

## Annex III to ED Decision 2015/030/R

### 'AMC and GM to Part-NCC — Amendment 4'

The Annex to Decision 2013/021/R is amended as follows:

The text of the amendment is arranged to show deleted text, new or amended text as shown below:

- (a) deleted text is marked with ~~strikethrough~~;
- (b) new or amended text is highlighted in grey;
- (c) an ellipsis (...) indicates that the remaining text is unchanged in front of or following the reflected amendment.

1. A new GM to sub-paragraph (a)(9) of NCC.GEN.106 is introduced:

**GM1 NCC.GEN.106(a)(9) Pilot-in-command responsibilities and authority**

**IDENTIFICATION OF THE SEVERITY OF AN OCCURRENCE BY THE PILOT-IN-COMMAND**

The definitions of an accident and a serious incident as well as examples thereof can be found in Regulation (EU) No 996/2010 of the European Parliament and of the Council.

2. A new AMC to sub-paragraph (a) of NCC.GEN.145 is introduced:

**AMC1 NCC.GEN.145(a) Handling of flight recorder recordings: preservation, production, protection and use**

**PRESERVATION OF RECORDED DATA FOR INVESTIGATION**

- (a) The operator should establish procedures to ensure that flight recorder recordings are preserved for the investigating authority.
- (b) These procedures should include:
  - (1) instructions for flight crew members to deactivate the flight recorders immediately after completion of the flight and inform relevant personnel that the recording of the flight recorders should be preserved. These instructions should be readily available on board; and
  - (2) instructions to prevent inadvertent reactivation, test, repair or reinstallation of the flight recorders by operator personnel or during maintenance or ground handling activities performed by third parties.

3. GM1 NCC.GEN.145(a) is amended as follows:

**GM1 NCC.GEN.145(a) ~~Preservation, production and use of flight recorder recordings~~ Handling of flight recorder recordings: preservation, production, protection and use**  
REMOVAL OF RECORDERS IN CASE OF AN INVESTIGATION

The need for removal of the recorders from the aircraft is determined by the investigating authority with due regard to the seriousness of an occurrence and the circumstances, including the impact on the operation.

4. AMC1 NCC.GEN.145(b) is amended as follows:

**AMC1 NCC.GEN.145(b) ~~Preservation, production and use of flight recorder recordings~~ Handling of flight recorder recordings: preservation, production, protection and use**

5. GM1 NCC.GEN.145(b) is amended as follows:

**GM1 NCC.GEN.145(b) ~~Preservation, production and use of flight recorder recordings~~ Handling of flight recorder recordings: preservation, production, protection and use**

(...)

- (b) When performing the CVR recording inspection, precautions need to be taken to comply with NCC.GEN.145(f)(1a). The inspection of the CVR recording usually consists of (...)

6. GM2 NCC.GEN.145(b) is amended as follows:

**GM2 NCC.GEN.145(b) ~~Preservation, production and use of flight recorder recordings~~ Handling of flight recorder recordings: preservation, production, protection and use**

(...)

7. A new GM3 NCC.GEN.145(b) is introduced:

**GM3 NCC.GEN.145(b) Handling of flight recorder recordings: preservation, production, protection and use**  
CVR AUDIO QUALITY

Examples of CVR audio quality issues and possible causes thereof may be found in the document of the French Bureau d'Enquêtes et d'Analyses, titled 'Study on detection of audio anomalies on CVR recordings' and dated September 2015<sup>1</sup>.

8. A new GM to sub-paragraph (a) of NCC.IDE.A.170 is introduced:

**GM1 NCC.IDE.A.170(a) Data link recording**  
APPLICABILITY OF THE DATA LINK RECORDING REQUIREMENT

- (a) If it is certain that the aeroplane cannot use data link communication messages for ATS communications corresponding to any application designated by NCC.IDE.A.170(a)(1), then the data link recording requirement does not apply.

<sup>1</sup> <http://www.bea.aero/en/bea/la-technique/guidance.on.detection.of.audio.anomalies.on.CVR.recordings.pdf>

- (b) Examples where the aeroplane cannot use data link communication messages for ATS communications include but are not limited to the cases where:
  - (1) the aeroplane data link communication capability is disabled permanently and in a way that it cannot be enabled again during the flight;
  - (2) data link communications are not used to support air traffic service (ATS) in the area of operation of the aeroplane; and
  - (3) the aeroplane data link communication equipment cannot communicate with the equipment used by ATS in the area of operation of the aeroplane.

9. A new GM to sub-paragraph (a) of NCC.IDE.H.170 is introduced:

**GM1 NCC.IDE.H.170(a) Data link recording**

**APPLICABILITY OF THE DATA LINK RECORDING REQUIREMENT**

- (a) If it is certain that the helicopter cannot use data link communication messages for ATS communications corresponding to any application designated by NCC.IDE.H.170(a)(1), then the data link recording requirement does not apply.
- (b) Examples where the helicopter cannot use data link communication messages for ATS communications include but are not limited to the cases where:
  - (1) the helicopter data link communication capability is disabled permanently and in a way that it cannot be enabled again during the flight;
  - (2) data link communications are not used to support air traffic service (ATS) in the area of operation of the helicopter; and
  - (3) the helicopter data link communication equipment cannot communicate with the equipment used by ATS in the area of operation of the helicopter.