

**Draft Annex**  
**to draft Commission Implementing Regulation (EU) .../...**  
**amending Commission Regulation (EU) 2015/640 as regards the introduction of new additional**  
**airworthiness requirements**

Annex I (Part-26) to Regulation (EU) 2015/640 is amended as follows:

(1) the table of contents is replaced by the following:

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#### SUBPART C — HELICOPTERS

- 26.400 Fire extinguishers
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- 26.435 Automatic deployment of an emergency flotation system

Appendix 1 — List of aeroplane models not subject to certain provisions of Annex I (Part-26)';

- (2) point 26.157 is replaced by the following:

**‘26.157 Conversion of Class D compartments**

Operators of large aeroplanes used in commercial air transport, type certified on or after 1 January 1958, shall ensure that:

- (a) for aeroplanes, the operation of which involves the transport of passengers, each Class D cargo or baggage compartment, regardless of its volume, complies with the certification specifications applicable to a Class C compartment;
- (b) for aeroplanes, the operation of which involves the transport of cargo only, each Class D cargo compartment, regardless of its volume, complies with the certification specifications applicable to either a Class C or a Class E compartment.

The obligation set out in the first paragraph shall not apply to operators of an aeroplane model listed in Table A.1 of Appendix 1 to this Annex’;

- (3) the following point 26.201 is inserted:

**‘26.201 Tyre inflation pressure**

Operators of large aeroplanes shall minimise the risk that a tyre is below its minimum serviceable inflation pressure during operation.’;

- (4) the title of Subpart C is amended as follows:

‘SUBPART C — HELICOPTERS’;

- (5) the following point 26.410 is inserted:

**‘26.410 Emergency controls operated underwater**

Operators of small helicopters and large helicopters that are required, in accordance with point CAT.IDE.H.320(a) of Regulation (EU) No 965/2012, to be designed for landing on water or certified for ditching, shall ensure that all the emergency controls that need to be operated underwater are marked with the method of operation as well as with yellow and black stripes.’;

- (6) the following point 26.415 is inserted:

**‘26.415 Underwater emergency exits**

- (a) Operators of small helicopters and large helicopters that are required, in accordance with point CAT.IDE.H.320(a) of Regulation (EU) No 965/2012, to be designed for landing on water or certified for ditching, shall ensure that:
  - (1) it is possible for occupants to easily identify the means to operate all the underwater emergency exits to facilitate egress in the case of ditching or capsize;
  - (2) an underwater emergency exit is available on each side of the rotorcraft for each unit (or part of a unit) of four passenger seats unless the emergency underwater exit is large enough to permit the simultaneous egress of two passengers; and
  - (3) passenger seats are located in relation to those underwater emergency exits required in accordance with point (2) in such a way as to facilitate the escape of passengers in the event of the helicopter capsizing and the cabin becoming flooded.

- (b) Operators of small Category A helicopters and large helicopters that are required, in accordance with point CAT.IDE.H.320(a) of Regulation (EU) No 965/2012, to be designed for landing on water or certified for ditching, shall ensure that:
- (1) all emergency exits, including flight crew emergency exits, and any door, window or other opening suitable to be used for the purpose of underwater escape, remain operable in an emergency; and
  - (2) an automatic means is provided to easily identify the periphery of the apertures of all underwater emergency exits in all lighting conditions; such markings must be designed to remain visible in case the helicopter is capsized or the cabin is submerged.’;
- (7) the following point 26.420 is inserted:
- ‘26.420 Emergency equipment for flight over water**
- (a) Operators of small helicopters and large helicopters that are required to comply with the requirements of points CAT.IDE.H.300, NCC.IDE.H.227 or SPO.IDE.H.199 of Regulation (EU) No 965/2012, shall ensure that each inflated life raft has a means to hold it near the helicopter, and an additional means to keep the inflated life raft attached to the helicopter further away at a distance that would not pose a danger to the life raft itself nor to the persons on board. In the event that the helicopter totally submerges, both of these life raft retention means shall break before the helicopter submerges, even when the life raft is empty.
- (b) Operators of small helicopters and large helicopters that are required, in accordance with point CAT.IDE.H.320(a) of Regulation (EU) No 965/2012, to be designed for landing on water or certified for ditching, shall ensure that stowage provisions are provided that accommodate one life preserver for each helicopter occupant within easy reach of each occupant while seated, unless occupants are always required to wear them whilst on board the rotorcraft.’;
- (8) in point 26.420, the following point (c) is inserted:
- ‘(c) Operators of large helicopters that are required by point SPA.HOFO.165(d) of Regulation (EU) No 965/2012 to have one or more life rafts installed, shall ensure that the life raft(s):
- (1) is (are) remotely deployable, with the means to deploy the life raft(s), located within easy reach of the flight crew, the occupants of the passenger cabin and any survivors in the water, with the helicopter in an upright floating or capsized position; and
  - (2) can be reliably deployed with the helicopter in any reasonably foreseeable floating attitude, including capsize, and in the substantiated sea conditions for capsize resistance.’;
- (9) the following point 26.425 is inserted:

