

Executive Director Decision

2019/005/R

of 27 February 2019

amending the Acceptable Means of Compliance and Guidance Material to Annex I (Part-FCL) and Annex VII (Part-ORA) to Commission Regulation (EU) No 1178/2011, and the Acceptable Means of Compliance and Guidance Material to Annex I (Definitions) and Annex III (Part-ORO) to Commission Regulation (EU) No 965/2012

‘AMC and GM to Part-FCL — Issue 1, Amendment 7

AMC and GM to Part ORA — Issue 1, Amendment 6

GM to Annex I (Definitions) — Issue 1, Amendment 8

AMC and GM to Part-ORO — Issue 2, Amendment 13’

THE EXECUTIVE DIRECTOR OF THE EUROPEAN UNION AVIATION SAFETY AGENCY,

Having regard to Regulation (EC) No 2018/1139¹, and in particular Article 104(3)(a) thereof,

Having regard to Commission Regulation (EU) No 1178/2011², and in particular ARA.GEN.120(a) of Annex VI thereto,

Having regard to Commission Regulation (EU) No 965/2012³, and in particular ARO.GEN.120(a) of Annex II thereto,

Whereas:

(1) EASA shall, pursuant to Article 76(3) of Regulation (EU) 2018/1139, issue certification specifications and acceptable means of compliance, as well as guidance material, for the

¹ Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91 (OJ L 212, 22.8.2018, p. 1) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1535612134845&uri=CELEX:32018R1139>).

² Commission Regulation (EU) No 1178/2011 of 3 November 2011 laying down technical requirements and administrative procedures related to civil aviation aircrew pursuant to Regulation (EU) No 216/2008 of the European Parliament and of the Council (OJ L 311, 25.11.2011, p. 1) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1547741549218&uri=CELEX:32011R1178>).

³ 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) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1547741598437&uri=CELEX:32012R0965>).

application of Regulation (EU) 2018/1139 and of the delegated and implementing acts adopted on the basis thereof.

- (2) Acceptable means of compliance are non-binding standards adopted by EASA which may be used by persons and organisations to demonstrate compliance with Regulation (EU) 2018/1139 and the delegated and implementing acts adopted on the basis thereof.
- (3) Guidance material is non-binding material developed by EASA which helps to illustrate the meaning of a requirement or specification and is used to support the interpretation of Regulation (EU) 2018/1139, the delegated and implementing acts adopted on the basis thereof, certification specifications and acceptable means of compliance.
- (4) With Decision 2011/016/R of 15 December 2011, the Executive Director issued Acceptable Means of Compliance and Guidance Material to Part-FCL of Commission Regulation (EU) No 1178/2011.
- (5) With Decision 2012/007/R of 19 April 2012, the Executive Director issued Acceptable Means of Compliance and Guidance Material to Part-ORA of Commission Regulation (EU) No 1178/2011.
- (6) With Decision 2012/015/R of 24 October 2012, the Executive Director issued Acceptable Means of Compliance and Guidance Material to Annex I (Definitions) to Commission Regulation (EU) No 965/2012.
- (7) With Decision 2014/017/R of 24 April 2014 the Executive Director issued Acceptable Means of Compliance and Guidance Material to Part-ORO of Commission Regulation (EU) No 965/2012.
- (8) EASA shall, pursuant to 4(1)(a) of Regulation (EU) 2018/1139, reflect the state of the art and the best practices in the field of aviation and update its decisions taking into account worldwide aviation experience and scientific and technical progress in the respective fields.
- (9) In the context of the activities of rulemaking task (RMT).0581, EASA published on 1 September 2015 Notice of Proposed Amendment (NPA) NPA 2015-13 and, subsequently, on 29 June 2017 Opinion No 06/2017 'Loss of control prevention and recovery training'.
- (10) Based on this Opinion, the European Commission prepared and published Commission Regulation (EU) 2018/1974⁴, amending Regulation (EU) No 1178/2011, as regards upset prevention and recovery training (UPRT).
- (11) EASA, pursuant to Article 115(1)(c) of Regulation (EU) 2018/1139 and Articles 6(3), 7 and 8 of the EASA Rulemaking Procedure⁵, has widely consulted interested parties on the matters which are the subject of this Decision (draft AMC and GM related to the new UPRT requirements published with NPA 2015-13). The comments received were taken into consideration for preparing an updated draft for the AMC and GM which was again consulted with the relevant EASA Advisory Bodies through a focused consultation workshop held on 30 October 2018.

⁴ Commission Implementing Regulation (EU) 2018/1974 of 14 December 2018 amending Regulation (EU) No 1178/2011 laying down technical requirements and administrative procedures related to civil aviation aircrew pursuant to Regulation (EU) 2018/1139 of the European Parliament and of the Council (OJ L 326, 20.12.2018, p. 1) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1547742430514&uri=CELEX:32018R1974>).

⁵ EASA Management Board (MB) Decision No 18-2015 of 15 December 2015 replacing Decision 01/2012 concerning the procedure to be applied by the Agency for the issuing of opinions, certification specifications, acceptable means of compliance and guidance material ('Rulemaking Procedure') (<http://www.easa.europa.eu/system/files/dfu/EASA%20MB%20Decision%2018-2015%20on%20Rulemaking%20Procedure.pdf>)



HAS DECIDED:

Article 1

The Annex to Decision 2011/016/R 'AMC & GM to Part-FCL' of the Executive Director of the Agency of 15 December 2011 is amended as laid down in Annex I to this Decision.

Article 2

The Annex to Decision 2012/007/R 'AMC & GM to Part-ORA' of the Executive Director of the Agency of 19 April 2012 is amended as laid down in Annex II to this Decision.

Article 3

The Annex to Decision 2012/015/R 'Guidance Material to Annex I (Definitions)' of the Executive Director of the Agency of 24 October 2012 is amended as laid down in Annex III to this Decision.

Article 4

The Annex to Decision 2014/017/R 'AMC & GM to Part-ORO — Issue 2' of the Executive Director of the Agency of 24 April 2014 is amended as laid down in Annex IV to this Decision.

Article 5

This Decision shall enter into force on the day following that of its publication in the Official Publication of EASA. It shall apply from 20 December 2019.

Cologne, 27 February 2019

*For the European Union Aviation Safety Agency
The Executive Director*

Patrick KY

