



Explanatory Note to Decision 2014/015/R

Amendments to AMC/GM to Annex IV (Part-CAT)

RELATED NPA/CRD 2008-22, 2009-02b — OPINION No 03/2012 — RMT.0289 (OPS.001) —
24.04.2014

EXECUTIVE SUMMARY

This Decision deals with AMC and GM for commercial air transport operations with sailplanes and balloons as well as A-to-A commercial air transport operations with performance class B aeroplanes and non-complex helicopters.

The specific objective is to maintain a high level of safety, to ensure proportionate rules where appropriate, and to warrant flexibility and efficiency for operators and authorities.

This Decision is part of OPS Phases III and IV involving amendments to the Cover Regulation and the following Annexes:

- Annex II (Part-ARO),
- Annex III (Part-ORO),
- Annex IV (Part-CAT),
- Annex VII (Part-NCO), and
- Annex VIII (Part-SPO).

Applicability		Process map	
Affected regulations and decisions:	AMC/GM to Part-CAT	Terms of Reference:	20.7.2006
Affected stakeholders:	Competent authorities	Concept Paper:	No
Driver/origin:	Legal obligation	Rulemaking group:	Yes
Reference:		RIA type:	Full
		Technical consultation during NPA drafting:	Yes
		Publication date of the NPA:	30.1.2009
		Duration of NPA consultation:	6 months
		Review group:	Yes
		Focussed consultation:	No
		Publication date of the Opinion:	3.9.2012

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1. Procedural information

1.1. The rule development procedure

The European Aviation Safety Agency (hereinafter referred to as the 'Agency') developed ED Decision 2014/015/R in line with Regulation (EC) No 216/2008¹ (hereinafter referred to as the 'Basic Regulation') and the Rulemaking Procedure².

This rulemaking activity is included in the Agency's [4-year Rulemaking Programme](#) under RMT.0289 (OPS.001). The scope and timescale of the task were defined in the related Terms of Reference (see process map on the title page).

The draft text of this Decision has been developed by the Agency based on the input of the Rulemaking Group RG01. All interested parties were consulted through NPA 2009-02³. More than 15 000 comments in total were received from interested parties, including industry, national aviation authorities and social partners.

The Agency has reviewed the comments received on the NPA. The comments received and the Agency's responses are presented in the Comment-Response Document (CRD) [2009-02b](#).

The final text of this Decision with the Acceptable Means of Compliance (AMC)/Guidance Material (GM) has been developed by the Agency based on the input of RG01 and the EASA Committee.

The process map on the title page summarises the major milestones of this rulemaking activity.

1.2. Structure of the related documents

Chapter 1 contains the procedural information related to this task. Chapter 2 explains the core technical content. Chapter 3 provides references. The text of the AMC/GM is annexed to the ED Decision.

¹ Regulation (EC) No 216/2008 of the European Parliament and the Council of 20 February 2008 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency, and repealing Council Directive 91/670/EEC, Regulation (EC) No 1592/2002 and Directive 2004/36/EC (OJ L 79, 19.3.2008, p. 1), as last amended by Commission Regulation (EU) No 6/2013 of 8 January 2013 (OJ L 4, 9.1.2013, p. 34).

² The Agency is bound to follow a structured rulemaking process as required by Article 52(1) of the Basic Regulation. Such process has been adopted by the Agency's Management Board and is referred to as the 'Rulemaking Procedure'. See Management Board Decision concerning the procedure to be applied by the Agency for the issuing of opinions, certification specifications and guidance material (Rulemaking Procedure), EASA MB Decision No 01-2012 of 13 March 2012.

³ In accordance with Article 52 of the Basic Regulation and Articles 5(3) and 6 of the Rulemaking Procedure.

2. Explanatory Note

This Decision provides AMC/GM to Commission Regulation (EU) No 379/2014 of 24 April 2014 laying down, among others, requirements in relation to commercial air transport (CAT) operations with sailplanes and balloons as well as A-to-A CAT operations with performance class B aeroplanes and non-complex helicopters.

