

ANNEX

Draft Annex to draft Commission Regulation (EU) .../... amending Commission Regulation (EU) No 965/2012 as regards the transposition of provisions on electronic flight bags from ICAO Annex 6

- A. Annex I (Definitions) to Commission Regulation (EU) No 965/2012 is amended as follows:**
1. Definitions (42a), (42b) and (42c) of EFB-related terms are inserted as follows:
 - ‘(42a) ‘EFB application’ means a software application installed on an EFB host platform that provides one or more specific operational functions which support flight operations;
 - (42b) ‘EFB host platform’ means the hardware equipment in which the computing capabilities and basic software reside, including the operating system and the input/output software;
 - (42c) ‘EFB system’ means the hardware equipment (including any battery, connectivity provisions, input/output components) and software (including databases and the operating system) needed to support the intended EFB application(s);’
 2. Definition (44a) of the term ‘electronic flight bag (EFB)’ is inserted as follows:
 - ‘(44a) ‘electronic flight bag (EFB)’ means an electronic information system, comprised of equipment and applications for flight crew, which allows for the storing, updating, displaying and processing of EFB functions to support flight operations or duties;’
 3. Definition (69a) of the term ‘human–machine interface (HMI)’ is inserted as follows:
 - ‘(69a) ‘human–machine interface (HMI)’ means a component of certain devices that is capable of handling human–machine interactions. The interface consists of hardware and software that allow user inputs to be interpreted and processed by machines or systems that, in turn, provide the required results to the user;’
 4. Definition (78a) of the term ‘minor failure condition’ is inserted as follows:
 - ‘(78a) ‘minor failure condition’ means a failure condition that would not significantly reduce aircraft safety, and which involves flight crew actions that are well within their capabilities;’
 5. Definition (96a) of the term ‘portable EFB’ is inserted as follows:
 - ‘(96a) ‘portable EFB’ means a portable EFB host platform, used on the flight deck, which is not part of the configuration of the certified aircraft;’
 6. Definition (96b) of the term ‘portable electronic device (PED)’ is inserted as follows:
 - ‘(96b) ‘portable electronic device (PED)’ means any kind of electronic device, typically but not limited to consumer electronics, brought on board the aircraft by crew members, passengers, or as part of the cargo, that is not included in the configuration of the certified aircraft. It includes all equipment that is able to consume electrical energy. The electrical energy can be provided from internal sources such as batteries (chargeable or

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| | | | | |
| RVSM ¹³ <input type="checkbox"/> N/A | <input type="checkbox"/> | <input type="checkbox"/> | | |
| ETOPS ¹⁴ <input type="checkbox"/> N/A | <input type="checkbox"/> | <input type="checkbox"/> | Maximum diversion time ¹⁵ : min. | |
| Complex navigation specifications for PBN operations ¹⁶ | <input type="checkbox"/> | <input type="checkbox"/> | | 17 |
| Minimum navigation performance specification | <input type="checkbox"/> | <input type="checkbox"/> | | |
| Single-engined turbine aeroplane operations at night or in IMC (SET-IMC) | <input type="checkbox"/> | <input type="checkbox"/> | 18 | |
| Helicopter operations with the aid of night-vision imaging systems | <input type="checkbox"/> | <input type="checkbox"/> | | |
| Helicopter hoist operations | <input type="checkbox"/> | <input type="checkbox"/> | | |
| Helicopter emergency medical service operations | <input type="checkbox"/> | <input type="checkbox"/> | | |
| Helicopter offshore operations | <input type="checkbox"/> | <input type="checkbox"/> | | |
| Cabin crew training ¹⁹ | <input type="checkbox"/> | <input type="checkbox"/> | | |
| Issue of CC attestation ²⁰ | <input type="checkbox"/> | <input type="checkbox"/> | | |
| Use of type B EFB applications | <input type="checkbox"/> | <input type="checkbox"/> | 21 | |
| Continuing airworthiness | <input type="checkbox"/> | <input type="checkbox"/> | 22 | |
| Others ²³ | | | | |

(...)

⁽²¹⁾ Insertion of the list of type B EFB applications together with the reference of the EFB hardware (for portable EFBs). Either this list is contained in the operations specifications or in the operations manual. In the latter case, the related operations specifications must make a reference to the related page in the operations manual.

⁽²²⁾ The name of the person/organisation responsible for ensuring that the continuing airworthiness of the aircraft is maintained and a reference to the regulation that requires the work, i.e. Subpart G of Annex I (Part-M) to Commission Regulation (EU) No 1321/2014.