#### **‘26.425 Provision of substantiated sea conditions**

- (a) A holder of a type certificate for a small helicopter or a large helicopter shall ensure that the substantiated sea conditions for capsizing resistance and any associated information relating to the ditching certification or emergency flotation provisions are included in the rotorcraft flight manual (RFM) and provided to all operators.
- (b) A holder of a supplemental type certificate for an emergency flotation system that is installed on a small helicopter or a large helicopter shall ensure that the substantiated sea conditions for capsizing resistance and any associated information relating to the ditching certification or emergency flotation provisions are included in the RFM and provided to all operators.’;

(10) the following point 26.430 is inserted:

#### **‘26.430 Resistance of an emergency flotation system to damage**

- (a) Operators of small helicopters or large helicopters that have their first individual certificate of airworthiness issued on or after *[OP please insert date: 3 years after the date of entry into force]* and that are required, in accordance with point CAT.IDE.H.320(a) of Regulation (EU) No 965/2012, to be designed for landing on water or certified for ditching, shall ensure that if the helicopter includes a stowed emergency flotation system, the effects on the successful deployment and retention of the emergency flotation system as a result of possible damage from a water impact are minimised as far as practicable in the design.
- (b) Operators of small helicopters or large helicopters with stowed emergency flotation systems that are installed for the first time on or after *[OP please insert date: 3 years after the date of entry into force]* that are required, in accordance with CAT.IDE.H.320(a), to be certified for ditching, shall ensure that the effects on the successful deployment and retention of the emergency flotation systems as a result of possible damage from a water impact are minimised as far as practicable in the design.’;

(11) the following point 26.431 is inserted:

#### **‘26.431 Determination of the robustness of emergency flotation system designs**

Where the robustness of the emergency flotation system in the event of water impact has not been demonstrated as part of the type certificate or supplemental type certificate of a small helicopter or a large helicopter that is required, in accordance with point CAT.IDE.H.320(a) of Regulation (EU) No 965/2012, to be designed for landing on water or certified for ditching,

- (1) if the emergency flotation system is included within the type design, the type certificate holder;
- (2) if the emergency flotation system is certified through a supplemental type certificate, the supplemental type certificate holder,

shall determine, upon request of an operator that is required to demonstrate compliance in accordance with point 26.430 of Annex I (Part-26), that the effects on the successful deployment and retention of the emergency flotation system as a result

of possible damage from a water impact are minimised, as far as practicable, and taken into consideration in the design of the emergency flotation system, and shall provide an assessment to the operators that are required to comply with point 26.430.’;

(12) in point 26.435, the following point (a) is inserted:

**‘26.435 Automatic deployment of an emergency flotation system**

(a) Operators of small helicopters that are required, in accordance with point CAT.IDE.H.320(a) of Regulation (EU) No 965/2012, to be designed for landing on water or certified for ditching, shall ensure that if an emergency flotation system is installed and is stowed during flight, then it shall automatically deploy as a result of entry into water.’;

(13) in point 26.435, the following point (b) is inserted:

‘(b) Operators of small Category A helicopters and large helicopters that are required, in accordance with point CAT.IDE.H.320(a) of Regulation (EU) No 965/2012, to be designed for landing on water or certified for ditching, shall ensure that if an emergency flotation system is installed and is stowed during flight, then it shall automatically deploy as a result of entry into water and shall not rely on any pilot action during flight.’;

(14) Appendix 1 is replaced by the following:

*‘Appendix 1*

*List of aeroplane models not subject to certain provisions of Annex I (Part-26)*

*Table A.1*

<b>TC Holder</b>	<b>Type</b>	<b>Models</b>	<b>Manufacturer serial number</b>	<b>Provisions of Annex I (Part-26) that do NOT apply</b>
The Boeing Company	707	All		26.301 to 26.334
The Boeing Company	720	All		26.301 to 26.334
The Boeing Company	DC-10	DC-10-10 DC-10-30 DC-10-30F	All	26.301 to 26.334
The Boeing Company	DC-8	All		26.301 to 26.334
The Boeing Company	DC-9	DC-9-11, DC-9-12,	All	26.301 to 26.334

