

Annex IV to ED Decision 2019/019/R

'AMC and GM to Part-ORO — Issue 2, Amendment 15'

The Annex to Decision 2014/017/R of 24 April 2014 is hereby amended as follows:

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

- deleted text is marked with ~~strike through~~;
- new or amended text is highlighted in **blue**;
- an ellipsis '(...)' indicates that the rest of the text is unchanged.

~~GM1 ORO.GEN.105 — Competent authority~~~~NON-COMMERCIAL OPERATIONS~~

- ~~(a) — For the determination of the principal place of business 'activities referred to in this Part' means those activities to which Part-ORO, Part-NCC or Part-SPO apply. For organisations that also exercise activities that are not subject to Part-ORO, Part-NCC or Part-SPO, the determination of the principal place of business should consider that part of the organisation that is responsible for the operation of aircraft subject to Part-ORO, Part-NCC or Part-SPO. For non-commercial operations, this is usually the home base of the aircraft concerned, or the location of the flight department.~~
- ~~(b) — For organisations that also exercise activities not subject to Part-ORO, Part-NCC or Part-SPO, the reference to the accountable manager is intended to mean the manager who has the authority to ensure that all activities subject to Part-ORO, Part-NCC or Part-SPO can be financed and carried out in accordance with the applicable requirements.~~
- ~~(c) — If the accountable manager is not located in that part of the organisation that is responsible for the operation of aircraft, but the majority of other management personnel are located there, the location of the accountable manager may not need to be considered for the determination of the principal place of business.~~

AMC1 ORO.GEN.110(f)(h) Operator responsibilities

ESTABLISHMENT OF PROCEDURES

- (a) An operator should establish procedures to be followed by cabin crew covering at least:
- (...)
- (3) prevention and detection of cabin, ~~even~~ **galley** and toilet fires;
- (4) actions to be taken when turbulence is encountered; ~~and~~
- (5) actions to be taken in the event of an emergency and/or an evacuation; **and**

(6) safety aspects of the in-flight entertainment (IFE) system, if installed.

- (b) When establishing procedures and a checklist system for cabin crew with respect to the aircraft cabin, the operator should take into account at least the following duties:

Duties	Pre-take off	In-flight	Pre-landing	Post-landing
(1) Briefing of cabin crew by the senior cabin crew member prior to commencement of a flight or series of flights	x			
(2) Check of safety and emergency equipment in accordance with operator's policies and procedures	x			
(3) Security checks as applicable	x			x
(4) Passenger embarkation and disembarkation	x			x
(5) Securing of passenger cabin (e.g. seat belts, cabin cargo/baggage, IFE system)	x		x	
(6) Securing of galleys and stowage of equipment	x	if required	x	
(7) Arming of door/exit slides	x			
(8) Safety briefing/information to passengers	x	x	x	x
(9) 'Cabin secure' report to flight crew	x	if required	x	
(10) Operation of cabin lights	x	if required	x	x
(11) Safety aspects of the IFE system (if installed)	x	x	x	x
(11) (12) Cabin crew at assigned crew stations	x	if required	x	x
(12) (13) Surveillance of passenger cabin	x	x	x	x
(13) (14) Prevention and detection of fire in the cabin (including the combi-cargo area, crew rest areas, galleys, lavatories and	x	x	x	x

any other cabin remote areas) and instructions for actions to be taken				
(1415) Actions to be taken when turbulence is encountered		x		
(1516) Actions to be taken in case of in-flight incidents (e.g. medical emergency)		x		
(1617) Actions to be taken in the event of emergency situations	x	x	x	x
(1718) Disarming of door/exit slides				x
(1819) Reporting of any deficiency and/or un-serviceability of equipment and/or any incident	x	x	x	x

AMC1 ORO.GEN.130 Changes related to an AOC holder

(...)

- (b) In the case of a planned change of a nominated person in accordance with ORO.GEN.210(b) or of a safety manager as defined under AMC1 ORO.GEN.200(a)(1), the operator should inform the competent authority at least 20 days before the date of the proposed change.

(...)

GM1 ORO.GEN.130(b) Changes related to an AOC holder

CHANGES REQUIRING PRIOR APPROVAL

(...)

- (e) ~~non-commercial operations by AOC holders~~ procedure for the use of aircraft included in an AOC by other operators for NCC, NCO and specialised operations, as required by ORO.GEN.310;

(...)

AMC1 ORO.GEN.160 Occurrence reporting

GENERAL

- (a) The operator should report all occurrences defined in AMC 20-8, and as required by the applicable national rules implementing Regulation (EU) No 376/2014 ~~Directive 2003/42/EC~~¹ on occurrence reporting in civil aviation.
- (b) In addition to the reports required by AMC 20-8 and Regulation (EU) No 376/2014 ~~Directive 2003/42/EC~~, the operator should report volcanic ash clouds encountered during flight.

AMC1 ORO.GEN.200(a)(1) Management system

COMPLEX OPERATORS — ORGANISATION AND ACCOUNTABILITIES

The management system of an operator should encompass safety by including a safety manager and a safety review board in the organisational structure.

