Regulation Air operations

Willy Sigl
EASA

AUSTROCONTROL  OPS WS
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Your safety is our mission.
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European aviation rules
OPS rule structure and rule development
Regulation Air operations – Phase I
Drafting principles
Transition to new European OPS rules
Overview to Annexes
Additional and future OPS rulemaking deliverables
Links
Questions
European aviation rules

- **ATM/ANS**: air traffic management, air navigation services
- **TCO**: third country operators
- **ATCO**: air traffic controllers
- **AUR**: airspace usage requirements
- **SERA**: single European rules of the air
- **ADR**: aerodromes
European aviation rules

Rule hierarchy and responsible actors

- **Basic Regulation**
  (European Parliament and Council)

- **Implementing Rules**
  (European Commission)

- **AMC, GM, CS**
  (EASA)
European aviation rule structure

- 27 EU states
- 4 EFTA states
OPS rule structure

- **Part-ARO**: Authority requirements - OPS
- **Part-ORO**: Organisation requirements - OPS
- **Part-CAT**: Commercial air transport operations
- **Part-SPA**: Operations requiring specific approvals
- **Part-NCC**: Non-commercial operations with complex motor-powered aircraft (CMPA)
- **Part-NCO**: Non-commercial operations with other-than-CMPA
- **Part-SPO**: Specialised operations, e.g. aerial work
Outline

- European aviation rules
- **OPS rule structure and rule development**
  - Regulation Air operations – Phase I
  - Drafting principles
  - Transition to new European OPS rules
  - Overview to Annexes
  - Additional and future OPS rulemaking deliverables
- Links
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## OPS rule development

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- **Initial version**
- **Amendment**
## OPS rule development

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### Implementing rules:
- Rule development completed

### AMC/GM:
- Rule development for Phase I to III completed, for Phase IV at final stage
## OPS rule development

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Outline

- European aviation rules
- OPS rule structure and rule development
- **Regulation Air operations – Phase I**
  - Drafting principles
  - Transition to new European OPS rules
  - Overview to Annexes
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22 February 2013
Scope (OPS Phase I)

- CAT operations with
  - aeroplanes, helicopters
- Excluded for the time being are:
  - operations with airships, tilt-rotor aircraft, tethered balloons and remotely piloted aircraft
  - operations by design or production organisations related to the introduction or modification of aircraft types
  - A-to-A operations with performance class B aeroplanes and non-complex helicopters
Derogations (OPS Phase I)

- Specific Annex II aircraft when used in CAT operations
- Single engine IMC operations with aeroplanes may continue to be operated in accordance with the conditions contained in exemptions accepted under EU-OPS
- Member States may continue to require a specific approval and additional requirements for helicopter offshore operations
- Helicopter operations to public interest sites may continue outside performance class 1 and under conditions defined by the MS
Drafting principles for OPS rules

Air operations

Commercial

CAT
Commercial Air Transport operations

SPO
Special operations

Non-commercial

NC
Non-commercial other than SPO

SPO
Special operations

NCC
with CMPA

NCO
with other than CMPA

CMPA: complex motor powered aircraft
Drafting principles for OPS rules

**Safety focus**
- Emphasis on SMS and oversight capabilities
- Risk-based approach
- Strengthening operator and authority responsibilities

**Harmonisation**
- ICAO compatibility
- Harmonised rules with other regional regulators, e.g. FAA, TCAA

**Flexibility and efficiency**
- Safety objective – Implementing Rule level
- Method to comply with safety objective – AMC level
- Operator can develop its own alternative AMC
- Specific operational or geographical needs can be addressed
- Proportionality
Outline

- European aviation rules
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- Regulation Air operations – Phase I

**Drafting principles**

- Transition to new European OPS rules
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Drafting principles for OPS rules

» Proportionality: CAT rules differentiate between (1/2)

» Organisation
  » Non-complex versus complex organisations

» Nature of operation
  » local/A-to-A versus A-to-B operations

» Flight rules
  » IFR and night versus VFR operations

» Crew
  » Single-pilot versus multi-pilot operations
  » operations with cabin crew versus operations without cabin crew
Drafting principles for OPS rules

