

Issued: 28 October 2011

**HIGHLIGHTS OF EASA DEVELOPMENTS AND RELATED CAA  
ACTIVITIES, COVERING THE PERIOD  
18 JULY – 28 OCTOBER 2011**

**This Information Notice contains information that is for guidance and/or awareness.**

Recipients are asked ensure that this Information Notice is copied to all members of their staff who may have an interest in the information (including any 'in-house' or contracted maintenance organisations and relevant outside contractors).

<b>Applicability:</b>	
<b>Aerodromes:</b>	All Aerodrome Licence Holders – of interest to those aerodromes within the EASA scope of applicability
<b>Air Traffic:</b>	All ATC and FIS
<b>Airspace:</b>	All NATMAC Members
<b>Airworthiness:</b>	All Airworthiness Organisations
<b>Flight Operations:</b>	All AOC Holders and General Aviation Pilots
<b>Licensed/Unlicensed Personnel:</b>	All Training Organisations, All Pilots and Maintenance Engineers

**1 Introduction**

- 1.1 This Information Notice provides highlights of EASA developments and CAA activities covering the period 18 July to 28 October 2011.

**2 EASA Management Board**

- 2.1 The Board met on 22 September, the agenda covered three substantive items:

- i) Election of the Chair and Vice-Chair of the Management Board

Michael Smethers and Maxime Coffin were elected as the Chair and Deputy Chair for second three-year terms.

- ii) Appointment of the Approvals and Standardisation Director

Trevor Woods (UK CAA/ASSI – Chief Operating Officer) was appointed to succeed Franceso Banal as the Approvals and Standardisation Director in January 2012

- iii) Report on the Review of the Rulemaking Process

The draft report was warmly welcomed as a good foundation for developing a more effective and efficient rulemaking process. It was recognised that flexibility in the process was necessary and that more upstream consideration and coordination would

be a significant improvement. The Board asked the Working Group to continue its work focusing on the following:

- Articulate how upstream coordination would work in practice (who would do what; roles of various groups/committees; how interpretation of the Basic EASA Regulation could be agreed; links to safety strategy, standardisation etc., to ensure effective consideration of whether rule action is the best way to resolve an identified need for action).
- Consider Board comments on the reorganisation of the Advisory Group of National Authorities (e.g. number of Thematic Advisory Groups and their possible role in considering deletion of rules as well as addition of further rules).
- Draft amended MB Decision on rulemaking procedure.
- Draft an implementation plan and consider how its implementation should be monitored.

The Board will discuss this work further at its December meeting.

### 3 EASA Committee Meeting

3.1 The EASA Committee met on 12-14 October. The main item on the agenda was the **Proposal on commercial air operations: authority and organisation requirements, commercial air transport and special approvals**. There was a very full discussion of the cover regulation and all the annexes to address numerous Member State concerns in areas such as codeshare arrangements, leasing and ramp inspections. It was confirmed that all parts of this regulation will apply only to commercial air transport operations. Various improvements suggested by the UK to the drafting of technical safety requirements were adopted. The revised proposal was agreed in principle but a formal vote will follow by a written procedure once a consolidated text is available after final legal and consistency checks. The full legislative procedure is unlikely to be completed before the summer of 2012 with the new rules coming into force after publication in the Official Journal. A two year transitional period is allowed from the date of coming into force.

There were a number of items for information, as follows:

- i) *Aircrew Regulations (FCL, MED, AOR, CC)* - The first regulation (FCL and MED) is likely to be published in the Official Journal in late October/early November; the second (Cabin Crew and Authority/Organisation requirements) around March 2012.
- ii) *Regulation on fines* - Article 25 of the Basic EASA Regulation provides that the Agency may request the Commission to impose on persons or undertakings to which it has issued a certificate fines where, intentionally or negligently, the provisions of the regulation and its implementing rules have been breached. The Commission and Agency outlined their thinking on the principles and procedures to be set down in the implementing rule needed to bring this article into effect, stressing the importance of maintaining the just culture, proportionality and of encouraging voluntary compliance with the EASA Implementing Rules.
- iii) *Airworthiness* - The Commission reported that some amendments had been made to the proposal flowing from EASA Opinion 1/2011 and a revised draft regulation would be circulated prior to the next meeting of the Committee in December.

