

Annex VIII to ED Decision 2019/019/R

'AMC and GM to Part-NCO — Issue 2, Amendment 9'

The Annex to Decision 2014/016/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 NCO.GEN.100(b) Competent authority

DETERMINING THE PLACE WHERE AN OPERATOR IS RESIDING

For the purpose of Regulation (EU) No 965/2012, the concept of 'place where the operator is residing' is mainly addressed to a natural person.

The place where the operator resides is the place where the operator complies with his or her tax obligations.

Several criteria can be used to help determining a person's place of residence. These include, for example:

- (a) the duration of a person's presence on the territory of the countries concerned;
- (b) the person's family status and ties;
- (c) the person's housing situation and how permanent it is;
- (d) the place where the person pursues professional or non-profit activities;
- (e) the characteristics of the person's professional activity;
- (f) the Member State where the person resides for taxation purposes.

AMC1 NCO.GEN.104 Use of aircraft included in an AOC by an NCO operator

RESPONSIBILITIES OF THE NCO OPERATOR

The operator using the aircraft included in an AOC for operations performed in accordance with Part-NCO should describe the following elements in its procedure required in NCO.GEN.104:

- (a) the way in which the shifting of operational control is communicated, including how, when and to whom the information is communicated;
- (b) the means to ensure that the relevant personnel are instructed on the following:

- (1) to 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/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) to report any occurrence in accordance with the applicable rules and the internal procedures; and

(c) the way in which the operator deals with failures and defects identified before the flight.

GM1 NCO.GEN.104 Use of aircraft included in an AOC by an NCO operator

SCOPE

As per SPO.GEN.005(b), operators performing non-commercial specialised operations with other than complex motor-powered aircraft will comply with Annex VII (Part-NCO). Thus, such operators are also covered by NCO.GEN.104.

GM1 NCO.GEN.104(c) Use of aircraft included in an AOC by an NCO operator

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 CAMO/CAO of the AOC holder means that the NCO operator has established a written contract as per Appendix I to Part-M or Appendix I to Part-ML with this CAMO/CAO.

AMC1 NCO.IDE.A.120(a)(3) & NCO.IDE.A.125(a)(3) Operations under VFR operations & operations under IFR — flight and navigational instruments and associated equipment

CALIBRATION OF THE MEANS OF MEASURING AND DISPLAYING PRESSURE ALTITUDE

The instrument measuring and displaying ~~pressure~~ **barometric** altitude should be of a sensitive type calibrated in feet (ft), with a sub-scale setting, calibrated in hectopascals/millibars, adjustable for any barometric pressure likely to be set during flight.

AMC1 NCO.IDE.A.140 Seats, seat safety belts, restraint systems and child restraint devices

CHILD RESTRAINT DEVICES (CRDs)

(a) A CRD is considered to be acceptable if:

- (1) it is a 'supplementary loop belt' manufactured with the same techniques and the same materials as the approved safety belts; or
- (2) it complies with (b).

(b) Provided the CRD can be installed properly on the respective aircraft seat, the following CRDs are considered acceptable:

- (1) CRDs approved for use in aircraft according to the European Technical Standard Order ETSO-C100c on Aviation Child Safety Device (ACSD) ~~by the competent authority on the basis of a technical standard and marked accordingly;~~
- (2) CRDs approved by EASA through a Type Certificate or Supplemental Type Certificate;
- (23) ~~CRDs~~ Child seats approved for use in motor vehicles on the basis of the technical standard specified in (i). The child seat must be also approved for use in aircraft on the basis of the technical standard specified in either point (ii) or point (iii): ~~according to the UN standard ECE R 44, -03 or later series of amendments;~~
 - (i) UN Standard ECE R44-04 (or 03), or ECE R129 bearing the respective 'ECE R' label; and
 - (ii) German 'Qualification Procedure for Child Restraint Systems for Use in Aircraft' (TÜV/958-01/2001) bearing the label 'For Use in Aircraft'; or
 - (iii) Other technical standard acceptable to the competent authority. The child seat should hold a qualification sign that it can be used in aircraft.
- (34) ~~CRDs~~ Child seats approved for use in motor vehicles and aircraft according to Canadian CMVSS 213/213.1 bearing the respective label;
- (45) ~~CRDs~~ Child seats approved for use in motor vehicles and aircraft according to US FMVSS No 213 and ~~manufactured to these standards on or after 26 February 1985. US approved CRDs manufactured after this date must bear~~ bearing one or two labels displaying the following two sentences ~~labels in red letters:~~
 - (i) 'THIS CHILD RESTRAINT SYSTEM CONFORMS TO ALL APPLICABLE FEDERAL MOTOR VEHICLE SAFETY STANDARDS'; and
 - (ii) ~~in red letters~~ 'THIS RESTRAINT IS CERTIFIED FOR USE IN MOTOR VEHICLES AND AIRCRAFT';
- (56) Child seats approved for use in motor vehicles and aircraft according to Australia/New Zealand's technical standard AS/NZS 1754:2013 bearing the green part on the label displaying 'For Use in Aircraft' ~~CRDs qualified for use in aircraft according to the German 'Qualification Procedure for Child Restraint Systems for Use in Aircraft' (TÜV Doc.: TÜV/958-01/2001); and~~
- (67) ~~devices~~ CRDs approved for use in cars, manufactured and tested according to other technical standards equivalent to those listed above. The devices should be marked with

