



JANUARY 2016 Part One – Consultation

Happy New Year to all.

After a little gap when we were unable to bring you any news, now we suddenly have more than we can quickly manage. So I have found a new solution, which is to publish this



Issue in two parts. Our Programme Manager, René Meier, has been working hard on several Notices of Proposed Amendment (NPA) and would now like to hear from you with your views, so that he can respond on behalf of all of us. But the deadlines are very soon! So I bring you here 'January Part One – Consultation'. Please look at these texts and, if you are able to make some comments on them, please respond as quickly as you can. Thank you!

René and his support team

Very soon I will bring you 'January Part Two – Information and Briefings'.

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NOTICE OF PROPOSED AMENDMENT (NPA) 2015-17

(Review of the) Airworthiness Review Process

Europe Air Sports (EAS), on behalf of all its member organisations (national aero-clubs, European sports and recreational aviation federations) and their members, thanks the Agency for preparing NPA 2015-17. In the executive summary we read:

“The airworthiness review process, which first entered into force in September 2008, introduced significant changes to former national requirements, among others a new role for the national aviation authorities (NAAs), new privileges for the organisations holding a Part-M, Subpart G approval, specific requirements for personnel involved in this review, description of the process itself, and an airworthiness review certificate (ARC).

Article 24(3) of Regulation (EC) No 216/2008 requires the Agency to assess the implementation impact of regulations. The feedback obtained by the Agency through activities such as standardisation visits to the Member States (MSs), Article 14 exemptions, and questions from NAAs/stakeholders related to the interpretation of the rules, among others, led the Agency to decide that the airworthiness review process needed to be reviewed. As a consequence, the European Aviation Safety Agency launched a survey among NAAs and stakeholders whose results are included in Chapter 5.3 of this NPA. In order to address the issues raised during the survey, the Agency has issued this NPA that:

- provides clearer requirements/guidance on those aspects creating interpretation/standardisation problems;
- removes those requirements that do not bring any safety benefits;
- facilitates the transfer of aircraft between MSs; and
- reinforces the oversight role of the NAAs.

In line with the objective of providing proportionate and cost-efficient rules for General Aviation (GA) while maintaining an acceptable level of safety, the Agency coordinates the proposals included in this NPA with Rulemaking Task RMT.0463 'Task Force for the review of Part-M for General Aviation' (PHASE I) and RMT.0547 'Task Force for the review of Part-M for General Aviation' (PHASE II)." (End of the Agency's text)

Reviewing the Airworthiness Review Process is a promising task in the eyes of our communities. We always supported the Agency's effort to prepare proportionate rules for our segment of aeronautical activities. Nevertheless, some uncertainties (e.g. M.A.901) and questions remain to be solved, particularly considering the statement on reinforcing the oversight role of the NAAs mentioned above (e.g. ELA1 aircraft). We shall have to take a careful look at the publication and insist on what we were asking for in the past

Comment period ends very soon, on **5 February 2016**. Please make use of the Agency's Comment Response Tool (CRT) or send your comments to the Programme Manager as quickly as possible. This is the "link" to the document for an immediate reaction: <http://www.easa.europa.eu/document-library/notices-of-proposed-amendment/npa-2015-17>

NOTICE OF PROPOSED AMENDMENT (NPA) 2015-14

Operational Provisions regarding Services and Procedures in Air Navigation, Standardised European Rules of the Air (SERA), Part C

The purpose of this NPA is to propose Acceptable Means of Compliance (AMC) and Guidance Material (GM) to the recently endorsed Standardised European Rules of the Air (SERA), Part C. The rules and definitions are standardised, the applications are not (yet).

The AMC/GM developed and presented in the NPA derive from the following sources:

- ICAO Annex 10, Aeronautical Telecommunications, Volume II;
- ICAO Document 4444, Procedures for Air Navigation Services-Air Traffic Management (PANS-ATM);
- ICAO Document 7030, European (EUR) Regional Supplementary Procedures;
- ICAO Document 8168, Procedures for Air Navigation Services - Operations (PANS-OPS);
- ICAO Annex 2, Rules of the Air;
- The current practice in the EU/EASA Member States;
- Requests for clarification received from the stakeholders during the various consultations conducted on the SERA material; and
- A number of comments and changes made by the Single Sky Committee during the comitology procedure.

According to the Agency's introductory text the publication of this material is intended to help Member States in the implementation of SERA by providing additional guidance.

To me the texts appear to be copy-pastes with some old-fashioned designations (PanAm and "Clipper 101" still exist, SAS' DC-9 still fly). May I kindly ask our airspace specialists to take a look at these texts? GM2 SERA.7002 (a)(1), page 11, could be changed, and what is written on page 27, GM2 SERA.14015 on the language to be used will open many discussions within our community.

The extended comment period ends now on 29 February 2016. Please make use of the Agency's Comment Response Tool (CRT) or send your comments to the Programme Manager no later than **Friday, 19 February 2016**.

NOTICE OF PROPOSED AMENDMENT (NPA) 2015-20

Review of the Aircrew Regulation in order to provide a system for private pilot training outside approved training organisations, proposing a "Basic Training Organisation" (BTO), plus a review of the associated acceptable means of compliance and guidance material

This NPA must be read and evaluated in the context of EC-Regulation 445 – 2015 which allows Member States to postpone the ATO requirements until 08 April 2018 and continue private pilot training in Registered Facilities and according to national rules.