2.1. Overview of the issues to be addressed

This Decision is part of OPS Phases III and IV involving amendments to the Cover Regulation and the following Annexes:

- Annex II (Part-ARO),
- Annex III (Part-ORO),
- Annex IV (Part-CAT),
- Annex VII (Part-NCO), and
- Annex VIII (Part-SPO).

Part-CAT contains the technical requirements for CAT operations.

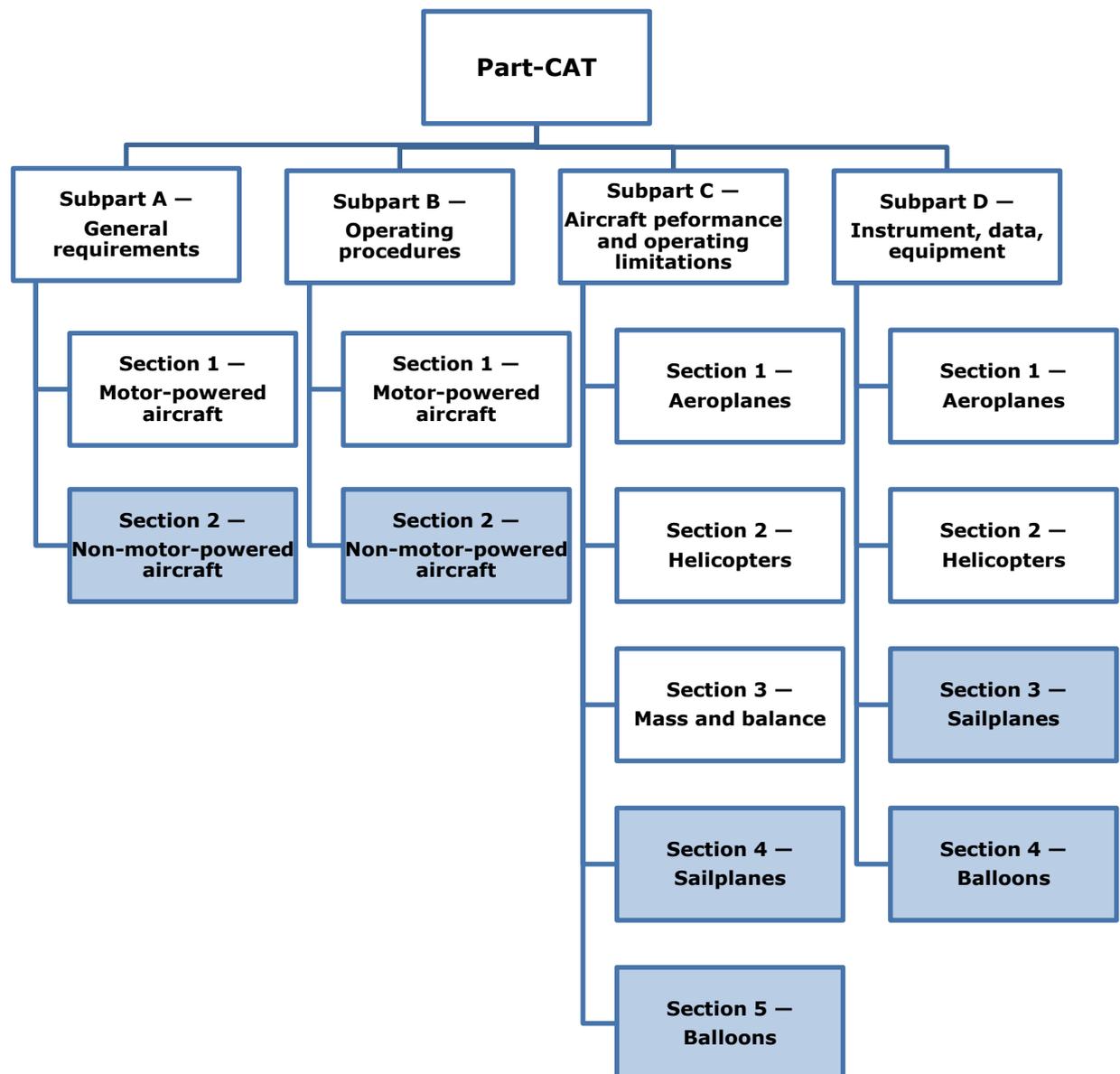
The first Decision on Part-CAT provided AMC and GM for CAT operations with aeroplanes and helicopters excluding rules for A-to-A flights.

