European Union Aviation Safety Agency

FAQ n.47556

FAQs:

ORO.FTL, Part-ORO, Air Operations, Regulations

Question:

Status of the EASA FAQ: What is the legal status of the EASA FAQ? My own understanding of this document is that it has no legal standing at all, insofar as it is neither an Implementing Rule (IR), Acceptable Means of Compliance (AMC), Alternative Means of Compliance (AltMoc) nor even Guidance Material (GM).

Answer:

EASA is not the competent authority to interpret EU Law. The responsibility to interpret EU Law rests with the judicial system, and ultimately with the European Court of Justice. Therefore any information included in these FAQs shall be considered as EASA's understanding on a specific matter, and cannot be considered in any way as legally binding.

The answers provided represent EASA’s technical opinion and also indicate the manner how EASA is evaluating, as part of its standardisation continuous monitoring activities, the application by national competent authorities of the respective regulatory provisions.

In the margins of its future rulemaking activities, EASA will consider the opportunity to include some of these FAQ in Subpart FTL as GM.

Last updated:

13/07/2018

Link:

https://www.easa.europa.eu/en/faq/47556