This is what EASA proposes:

"This NPA aims to shift the General Aviation (GA) pilot training paradigm by introducing a proportionate risk-based approach to training in Regulation (EU) No 1178/2011 (hereinafter referred to as the 'Aircrew Regulation', in the meantime already amended). The proposed requirements relate to training for Part-FCL non-commercial pilot licences, including the light aircraft pilot licence (LAPL), private pilot licence (PPL), sailplane pilot licence (SPL), and balloon pilot licence (BPL), as well as for the associated ratings, certificates and privileges.

Upon completion of the transition work from JAR-FCL registered facilities (RFs) to full approved training organisation (ATO) status, many stakeholders repeatedly reported that a training system that consists only of ATOs is not the best and most proportionate way to deliver the full range of Part-FCL training for non-commercial pilot licences. In line with the strategic direction of the GA Safety Strategy adopted in 2012, the Agency put forward a proposal to the EASA Committee in October 2014 to develop a possibility for training outside ATOs, in order to effectively adapt the requirements for training towards non-commercial pilot licences.

This proposal reflects the six GA strategic principles as follows:

- P1: One size does not fit all;
- P2: Philosophy of minimum necessary rules;
- P3: Adopt a risk-based approach;
- P4: Protect 'grandfather rights' unless there are demonstrable and statistically significant safety reasons for not doing so;
- P5: Apply EU smart regulation principles; and
- P6: Make best use of available resources/expertise.

In order to meet this general objective, this NPA introduces the concept of the "Basic Training Organisation" (BTO) for providing a harmonised approach to non-commercial pilot training within Europe. This new concept is based on a performance-based regulation offering a less prescriptive approach than the existing ATO framework while maintaining the level of safety. It focuses on developing safety awareness within the training structure and keeping only the essential elements in the rule itself as far as organisational and authority requirements purposes are concerned. In particular, the proposed rules concerning oversight of a BTO also aim to ensure a harmonised and lighter form

of oversight, taking a more risk- and performance-based approach. The competent authority (CA) is therefore neither required nor expected to put in place a rigid and burdensome oversight programme, such as is the case with the current ATO requirements. The oversight activities should take into account factors such as safety performance, results of the hazard identification and risk assessments conducted by the BTO. It should also be noted that the present NPA does not address the technical content of the Part-FCL training itself, since this is addressed by other ongoing or future EASA's rulemaking activities." (End of the Agency's text.)



Thinking of the fact that many of our training organisations made the costly and sometimes painful step to become an ATO, this NPA is welcomed with mixed feelings, varying between full acceptance and total disapproval. The more well-founded comments that we can send to Cologne, the better will our position be reflected in the result. The "less rigid and less burdensome oversight by the competent authorities" as mentioned above will require our full attention,

the name "Basic Training Organisation" indicating that only simple "basic" requirements need to be fulfilled.

Also applicable to this NPA: The extended comment period ends now on 29 February 2016. Please make use of the Agency's Comment Response Tool (CRT) or send your comments to the Programme Manager no later than **Friday, 19 February 2016**.

NOTICE OF PROPOSED AMENDMENT (NPA) 2015-18 (A) (B) (C)

Update of the rules on air operations (Air OPS Regulation – all Annexes & related AMC/GM)

NPA 2015-18 comes in three parts. Some elements are important for us, some are not; all are connected with Regulation (EU) No 965/2012.

Sub-NPA (A) includes, among others not relevant to us, the following key changes:

- Editorial changes to IRs of all Annexes;
- Amendment of authority requirements specifying that the oversight cycle can also be reduced;
- Amendment of authority requirements on findings and corrective actions;
- Exemption of certain operators from approval under Part-SPA of dangerous goods training programmes if they do not intend to transport dangerous goods; and
- Amendment on the use of supplemental oxygen.

Several new definitions are proposed, some are slightly changed. The discussion of the term "commander" and "pilot in command" goes on ...

In "Annex VII" NCO.IDE.A.155 Supplemental oxygen – "non-pressurised aeroplanes" is adapted to:

- be more performance-based;
- now refer to the performance-based requirement of NCO.OP.190 to use supplemental oxygen whenever lack of oxygen might result in impairment of the faculties of crew members; and
- ensure that supplemental oxygen is available to passengers when lack of oxygen might harmfully affect passengers.

Sub-NPA (B) includes the following key changes:

- Editorial changes to AMC and GM to all Annexes;

- Amendment related to the management system of the authority;
- Proposed new AMC/GM on inspector qualifications;
- Amendments to AMC/GM related to RAMP inspections;
- Safety management in the AMC/GM related to organisation requirements (Part-ORO); and
- Proposed AMC/GM on leasing agreements between EU operators.
- Proposed change to AMC on carriage of the emergency medical kit for certain CAT operators, providing more flexibility to operators regarding a secure location of the EMK.

The last two items definitely are not for us, others only partly, but are interesting (e.g. "inspector qualifications").

Sub-NPA (C) deals with passenger seating and emergency exits in CAT: nothing for us, I think.

This is the third NPA whose comment period ends on 29 February 2016. Please make use of the Agency's Comment Response Tool (CRT) or send your comments to the Programme Manager no later than **Friday, 19 February 2016**.

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