
https://www.easa.europa.eu/en/faq/22608

Can I fly an aeroplane for commercial parachute dropping operation with my PPL (A)?

Answer

Parachute dropping - Reference: Reg. (EU) No 965/2012 on air operations: Art. 6(4a); Regulation (EU) No 1178/2011 on Aircrew: Art. 3(2)

The holder of an LAPL or a PPL may conduct parachute-dropping flights, only if the conditions stipulated in Art 6 (4a) of Reg. (EU) No 965/2012 are met.

In all other cases, only pilots who hold at least a CPL can conduct SPO flights in accordance with Part-SPO.

Holders of a PPL (A) with instructor/examiner ratings may receive remuneration for providing training, testing and checking related to LAPL (A) and PPL (A), as well as associated ratings and certificates.

The PPL holder cannot receive remuneration for conducting operations other than those listed in FCL.205.A of Reg. (EU) No 1178/2011, as well as for any of the flights mentioned in Article 6 (4a) of Reg. (EU) No 965/2012.

Last updated:
06/06/2017

Link:
https://www.easa.europa.eu/en/faq/22609

Is 'MOPSC' (Maximum Operational Passenger Seating Configuration') applicable in case of parachute dropping, where only task specialists are carried?

Answer

MOPSC - Reference: Reg. (EU) No 965/2012 on air operations: SPO.IDE.A.130

For the purpose of SPO.IDE.A.130, only one of the two values is used: either MCTOM of more than 5 700 kg or MOPSC of more than nine.

MOPSC is established for operational purposes. Where MOPSC is not established or is not relevant for a particular operation, the value of MCTOM should be used.

Last updated:
06/06/2017

Link:
https://www.easa.europa.eu/en/faq/22610

How is a ramp inspector supposed to know the nature of a particular SPO flight (commercial or non-commercial)?

Answer

Declaration - Reference: Reg. (EU) No 965/2012 on air operations: ORO.DEC.100

A declaration is not meant to provide information about the nature of a flight at a particular moment. The ATS flight plan, if applicable, and/or the Journey log contain information on the nature of a particular flight.

Last updated:
06/06/2017

Link:
https://www.easa.europa.eu/en/faq/22611

If I hold an AOC and want to perform SPO activities (commercial and non-commercial) with the same aircraft registered on my AOC, do I have to submit a declaration too?

Answer

Mixed operations - Reference: Reg. (EU) No 965/2012 on air operations: ORO.DEC.100

Yes. SPO operations are not covered by the AOC certification process. Therefore, an AOC holder when conducting SPO missions will have to comply fully with Part-SPO and its associated procedures. This means that the AOC holder must submit a declaration, as well as apply for a high-risk authorisation, if it performs high-risk commercial SPO activities. The aircraft used for the SPO activities are listed on the declaration and in the operations manual.

However, you do not have to submit a declaration, if you operate NCO-SPO i.e. non-commercial specialised operations with other-than complex motor-powered aircraft.

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Link:
https://www.easa.europa.eu/en/faq/22612

Must an operator holding specific approvals (SPAs) for its CAT operations apply for the same SPAs when it also conducts specialised operations?

Answer

Specific approvals (SPA) for mixed operations - Reference: Reg. (EU) No 965/2012 on air operations: ARO.OPS.200(b)

Duplications should be avoided whenever possible. However, a separate SPA approval might

be needed if:

(a) for its specialised operations the operator has a different training programme or has different operating procedures;

(b) the validity of the SPA included in the OPSSPECS has expired; or

(c) for its specialised operations the operator will use aircraft that are not included in its AOC and for which it does not have any SPA yet.

The operator does not have to duplicate in its operations manuals the procedures and training for the SPA used for SPO when they are the same as the ones used for CAT operations; a cross-reference, specified in its operations manual, to the place where the training and operating procedures are already detailed, is enough.

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06/06/2017

Link:

https://www.easa.europa.eu/en/faq/22613

Is it allowed to perform specialised operations with a permit-to-fly or is a CofA mandatory at all times?

Answer

Permit-to-fly - Reference: Reg. (EU) No 965/2012: ORO.SPO.100 (b); SPO.GEN.140; and NCO.GEN.135

Aircraft used in commercial specialised operations that fall under Part-SPO, must have a certificate of airworthiness (CofA) in accordance with Regulation (EU) No 748/2012 or may be wet leased-in from a third country operator or dry leased-in by an EU operator while being registered in a third country.

For commercial specialised operations as well as for any other specialised operation that fall under Part-SPO, the original certificate of airworthiness (CofA) need to be carried on each SPO flight (SPO.GEN.140 (a) (3)).