This new Decision adds new provisions for

- CAT operations with sailplanes and balloons; and
- A-to-A CAT operations with performance class B aeroplanes and non-complex helicopters.

Moreover, the Decision is also updating some of the already existing rules for CAT operations with aeroplanes and helicopters.

The following chart describes the structure of Part-CAT and marks those sections which have been added to the rule text.



2.2. Objectives

The overall objectives of the EASA system are defined in Article 2 of the Basic Regulation. This proposal will contribute to the achievement of the overall objectives by addressing the issues outlined in Chapter 2. The specific objective of this proposal is, therefore, to maintain a high level of safety, to ensure proportionate rules where appropriate, and to warrant flexibility and efficiency for operators and authorities.

2.3. Overview of the amendments

When drafting the rules for CAT operations with sailplanes and aeroplanes, the Agency carefully checked the consistency of these rules with existing rules and aligned them where appropriate:

- for AMC/GM that are CAT-specific, with the latest AMC/GM to Part-CAT; and
- for AMC/GM that are specific for operations with sailplanes and balloons, the AMC/GM to Part-NCO.

The main technical changes to AMC/GM material are the following:

Subpart A – General requirements

Section 1

CAT.GEN.MPA.115 contains rules on personnel or crew members other than cabin crew in the passenger compartment. The existing AMC was slightly amended to improve readability. Furthermore, a new GM was developed to address concerns expressed by operators regarding possibly negative effects of AMC1 CAT.GEN.MPA.115(a) on positioning cabin crew members. It takes into account that positioning cabin crew members may be required to wear their uniform, e.g. by customs, specific destination requirements or other reasons such as time pressure. The new GM clarifies that a pragmatic approach can be used. However, the objective of the rule, that passengers can identify the operating cabin crew members from any other personnel or crew members must be achieved.

CAT.GEN.MPA.180 contains rules on documents, manuals and information to be carried. The implementing rule has been amended in so far as that a translation of the AOC and OPSPECS shall be available in English if the documents have been issued in another language. The corresponding GM clarifies that for such translation certified true copies are not necessary. The amendments to two other associated AMCs and one GM are of editorial nature.

Section 2

This new section contains the AMC/GM on general requirements for CAT operations with sailplanes and balloons.

CAT.GEN.NMPA.100 specifies the commander responsibilities. An AMC on alcohol consumption and an GM addressing the elapsed time before returning to flying duties align with the corresponding rules for motor-powered aircraft. Another GM for balloon operations provides guidance on protective clothing. This GM is aligned with the corresponding rule in Part-NCO.

CAT.GEN.NMPA.105 contains rules for the additional balloon crew member. The associated AMC further specifies the minimum practical training measures to act as balloon crew member. This AMC is only applicable to CAT operations. Furthermore, for the additional balloon crew member, the same AMC on alcohol consumption as for the commander applies. Also, the GM addressing the elapsed time before returning to flying duties has been added.

CAT.GEN.NMPA.120 addresses the use of portable electronic devices (PEDs). The associated GM describes the scope of PEDs, the associated risks and possible causes of interferences with electronic aircraft systems in a concise manner. This GM is deliberately less detailed than the corresponding rules for motor-powered aircraft.