- (a) Safety manager
 - (1) The safety manager should act as the focal point and be responsible for the development, administration and maintenance of an effective safety management system.
 - (2) The functions of the safety manager should be to:
 - (i) facilitate hazard identification, risk analysis and management;
 - (ii) monitor the implementation of actions taken to mitigate risks, as listed in the safety action plan;
 - (iii) provide periodic reports on safety performance;
 - (iv) ensure maintenance of safety management documentation;
 - (v) ensure that there is safety management training available and that it meets acceptable standards;
 - (vi) provide advice on safety matters; and
 - (vii) ensure initiation and follow-up of internal occurrence/accident investigations.
 - (3) If more than one person is designated for the safety management function, the accountable manager should identify the person who acts as the unique focal point (i.e. the 'safety manager').
- (b) Safety review board
 - (1) The safety review board should be a high level committee that considers matters of strategic safety in support of the accountable manager's safety accountability.

¹ Directive 2003/42/EC of the European Parliament and of the Council of 13 June 2003 on occurrence reporting in civil aviation (OJ L 167, 4.7.2003, p. 23–36).

- (2) The board should be chaired by the accountable manager and be composed of heads of functional areas.
- (3) The safety review board should monitor:
 - (i) safety performance against the safety policy and objectives;
 - (ii) that any safety action is taken in a timely manner; and
 - (iii) the effectiveness of the operator's safety management processes.
- (c) The safety review board should ensure that appropriate resources are allocated to achieve the established safety performance.
- (d) The safety manager or any other relevant person may attend, as appropriate, safety review board meetings. He/she may communicate to the accountable manager all information, as necessary, to allow decision making based on safety data.

GM1 ORO.GEN.200(a)(1) Management system

SAFETY MANAGER

- (a) Depending on the size of the operator and the nature and complexity of its activities, the safety manager may be assisted by additional safety personnel for the performance of all safety management related tasks.
- (b) Regardless of the organisational set-up it is important that the safety manager remains the unique focal point as regards the development, administration and maintenance of the operator's safety management system.

COMPETENCIES OF THE SAFETY MANAGER

- (c) The safety manager as defined under AMC1 ORO.GEN.200(a)(1) is expected to support, facilitate and lead the implementation and maintenance of the safety management system, fostering an organisational culture for an effective safety management, risk management and occurrence reporting. The competencies for a safety manager should thus include, but not be limited to, the following:
 - (1) Knowledge of:
 - (i) ICAO standards and European requirements and provisions on safety management;
 - (ii) basic safety investigation techniques; and
 - (iii) human factors in aviation.
 - (2) Relevant and documented work experience, preferably in a comparable position, in:
 - (i) management systems including compliance monitoring systems and safety management;
 - (ii) risk management; and
 - (iii) the operations of the organisation.

- (3) Other suitable competencies
- (i) the promotion of a positive safety culture;
 - (ii) interpersonal, influencing and leadership skills;
 - (iii) oral and written communication skills;
 - (iv) data management, analytical and problem-solving skills;
 - (v) professional integrity.

GM2 ORO.GEN.200(a)(3) Management system

RISK MANAGEMENT OF FLIGHT OPERATIONS WITH KNOWN OR FORECAST VOLCANIC ASH CONTAMINATION

(...)

(f) Reporting

The operator should ensure that reports are immediately submitted to the nearest ATS unit using the VAR/AIREP procedures followed up by a more detailed VAR on landing together with, as applicable, a report, as defined in Commission Regulation (EU) No 996/2010 and Regulation (EU) No 376/2014 ~~Directive 2003/42/EC~~, and an aircraft technical log entry for:

- (1) any incident related to volcanic clouds;
- (2) any observation of volcanic ash activity; and
- (3) any time that volcanic ash is not encountered in an area where it was forecast to be.

(...)

AMC1 ORO.GEN.200(a)(6) Management system

COMPLIANCE MONITORING — GENERAL

(a) Compliance monitoring

The implementation and use of a compliance monitoring function should enable the operator to monitor compliance with the relevant requirements of this Annex and other applicable Annexes.

- (1) The operator should specify the basic structure of the compliance monitoring function applicable to the activities conducted.
- (2) The compliance monitoring function should be structured according to the size of the operator and the complexity of the activities to be monitored;

- (b) Organisations should monitor compliance with the procedures they have designed to ensure safe activities. In doing so, they should as a minimum, and where appropriate, monitor compliance with the following:

- (1) privileges of the operator;
 - (2) manuals, logs, and records;
 - (3) training standards;
 - (4) management system procedures and manuals-;
 - (5) activities of the organisation carried out under the supervision of the nominated persons in accordance with ORO.GEN.210(b); and
 - (6) any outsourced activities in accordance with ORO.GEN.205, for compliance with the contract.
- (c) Organisational set up
- (1) To ensure that the operator continues to meet the requirements of this Part and other applicable Parts, the accountable manager should designate a compliance monitoring manager. The role of the compliance monitoring manager is to ensure that the activities of the operator are monitored for compliance with the applicable regulatory requirements, and any additional requirements as established by the operator, and that these activities are carried out properly under the supervision of the relevant head of functional area.
 - (2) The compliance monitoring manager should be responsible for ensuring that the compliance monitoring programme is properly implemented, maintained and continually reviewed and improved.
 - (3) The compliance monitoring manager should:
 - (i) have direct access to the accountable manager;
 - (ii) not be one of the other persons referred to in ORO.GEN.210 (b);
 - (iii) be able to demonstrate relevant knowledge, background and appropriate experience related to the activities of the operator, including knowledge and experience in compliance monitoring; and
 - (iv) have access to all parts of the operator, and as necessary, any contracted operator.
 - (4) In the case of a non-complex operator, this task may be exercised by the accountable manager provided he/she has demonstrated having the related competence as defined in (c)(3)(iii).
 - (5) In the case the same person acts as compliance monitoring manager and as safety manager, the accountable manager, with regards to his/her direct accountability for safety, should ensure that sufficient resources are allocated to both functions, taking into account the size of the operator and the nature and complexity of its activities.
 - (6) The independence of the compliance monitoring function should be established by ensuring that audits and inspections are carried out by personnel not responsible for the function, procedure or products being audited.
 - (7) If more than one person is designated for the compliance monitoring function, the accountable manager should identify the person who acts as the unique focal point (i.e. the 'compliance monitoring manager').