According to AMC1 SPO.GEN.140(a)(3) a permit to fly may (PtF) be used in SPO operations, if issued in accordance with the applicable airworthiness requirements and subject to compliance with the flight conditions established by the competent authority.

The applicable airworthiness requirements are those contained in Commission Regulation (EU) No 748/2012 (Part-21 thereof). Part-21 contains a list of purposes for which a PtF may be

issued under certain conditions. For example, a mission for air racing may be possible with PtF. Please check with your competent authority if the purpose of the SPO mission complies with that list and those conditions.

For non-commercial specialised operations falling under Part-NCO, NCO.GEN.135 (a) (3) requires the original certificate of airworthiness (CofA) be carried on each flight.

According to AMC1 NCO.GEN.135 (a) (3) a PtF may be used in NCO operations, if issued in accordance with the applicable airworthiness requirements and subject to compliance with the flight conditions established by the competent authority.

The applicable airworthiness requirements are those contained in Part-21. Part-21 contains a list of purposes for which a PtF may be issued under certain conditions. For example, a non-commercial flying activity on individual non-complex aircraft or types for which a certificate of airworthiness or restricted certificate of airworthiness is not appropriate (mainly, but not limited to, the so-called ‘orphan’ aircraft) may be possible with PtF. Please check with your competent authority if the purpose of the SPO mission complies with that list and those conditions.

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06/06/2017

Link:
https://www.easa.europa.eu/en/faq/22614

Can we integrate the processes for a permission under Part-SERA and with high-risk authorisation (HRA) under Part-ARO?

Answer

Yes, it is possible, but this decision belongs to the competent authority. Competent authorities may, for example, consider the following option:

- for flights over the congested areas of cities, towns or settlements or over an open-air assembly of persons, issuing only HRA. If such flights are to be operated below 300m, the HRA may integrate the permission under Part-SERA, without a separate procedure; and
- for flights elsewhere and not over an open-air assembly of persons,
  - below 150 m, issuing permission under Part-SERA only. This permission may integrate potential risks under Part-SPO;
  - above 150 m, requiring neither HRA nor permission.

Last updated:

18/12/2018

Link:
https://www.easa.europa.eu/en/faq/68109

Can we integrate the processes for a permission under Part-SERA and with high-risk authorisation (HRA) under Part-ARO?

Answer

Yes, it is possible, but this decision belongs to the competent authority. Competent authorities may, for example, consider the following option:

- for flights over the congested areas of cities, towns or settlements or over an open-air assembly of persons, issuing only HRA. If such flights are to be operated below 300m, the HRA may integrate the permission under Part-SERA, without a separate procedure; and
- for flights elsewhere and not over an open-air assembly of persons,
  - below 150 m, issuing permission under Part-SERA only. This permission may integrate potential risks under Part-SPO;
  - above 150 m, requiring neither HRA nor permission.

Last updated:
21/05/2019

Link:
https://www.easa.europa.eu/en/faq/97764

Can I carry out ‘limited operations’ with aircraft having FC/PtF for NCO ?

Answer

Reference: Reg. (EU) No 965/2012 on air operations, Article 6 (4a) and SPO.GEN.005(c)

The term ‘Limited operations’ (used in Regulation (EU) No 2015/1536) refers to certain specialised operations of other-than-complex motor-powered aircraft (SPO-NCO), such as competition flights, flying displays, parachute dropping, sailplane towing and aerobatic flights. Under strict conditions specified in Article 6 (4a) and SPO.GEN.005(c) of Reg. (EU) No 965/2012, those operations may be conducted in accordance with Part-NCO, and in particular subpart E thereof.

AMC1 NCO.GEN.135 (a) (3) specifies that an aircraft may be operated with a permit to fly issued in accordance with the applicable airworthiness requirements.

Thus, in the case of aircraft registered in an EU Member State and used in SPO-NCO, the permit to fly (PtF) is issued in accordance with Commission Regulation (EU) 748/2012 (Part-21 thereof) depending of the purpose.

If the above conditions are met, it is possible to perform the so called ‘Limited operations’ under Part-NCO and its subpart E as long as the aircraft have a PtF for non-commercial flying under Part-21 and the operation is compatible with or is covered by the corresponding flight conditions (FC).

For aircraft registered in a third country, the same applies, except that the PtF/FC must be issued in accordance with that third country legislation.

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21/05/2019

Link:
https://www.easa.europa.eu/en/faq/97765

Does Regulation (EU) No 965/2012 also apply to third-country operators that conduct specialised operations in an EU Member State?

