European Union Aviation Safety Agency

Applicability

Is a TCO authorisation issued by EASA required to perform commercial air transport operations to the United Kingdom?

Answer

No. As a result of the decision of the United Kingdom to leave the European Union, foreign air operators are no longer required to hold an EASA TCO authorisation to operate to the United Kingdom and EASA does no longer have a mandate to issue authorisations for this purpose.

For further information, you may wish to contact the UK Civil Aviation Authority via TCO [at] caa.co.uk (e-mail) to enquire on UK TCO related issues.

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14/03/2023

Link:
https://www.easa.europa.eu/en/faq/122935

We run a helicopter operation and are contracted for aerial work in the EU. Do I have to apply for a TCO Authorisation?

Answer

No. Special operations, such as aerial work is outside the scope of TCO authorisation. For activities which do not fall under commercial air transport, as covered in ICAO Annex 6, third country operators must apply for permission with the concerned Member State.

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14/03/2023

Link:
https://www.easa.europa.eu/en/faq/19553

Our operation is currently subject to an operating ban in accordance with the EU Air Safety List (Reg. (EC) No 2111/2005). Can we nevertheless apply for a TCO authorisation?

Answer

Operators that are subject to an operating ban or restriction in accordance with Reg. (EC) No 2111/2005 are eligible to apply for a TCO authorisation. The authorisation process will require an audit to be performed at the operational premises of the operator. Once EASA has finished its assessment, it will present the results to the European Commission for consideration. EASA cannot issue an authorisation until the European Commission has lifted the operating ban under the Air Safety List Regulation (EC) No 2111/2005. Note: When the operator is subject to an operating ban due to the State of the Operator not performing adequate oversight, EASA must coordinate with the European Commission before processing the application for a TCO authorisation (ART.205).

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Link:
https://www.easa.europa.eu/en/faq/19554

We are a non-EU AOC holder with no plans to fly commercially to the EU. However, our maintenance facility is located in the EU. Do I need a TCO authorisation when flying there?

Answer

No – as long as these flights to-and-from the maintenance facility are non-commercial (ferry flights). These flights shall be designated a non-commercial (General Aviation) flights in the ATS flight plan (GM1 TCO.100).

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Link:
https://www.easa.europa.eu/en/faq/19552

How will the provisions on code-sharing that are laid down in the EU Rules for Air Operations interact with Part-TCO?

Answer

In order to comply with the code-sharing requirements of Regulation (EU) No. 965/2012, it is

not sufficient to hold only a TCO authorisation. Code-share provisions apply in addition to the requirements of Part-TCO. Therefore, a third-country operator who shares codes with an EU carrier will be subject to both sets of requirements and their related AMC [ORO.AOC.115/ARO.OPS.105]. In practice, the third-country operator will be obliged to undergo comprehensive audits for the initial and continuous verification of compliance with the applicable ICAO Standards [AMC1 ORO.AOC.115(a)]. The audits can be performed either by the EU operator itself, or by a third-party provider [AMC2 ORO.AOC.115(b)], which includes the possibility of using industry standards such as IOSA. The audit will focus on the operational, management and control systems of the TCO [AMC1 ORO.AOC.115(a)(1)]. Ensuring that the code-sharing third-country operator continues to comply with the applicable ICAO Standards, will be achieved through a code-share audit programme [AMC1 ORO.AOC.115(b)].

A third country operator that does not intend to perform flights under its own AOC to aerodromes located in an EU territory is not required to hold a TCO authorisation when entering into a code-share agreement with an EU operator (GM1 TCO.100).

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Link:

https://www.easa.europa.eu/en/faq/19539

Leasing scenario 1. We plan to wet lease-out one of our aircraft to an EU operator. The operations will be performed under our own AOC, with our crew and under our full operational responsibility. Do we need a TCO authorisation?

Answer

Yes. A third country operator that leases out aircraft under a wet-lease agreement falls within the scope of TCO.100 and is required to hold a TCO authorisation for aircraft under its air operator certificate (AOC) that are used to fly to the territory subject to the provisions of the Treaties (GM1 TCO.100).

In addition to this, you will need to comply with the European requirements for leasing as laid down in Reg. (EC) No 965/2012.

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Link:

https://www.easa.europa.eu/en/faq/19555

Leasing, scenario 2. Could you specify if the lessor must have a TCO authorisation in the following situation? A third country operator (lessee) uses an aircraft wet leased-in from a non-EU carrier operating flights under the AOC of the lessor, using the flight number of the third-country operator.

Answer

The lessor (non-EU carrier) needs a TCO authorisation (GM1 TCO.100).

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Link:

https://www.easa.europa.eu/en/faq/19557

Leasing, scenario 3. Could you specify if the lessor must have a TCO authorisation in the following situation? A third country operator (lessee) uses an aircraft for commercial air transport operations to the EU that is dry leased-in from another non-EU or EU operator (lessor).