CAT.GEN.NMPA.125 deals with the information on emergency and survival equipment carried on board. The associated AMC on items for communication to the rescue coordination centre has been aligned with the corresponding AMC for motor-powered aircraft.

CAT.GEN.NMPA.140 specifies which documents, manuals and information need to be carried on board. The related AMC and GM have been aligned with the corresponding AMC/GM for motor-powered aircraft with minor amendments.

CAT.GEN.NMPA.150 contains a rule on the transport of dangerous goods. It should be noted that the implementing rule for non-motored-powered aircraft differs from the implementing rule for motor-powered aircraft. For CAT operations with non-motor-powered aircraft, the transport of dangerous goods is only permitted if the goods are not subject to the ICAO Technical Instructions (T.I.) or if they are carried by passengers, crew members or in baggage in accordance with Part 8 of the T.I. One GM provides further information for the first-mentioned case, where such goods are not subject to the T.I. This concerns exceptions, approvals and exemptions. Another GM provides further explanations for the second case where goods are carried in accordance with Part 8 of the T.I. Finally, a third GM provides guidance on procedures and on how to inform personnel and passengers on the rule applicable for the transport of dangerous goods.

Subpart B – Operating procedures

Section 1

CAT.OP.MPA.110 contains the rules to establish aerodrome operating minima. A new AMC12 on VFR operating minima for VFR operations with other-than-complex motor-powered aircraft has been added. This AMC would permit that the minima specified in Part-SERA can be used. Such alleviation was also contained in EU-OPS, Appendix 1 to 1.005(a) 8.

CAT.OP.MPA.170 deals with passenger briefings. A new AMC addresses single pilot operations without cabin crew with the aim to prevent the commander from providing passenger briefings during critical phases of flight and taxiing. The intent of this AMC corresponds to the intent of EU-OPS, Appendix 1 to 1.005(a) 15.

Section 2

This new section contains the AMC/GM to operating procedures for CAT operations with sailplanes and balloons.

CAT.OP.NMPA.100 deals with adequate aerodromes and operating sites. A related GM provides further guidance for balloon operations. This GM is aligned with a corresponding GM to Part-NCO.

CAT.OP.NMPA.115 provides rules to the operator for the carriage of special categories of passengers. A related AMC further specifies rules for the transport of children and/or persons with reduced mobility for CAT operations with balloons. This AMC is aligned with the corresponding AMC in Part-NCO.

CAT.OP.NMPA.120 requires passenger safety briefings. The associated AMC1 further details the briefing provisions for CAT operations with sailplanes. AMC2 further specifies the rules for CAT operations with balloons. Both AMCs are aligned with the corresponding AMCs in Part-NCO.

CAT.OP.NMPA.125 addresses the flight preparation. An AMC specifies that NOTAMs should be considered when gathering information on ground facilities.

CAT.OP.NMPA.130 deals with flights for which an ATS flight plan has not been submitted. The corresponding AMC specifies that for such flights, the operator should establish procedures and nominate a person to be responsible for alerting search and rescue services when necessary. The AMC is similar to the corresponding AMC in Section 1 for motor-powered aircraft.

CAT.OP.NMPA.155 deals with take-off conditions. The associated AMC specifies that the operator should provide means to assess wind direction and wind speed. This AMC is aligned with the corresponding AMC in Part-NCO.

CAT.OP.NMPA.180 specifies operational limitations for hot-air balloons. The associated GM provides further guidance on the risks and background information on night landings. This GM is aligned with the corresponding GM in Part-NCO.

Subpart C – Aircraft performance and operating limitations

Section 1 – Aeroplanes

CAT.POL.A.310 specifies the take-off obstacle clearance requirements for multi-engined aeroplanes. The amendment to subparagraph (a) of the associated AMC provides an alleviation for VFR operations by day with performance class B aeroplanes, specifying that the visual course guidance should be considered available when the flight visibility is 1 500 m or more. This additional text transposes Appendix 1 to 1.005(a), 24.(ii) of EU-OPS.

