



Amendments to AMC/GM to Annex II (Part-ARO)

RELATED NPA/CRD 2013-13 — RMT.0435 (OPS.087(B))/RMT.0441 (OPS.087(C)) — 28.07.2014

EXECUTIVE SUMMARY

This Decision contains AMC (Acceptable Means of Compliance) and GM (Guidance Material) to Part-ARO.RAMP dealing with ramp inspection of community operators and third country operators. The RAMP inspection programme is part of Annex I (Part-ARO) of Commission Regulation 965/2012<sup>1</sup> (Air OPS).

The AMC/GM clarifies the conditions for the approval and continuous validity of ramp inspection training organisations, and includes additional guidance and instructions to inspectors on how to perform ramp inspections.

The AMC/GM addresses the continuing need for a harmonised and standardised execution of ramp inspections of EU and third country operators.

This Decision affects:

- EU and third country operators, who might be subject to a ramp inspection;
- RAMP programme training organisations and training instructors;
- Ramp inspectors and their National Aviation Authorities (NAAs) of EU Member States plus Norway, Iceland, Liechtenstein and Switzerland; as well as
- SAFA (Safety Assessment of Foreign Aircraft) participating countries and their inspecting staff, with whom relevant working arrangements have been signed.
- the Agency, who on request of the competent authority, may be called-upon to verify a training organisation's compliance with the applicable requirements.

1 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, p. 1). Regulation as last amended by Commission Regulation (EU) 379/2014 of 7 April 2014 (OJ L 123, 24/04/2014, p. 1).

Table with 2 columns: Applicability and Process map. Rows include Affected regulations and decisions, Affected stakeholders, Driver/origin, and Reference.

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## 1. Procedural information

### 1.1. The rule development procedure

The European Aviation Safety Agency (hereinafter referred to as the 'Agency') developed ED Decision 2014/014/R in line with Regulation (EC) No 216/2008<sup>2</sup> (hereinafter referred to as the 'Basic Regulation') and the Rulemaking Procedure<sup>3</sup>.

This rulemaking activity is included in the Agency's [4-year Rulemaking Programme](#) under RMT.00435/0441. The scope and timescale of the task were defined in the related Terms of Reference (see process map on the title page).

The draft text of this ED Decision has been developed by the Agency based on the input of the comments received to NPA 2013-13<sup>4</sup>. The NPA received 267 comments from interested parties.

The Agency has reviewed the comments received on the NPA. The comments received and the Agency's responses are presented in the Comment-Response Document (CRD).

The final text of this Decision with the Acceptable Means of Compliance (AMC)/Guidance Material (GM) 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 the AMC/GM is annexed to the ED Decision.

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<sup>2</sup> 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).

<sup>3</sup> The Agency is bound to follow a structured rulemaking process as required by Article 52(1) of the Basic Regulation. 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 No 01-2012 of 13 March 2012.

<sup>4</sup> <http://easa.europa.eu/document-library/notices-of-proposed-amendments/npa-2013-03>.

## 2. Explanatory Note

This ED Decision includes a new consolidated version 'issue 3' of AMC/GM to Annex II (Part-ARO) of Commission Regulation (EU) No 965/2012 of 28 October 2012 laying down, among others, requirements for authorities in relation to ramp inspections.

### 2.1. Overview of the issues to be addressed

Part-ARO contains a separate subpart RAMP on ramp inspections of aircraft of operators under the regulatory oversight of another state.

As a result of the comments received the AMC/GM proposed in NPA 2013-13 has been amended. The AMC/GM deal with the following topics:

- General items, such as outdated information on the categorisation of findings;
- How to deal with whistle-blower information;
- Tailored inspection checklists with detailed PDFs per aircraft type;
- Need to leave more flexibility to NAAs to manage SAFA/SACA Programme;
- Calculation of the quota;
- Establishment of the annual RAMP inspection programme;
- Qualification of ramp inspectors;
- Approval of training organisations by the competent authority, including verification of the training organisations' compliance and continuous compliance by the Agency;
- Conduct of RAMP inspections & avoiding unreasonable delay due to RAMP inspections;
- Proof of a RAMP inspection;
- Categorisation of findings:
  - Applicable requirements;
  - Assessment of non-compliances;
  - Detection, reporting and assessment of significant technical defects;
  - Assessment of findings on certificates and licences prior to categorisation; and
  - Use of general remarks.
- Follow up actions on findings:
  - Follow up actions on category 2 or 3 findings; and
  - Classes of category 3 findings.
- Reporting on important safety information.

### 2.2. Objectives

The overall objectives of the EASA system are defined in Article 2 of the Basic Regulation. 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 main technical changes to AMC/GM material are the following:

- More flexibility in some areas to NAAs to manage the RAMP inspection programme
- Changes to on-the-job training checklist for ramp inspectors.
- Revised detailed recency requirements for instructors providing ramp inspection training.
- New AMC/GM on the approval of SAFA training organisations by the competent authorities, and on the verification of the training organisations' compliance and continuous compliance by the Agency. Revised AMC/GM on the conduct of ramp inspections, ensuring that the inspection does not create unreasonable delay to the operator and that the ramp inspections should not interfere in, as much as possible, with the normal boarding/de-boarding procedures.
- Clarifications on the categorisation of findings, by clarifying examples cited and by clarifying how manufacturer standards may be used during a ramp inspection.
- Numerous clarifications on findings and detections, reporting and assessment of significant technical defects.
- Explicit mentioning in the respective Guidance Material that general remarks as well as category 1 findings do not require any follow-up action, either from the inspecting authority or for the operator, or relevant oversight authority.

### **3. References**

#### **3.1. Related regulations**

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 L 296, 25.10.2012, p. 1).

Amended by

Commission Regulation (EU) No 379/2014

Commission Regulation (EU) No 83/2014

Commission Regulation (EU) No 71/2014

Commission Regulation (EU) No 800/2013

#### **3.2. Affected decisions**

ED Decision 2014/014/R of the Executive Director of the Agency of 24 April 2014 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 II – Part-ARO Issue 2