(d) Compliance monitoring documentation

- (1) Relevant documentation should include the relevant part(s) of the operator's management system documentation.
- (2) In addition, relevant documentation should also include the following:
 - (i) terminology;
 - (ii) specified activity standards;
 - (iii) a description of the operator;
 - (iv) the allocation of duties and responsibilities;
 - (v) procedures to ensure regulatory compliance;
 - (vi) the compliance monitoring programme, reflecting:
 - (A) schedule of the monitoring programme;
 - (B) audit procedures including an audit plan that is implemented, maintained, and continually reviewed and improved;
 - (C) reporting procedures;
 - (D) follow-up and corrective action procedures; and
 - (E) recording system.
 - (vii) the training syllabus referred to in (e)(2);
 - (viii) document control.

(e) Training

- (1) Correct and thorough training is essential to optimise compliance in every operator. In order to achieve significant outcome of such training, the operator should ensure that all personnel understand the objectives as laid down in the operator's management system documentation.
- (2) Those responsible for managing the compliance monitoring function should receive training on this task. Such training should cover the requirements of compliance monitoring, manuals and procedures related to the task, audit techniques, reporting and recording.
- (3) Time should be provided to train all personnel involved in compliance management and for briefing the remainder of the personnel.
- (4) The allocation of time and resources should be governed by the volume and complexity of the activities concerned.

AMC2 ORO.GEN.205 Contracted activities**THIRD-PARTY PROVIDERS**

- (a) The initial audit and/or the continuous monitoring of contracted organisations may be performed by a third-party provider on behalf of the operator when it is demonstrated that:
- (1) a documented arrangement has been established with the third-party provider;
 - (2) the audit standards applied by the third-party provider address the scope of this Regulation in sufficient detail;
 - (3) the third-party provider uses an evaluation system, designed to assess the operational, management and control systems of the contracted organisation;
 - (4) the independence of the third-party provider, its evaluation system as well as the impartiality of the auditors is ensured;
 - (5) the auditors are appropriately qualified and have sufficient knowledge, experience and training, including on-the-job training, to perform their allocated tasks;
 - (6) audits are performed on-site;
 - (7) access to the relevant data and facilities is granted to the level of detail necessary to verify compliance with the applicable requirements;
 - (8) access to the full audit report is granted;
 - (9) procedures have been established for monitoring continuous compliance of the contracted organisation with the applicable requirements; and
 - (10) procedures have been established to notify the contracted organisation of any non-compliance with the applicable requirements, the corrective actions to be taken, the follow-up of these corrective actions, and closure of findings.
- (b) The use of a third-party provider for the initial audit or the monitoring of continuous compliance of the contracted organisation does not exempt the operator from its responsibility under the applicable requirements.
- (c) The operator should maintain a list of the contracted organisations monitored by the third-party provider. This list and the full audit report prepared by the third-party provider should be made available to the competent authority upon request.

GM1 ORO.GEN.310 Use of aircraft listed on an AOC for non-commercial operations and specialised operations**EXAMPLES OF POSSIBLE SCENARIOS FOR THE USE OF AIRCRAFT LISTED ON AN AOC**

'Aircraft listed on an AOC' means any aircraft included in the AOC certification process, to which the privileges of the AOC apply. The registration marks of these aircraft are indicated either in the operations specifications form or in the operations manual of the AOC holder.

The following examples provide possible scenarios with organisations and operators to which this rule applies:

- (a) The same AOC holder providing the aircraft, using the aircraft either:
- (1) as a declared operator for SPO (commercial or non-commercial, including high-risk SPO) in accordance with Part-ORO and Part-SPO for operations with complex motor-powered aircraft. In such a case, the provisions of Part-SPO and Part-ORO apply. This implies that the operator submits a declaration for its SPO activities and applies for an authorisation if it performs high-risk SPO; or
 - (2) as a training organisation (approved training organisation (ATO) or declared training organisation (DTO)) for operations performed in accordance with Part-NCC or Part-NCO.
- (b) Another AOC holder:
- (1) as a declared operator, using complex motor-powered aircraft for NCC operations in accordance with Part-ORO and Part-NCC or for SPO activities (commercial or non-commercial), including high-risk SPO in accordance with Part-ORO and Part-SPO;
 - (2) as a training organisation (ATO or DTO), using the aircraft for operations performed in accordance with Part-NCC or Part-NCO; or
 - (3) using other than complex motor-powered aircraft for NCO operations.
- (c) An NCC operator or a SPO operator, for operations performed in accordance with Part-ORO and Part-NCC or in accordance with Part-ORO and Part-SPO (commercial or non-commercial), including high-risk SPO.
- (d) An NCO operator or a SPO operator conducting non-commercial operations with other than complex motor-powered aircraft in accordance with Part-NCO.
- (e) A training organisation (ATO or DTO), commercial or non-commercial, conducting operations in accordance with Part-NCC or Part-NCO.