AMC1 CAT.POL.MAB.100(b) on the weighing of aircraft is expanded to include cases where the AFM may require to record any change to mass and CG position and make them known to the commander.

Section 4 – Sailplanes

There are no AMC or GM specified for the time being.

Section 5 – Balloons

GM1 CAT.POL.B.105 explains the initial empty mass for balloons which is used as a reference to determine when the mass of a balloon should be revised.

Subpart D – Instrument, data, equipment

Section 1 – Aeroplanes

GM1 CAT.IDE.A.100(b) is split in two GMs to address separately the cases of required and not required equipment which do not need an approval. Other clarifications are also introduced.

AMC2 CAT.IDE.A.205 on upper torso restraint systems and seat belts has been clarified as regards the wording.

AMC1 CAT.IDE.A.280 on batteries is expanded to address several types of batteries that may be used.

GM1 CAT.IDE.A.280 on ELT terminology is added to ensure consistency with other Parts.

Section 2 – Helicopters

GM1 CAT.IDE.H.100(b) is split in two GMs to address separately the cases of required and not required equipment which do not need an approval. Other clarifications are also introduced.

AMC2 CAT.IDE.H.205 on upper torso restraint systems and seat belts has been clarified as regards the wording.

AMC1 CAT.IDE.H.280 on batteries is expanded to address several types of batteries that may be used.

GM1 CAT.IDE.H.280 on ELT terminology is added to ensure consistency with other Parts.

Section 3 – Sailplanes

GM1 CAT.IDE.S.100(b) is split in two GMs to address separately the cases of required and not required equipment which do not need an approval. Other clarifications are also introduced.

GM1 CAT.IDE.S.110(b) is added to explain what are the conditions where a sailplane cannot be maintained in a desired attitude without reference to one or more additional instruments and to be consistent with Part-NCO.

AMC1 CAT.IDE.S.130(b) on batteries is expanded to address several types of batteries that may be used.

AMC3 CAT.IDE.S.130(b) is amended to specify that a Personal Locator Beacon (PLB) should be registered with the body responsible for search and rescue.

AMC4 CAT.IDE.S.130(b) is added on the briefing on PLB use.

Section 4 – Balloons

GM1 CAT.IDE.S.100(b) is split in two GMs to address separately the cases of required and not required equipment which do not need an approval. Other clarifications are also introduced.

AMC1 CAT.IDE.B.110 is added to provide the specifications for anti-collision lights.

GM1 CAT.IDE.B.115(b)(3) is added to clarify when a means to measure and display pressure altitude is needed.

AMC1 CAT.IDE.B.125 is completely re-drafted to list explicitly the recommended content of the first-aid kit (FAK).

AMC1 CAT.IDE.B.140(b) on batteries is expanded to address several types of batteries that may be used.

AMC3 CAT.IDE.B.140(b) is amended to specify that a Personal Locator Beacon (PLB) should be registered with the body responsible for search and rescue.

AMC4 CAT.IDE.S.140(b) is added on the briefing on PLB use.

AMC1 CAT.IDE.B.140 (c)(1) on miscellaneous equipment is added to specify the characteristics of the knife.

Changes not mentioned here are of editorial nature.

3. References

3.1. Related regulations

Commission Regulation (EU) No 965/2012 of 5 October 2012 laying down technical requirements and administrative procedures related to air operations pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council (OJ L 296, 25.10.2012, p. 1).

3.2. Affected decisions

Decision 2012/018/R of the Executive Director of the Agency of 24 October 2012 on Acceptable Means of Compliance and Guidance Material to Commission Regulation (EU) No 965/2012 of 5 October 2012 — Acceptable Means of Compliance and Guidance Material to Annex II (Part-CAT).

3.3. Reference documents

ICAO Annex 6, Part I and Part III Section II.