European Union Aviation Safety Agency

FAQ n.44671

FAQs:

Part-NCC/NCO, Air Operations, Regulations

Question:

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.

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Link:

https://www.easa.europa.eu/en/faq/44671