GM2 ORO.GEN.310 Use of aircraft listed on an AOC for non-commercial operations and specialised operations

SPECIFIC APPROVALS

- (a) Specific approvals (SPA) of the AOC holder using its aircraft for non-commercial operations and specialised operations
- (1) When the AOC holder performs operations in accordance with Part-NCC or Part-NCO, the SPA granted for the AOC extend over these operations, as in such cases the provisions of ORO.AOC.125 apply.
 - (2) When the AOC holder performs operations in accordance with Part-SPO, as a declared operator, either:
 - (i) the SPA applicable to its SPO activities for the same aircraft are already granted within its AOC. In this case, the operator does not need to apply for them again; or
 - (ii) the SPA applicable to its SPO activities for the same aircraft are partially different from the SPA already granted within its AOC. In this case, the specific approval will

cover all the different aspects involved in SPO operation or training of relevant personnel; or

- (iii) the SPA are not granted within its AOC. In this case, the operator applies for the relevant SPA to its competent authority, in accordance with Part-SPA. This means that all the elements required for a SPA will be provided to the competent authority: evidence of the relevant airworthiness approval, specific equipment approval, operational procedures, and training programme specific for each of the SPA applied for.

- (b) SPA of any other operator, regardless of whether it also holds an AOC, using the aircraft as a declared operator or as a(n) ATO/DTO.

The declared operator performing NCC operations or SPO or the ATO/DTO has to comply with Part-SPA and apply for the SPA required for the type of operation it intends to conduct with that aircraft.

MINIMUM EQUIPMENT LIST (MEL)

The operator that uses the aircraft listed on the AOC of another operator is still responsible for obtaining the approval of the MEL for its own operations, to cover all the aircraft that it operates.

GM1 ORO.GEN.310(a)(2) Use of aircraft listed on an AOC for non-commercial operations and specialised operations

EXCEEDING 30 DAYS OF CONTINUOUS OPERATION

When the other operator uses or intends to use the aircraft without returning it to the AOC holder for a duration that exceeds 30 days, then the provisions of ORO.GEN.310 no longer apply; instead, the provisions of ORO.AOC.110 apply and the AOC holder has to remove that aircraft from its AOC.

AMC1 ORO.GEN.310(b);(e) Use of aircraft listed on an AOC for non-commercial operations and specialised operations

RESPONSIBILITIES OF THE AOC HOLDER

- (a) The AOC holder providing the aircraft should include the following information in the respective parts of its operations manual:
 - (1) how the relevant personnel are informed about which of the operators is responsible for the operational control of each flight;
 - (2) when possible, which of the aircraft are used by the AOC holder itself, when conducting operations as a different operator (SPO operator, ATO or DTO), or by other operators;
 - (3) when possible, the name of the other operators using the aircraft for operations performed in accordance with ORO.GEN.310;
 - (4) when possible, the frequency with which the aircraft is used by the other operators;

- (5) the means of instructing the relevant personnel on the continuing airworthiness procedure covering the use of the aircraft by other operators; and
 - (6) a customised list of occurrences that the other operators have to report to the AOC holder when using the aircraft in accordance with ORO.GEN.310. This list may be adjusted to fit the aircraft used by the other operators, as well as the type of operation for which it is used. The AOC holder should communicate this list to the other operators.
- (b) The AOC holder should ensure that the operations specifications form of the respective aircraft is not carried on board when that aircraft is used by other operators for their NCC, NCO or SPO operations.

GM1 ORO.GEN.310(d) Use of aircraft listed on an AOC for non-commercial operations and specialised operations

CONTINUING AIRWORTHINESS MANAGEMENT

In accordance with Annex I (Part-M) and Annex Vb (Part-ML) to Regulation (EU) No 1321/2014, the management of the continuing airworthiness of the aircraft by the continuing airworthiness management organisation (CAMO) or the combined airworthiness organisation (CAO) of the AOC holder means that the other operator has established a written contract as per Appendix I to Part-M or Appendix I to Part-ML with this CAMO or CAO.

AMC1 ORO.GEN.310(b);(d);(f) Use of aircraft listed on an AOC for non-commercial operations and specialised operations

RESPONSIBILITIES OF THE OTHER OPERATOR

The other operator using the aircraft listed on an AOC for operations under ORO.GEN.310 should include the following elements in its procedure:

- (a) a description of the way in which the shifting of operational control is communicated, including how, when and to whom the information is communicated;
- (b) a description of the specific responsibilities resulting from having the operational control of the flight performed with the aircraft listed on the AOC;
- (c) a description of the means to ensure that the relevant personnel are instructed to:
 - (1) contact the organisation responsible for the management of continuing airworthiness of the aircraft of the AOC holder (CAMO or CAO) for any defect or technical malfunction which occurs before or during the operation.

The information about any defect or malfunction should be transmitted to the CAMO or CAO of the AOC holder before the aircraft is used for the next flight. The same information should be confirmed by the entries in the aircraft technical log system; and

(2) report any occurrence in accordance with the applicable rules and the internal procedures;
and

(d) a customised list of occurrences, as developed by the AOC holder, which the other operator should use when informing the AOC holder of any safety-relevant issue or event that occurred while the aircraft was under its operational control.

AMC1 ORO.AOC.110 Leasing agreement

GENERAL

(a) The operator intending to lease-in an aircraft should provide the competent authority with the following information:

- (a1) the aircraft type, registration markings and serial number, as soon as available;
- (b2) the name and address of the registered owner;
- (c3) a copy of the valid certificate of airworthiness;
- (d4) a copy of the lease agreement or description of the lease provisions, except financial arrangements; and
- (e5) duration of the lease; and.

