

Executive Director Decision

2018/004/R

of 23 March 2018

issuing Acceptable Means of Compliance and Guidance Material to the Articles and to Part-BOP of Commission Regulation (EU) 2018/395¹

'Acceptable means of compliance and guidance material to the operational rules for balloons'

THE EXECUTIVE DIRECTOR OF THE EUROPEAN AVIATION SAFETY AGENCY,

Having regard to Regulation (EC) No 216/2008², and in particular Article 38(3)(a) thereof,

Whereas:

- (1) EASA 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 EASA which may be used by persons and organisations to demonstrate compliance with Regulation (EC) No 216/2008 and its implementing rules; when acceptable means of compliance are complied with, the related requirements of the implementing rules are met.
- (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 (EC) No 216/2008, its implementing rules, certification specifications and acceptable means of compliance.
- (4) EASA 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 and update its decisions taking into account worldwide aircraft experience in service, and scientific and technical progress.
- (5) In the context of the General Aviation Road Map, EASA extracted the rules for air operations with balloons from Commission Regulation (EU) No 965/2012³ (except for the authority requirements

¹ Commission Regulation (EU) 2018/395 of 13 March 2018 laying down detailed rules for the operation of balloons pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council (OJ L 71, 14.3.2018, p. 10).

² 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).

specified in Part-ARO) and established a simpler and proportionate draft regulatory framework (EASA Opinion 01/2016⁴). The new rules for air operations with balloons have been adopted by Commission Regulation (EU) 2018/395 and shall apply from 8 April 2019. With this Decision, EASA is publishing the associated acceptable means of compliance and guidance material.

- (6) EASA, pursuant to Article 52(1)(c) of Regulation (EC) No 216/2008 and Article 15 ‘Special rulemaking procedure: direct publication’ of the EASA Rulemaking Procedure⁵, has consulted its Advisory Bodies on the matters which are the subject of this Decision.

HAS DECIDED:

Article 1

The acceptable means of compliance and guidance material to the Articles of Commission Regulation (EU) 2018/395 are those laid down in the Annex I to this Decision.

Article 2

The acceptable means of compliance and guidance material to Part-BOP of Commission Regulation (EU) 2018/395 are those laid down in the Annex II to this Decision.

Article 3

This Decision shall enter into force on the day following that of its publication in the Official Publication of EASA. It shall apply from 8 April 2019.

Cologne, **23 March 2018**

*For the European Aviation Safety Agency
The Executive Director*

Patrick KY

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 (EU) No 216/2008 of the European Parliament and of the Council (OJ L 296, 25.10.2012, p. 1).

⁴ <http://www.easa.europa.eu/document-library/opinions>.

⁵ Management Board 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/the-agency/management-board/decisions/easa-mb-decision-18-2015-rulemaking-procedure>).

