

European Aviation Safety Agency

DECISION 2014/023/R OF THE EXECUTIVE DIRECTOR OF THE AGENCY

of 6 May 2014

adopting Acceptable Means of Compliance and Guidance Material to Part TCO – Third country operators - of Commission Regulation (EU) No 452/2014

'AMC and GM to Part-TCO – Initial Issue'

THE EXECUTIVE DIRECTOR OF THE EUROPEAN AVIATION SAFETY AGENCY,

Having regard to Regulation (EC) No 216/2008¹, and in particular Article 38(3)(a) thereof,

Having regard to Commission Regulation (EU) No 452/2014², and in particular TCO.105 of Annex I (Part-TCO) thereof.

Whereas:

- (1) The Agency shall, pursuant to Article 18(c) of Regulation (EC) No 216/2008, issue Certification Specifications and Acceptable Means of Compliance, as well as Guidance Material for the application of Regulation (EC) No 216/2008 and its Implementing Rules.
- (2) Acceptable Means of Compliance are non-binding standards adopted by the Agency which illustrate the means to establish compliance with Regulation (EC) No 216/2008 and its Implementing Rules.
- (3) Guidance Material is non-binding material developed by the Agency which helps to illustrate the meaning of a requirement or specification and is used to support the interpretation of Regulation (EC) No 216/2008, its Implementing Rules, Certification Specifications and Acceptable Means of Compliance.

¹ Regulation (EC) No 216/2008 of the European Parliament and of 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 Commission Regulation (EU) No 452/2014 of 29 April 2014 laying down technical requirements and administrative procedures related to air operations of third country operators pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council (OJ L 133 of 6.5.2014, p. 12).

- (4) The Agency shall, pursuant to Article 19(2) of Regulation (EC) No 216/2008, reflect the state of the art and the best practices in the fields concerned.
- (5) The Agency has determined the need to adopt Acceptable Means of Compliance to accompany Commission Regulation (EU) No 452/2014 to enable third country operators to better understand the intention of the rule and the requirements to be followed by a third country operator engaged in commercial air transport operations into, within or out of the territory of the European Union.
- (6) The Agency, pursuant to Article 52(1)(c) of Regulation (EC) No 216/2008 and Articles 5(3), 6 and 7 of the Agency's Rulemaking Procedure³, has widely consulted interested parties on the matters which are the subject of this Decision and has provided thereafter a written response to the comments received⁴.

HAS DECIDED:

Article 1

The Acceptable Means of Compliance and Guidance Material to Annex I (Part-TCO) of Commission Regulation (EU) No 452/2014 are those laid down in the Annex to this Decision.

Article 2

This Decision shall enter into force the day following that of its publication in the Official Publication of the Agency.

Done at Cologne, 6 May 2014

*For the European Aviation Safety Agency
The Executive Director*

Patrick KY

³ EASA MB Decision No 01-2012 of 13 March 2012 amending and replacing Decision 08-2007 concerning the procedure to be applied by the Agency for the issuing of Opinions, Certification Specifications and Guidance Material ('Rulemaking Procedure') (<http://easa.europa.eu/official-publication/rulemaking-procedure.php>).

⁴ <http://easa.europa.eu/rulemaking/r-archives.php#crd>