



Amendments to AMC/GM to Annex III - Part-ORO

RELATED NPA/CRD 2008-22c, 2009-02c — OPINION No 04/2011 — RMT.0289 (OPS.001) — 31.01.2014

EXECUTIVE SUMMARY

This Decision addresses 2 AMCs concerning operation on more than one type or variant.

The specific objective is to maintain a high level of safety, to ensure proportionate rules where appropriate, and to warrant flexibility and efficiency for operators and authorities.

AMC1 ORO.FC.240 has been amended to ensure alignment of its content with the outcome of the Certification Specifications Flight Crew Data (CS-FCD). Terminology is now aligned with CS-FCD and some editorial amendments were made.

AMC2 and GM1 to ORO.FC.240 addressing operator differences tables have been totally revised and combined together to a new AMC2 ORO.FC.240 to accommodate the operational suitability data provided by TC/STC holders in compliance with the CS-FCD.

Applicability		Process map	
Affected regulations and decisions:	AMC/GM Part-ORO Part-21; AMC/GM Part-21; Part-FCL; AMC/GM Part-FCL	Terms of Reference	14.11.2006
Affected stakeholders:	Manufacturers, TC/STC holders, Air Operators, Industry, CAAs	Concept Paper:	No
Driver/origin:	Regulation (EC) 216/2008	Rulemaking group:	No
Reference:	Commission Regulation (EU) No 965/2012	RIA type:	None
		Technical consultation during NPA drafting:	No
		Publication date of the NPA: NPA 2008-22c:	30.10.2008
		NPA 2009-02c:	30.01.2009
		Duration of NPA consultation:	7 months
		Review group:	No
		Focussed consultation:	No
		Publication date of the Opinion 2011/04:	01.06.2011

Table of contents

1. Procedural information	3
1.1. The rule development procedure	3
1.2. Structure of the related documents	3
2. Explanatory Note	4
2.1. Overview of the issues to be addressed.....	4
2.2. Objectives	4
2.3. Overview of the amendments	4
3. References	5
3.1. Related regulations.....	5
3.2. Affected decisions	5
3.3. Reference documents	5

1. Procedural information

1.1. The rule development procedure

The European Aviation Safety Agency (hereinafter referred to as the 'Agency') developed ED Decision 2014/009/R in line with Regulation (EC) No 216/2008¹ and the Rulemaking Procedure².

This rulemaking activity is included in the [Agency's Rulemaking Programme for 2013-2016](#) under RMT.0289 (OPS.001). The scope and timescale of the task were defined in the related Terms of Reference (see process map on the title page).

The text of this Decision has been developed by the Agency.

The process map on the title page summarises the major milestones of this rulemaking activity.

1.2. Structure of the related documents

Chapter 1 contains the procedural information related to this task. Chapter 2 explains the core technical content. Chapter 3 provides references. The text of both AMCs is annexed to the ED Decision.

¹ Regulation (EC) No 216/2008 of the European Parliament and the Council of 20 February 2008 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency, and repealing Council Directive 91/670/EEC, Regulation (EC) No 1592/2002 and Directive 2004/36/EC (OJ L 79, 19.3.2008, p. 1), as last amended by Commission Regulation (EU) No 6/2013 of 8 January 2013 (OJ L 4, 9.1.2013, p. 34).

² The Agency is bound to follow a structured rulemaking process as required by Article 52(1) of the Regulation (EC) No 216/2008. Such process has been adopted by the Agency's Management Board and is referred to as the 'Rulemaking Procedure'. See Management Board Decision concerning the procedure to be applied by the Agency for the issuing of opinions, certification specifications and guidance material (Rulemaking Procedure), EASA MB Decision 01-2012 of 13 March 2012.

2. Explanatory Note

As stated in the Explanatory Note to Decision 2012/017/R, AMC and GM to Annex III (Part-ORO) to Regulation Air Operations, under paragraph (f) *Specific changes Subpart ORO.FC 'Flight crew'*, AMC2 and GM1 to ORO.FC.240 addressing operator differences tables were transferred for further review to the rulemaking task RMT.0105 (21.039(d)), developing CS-FCD. Both AMC and GM required further revision to accommodate the operational suitability data provided by TC/STC holders in compliance with the future CS-FCD.

During the developing of the CRD for CS-FCD, AMC1 ORO.FC.240 has been amended to ensure alignment of its content with the outcome of CS-FCD. Terminology is now aligned with CS-FCD and some editorial amendments were made. Next to that AMC2 and GM1 to ORO.FC.240 addressing operator differences tables have been totally revised and combined together to a new AMC2 ORO.FC.240 to accommodate the operational suitability data provided by TC/STC holders in compliance with the future CS-FCD.

2.1. Overview of the issues to be addressed

Part-ORO contains the requirements for operators conducting commercial operations and non-commercial operations with complex motor-powered aircraft.

This Decision contains an amended AMC1 ORO.FC.240 and a new additional AMC2 ORO.FC.240 (a combined and revised AMC2 and GM1 to ORO.FC.240 published as NPA and taken out for the Decision 2012/017/R), concerning operation on more than one type or variant.

2.2. Objectives

The overall objectives of the EASA system are defined in Article 2 of Regulation (EC) No 216/2008. This proposal will contribute to the achievement of the overall objectives by addressing the issues outlined in Chapter 2. The specific objective of this proposal is, therefore, to maintain a high level of safety, to ensure proportionate rules where appropriate, and to warrant flexibility and efficiency for operators and authorities.

2.3. Overview of the amendments

The references in *AMC1 ORO.FC.240 Operation on more than one type or variant* have been established in Commission Regulation (EU) No 1178/2011³ and Commission Regulation (EU) No 748/2012.

The new additional *AMC2 ORO.FC.240 Operation on more than one type or variant* is a combination of the former AMC2 ORO.FC.240 published in the NPA, combined with GM1 ORO.FC.240 and brought in line with Subpart D Operational Evaluation of CS-FCD, in particular with CS FCD.415.

For the amended text, please refer to the Annex to this Decision.

³ 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 (EC) No 216/2008 of the European Parliament and of the Council (OJ L 311, 25.11.2011) as last amended by Commission Regulation (EU) No 70/2014 of 27 January 2014 (OJ L 23, 28.1.2014, p 25).

3. References

3.1. Related regulations

Commission Regulation (EU) No 965/2012⁴.

3.2. Affected decisions

Decision 2012/017/R of the Executive Director of the Agency of 24 October 2012 on Acceptable Means of Compliance and Guidance Material to Commission Regulation (EU) No 965/2012 of 5 October 2012 — Acceptable Means of Compliance and Guidance Material to Annex III — Part-ORO.

3.3. Reference documents

ICAO Annex 6, Part II and Part III, Section III.

⁴ 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 L296, 25 October 2012, page 1). Regulation as last amended by Commission Regulation (EU) No 71/2014 of 27 January 2014 (OJ L23, 28.1.2014, p 27).