Answer

Third country operators – non-EU countries and non-EEE countries - Reference: Reg. (EU) No 965/2012 on air operations

Specialised operations (SPO) performed by third-country operators into, within, or out of the EASA Member States are not subject to Regulation (EU) No 965/2012 (Part-SPO) or Commission Regulation (EU) No 452/2014 (Part-TCO), unless conducted under an approved wet lease-in agreement signed by an EU commercial SPO operator (ORO.SPO.100). For stand-alone third-country SPO, EU law does not require prior safety authorisation for such operations, however those operations (and their aircrew and aircraft) must comply, as per Article 59 of Regulation (EU) 2018/1139, with the applicable ICAO standard – or to the extent that there are no such standards with the essential requirements of the above-mentioned Regulation – as well as EU requirements regarding use of the airspace when operating in the Single European Sky.

In addition, in case the aircraft performing such operations is registered in an EASA Member State, the crew must comply with the EU aircrew requirements, unless responsibilities for the regulatory oversight of the aircraft has been transferred by the EASA Member State to the third country concerned. For further details concerning conditions for conducting SPO by a TCO in EASA Member States, including eventual need for obtaining permits for conducting this type of

professional activity, please contact the Member State of the intended operations, as EASA is not responsible for oversight of these type of operations.

Last updated:
06/05/2021

Link:
https://www.easa.europa.eu/en/faq/22615

Helicopter operations

Do additional equipment for HEC (ropes, harnesses) now require an airworthiness approval?

Answer

Reference: AMC1 SPO.SPEC.HEC.100

AMC3 27.865; AMC3 29.865

The deletion of paragraph (c)(3) of AMC1 SPO.SPEC.HEC.100 was made in anticipation of a change in SPO.SPEC.HEC.105, as proposed in Opinion 04/2017. Paragraph (c)(3) was identical to the current paragraph (c)(3) of AMC1 SPO.SPEC.HESLO.100.

The proposed changes in the rules are consistent with the current certification memorandum on Personnel carrying device systems (PCDS) and also consistent with the latest amendments to CS 27/29, by not requiring airworthiness approvals for simple PCDS.

Ropes, nets and harnesses may still be manufactured according to officially recognised standards. The acceptable means of compliance no longer explicitly says so, but the situation hasn’t changed.

Last updated:
12/10/2018

Link:
https://www.easa.europa.eu/en/faq/48795

How do I train the pilots if I plan to operate HEC with a video camera and no

mirrors / bubble window?

Answer

Reference: SPO.SPEC.HEC.105; AMC1 SPO.SPEC.HEC.100, paragraph (d)(5)(i)(C)

You use the camera during HEC training. You don't need to install a mirror or bubble window for the training unless you plan to operate with them. The AMC doesn't override the rule.

Last updated:
12/10/2018

Link:
https://www.easa.europa.eu/en/faq/48796

Which standards are applicable to Helicopter terrain awareness systems (HTAWS)?

Answer

Reference: SPA.HOFO.160(c)

HTAWS are currently mandated under SPA.HOFO.160(c), which requires HTAWS to 'meet the requirements for class A equipment as specified in an acceptable standard'.

The only defined standards for H-TAWS are TSO-C194 and ETSO-C194, which both refer to Radio Technical Commission for Aeronautics (RTCA) document DO-309. Any H-TAWS meeting these standards, or coming with improved features, is acceptable.

UK CAP 1519 specifications are considered to introduce improvements to the existing standards. They are designed to reduce false warnings. They also introduce Helicopter Flight Envelope Warnings (H-FEWs) in addition to basic HTAWS functions. A CAP 1519 compliant HTAWS is therefore acceptable.

The HTAWS rulemaking task (RMT.708) may change the requirements for HTAWS in the future.

Last updated:
12/10/2018

Link:
https://www.easa.europa.eu/en/faq/48797

Special Categories of Passengers (SCPs)

Who is an SCP?

Answer

References: Regulation (EC) No 1107/2006 is available on EUR-Lex website. Regulation (EU) No 965/2012 and Regulation (EU) 2018/1139 and the study EASA 2008.C.25 are available on EASA website.

SCPs are passengers who, when carried on a flight, require special conditions, assistance and/or devices and their situation needs appropriate attention and adaptation to their particular needs. These passengers shall not be allocated, nor occupy, seats that permit direct access to emergency exits or where their presence could impede crew members in their duties, obstruct access to emergency equipment or impede evacuation of the aircraft.

Under the EU law, aircraft operators are ultimately responsible for the safe operation of the aircraft and for the safety of passengers on board. Regulation (EU) No 965/2012 on air operations mandates the operator (airline) to establish procedures for its air operation. The operator's procedures, and the operator's activities overall, are under the oversight of the Competent Authority (CA) of the individual EU Member State. The CA has the necessary powers and allocated responsibilities for the certification and oversight of persons and organisations subject to Regulation (EU) 2018/1139 and its implementing rules.