- Proportionality: CAT rules differentiate between (2/2)
  - Aircraft
    - non-complex aircraft versus complex aircraft
    - single-engined aircraft versus multi-engined aircraft
    - performance classes A, B and C for aeroplanes
    - performance classes 1, 2, 3 and categories A and B for helicopters
Drafting principles for OPS rules

For transposing EU-OPS and JAR-OPS 3

- Rules with a safety objective are transposed as IR
- Rules with a means to comply with a safety objective are transposed as AMC
  - following this principle, most Appendices have been transposed as AMC
- Rules which could not obviously be classified as safety objective or means to comply are transposed as IR
- Notes and rules with explanatory character are transposed as GM
- Appendices with alleviations: 1.005(a), 3.005(f), 3.005(g) have been transposed into the applicable rules, where relevant
Drafting principles for OPS rules

For transposing EU-OPS and JAR-OPS 3 (cont.)

- Rules allowing an alternative if approved/accepted by the authority have been removed and are replaced:
  - For IRs by the Article 14 procedure
  - For AMCs by the alternative means of compliance procedure
- Rules requiring an approval are either:
  - transposed as IR or
  - if transposed as AMC have been removed (alternative MOC procedure)
- Rules which are already covered in the essential requirements (ER) of the BR have been retained with link to the ER.
Drafting principles for OPS rules

- For transposing EU-OPS and JAR-OPS 3 (cont.)
  - Rules containing “acceptable to the authority” have been transposed as the “operator shall specify in the OM”
  - Rules containing “if approved by the authority” have been transposed, if, as an item requiring prior approval
### Transposition of EU-OPS

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### X-REF tables

**Cross references between EASA OPS and EU-OPS/JAR-OPS3 including difference statements**

Available on [EASA Flight Standards website](#)

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<td>Personnel or crew members other than cabin crew in the passenger compartment</td>
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<td>Crew members</td>
<td>No change</td>
<td>No change</td>
<td>No change</td>
<td></td>
</tr>
<tr>
<td>AMC1</td>
<td>1.989(b)</td>
<td>Identification</td>
<td>Amended</td>
<td>Text amendment should better describe the intent of the rule.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>GM1</td>
<td>1.989(b)</td>
<td>Identification</td>
<td>New</td>
<td>providing guidance on crew members on positioning flights and to prevent confusion with operating cabin crew</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A CAT.GEN.MPA.120</td>
<td>1.025(a)</td>
<td>Common Language</td>
<td>No change</td>
<td></td>
<td></td>
<td></td>
<td>Amended Aligned with CAT operations with aeroplanes. The rule does not mention other means acceptable to the authority.</td>
<td></td>
</tr>
<tr>
<td>A CAT.GEN.MPA.125</td>
<td>1.095</td>
<td>Authority to taxi an aeroplane</td>
<td>No change</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Outline

» European aviation rules
» OPS rule structure and rule development
» Regulation Air operations – Phase I
» Drafting principles

» Transition to new European OPS rules
» Overview to Annexes
» Additional and future OPS rulemaking deliverables
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22 February 2013
Transition to new European OPS rules

- **As from the date of entry into force of Reg. 965/2012 (September 2012)**
  - Competent authority
    - adapt management procedures, inspector’s handbooks, certification software, etc.
    - prepare a conversion report for CAT(H) in consultation with EASA, describing how and when CAT(H) AOCs holders will move to full compliance with new rules
  - Operators
    - adapt management systems, operational procedures, training programmes, manuals
Transition to new European OPS rules

- **Around 6 months before the transition period elapses (March 2014)**
  - Transition process for operators should be almost finalised
  - Initial certification or AOC renewal to be based on new rules if likely not completed before end of opt-out period
Transition to new European OPS rules

Grandfathering of CAT aeroplane operations

AOC:

- AOC issued in accordance with EU-OPS are deemed to be compliant with the new regulation
- new AOC format to be issued when the authority and the operator are fully compliant with the new rules