		DC-9-13, DC-9-14, DC-9-15, DC-9-15F, DC-9-21, DC-9-31, DC-9-32, DC-9-32 (VC-9C), DC-9-32F, DC-9-32F (C-9A, C-9B), DC-9-33F, DC-9-34, DC-9-34F, DC-9-41, DC-9-51		
The Boeing Company	MD-90	MD-90-30	All	26.301 to 26.334
FOKKER SERVICES B.V.	F27	Mark 100, 200, 300, 400, 500, 600, 700	All	26.301 to 26.334
FOKKER SERVICES B.V.	F28	Mark 1000, 1000C, 2000, 3000, 3000C, 3000R, 3000RC, 4000	All	26.301 to 26.334
GULFSTREAM AEROSPACE CORP.	G-159	G-159 (Gulfstream I)	All	26.301 to 26.334
GULFSTREAM AEROSPACE CORP.	G-II_III_IV_V	G-1159A (GIIB) G-1159B (GIIB) G-1159 (GII)	All	26.301 to 26.334
KELOWNA FLIGHTCRAFT LTD.	CONVAIR 340/440	440	All	26.301 to 26.334

LEARJET INC.	Learjet 24/25/31/36/35/5 5/60	24, 24A, 24B, 24B-A, 24D,24D-A, 24F, 24F-A, 25, 25B, 25C, 25D, 25F	All	26.301 to 26.334
LOCKHEED MARTIN CORPORATION	1329	All		26.301 to 26.334
LOCKHEED MARTIN CORPORATION	188	All		26.301 to 26.334
LOCKHEED MARTIN CORPORATION	382	382, 382B, 382E, 382F, 382G	All	26.301 to 26.334
LOCKHEED MARTIN CORPORATION	L-1011	All		26.301 to 26.334
PT. DIRGANTARA INDONESIA	CN-235	All		26.301 to 26.334
SABRELINER CORPORATION	NA-265	NA-265-65	All	26.301 to 26.334
VIKING AIR LIMITED	SD3	SD3-30 Sherpa SD3 Sherpa	All	26.301 to 26.334
VIKING AIR LIMITED	DHC-7	All		26.301 to 26.334
VIKING AIR LIMITED	CL-215	CL-215-6B11	All	26.301 to 26.334
TUPOLEV PUBLIC STOCK COMPANY	TU-204	204-120CE	All	26.301 to 26.334
AIRBUS	A320 series	A320-251N, A320-271N	10033, 10242, 10281 and 10360	26.60
AIRBUS	A321 series	A321-271NX	10257, 10371 and 10391	26.60.



AIRBUS	A330 series	A330-243, A330-941	1844, 1861, 1956, 1978, 1982, 1984, 1987, 1989, 1998, 2007, 2008 and 2011	26.60
ATR-GIE Avions de Transport Régional	ATR 72 series	ATR72-212A	1565, 1598, 1620, 1629, 1632, 1637, 1640, 1642, 1649, 1657, 1660, 1661	26.60
The Boeing Company	737 series	737-8 and 737-9	43299, 43304, 43305, 43310, 43321, 43322, 43332, 43334, 43344, 43348, 43391, 43579, 43797, 43798, 43799, 43917, 43918, 43919, 43921, 43925, 43927, 43928, 43957, 43973, 43974, 43975, 43976, 44867, 44868, 44873, 60009, 60010, 60040, 60042, 60056, 60057, 60058, 60059, 60060, 60061, 60063, 60064, 60065, 60066, 60068, 60194, 60195, 60389, 60434, 60444, 60455, 61857, 61859, 61862, 61864, 62451, 62452, 62453, 62454, 62533, 63358, 63359, 63360, 64610, 64611, 64612, 62613, 64614,	26.60'.

			65899, 66147, 66148, 66150	
GULFSTREAM AEROSPACE LP.	Gulfstream G100 series	All	All	26.157
GULFSTREAM AEROSPACE LP.	Gulfstream G200 series	All	All	26.157
TEXTRON AVIATION	Cessna 500/550/S550/56 0/560XL	All	All	26.157
TEXTRON AVIATION	Hawker Series	BAe.125 Series Hawker 750 Hawker 800XP	All	26.157
TEXTRON AVIATION	CESSNA 750 (Citation X) series	750	All	26.157'