an associated qualification sign, which shows the name of the qualification organisation and a specific identification number, related to the associated qualification project. The qualifying organisation should be a competent and independent organisation that is acceptable to the competent authority.

(c) Location

- (1) Forward-facing CRDs child seats may be installed on both forward- and rearward-facing passenger seats, but only when fitted in the same direction as the passenger seat on which they are positioned. Rearward-facing CRDs child seats should only be installed on forward-facing passenger seats. A CRD child seat should may not be installed within the radius of action of an airbag unless it is obvious that the airbag is de-activated or it can be demonstrated that there is no negative impact from the airbag.
- (2) An infant/child in a CRD should be located as near to in the vicinity of a floor level exit as feasible.
- (3) An infant/child in a CRD should not hinder evacuation for any passenger.
- ~~(4) An infant/child in a CRD should neither be located in the row (where rows are existing) leading to an emergency exit nor located in a row immediately forward or aft of an emergency exit. A window passenger seat is the preferred location. An aisle passenger seat or a cross aisle passenger seat that forms part of the evacuation route to exits is not recommended. Other locations may be acceptable provided the access of neighbour passengers to the nearest aisle is not obstructed by the CRD.~~
- ~~(5) In general, only one CRD per row segment is recommended. More than one CRD per row segment is allowed if the infants/children are from the same family or travelling group provided the infants/children are accompanied by a responsible adult sitting next to them in the same row segment.~~
- ~~(6) A row segment is one or more seats side by side separated from the next row segment by an aisle the fraction of a row separated by two aisles or by one aisle and the aeroplane fuselage.~~

(d) Installation

- (1) CRDs tested and approved for use in aircraft should only be installed on a suitable passenger seat by the method shown in the manufacturer's instructions provided with each CRD and with the type of connecting device they are approved for the installation in aircraft. CRDs designed to be installed only by means of rigid bar lower anchorages (ISOFIX or equivalent) should only be used on passenger seats equipped with such connecting devices and should not be secured by passenger seat lap belt. ~~CRDs should only be installed on a suitable aeroplane seat with the type of connecting device they are approved or qualified for. E.g., CRDs to be connected by a three-point harness only (most rearward-facing baby CRDs currently available) should not be attached to an aeroplane seat with a lap belt only; a CRD designed to be attached to a vehicle seat by means of rigid bar lower anchorages (ISO-FIX or US equivalent) only, should only be used on aeroplane seats that are equipped with such connecting devices and should not be~~

~~attached by the aeroplane seat lap belt. The method of connecting should be the one shown in the manufacturer's instructions provided with each CRD.~~

- (2) All safety and installation instructions should be followed carefully by the responsible adult accompanying the infant/child. ~~Operators should prohibit the use of any a CRD inadequately not installed on the passenger seat according to the manufacturer's instructions or not approved for use in aircraft CRD or not qualified seat.~~
 - (3) If a forward-facing ~~CRD~~ child seat with a rigid backrest is to be fastened by a seat lap belt, the restraint device should be fastened when the backrest of the passenger seat on which it rests is in a reclined position. Thereafter, the backrest is to be positioned upright. This procedure ensures better tightening of the ~~CRD~~ child seat on the aircraft seat if the aircraft seat is reclinable.
 - (4) The buckle of the adult safety belt ~~must should~~ be easily accessible for both opening and closing, and ~~must should~~ be in line with the seat belt halves (not canted) after tightening.
 - (5) Forward-facing restraint devices with an integral harness must not be installed such that the adult safety belt is secured over the infant.
- (e) Operation
- (1) Each CRD should remain secured to a passenger seat during all phases of flight unless it is properly stowed when not in use.
 - (2) Where a ~~CRD~~ child seat is adjustable in recline, it ~~should must~~ be in an upright position for all occasions when passenger restraint devices are required.