Differences between EU-OPS and new rules:

- during opt-out phase adaptation of operator’s management system, training programmes, procedures and manuals to be fully compliant with the new rules
Transition to new European OPS rules

Conversion of CAT helicopter operations

- AOC:
  - no grandfathering
  - New AOC to be issued when the operator is fully compliant

- Member States to establish conversion report describing:
  - the national requirements on the basis of which the AOCs were issued
  - the scope of privileges that were given to the operators
  - the differences between the national requirements and the new rules
  - how and when the operators will be required to ensure full compliance with new rules
Transition to new European OPS rules

Transition periods (opt outs)

- **CAT**
  - **A, H**
  - 2 years

- **NCC**
  - **A, H**
  - 3 years

- **NCO**
  - **A, H, B, S**
  - 3 years

- **SPO**
  - **A, H, B, S**
  - 3 years

- **MS shall**
  - Inform EC and EASA within 2 months if opt-out is used;
  - Describe reasons, duration, implementation programme
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Annex I: Definitions

Applicability:

- operators and
- competent authorities
Annex II: Part-ARO

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Air operations

Annex I
Definitions

Annex II
Part-ARO

Annex III
Part-ORO

Annex IV
Part-CAT

Annex V
Part-SPA

Annex VI
Part-NCC

Annex VII
Part-NCO

Annex VIII
Part-SPO

» Applicability:
  » Authority requirements for air operations for
    » National aviation authorities
    » EASA
Annex II: Part-ARO

ARO – authority requirements

.GEN – general requirements

.OPS – air operations

.RAMP – ramp inspections
References

» Definition of AltMOC:
   » Annex I – Definitions

» For the authority:
   » ARO.GEN.120 Means of compliance
   » ARO.GEN.220 Record-keeping

» For the operator:
   » ORO.GEN.120 Means of compliance
AltMOC is

- an alternative to an existing AMC; or
- new means to establish compliance with the Basic Regulation and its Implementing Rules for which no associated AMC have been adopted by the Agency
AltMOC: The operator process

Before an operator uses an AltMOC it shall provide the competent authority with a full description of the proposed AltMOC.

The description shall include:

- revisions to manuals and/or
- procedures that may be relevant; and
- an assessment demonstrating that the Implementing Rules are met.

The operator may implement AltMOC upon receipt of the approval notification.
The authority needs a process in place to analyse the AltMOC documentation, if needed, by inspection for AltMOC proposed by

- an operator; and
- the authority itself

Operator AltMOC: if the proposed AltMOC complies with the rule it shall

- notify the applicant and change the certificate if needed
- notify the Agency including the content of the AltMOC and copies of relevant documents
- inform other Member States
Authority AltMOC: if the proposed AltMOC complies with the rule it shall

- make it available to all organisations and persons under its oversight
- notify the Agency including a full description of the AltMOC and any revisions to procedures
- demonstrate compliance with the rules
AltMOC: The EASA process

- When EASA receives a notification it will
  - add it to a database
  - review it on a regular basis by focal points in S and R to
    - identify of significant AltMOC which needs further assessment
    - provide statistical reports to S and R
- Significant AltMOC will be
  - reviewed by internal experts on compliance with rules and regularity of the procedure; and
  - used by
    - S for standardisation visits
    - R for possible RMT
Annex III: Part-ORO

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- Annex V
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- Annex VI
  Part-NCC
- Annex VII
  Part-NCO
- Annex VIII
  Part-SPO

➢ Applicability:
  ➢ Organisation requirements for
    ➢ CAT operators
    ➢ NCC operators
    ➢ SPO operators
      ➢ Commercial operations
      ➢ Non-commercial operations with complex aircraft
Annex III: Part-ORO

- **.GEN** – general requirements
- **.AOC** – air operator certification
- **.DEC** – declaration (added soon)
- **.MLR** – manual, logs, records
- **.SEC** – security
- **.FC** – flight crew
- **.CC** – cabin crew
- **.TC** – technical crew
- **.FTL** – flight time limitations (to be added)
Annex IV: Part-CAT