(²³) Other approvals or data can be entered here, using one line (or one multi-line block) per authorisation (e.g. short-landing operations, steep-approach operations, helicopter operations to/from a public interest site, helicopter operations over a hostile environment located outside a congested area, helicopter operations without a safe forced-landing capability, operations with increased bank angles, maximum distance from an adequate aerodrome for two-engined aeroplanes without an ETOPS approval).

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B. Annex IV (Part-CAT) to Commission Regulation (EU) No 965/2012 is amended as follows:

1. Point CAT.GEN.MPA.141 is inserted as follows:

'CAT.GEN.MPA.141 Use of electronic flight bags (EFBs)

- (a) Where an EFB is used on board an aircraft, the operator shall ensure that it does not adversely affect the performance of the aircraft systems or equipment, or the ability of the flight crew member to operate the aircraft.
- (b) The operator shall not use a type B EFB application unless it is approved in accordance with Subpart M of Annex V (Part-SPA).'

2. Point CAT.POL.MAB.105(b) is replaced by the following:

'(b) Where mass and balance data and documentation is generated by a computerised mass and balance system, the operator shall:

- (1) verify the integrity of the output data to ensure that the data are within AFM limitations; and
- (2) specify the instructions and procedures for its use in its operations manual.'

3. Point CAT.POL.MAB.105(e) is deleted.

C. Annex V (Part-SPA) to Commission Regulation (EU) No 965/2012 is amended as follows:

1. Subpart M is added as follows:

'SUBPART M

ELECTRONIC FLIGHT BAGS (EFBs)

SPA.EFB.100 Use of electronic flight bags (EFBs) — operational approval

- (a) A commercial air transport operator shall only use a type B EFB application if the operator has been granted an approval by the competent authority for such use.
- (b) In order to obtain an operational approval from the competent authority for the use of a type B EFB application, the operator shall provide evidence that:

- (1) a risk assessment related to the use of the EFB device that hosts the application and to the EFB application and its associated function(s) has been conducted, identifying the associated risks and ensuring that they are appropriately managed and mitigated;
- (2) the human–machine interfaces of the EFB device and the EFB application have been assessed against human factors principles;
- (3) it has established an EFB administration system and that procedures and training requirements for the administration and use of the EFB device and the EFB application have been established and implemented; these shall include procedures for:
 - (i) operating the EFB;
 - (ii) the management of changes to the EFB;
 - (iii) the management of EFB data;
 - (iv) EFB maintenance; and
 - (v) EFB security;
- (4) the EFB host platform is suitable for the intended use of the EFB application.

This demonstration shall be specific to the EFB application and the EFB host platform on which the application is installed.’

D. Annex VI (Part-NCC) to Commission Regulation (EU) No 965/2012 is amended as follows:

1. Point NCC.GEN.131 is inserted as follows:

‘NCC.GEN.131 Use of electronic flight bags (EFBs)

- (a) Where an EFB is used on board an aircraft, the operator shall ensure that it does not adversely affect the performance of the aircraft systems or equipment, or the ability of the flight crew member to operate the aircraft.
- (b) Prior to using a type B EFB application, the operator shall:
 - (1) conduct a risk assessment related to the use of the EFB device that hosts the application and to the EFB application concerned and its associated function(s), identifying the associated risks and ensuring that they are appropriately managed and mitigated; the risk assessment shall address the risks associated with the human–machine interface of the EFB device and the EFB application concerned; and
 - (2) establish an EFB administration system, including procedures and training requirements for the administration and use of the device and the EFB application.’

E. Annex VII (Part-NCO) to Commission Regulation (EU) No 965/2012 is amended as follows:

1. Point NCO.GEN.125 is replaced by the following:

‘NCO.GEN.125 Portable electronic devices

The pilot-in-command shall not permit any person to use a portable electronic device (PED) on board an aircraft, including an electronic flight bag (EFB), that could adversely affect the performance of the aircraft systems and equipment or the ability of the flight crew member to operate the aircraft.’

F. Annex VIII (Part-SPO) to Commission Regulation (EU) No 965/2012 is amended as follows:

1. Point SPO.GEN.131 is inserted as follows:

‘SPO.GEN.131 Use of electronic flight bags (EFBs)

- (a) Where an EFB is used on board an aircraft, the operator shall ensure that it does not adversely affect the performance of the aircraft systems or equipment, or the ability of the flight crew member to operate the aircraft.
- (b) Prior to using a type B EFB application, the operator shall:
 - (1) conduct a risk assessment related to the use of the EFB device that hosts the application, to the EFB application concerned and its associated function(s), identifying the associated risks and ensuring that they are appropriately mitigated; the risk assessment shall address the risks associated with the human-machine interface of the EFB device and the EFB application concerned; and
 - (2) establish an EFB administration system, including procedures and training requirements for the administration and use of the EFB device and the EFB application.’