(b) (f) ~~in~~ In case of wet lease-in, a copy of the AOC of the third-country operator and the areas of operation.

(c) The information mentioned above should be accompanied by a statement signed by the lessee that the parties to the lease agreement fully understand their respective responsibilities under the applicable regulations.

AMC1 ORO.AOC.110(c) Leasing agreement

WET LEASE-IN AGREEMENT WITH A THIRD-COUNTRY OPERATOR

If the operator is not intending to apply EU safety requirements for air operations and continuing airworthiness when wet leasing-in an aircraft registered in a third country, it should demonstrate to the competent authority that the standards complied with are equivalent to the following requirements:

- (a) Annex IV (Part-CAT);
- (b) Part-ORO:
 - (1) ORO.GEN.110 and Section 2 of Subpart GEN;
 - (2) ORO.MLR, excluding ORO.MLR.105;
 - (3) ORO.FC;
 - (4) ORO.CC, excluding ORO.CC.200 and ORO.CC.210(a);

- (5) ORO.TC;
 - (6) ORO.FTL, including related CS-FTL; and
 - (7) ORO.SEC;
- (c) Annex V (Part-SPA), if applicable;
- (d) for continuing airworthiness management of the third-country operator, Part-M² Subpart-B, Subpart-C and Subpart-G, excluding M.A.707, and M.A.710;
- (e) for the maintenance organisation used by the third-country operator during the lease period: Part-145³; ~~and~~
- (f) retroactive airworthiness requirements in accordance with Part-26; and
- (g) the operator should provide the competent authority with a full description of the flight time limitation scheme(s), operating procedures and safety assessment demonstrating compliance with the safety objectives set out in points (b) (1)-(6).

GM1 ORO.AOC.110(c) Leasing agreement

SHORT-TERM WET LEASE-IN WITH A THIRD-COUNTRY OPERATOR

In anticipation of an operational need the operator may enter into a framework agreement with more than one third-country operator provided that these operators comply with ORO.AOC.110 (c). These third-country operators should be placed in a list maintained by the lessee.

AMC2 ORO.AOC.115(b) Code-share agreements

THIRD-PARTY PROVIDERS

- (a) The initial audit and/or the continuous monitoring may be performed by a third-party provider on behalf of the EU operator in accordance with AMC2 ORO.GEN.205 on contracted activities. ~~when it is demonstrated that:~~
- ~~(1) a documented arrangement has been established with the third party provider;~~
 - ~~(2) the audit standards applied by the third party provider addresses the scope of the regulation in sufficient detail;~~
 - ~~(3) the third party provider uses an evaluation system, designed to assess the operational, management and control systems of the third country code share operator;~~
 - ~~(4) independence of the third party provider, its evaluation system as well as the impartiality of the auditors is ensured;~~

² Commission Regulation (EU) No 1321/2014 ~~2042/2003~~.

³ Commission Regulation (EU) No 1321/2014 ~~2042/2003~~.

- ~~(5) — the auditors are appropriately qualified and have sufficient knowledge, experience and training, including on-the-job training, to perform their allocated tasks;~~
 - ~~(6) — audits are performed on-site;~~
 - ~~(7) — access to the relevant data and facilities is granted to the level of detail necessary to verify compliance with the applicable requirements;~~
 - ~~(8) — access to the full audit report is granted to the EU operator;~~
 - ~~(9) — procedures have been established for monitoring continued compliance of the third country code-share operator with the applicable requirements, taking into account the timelines in AMC1-ORO.AOC.115(b)(b) and (c);~~
 - ~~(10) — procedures have been established to notify the third country code-share operator of any non-compliance with the applicable requirements, the corrective actions to be taken, the follow up of these corrective actions and closure of findings.~~
- (b) The use of a third-party provider for the initial audit or the monitoring of continuous compliance of the third-country code-share operator does not exempt the EU operator from its responsibility under ORO.AOC.115.
- (c) The EU operator should maintain a list of the third country code-share operators monitored by the third-party provider. This list and the full audit report prepared by the third-party provider should be made available to the competent authority upon request.
- (...)

AMC1 ORO.AOC.125(a) Non-commercial operations of an AOC holder with aircraft listed on its AOC FLIGHT AND DUTY TIME LIMITATIONS AND REST REQUIREMENTS

When aircrew members are assigned to perform a series of flights that combine several types of operation (CAT, NCC/NCO), the operator should:

- (a) comply at any time with the provisions of ORO.FTL.210 'Flight times and duty periods' or, as applicable, the provisions of Council Regulation (EEC) No 3922/91 (EU-OPS, Subpart Q), to ensure compliance with Subpart FTL for any CAT operation; and
- (b) include any combination of types of operation in its safety risk management process to ensure that the fatigue risks arising from such operations do not affect the CAT operation.

AMC2 ORO.AOC.125(a) Non-commercial operations of an AOC holder with aircraft listed on its AOC **APPLICABLE REQUIREMENTS**

An AOC holder should apply either of the options below to its non-commercial operations:

- (a) the same operational procedures as those used for its CAT operations. In this case, the AOC holder should state this option in the operations manual and ensure that the procedures comply with Part-CAT. No further descriptions are required; or
- (b) different operational procedures from those used for its CAT operations. In this case, the procedures should comply with Part-ORO, except for Subpart-DEC, and Part-NCC for complex motor-powered aircraft or with Part-NCO for other than complex motor-powered aircraft, as appropriate.