The EU rule on SCPs states the following:

CAT.OP.MPA.155 Carriage of special categories of passengers (SCPs)

Regulation (EU) No 965/2012

(a) Persons requiring special conditions, assistance and/or devices when carried on a flight shall be considered as SCPs including at least:

  (1) persons with reduced mobility (PRMs) who, without prejudice to Regulation (EC) No 1107/2006, are understood to be any person whose mobility is reduced due to any physical disability, sensory or locomotory, permanent or temporary, intellectual disability or impairment, any other cause of disability, or age;

  (2) infants and unaccompanied children; and

  (3) deportees, inadmissible passengers or prisoners in custody.

(b) SCPs shall be carried under conditions that ensure the safety of the aircraft and its occupants according to procedures established by the operator.

(c) SCPs shall not be allocated, nor occupy, seats that permit direct access to emergency exits or where their presence could:

  (1) impede crew members in their duties;

  (2) obstruct access to emergency equipment; or

  (3) impede the emergency evacuation of the aircraft.

(d) The commander shall be notified in advance when SCPs are to be carried on board.

The rule is complemented by Acceptable Means of Compliance (AMC) and Guidance Material

(GM) which address aspects such as the factors the operator should take into account when establishing procedures for carriage of SCPs, information provided to SCPs, conditions for safe carriage of unaccompanied children, a passenger capable of assisting in case of an emergency, seating allocation, etc. The EU provisions are available on EASA website (the link 'Easy Access Rules for Air Operations' contains the rule and the AMCs and GMs in one document):
https://www.easa.europa.eu/regulations#regulations-air-operations

The rules for air operations on SCPs have been developed under the EASA rulemaking tasks RMT.0269/0270 involving a rulemaking group. The track of this rulemaking activity is available on EASA website:

Terms of Reference (ToR) MDM.072 (a) & (b) (RMT.0269 & RMT.0270):
https://www.easa.europa.eu/document-library/terms-of-reference-and-group-compositions/tor-mdm072-b-rmt0269-rmt0270

Notice of Proposed Amendment NPA 2014-01
https://www.easa.europa.eu/document-library/rulemaking-subjects/carriage-special-categories-passengers-scps

Comment Response Document CRD 2014-01
https://www.easa.europa.eu/document-library/comment-response-documents/crd-2014-01

ED Decision 2016/004/R
https://www.easa.europa.eu/document-library/agency-decisions/ed-decision-2016004r

Study on Carriage by Air of Special Categories of Passengers (SCPs), EASA 2008.C.25:
https://www.easa.europa.eu/document-library/research-projects/easa2008c25

Additional information
Regulation (EU) 2018/1139 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency specifies the mandate entrusted to EASA by the European Parliament and by the Council:
https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32018R1139

Regulation (EC) No 1107/2006 of the European Parliament and of the Council contains the European provisions on rights of disabled persons and persons with reduced mobility (PRMs) when travelling by air: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:l24132 . Questions on this regulation should be addressed to the European Commission.

Last updated:
04/11/2019

Link:
https://www.easa.europa.eu/en/faq/105660

I am tall or have other circumstances. Do I belong to the group of SCPs?

Answer

References: Regulation (EC) No 1107/2006 is available on EUR-Lex website. Regulation (EU) No 965/2012 and the study EASA 2008.C.25 are available on EASA website.

Regulation (EC) No 1107/2006 of the European Parliament and of the Council on rights of disabled persons and persons with reduced mobility (PRMs) when travelling by air does not include the height of an individual in the definition of 'disability or a person with reduced mobility'. Hence, the EU rules on air operations - Regulation (EU) No 965/2012 - do not include a height of an individual (i.e. a tall passenger) in the 'special categories of passengers (SCPs)'.

Air operators are free to order from an aircraft manufacturer an aircraft cabin/seat configuration they wish, provided that such cabin/seat configuration meets the certification safety requirements. The space between seat rows (so-called 'seat-pitch') is a matter of aircraft certification process*. *Questions on aircraft certification matters should be addressed to EASA Certification Directorate.

EASA has conducted a study on Carriage by air of special categories of passengers, reference EASA 2008.C.25, which, amongst others, concludes that aircraft designers must take into account the increasing percentage of tall passengers. https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32018R1139

There may be passengers who do not fall into the category specified by the EU regulations on PRMs and SCPs referenced above, however they may have certain individual circumstances where intervention of the air operator or the Competent Authority may be beneficial or required. Most airlines offer various forms of assistance to passengers with certain requirements. For example, persons suffering from certain specific allergies (not necessarily food-related) are not considered disabled and do not fall into the SCP category either. However, passengers with any such circumstances may contact the operator, or the Competent Authority, to seek a solution prior to their travel.

Last updated:
04/11/2019

Link:
https://www.easa.europa.eu/en/faq/105661