Answer

No. The aircraft lessor does not need a TCO authorisation, but the third country operator (lessee) must hold a TCO authorisation. Rule of thumb: it is always the operating carrier that performs flights under its responsibility with aircraft under its AOC that needs a TCO authorisation (GM1 TCO.100).

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Link:

https://www.easa.europa.eu/en/faq/19558

Leasing, scenario 4. Please specify which of the two operators must have a TCO authorisation in the following situation: A third country operator (lessee) uses an aircraft wet leased-in from an EU carrier (lessor) operating flights to the EU under the AOC of the lessor, and using the flight number of

the third-country operator.

Answer

Neither the lessee (TCO) nor the lessor (EU carrier) need a TCO authorisation, because the flights are performed under the responsibility of an operator that does not fall under the definition of a third country operator (GM1 TCO.100).

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Link:
https://www.easa.europa.eu/en/faq/19556

Which EU operating rules are applicable to third country operators?

Answer

(TCO.200) Third country operators intending to perform commercial air transport operations (into, out or within the EU) are subject to Part-TCO. In addition, they must comply with the Standardised European Rules of the Air (SERA) and Airspace Usage Requirements (AUR). The State Aeronautical Information Publication (AIP), the Single European Sky (SES) implementing rules and in particular the Interoperability rules also apply. There are also other Regulations under the responsibility of the European Commission that need to be followed, including:

- Commission Implementing Regulation (EU) No 1206/2011 of 22 November 2011 (requirements on aircraft identification for surveillance for the Single European Sky), as amended by Regulation (EU) 2020/587
- Commission Implementing Regulation (EU) No 1207/2011 of 22 November 2011 (requirements for the performance and the interoperability of surveillance for the single European sky), as amended by Regulation (EU) No 1028/2014, Regulation (EU) 2017/386, Regulation (EU) 2020/587 and Regulation (EU) 2022/2;
- Commission Regulation (EC) No 29/2009 of 16 January 2009 (requirements on data-link services for the single European sky), as amended by Regulation (EU) No 441/2014, Regulation (EU) No 2015/310, Regulation (EU) 2019/1170 and Regulation (EU) No 2020/208;
- Commission Decision (EU) 2019/2012 of 29 November 2019 (exemptions on data link services requirements);
- Commission Implementing Regulation (EC) No 1079/2012 of 16 November 2012 (requirements on air ground voice channel spacing for the single European sky), as

amended by Regulation (EU) No 657/2013, Regulation (EU) 2016/2345 and Regulation (EU) 2017/2160;

- Commission Regulation (EC) No 1332/2011 of 16 December 2011 (common airspace usage requirements and operating procedures for airborne collision avoidance) [ACAS II 7.1], as amended by Regulation (EU) 2016/583.

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Link:

https://www.easa.europa.eu/en/faq/19559

Do AOC holders certified by an EASA Member State need to apply for a TCO authorisation?

Answer

No. AOC holders certified by an EU Member State or an associated State (Iceland, Liechtenstein, Norway, Switzerland) do not require a TCO authorisation (Article 2 of TCO Regulation (EU) No 452/2014).

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14/03/2023

Link:

https://www.easa.europa.eu/en/faq/19590

Are there any territories related to the EU to which a third country operator can fly without holding a TCO authorisation?

Answer

A third country operator can fly to the following territories without holding a TCO authorisation:

- Greenland and Faroe Islands
- French Polynesia
- French Southern & Antarctic Territories
- New Caledonia and Dependencies
- Wallis and Futuna Islands
- Saint Pierre and Miquelon
- Aruba
- Bonaire

- Curaçao
- Saba
- Saint-Barthélemy
- Saint Eustatius
- Sint Maarten (part of the island that forms part of the Kingdom of the Netherlands)

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Link:
https://www.easa.europa.eu/en/faq/19593

Will the TCO authorisation cover the transport of forbidden Dangerous Goods?

Answer

The TCO authorisation does not cover the transport of forbidden DGs. Exemptions issued by each of the concerned states in accordance with paragraph 4.2 of Annex 18 to the Chicago Convention are required for this operation.

Last updated:
18/12/2019

Link:
https://www.easa.europa.eu/en/faq/21340

For a flight requiring diplomatic clearance, does it need to be performed under a TCO authorisation?

Answer

A flight that has been arranged by means of a diplomatic clearance does not fall under the scope of TCO.100 and does not require a TCO authorisation (GM1 TCO.100).

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Link:
https://www.easa.europa.eu/en/faq/21865

My principle place of business (POB) is in an EU overseas territory which is

not listed in the scope of Commission Regulation (EU) No 452/2014. Do I need a TCO authorisation to fly to territories which are in the scope of Commission Regulation (EU) 452/2014 ?

Answer

Yes a TCO authorisation is required, if your principle place of business (POB) is in one of the following territories (i.e. an EU overseas territory which is not listed in the scope of Commission Regulation (EU) No 452/2014), unless your air operator certificate has been issued by an EASA Member State (Article 2(4) of TCO Regulation (EU) No 452/2014.