AMC1 NCO.IDE.H.140 Seats, seat safety belts, restraint systems and child restraint devices

CHILD RESTRAINT DEVICES (CRDs)

- (a) A CRD is considered to be acceptable if:
 - (1) it is a 'supplementary loop belt' manufactured with the same techniques and the same materials of the approved safety belts; or
 - (2) it complies with (b).
- (b) Provided the CRD can be installed properly on the respective helicopter seat, the following CRDs are considered acceptable:
 - (1) CRDs approved for use in aircraft ~~according to the European Technical Standard Order ETSO-C100c on Aviation Child Safety Device (ACSD) by a competent authority on the basis of a technical standard and marked accordingly;~~
 - (2) ~~CRDs approved by EASA through a Type Certificate or Supplemental Type Certificate;~~
 - (23) ~~CRDs~~ Child seats approved for use in motor vehicles ~~on the basis of the technical standard specified in (i). The child seat must be also approved for use in aircraft on the basis of the technical standard specified in either point (ii) or point (iii): according to the UN standard ECE-R 44, -03 or later series of amendments;~~

- (i) UN Standard ECE R44-04 (or 03), or ECE R129 bearing the respective 'ECE R' label; and
 - (ii) German 'Qualification Procedure for Child Restraint Systems for Use in Aircraft' (TÜV Doc.: TÜV/958-01/2001) bearing the label 'For Use in Aircraft'; or
 - (iii) Other technical standard acceptable to the competent authority. The child seat should hold a qualification sign that it can be used in aircraft .
- (34) CRDs Child seats approved for use in motor vehicles and aircraft according to Canadian CMVSS 213/213.1 bearing the respective label;
- (45) CRDs Child seats approved for use in motor vehicles and aircraft according to US FMVSS No 213 and ~~are manufactured to these standards on or after February 26, 1985. US approved CRDs manufactured after this date must bear~~ bearing one or two labels displaying the following two sentences labels in red letters:
- (i) 'THIS CHILD RESTRAINT SYSTEM CONFORMS TO ALL APPLICABLE FEDERAL MOTOR VEHICLE SAFETY STANDARDS'; and
 - (ii) in red letters 'THIS RESTRAINT IS CERTIFIED FOR USE IN MOTOR VEHICLES AND AIRCRAFT';
- (56) Child seats approved for use in motor vehicles and aircraft according to Australia/New Zealand's technical standard AS/NZS 1754:2013 bearing the green part on the label displaying 'For Use in Aircraft' ~~CRDs qualified for use in aircraft according to the German 'Qualification Procedure for Child Restraint Systems for Use in Aircraft' (TÜV Doc.: TÜV/958-01/2001); and~~
- (67) ~~devices~~ CRDs ~~approved for use in cars,~~ manufactured and tested according to other technical standards equivalent to those listed above. The devices should be marked with an associated qualification sign, which shows the name of the qualification organisation and a specific identification number, related to the associated qualification project. The qualifying organisation should be a competent and independent organisation that is acceptable to the competent authority.
- (c) Location
- (1) Forward-facing CRDs child seats may be installed on both forward-and rearward-facing passenger seats, but only when fitted in the same direction as the passenger seat on which they are positioned. Rearward-facing CRDs child seats should only be installed on forward-facing passenger seats. A CRD child seat ~~should~~ may not be installed within the radius of action of an airbag unless it is obvious that the airbag is de-activated or it can be demonstrated that there is no negative impact from the airbag.
 - (2) An infant/child in a CRD should be located ~~as near to~~ in the vicinity of a floor level exit ~~as feasible~~.
 - (3) An infant/child in a CRD should not hinder evacuation for any passenger.
 - ~~(4) An infant/child in a CRD should neither be located in the row (where rows are existing) leading to an emergency exit nor located in a row immediately forward or aft of an emergency exit. A window passenger seat is the preferred location. An aisle passenger seat~~

~~or a cross aisle passenger seat that forms part of the evacuation route to exits is not recommended. Other locations may be acceptable provided the access of neighbour passengers to the nearest aisle is not obstructed by the CRD.~~

~~(5) In general, only one CRD per row segment is recommended. More than one CRD per row segment is allowed if the infants/children are from the same family or travelling group provided the infants/children are accompanied by a responsible adult sitting next to them in the same row segment.~~