AMC1 ORO.AOC.125(a)(2) Non-commercial operations of an AOC holder with aircraft listed on its AOC

DIFFERENT OPERATING PROCEDURES FOR NON-COMMERCIAL OPERATIONS

When developing operating procedures for non-commercial operations that are different from the ones used for its CAT operations, the AOC holder should identify the hazards and assess and mitigate the risks associated with each specific non-commercial operation, as part of the safety risk management process in compliance with ORO.GEN.200.

This process should consider at least the following elements:

- (a) Flight profile (including manoeuvres to be performed, any simulated abnormal situations in flight, duties and responsibilities of the crew members);
- (b) Continuing airworthiness, as applicable. This includes the case when the aircraft is returned to the AOC holder after having been used by another operator for operations in accordance with ORO.GEN.310;
- (c) Levels of functional equipment and systems (MEL, CDL);
- (d) Operating procedures, minima, and dispatch criteria;
- (e) Operating a flight with a double purpose (e.g. a relocation flight used as a line training flight or a maintenance check flight used as a line training flight);
- (f) Specific approvals held by the AOC holder;
- (g) Flight and duty time limitations and rest requirements and cumulative fatigue;
- (h) Selection, composition, and training of flight crew and cabin crew;
- (i) Multi-pilot operation as per Part-CAT vs single-pilot operation when operating according to Part-NCC or Part-NCO;
- (j) Flights performed with aircrew that includes aircrew members of another operator, who have not completed a familiarisation training and who may not be familiar with the AOC holder's operational procedures;

- (k) Categories of passengers on board, including when non-commercial operations are performed with no cabin crew.

AMC2 ORO.AOC.125(a)(2) Non-commercial operations of an AOC holder with aircraft listed on its AOC

PLANNING FLIGHTS WITH AN INCREASED LEVEL OF RISK

- (a) Significant aspects such as the ones below should be addressed in the risk assessment and risk mitigation process by any operator conducting such flights:

- (1) which pilots are involved in their operation;
- (2) what is the purpose of the flight; and
- (3) how it is to be accomplished — what flight procedures are to be applied.

- (b) The AOC holder should prepare the non-commercial operations with an increased level of risk taking into consideration the following elements, as applicable:

- (1) pre-flight briefing;
- (2) duties and responsibilities of the flight crew members involved, task sharing;
- (3) special operating procedures;
- (4) manoeuvres to be performed in flight, minimum and maximum speeds and altitudes for all portions of the flight;
- (5) operational limitations;
- (6) potential risks and contingency plans;
- (7) adequate available airspace and coordination with the air traffic control (ATC);
- (8) selection of flight crew members; and
- (9) additional flight crew training at regular intervals to ensure recency (considering also a flight of a similar risk profile in the simulator, if needed).

GM1 ORO.AOC.125(a)(2) Non-commercial operations of an AOC holder with aircraft listed on its AOC

EXAMPLES OF DIFFERENT OPERATING PROCEDURES APPLIED TO NON-COMMERCIAL OPERATIONS

The provisions of ORO.AOC.125 enable an AOC holder to apply the most appropriate requirements when conducting non-commercial operations, based on the risk assessment and risk mitigation processes.

Below is a non-exhaustive list of elements that an AOC holder may identify and describe as being different in its non-commercial operations from those used for its CAT operation and for which the provisions of Part-ORO and Part-NCC or the provisions of Part-NCO should apply as appropriate:

- (a) Qualification, training and experience of aircrew members, including aerodrome and route competence requirements.
- (b) Flight crew and cabin crew composition requirements
 - (1) CAT operations contain more stringent requirements for aircrew members, e.g. multi-pilot vs single-pilot requirements.
 - (2) The AOC holder should specify the minimum number of flight crew and cabin crew and the applicable aircrew composition.
- (c) Fuel requirements
- (d) Performance requirements
- (e) Serviceable instruments, data and equipment and MEL considerations
- (f) Non-ETOPS/ETOPS
 - ETOPS are applicable to CAT operations only and thus a flight operated according to Part-NCC/Part-NCO may be performed without the ETOPS restrictions.
- (g) Non-commercial flights with no cabin crew (see ORO.CC.100(d) and the associated AMC).

GM2 ORO.AOC.135(a) Personnel requirements

COMPETENCE OF NOMINATED PERSONS

- (a) Nominated persons in accordance with ORO.AOC.135 should be expected to possess the experience and meet the ~~licensing provisions that are listed in~~ qualification provisions of (b) to (f) respectively. Exceptionally, in particular cases, where the nominated person ~~the competent authority may accept a nomination that~~ does not meet these provisions in full, ~~In that circumstance~~, the nominee should have comparable experience and also the ability to perform effectively the functions associated with the post and with the scale of the operation.
- (b) Nominated persons for flight operations, crew training and ground operations should have:
 - (1) practical experience and expertise in the application of aviation safety standards and safe operating practices;
 - (2) comprehensive knowledge of:
 - (i) the applicable EU safety regulations and any associated requirements and procedures;
 - (ii) the AOC holder's operations specifications; and
 - (iii) the need for, and content of, the relevant parts of the AOC holder's operations manual;
 - (3) familiarity with management systems preferably in the area of aviation;
 - (4) appropriate management experience, preferably in a comparable organisation; and

- (5) 5 years of relevant work experience of which at least 2 years should be from the aeronautical industry in an appropriate position.
- (c) Flight operations. The nominated person should hold or have held a valid flight crew licence and the associated ratings appropriate to a type of operation conducted under the AOC. In case the nominated person's licence and ratings are not current, his/her deputy should hold a valid flight crew licence and the associated ratings.
- (d) Crew training. The nominated person or his/her deputy should be a current type rating instructor on a type/class operated under the AOC. The nominated person should have a thorough knowledge of the AOC holder's crew training concept for flight, cabin and when relevant other crew.
- (e) Ground operations. The nominated person should have a thorough knowledge of the AOC holder's ground operations concept.
- (f) Continuing airworthiness. The nominated person **for continuing airworthiness or for the continuing airworthiness management contract, as the case may be**, should have the relevant knowledge, **background** and **appropriate** experience **requirements related to aircraft continuing airworthiness as detailed in Part-M** in accordance with Regulation (EU) No 1321/2014.