- Greenland and Faroe Islands
- French Polynesia
- French Southern & Antarctic Territories
- New Caledonia and Dependencies
- Wallis and Futuna Islands
- Saint Pierre and Miquelon
- Aruba
- Bonaire
- Curaçao
- Saba
- Saint-Barthélemy
- Saint Eustatius
- Sint Maarten (part of the island that forms part of the Kingdom of the Netherlands)

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Link:
https://www.easa.europa.eu/en/faq/19594

Is a TCO authorisation required by Business Aviation Operators?

Answer

Generally, yes. If you perform commercial air transport under an Air Operator Certificate (AOC) (operating aircraft for hire to transport passengers, cargo or mail) (e.g. under U.S. 14 CFR Part 135) then a TCO authorisation is required. If you file flight plans using the flight types “N” or “S” then you are conducting commercial air transport operations and must hold a TCO authorisation issued by EASA in order to operate to EU territories.

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Link:
https://www.easa.europa.eu/en/faq/19544

We are a U.S. 14 CFR Part 91 operator. Are we subject to a TCO authorisation?

Answer

For operations performed strictly within the classification of Part-91, EASA does not require an authorisation under Part-TCO. These flights shall be designated a non-commercial (General Aviation) flight in the ATS flight plan.

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Link:
https://www.easa.europa.eu/en/faq/19546

We are a U.S. 14 CFR Part 125 Operator. Do we need a TCO authorisation issued by EASA for operations to EU territories?

Answer

U.S. 14 CFR Part 125 Operators are not eligible to apply for a TCO authorisation. An FAA Part 125 Operating Certificate is not an Air Operator Certificate (AOC) as defined in ICAO Annex 6, Part I. An ICAO-compliant AOC is required for commercial air transport operations to EU territories. United States 14 CFR Part 125 Operators may conduct non-commercial, general aviation flights to EU territories in line with provisions stipulated in the AIP of the State of destination. Make sure the type of flight is correctly denoted in item no. 8 of the ATS flight plan (‘G’ for general aviation).

Last updated:
23/11/2016

Link:
https://www.easa.europa.eu/en/faq/21597

I plan to overfly EU territories without intending to land. Is a TCO authorisation required?

Answer

No. A TCO authorisation is only required for intended landings in EU territories.

Last updated:
23/11/2016

Link:
https://www.easa.europa.eu/en/faq/19547

I plan a technical fuel stop in EU territories. Is a TCO authorisation required?

Answer

Yes. The intended use of an aerodrome located in the territory subject to the provisions of the Treaties as a technical stop (e.g. for the purpose of refuelling or crew change) as part of a Commercial Air Transport operation falls within the scope of TCO.100 and requires a TCO authorisation (GM1 TCO.100).TCO authorisation

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Link:
https://www.easa.europa.eu/en/faq/19548

I plan to fly from a non-EU departure airport to a non-EU destination airport and I intend to file a destination alternate airport in the territory of an EASA Member State. Can I do this without holding a TCO authorisation?

Answer

Yes. The selection and use of an aerodrome located in the territory subject to the provisions of the Treaties as an alternate aerodrome for the case of an in-flight diversion does not fall within the scope of TCO.100 and does not require a TCO authorisation. An in-flight diversion may become necessary out of safety considerations on a flight that was initially intended to serve an aerodrome outside the EU (GM1 TCO.100).

After landing at the EU aerodrome, it is permissible for the aircraft to leave the EU to the planned destination or to any other aerodrome outside the EU with the passengers and/or cargo on board. The operator shall however not unload any cargo or passengers at the EU aerodrome and shall not take any additional payload on board.

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03/01/2024

Link:
https://www.easa.europa.eu/en/faq/19549

We are a U.S. 14 CFR Part 135 operator. Do I need to hold an authorisation if I intend flying commercially to Europe?

Answer

Yes. Part-TCO is fully applicable to flights conducted under an U.S. 14 CFR Part 135 certificate. Note: The international standards laid down in the ICAO Annexes exceed the requirements of U.S. 14 CFR Part 135 in several aspects, including but not limited to crew training requirements and the implementation of Safety Management Systems.

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Link:
https://www.easa.europa.eu/en/faq/19550

Do non-scheduled charter operators need a TCO authorisation?

Answer

Yes. The TCO authorisation TCO Regulation (EU) No 452/2014 does not differentiate between scheduled and non-scheduled commercial air transport operations. All operators that engage in commercial air transport need to apply for a TCO authorisation.

For air ambulance flights and other urgent flights performed in the public interest where the urgency of the mission justifies bypassing the regular TCO assessment process (e.g. humanitarian missions or disaster relief operations), please consult the section for “One-off” notification flights pursuant to article TCO.305.

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Link:
https://www.easa.europa.eu/en/faq/19551