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Air operations

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Part-SPO

» Applicability:

» Technical rules for CAT operations with

» Complex aircraft:
  A, H

» Non-complex aircraft:
  A, H, S, B

» A-to-A operations with A, H
Annex IV: Part-CAT

- **CAT** – commercial air transport
- **GEN** – general requirements
- **OP** – operational procedures
- **POL** – performance and operating limitations
- **IDE** – instruments, data, equipment
- **MPA** – motor-powered aircraft
- **NMPA** – non-motor-powered aircraft
- **A, H, S, B** – aeroplanes, helicopters, sailplanes, balloons
- **MAB** – mass and balance

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Annex V: Part-SPA

Applicability:

- Operators which wish to conduct an operation requiring a specific approval
- To be documented in
  - OPSPECS for certified operators
  - List of specific approvals for non-certified operators
Annex V: Part-SPA

- **.GEN** – general requirements
- **.PBN** – performance based navigation
- **.MNPS** – minimum navigation performance specifications
- **.RVSM** – reduced vertical separation minima
- **.LVO** – low visibility operations
- **.ETOPS** – extended range operations with two-engined aeroplanes
- **.DG** – dangerous goods
- **.NVIS** – night vision imaging systems
- **.HHO** – helicopter hoist operations
- **.HEMS** – helicopter emergency medical services
SPA.GEN.100 Competent authority

» for commercial operations:
  » operator’s principal place of business

» for non-commercial operations:
  » place where the operator is established or residing
  » when using an aircraft registered in a third country, the approvals for PBN, MNSP, RVSM may be issued by the third country State of Registry
SPA.GEN.110

Documentation of specific approvals

- for commercial operations: “operations specifications” (OPSPECS)
- for non-commercial operations: “list of specific approvals”

The corresponding authority requirements are specified in Part-ARO including the forms for

- OPSPECS and
- list of specific approvals
Annex VI: Part-NCC

**Applicability:**

- Technical rules for non-commercial operations of complex motor-powered aircraft
  - complex aeroplanes
  - complex helicopters
Annex VI: Part-NCC

- **NCC** – non-commercial operations with complex motor-powered aircraft
- **.GEN** – general requirements
- **.OP** – operational procedures
- **.POL** – performance and operating limitations
- **.IDE** – instruments, data, equipment
  - **.A** – aeroplanes
  - **.H** – helicopters

February 2013
Annex VI: Part-NCO

Applicability:

- Technical rules for non-commercial operations of other-than-complex motor-powered aircraft:
  - Non-complex aeroplanes
  - Non-complex helicopters
  - Sailplanes
  - Balloons
Annex VII: Part-NCO

**NCO** – non-commercial operations with other-than-complex motor-powered aircraft

**.GEN** – general requirements

**.OP** – operational procedures

**.POL** – performance and operating limitations

**.IDE** – instruments, data, equipment

Annex VIII: Part-SPO

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- **Annex I Definitions**
- **Part-III Part-ORO**
- **Annex V Part-SPA**
- **Annex VII Part-NCO**
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- **Annex IV Part-CAT**
- **Annex VI Part-NCC**
- **Annex VIII Part-SPO**

**Applicability:**

- Technical rules for commercial and non-commercial specialised operations, e.g. aerial work
  - Aeroplanes
  - Helicopters
  - Sailplanes
  - Balloons
Annex VIII: Part-SPO

SPO – specialised operations – commercial and non-commercial, all type of aircraft

SPEC – specific requirements

HESLO – helicopter external sling load operations

HEC – human external cargo operations

PAR – parachute operations

ABF – aerobatic flights
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EASA rulemaking process (simplified)

- **ToR (Terms of Reference)**
  - Development of the RIA
  - Drafting the NPA

- **NPA (Notice of Proposed Amendment)**
  - Public consultation
  - Drafting the CRD

- **CRD (Comment Response Document)**
  - Public consultation
  - Drafting the Opinion / Decision