AMC3 ORO.MLR.100 Operations manual — general

CONTENTS — CAT OPERATIONS

(...)

- 8.7 ~~Non-revenue flights~~ **Non-commercial operations.** Information as required by **ORO.AOC.125 for each type of non-commercial flight performed by the AOC holder.** **A description of the differences from CAT operations.** Procedures and limitations, for example, for the following:
- ~~(a) — non-commercial operations by AOC holders, a description of the differences to commercial operations;~~
- (a)** training flights,
- ~~(b)~~ **(b)** test flights, **flights at the end of lease or upon transfer of ownership,**
- ~~(c)~~ **(c)** delivery flights,
- ~~(d)~~ **(d)** ferry flights,
- ~~(e)~~ **(e)** demonstration flights,
- ~~(f)~~ **(f)** positioning flights, ~~including the kind of persons who may be carried on such flights.~~
- (g)** **other non-commercial flights.**

AMC1 ORO.MLR.105(d)(3) Minimum equipment list

SCOPE OF THE MEL

The MEL should include:

- (a) (...)
- (b) Specific provision for particular types of operations carried out by the operator in accordance with **ORO.GEN.310** and with ORO.AOC.125.

GM1 ORO.MLR.105(d)(3) Minimum equipment list

SCOPE OF THE MEL

- (a) (...)
- (b) ~~Examples of~~ **Different types of** operations carried out by the operator in accordance with **ORO.GEN.310** and with ORO.AOC.125 ~~may be~~:
 - (1) crew training,
 - (2) positioning flights,
 - (3) demonstration flights.
- (...)

GM1 ORO.CC.100 Number and composition of cabin crew

MINIMUM NUMBER OF CABIN CREW

- (a) When determining the minimum required cabin crew for its specific aircraft cabin configuration, the operator should:
 - (1) request information regarding the minimum number of cabin crew established by the aircraft type certificate (TC) holder or other design organisation responsible for showing compliance with the evacuation requirements of the applicable Certification Specifications; and
 - (2) take into account the factors specified in AMC1 ORO.CC.100, as applicable.
- (b) The number of cabin crew referred to in ORO.CC.100 (b)(1) means either:
 - (1) the number of cabin crew who actively participated in the aircraft cabin during the relevant emergency evacuation demonstration, or who were assumed to have taken part in the relevant analysis, carried out by the aircraft TC holder when demonstrating the maximum passenger seating capacity (MPSC) of the aircraft type at the time of initial type certification; or
 - (2) a lower number of cabin crew who actively participated in a subsequent emergency evacuation demonstration, or who were assumed to have taken part in the relevant analysis, and for which approval has been obtained for a cabin configuration other than the MPSC, either by the TC holder or by another design organisation. The operator should

obtain a clear indication of that number which is specified in the related documentation. ~~If a lower number is not specified, the number of cabin crew established at the time of initial type certification applies.~~

AMC1 ORO.CC.100(d)(2) Number and composition of cabin crew
PROCEDURES FOR NON-COMMERCIAL OPERATIONS WITH NO OPERATING CABIN CREW ON BOARD
AN AIRCRAFT WITH AN MOPSC OF MORE THAN 19 AND MAXIMUM 19 PASSENGERS

The operator should assess the risk of operating a flight with no cabin crew member and ensure that the following procedures mitigate the risks and provide appropriate level of protection of the aircraft occupants:

- (a) Flight crew members assigned to these flights should receive training on operations where no cabin crew is required in accordance with ORO.FC.220 and ORO.FC.230.
- (b) The operator should consider the categories of passengers to be carried on such flights, who may be knowledgeable or not about the aircraft type and procedures in normal, abnormal and emergency situations.
- (c) The procedures should cover at least the following elements, if applicable:
 - (1) communication and coordination between flight crew members and passengers;
 - (2) flight crew member incapacitation;
 - (3) cabin surveillance;
 - (4) rapid egress from the aircraft in case of rapid disembarkation or evacuation;
 - (5) operation and use of emergency exits and assisting evacuation means;
 - (6) location and use of oxygen;
 - (7) location and use of life jackets;
 - (8) passenger seating in order to maintain:
 - (i) an easy access to emergency exits;
 - (ii) timely communication with flight crew member(s); and
 - (iii) the required mass and balance of the aircraft;
 - (9) passenger briefing in accordance with Annex IV (Part-CAT), including information on the location and use of equipment not displayed in the operator's safety briefing material, such as a fire extinguisher, first aid equipment (e.g. first aid kit, defibrillator), smoke hood, etc.; and
 - (10) any additional safety instructions that are deemed necessary to ensure passenger protection.