~~(6) A row segment is one or more seats side-by-side separated from the next row segment by an aisle the fraction of a row separated by two aisles or by one aisle and the helicopter fuselage.~~

(d) Installation

(1) ~~CRDs tested and approved for use in aircraft should only be installed on a suitable passenger seat by the method shown in the manufacturer's instructions provided with each CRD and with the type of connecting device they are approved for the installation in aircraft. CRDs designed to be installed only by means of rigid bar lower anchorages (ISOFIX or equivalent) should only be used on passenger seats equipped with such connecting devices and should not be secured by passenger seat lap belt. CRDs should only be installed on a suitable helicopter seat with the type of connecting device they are approved or qualified for. For instance E.g., CRDs to be connected by a three-point harness only (most rearward facing baby CRDs currently available) should not be attached to a helicopter seat with a lap belt only, a CRD designed to be attached to a vehicle seat by means of rigid bar lower anchorages (ISO-FIX or US equivalent) only, should only be used on helicopter seats that are equipped with such connecting devices and should not be attached by the helicopter seat lap belt. The method of connecting should be the one shown in the manufacturer's instructions provided with each CRD.~~

(2) All safety and installation instructions must be followed carefully by the responsible person accompanying the infant/child. ~~Cabin crew Operators should prohibit the use of any a CRD inadequately not installed on the passenger seat according to the manufacturer's instructions or not approved for use in aircraft CRD or not qualified seat.~~

(3) If a forward-facing ~~CRD~~ **child seat** with a rigid backrest is to be fastened by a **seat** lap belt, the restraint device should be fastened when the backrest of the passenger seat on which it rests is in a reclined position. Thereafter, the backrest is to be positioned upright. This procedure ensures better tightening of the ~~CRD~~ **child seat** on the aircraft seat if the aircraft seat is reclinable.

(4) The buckle of the adult safety belt ~~must should~~ be easily accessible for both opening and closing, and ~~must should~~ be in line with the seat belt halves (not canted) after tightening.

(5) Forward-facing restraint devices with an integral harness must not be installed such that the adult safety belt is secured over the infant.

(e) Operation

(1) Each CRD should remain secured to a passenger seat during all phases of flight, unless it is properly stowed when not in use.

- (2) Where a ~~CRD~~ child seat is adjustable in recline, it ~~must~~ should be in an upright position for all occasions when passenger restraint devices are required.

AMC1 NCO.SPEC.100 Scope

CRITERIA

(...)

- (e) external loads or goods are lifted or towed; ~~or~~
- (f) persons enter or leave the aircraft during flight; ~~or~~
- (g) the flight falls under the definition of 'maintenance check flight'.

GM1 NCO.SPEC.100 Scope

LIST OF SPECIALISED OPERATIONS

- (a) Specialised operations include the following activities:
- (19) scientific research flights (other than those under ~~Annex II of Regulation 216/2008~~ Annex I to Regulation (EU) 2018/1139); ~~and~~
- (20) cloud seeding; ~~and~~
- (21) maintenance check flights.

SUBPART E: SPECIFIC REQUIREMENTS

(…)

Section 6 — Maintenance check flights (MCFs)**GM1 NCO.SPEC.MCF.110 Checklist and safety briefing****SPECIFIC PROCEDURES**

Specific preparation for a maintenance check flight (MCF) is essential. In addition to the standard considerations before a typical flight (weather, aircraft weight and balance, pre-flight inspection, checklists, etc.), the pilot should:

- (a) inform ATC of the particular MCF;
- (b) if needed, agree on the appropriate airspace;
- (c) understand the airworthiness status of the aircraft;
- (d) assess the complexity of the flight; and
- (e) develop appropriate strategies to mitigate potential risks.

The operator planning to conduct an MCF should develop checklists for the in-flight assessment of the unreliable systems, considering relevant abnormal and emergency procedures. When developing the checklists, the operator should consider the applicable documentation available from the type certificate holder or other valid documentation.

The pilot-in-command should only allow on board the persons needed for the purpose of the flight and brief the crew and task specialist on abnormal and emergency procedures relevant for the MCF.

AMC1 NCO.SPEC.MCF.120 Flight crew requirements**SELECTION OF PILOT-IN-COMMAND FOR A LEVEL-A MCF**

The operator may select a flight instructor to act as pilot-in-command for a 'Level A' MCF on other than complex motor-powered aircraft.

GM1 NCO.SPEC.MCF.125 Crew composition and persons on board**TASK SPECIALIST**

The task specialist should be trained as necessary in crew coordination procedures as well as emergency procedures and be appropriately equipped.