- **Opinion / Decision**
  - Opinion adopted by the European Commission
  - Decision adopted by EASA
Additional rulemaking deliverables

- **Part-TCO (third country operator – CAT)**
  - Opinion 05/2012

- **ORO.FTL (scheduled CAT operations with aeroplanes)**
  - Opinion 04/2012

- **OSD (operational suitability data)**
  - Opinion 07/2011
Future rulemaking deliverables

- **Volcanic ash safety risk assessment (RMT.0460)**
  - Decision (AMC/GM) to be published 1q 2013

- **Transfer of JAA cabin safety tasks (RMT.0327, 0328)**
  - CRD to be published 1q 2013

- **Sterile Flight Deck Procedures (RMT.0416, 0417)**
  - CRD to be published 1q 2013

- **Electronic Flight Bags (RMT.0001)**
  - CRD to be published 2q 2013

- **Maintenance check flights (RMT.0393, 0344)**
  - CRD to be published 3q 2013
Future rulemaking deliverables

NPAs under preparation:

- Helicopter offshore operations (RMT.0409, 0410) – 1q 2013
- Additional IR and GM for ramp inspections – 1q 2013
- FTL for CAT Emergency Medical Services (A+H) (RMT.0346) – 3q 2013
- Runway overrun protection system (RMT.0047, 0569, 0570) – 1/2q 2013
- Carriage of special categories of passengers (RMT.0269, 0270) – 3q 2013
- PBN operational approvals (RMT.0256, 0257) – 3q 2013
- Commercial air transportation aeroplane operations single engine IMC (RMT.0232, 0233) – 4q 2013
Future rulemaking deliverables

» **NPAs under preparation:**

» Updating of existing recorder installations and equipment (RMT.0400, 0401) - 4q 2013

» Crew resource management (RMT.0411) - 2014

» HEMS performance and public interest site (RMT.0325, 0326) - 2014

» Flights of design and production organisations (RMT.0348, 0349) - 2014

» FTL for CAT operations - air taxi and single-pilot operations (aeroplane) (RMT.0429) - 2014

» Helicopter height velocity diagram (RMT.0132, 0515) - 2014
Future rulemaking deliverables

- **Tasks to be initiated 2013:**
  - New PBN applications (RMT.0519, 0520)
  - Updating authority and organisation requirements (RMT.0516, 0517)
  - FTL requirements for CAT operations for helicopters (RMT.0430)
  - Passenger seating and briefing (RMT.0575, 0576)
  - Prediction of windshear for aeroplane CAT operations (IRs) (RMT.0369, 0370)
  - Non-revenue flights (RMT.0352, 0353)
  - Carbon monoxide detector on board all piston-engined aircraft (RMT.0329, 0330)
Future rulemaking deliverables

Tasks to be initiated 2013:

- Recorders for small aircraft (RMT.0271, 0272)
- TAWS for smaller aircraft (RMT.0371, 0372)
Future rulemaking deliverables

Further important tasks (starting 2014 and beyond):

- Remotely piloted aircraft (RMT.0229, 0230)
- Low visibility operations and operations with advanced vision systems – results of the harmonisation with the FAA and at the ICAO level
- Extended diversion time operations
- Amendment of fuel requirements
- TCO rules for non-commercial operations and commercial operations other than CAT
- FTL rules for other commercial operations
- CAT single engine helicopter operations over hostile environment
- CAT aeroplane performance
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Links

» Regulation 965/2012

» AMC and GM to Regulation 965/2012
  » http://easa.europa.eu/agency-measures/agency-decisions.php#Rulemaking-2012

» Cross reference table – version 2

» Official Publication
» **Flight Standards mini-website**

» **Opt-Out table to Regulation Air operations**

» **Derogations for Regulations Aircrew and Air operations**

» **Interpretation questions should be directed to**
  » [Air_OPS@easa.europa.eu](mailto:Air_OPS@easa.europa.eu)
Flight Standards Department
Any Questions?
Your Safety is our Mission

Your safety is our mission.