GM1 ORO.CC.100(d)(2) Number and composition of cabin crew**CATEGORIES OF PASSENGERS**

- (a) The operator should adapt the procedures for non-commercial operations with an aircraft with an MOPSC of more than 19 and maximum 19 passengers and no operating cabin crew on board to the categories of passengers to be carried on such flight. This includes but is not limited to the following groups:
- (1) Passengers who are already familiar with the aircraft environment, the procedures in normal operations, abnormal and emergency situations or trained on the aircraft type, e.g. non-operating aircrew members, maintenance personnel, etc.
 - (2) Passengers who are not familiar with the aircraft environment or procedures in normal operations, abnormal and emergency situations, e.g. operator's guests, employees, etc.
 - (3) Passengers who travel frequently on such flights. The operator may consider providing these passengers with training covering all safety and emergency procedures for the given aircraft type as described in AMC1.1 CAT.OP.MPA.170. The operator should be able to show evidence of their training. These passengers may also be provided with an extended briefing to facilitate communication with flight crew and coordination of all passengers in case of an abnormal or emergency situation.
 - (4) Special categories of passengers (see CAT.OP.MPA.155).
- (b) The operator may include in its procedures a ratio of the categories of passengers described in (a) above that can travel on the same flight.

AMC1 ORO.CC.125(d) Aircraft type-specific training and operator conversion training**TRAINING PROGRAMME – OPERATOR CONVERSION TRAINING**

The following training elements should be covered as relevant to the aircraft type and the related operator's specifics:

- (a) Description of the cabin configuration
- (...)
- (9) stowage for the containment of waste; ~~and~~
 - (10) passenger hand rail system or alternative means; ~~;~~ and
 - (11) in-flight entertainment (IFE) system, if installed (e.g. central system or hand-held device(s) such as PEDs for the use by passenger(s) as applicable) and its safety aspects.
- (...)

AMC1 ORO.CC.135 Familiarisation

FAMILIARISATION FLIGHTS AND AIRCRAFT FAMILIARISATION VISITS

(...)

(c) Aircraft familiarisation visits

(1) ...

(xii) crew rest areas; ~~and~~

(xiii) doors/exits location and environment; ~~and~~

(xiv) IFE system used for conveying safety-related information.

GM1 ORO.CC.205(a) Reduction of the number of cabin crew members during ground operations and in unforeseen circumstances

CABIN CREW PRESENT AND READY TO ACT

'Present and ready to act' means that cabin crew members should be awake and in a state of alertness that enables them to fulfil their responsibilities and perform their duties as required by any situation in accordance with all applicable normal and emergency procedures established in the operations manual.

AMC1 ORO.CC.205(c)(1) Reduction of the number of cabin crew members during ground operations and in unforeseen circumstances

PROCEDURES WITH REDUCED NUMBER OF CABIN CREW

(...)

AMC1 ORO.CC.205(d) Reduction of the number of cabin crew members during ground operations and in unforeseen circumstances

RISK ASSESSMENT FOR CRUISE PHASE OPERATION WITH A LOWER NUMBER OF CABIN CREW MEMBERS

When conducting the risk assessment required under ORO.CC.205(d), the operator should:

- (a) assess the risks as relevant to the type and duration of the flight to be operated, aeroplane type, cabin configuration, passenger seating capacity, the number and qualification of the operating cabin crew members, and the particular flight duty period (FDP);
- (b) determine how many cabin crew members should be present and ready to act at any time to realistically manage the normal and emergency procedures to be applied during cruise; and
- (c) evaluate the time and conditions necessary for the cabin crew members taking in-flight rest to reach their assigned cabin crew stations in case of an emergency.

AMC2 ORO.CC.205(d) Reduction of the number of cabin crew members during ground operations and in unforeseen circumstances

SPECIFIC PROCEDURES FOR CRUISE PHASE OPERATION WITH A LOWER NUMBER OF CABIN CREW MEMBERS IN THE PASSENGER COMPARTMENT

(a) When establishing the specific procedures for cruise phase operation with a lower number of cabin crew members in the passenger compartment, the operator should at least consider the following:

(1) Normal procedures including at least:

- (i) surveillance of the passenger compartment, including the lavatories and the galleys;
- (ii) management of, and assistance to, passengers;
- (iii) crew communication and coordination, including the necessary contact with and support to the flight crew as specified by the operator.

(2) Emergency procedures including at least those to be applied in case of:

- (i) medical emergency;
- (ii) unruly behaviour;
- (iii) unlawful interference or bomb threat;
- (iv) slow depressurisation;
- (v) decompression;
- (vi) fire or smoke event;
- (vii) emergency descent, taking into account that the procedure to be applied may vary depending on the causing event (e.g. depressurisation or fire).

(c) Specific procedures for cruise phase operation with a lower number of cabin crew should describe:

- (1) how to re-assign duties and responsibilities of cabin crew members or senior crew members who take in-flight rest to another cabin crew member considering the experience and qualification of the cabin crew member or senior cabin crew member; and
- (2) how cabin crew members taking in-flight rest can be again ready to act and reach their assigned cabin crew stations in case of an emergency.

GM1 ORO.FTL.105(1) Definitions

ACCLIMATISED

(...)

(d) Should a crew member's rotation include additional duties that end in a different time zone than his or her first arrival destination's time zone while he or she is considered to be in an unknown state of acclimatisation, then the crew member remains in an unknown state of acclimatisation until he or she:

(1) has taken the rest period required by CS FTL.1.235(b)(3) at home base;

(2) has taken the rest period required by CS FTL.1.235(b)(3) at the new location; or

(...)