- iv) *Revision of Standardisation Regulation* - A draft regulation should be ready for discussion in December.
- v) *Revision of Fees and Charges Regulation* - The Commission explained that this was now planned in two stages: first, to provide for fees and charges for certificates the Agency would issue under the extensions to its competence; and second, to provide after further consultation with industry for changes in the methodology for calculating fees and charges.
- vi) *Air Traffic Management* - The main point of information here concerned plans to provide for better transparency and coordination on various rulemaking activities affecting ATM, some of which were handled by the Single Sky Committee and some by the EASA Committee.
- vii) *Operational Suitability Data (OSD)* - The Agency explained the background to and objectives of the OSD proposals and noted that it hoped to publish its Opinion by the end of the year.
- viii) *Third Country Operators* - There was a brief description of ongoing work on this proposal.

## 4 Other Rulemaking Topics

### 4.1 Aerodromes

The formal rulemaking group work is now complete, and EASA continues to work on the IRs in advance of publication of the NPA (expected late December 2011, but possibly January 2012). EASA is finalising the IR text for converting an existing UK aerodrome licence into an EU certificate.

For further information on EASA aerodrome rulemaking, please visit the FAQ section of the EASA Aerodromes section on the CAA website at [www.caa.co.uk/easa](http://www.caa.co.uk/easa).

### 4.2 Aircrew – Qualifications for flying in Instrument Meteorological Conditions (IMC)

EASA has issued a NPA on Qualifications for flying in IMC for consultation, which can be found at the following link <http://easa.europa.eu/rulemaking/notices-of-proposed-amendment-NPA.php>. The consultation closes on 23 December 2011.

### 4.3 Flight Time Limitations

The EASA OPS.055 Rulemaking Group is assisting EASA in reviewing the comments on NPA 2010-14 and have held several meetings so far. The aim of EASA is to complete this work and publish the CRD by the end of 2011. In conjunction with this work a special AGNA meeting was held in Cologne on 26 October on the subject of Flight Time Limitations and the EASA proposals.

### 4.4 OPS – NCO/NCC (non-commercial operations with other than complex motor-powered aircraft, non-commercial operations with complex motor-powered aircraft)

CAA Information Notice [IN-2011/095](http://www.caa.co.uk/Information-Notices/IN-2011/095) is aimed at future operations other than for the purpose of Commercial Air Transport, which includes NCO/NCC and SPO operations. Pilots and operators are encouraged to register their details with CAA Flight Operations in order that they

can be kept better informed of arrangements for transition to the forthcoming EASA implementing rules.

CAA has submitted comments on EASA Comment Response Document (CRD) to NPA 2009-02b, OPS NCO/NCC. A link to the comments can be found under paragraph 5.3 below.

4.5 *OPS – SPO/CAT (S+B) (specialised operations/commercial air transport operations for sailplanes and balloons)*

EASA has issued a CRD for consultation on OPS SPO/CAT (S+B), which can be found on the Agency's website via the following link: <http://easa.europa.eu/rulemaking/comment-response-documents-CRDs-and-review-groups.php>. The closing date for comments is 31 January 2012.

4.6 *Single European Sky (SES)*

Progress on SES activities is covered in the SES Bulletin published on the following webpage: [www.caa.co.uk/SES](http://www.caa.co.uk/SES)

4.7 *Standardised European Rules of the Air (SERA Part B) Requirements regarding services in Air Navigation*

CAA has submitted comments on EASA Comment Response Document (CRD) to NPA 2011-02, SERA Part B. A link to the comments can be found under paragraph 5.3 below.

4.8 *Fast Track ATM/ANS (Air Traffic Management / Air Navigation Services) Implementing Rules (IR)*

All three of the 'fast-track' EASA ATM Implementing Rules; **ATCO licensing (EC) No. 805/2011**, **Oversight (EC) No 1034/2011** and **Common Requirements for ANS provision (EC) No 1035/2011** have now been published in the OJEU. The Oversight and Common Requirements IRs replace Commission Regulations (EC) 1315/2007 and (EC) 2096/2005. These IRs represent a largely 'cut and paste' transposition of the earlier regulations with minimal changes.

Work to further develop ATM/ANS IRs together with Acceptable Means of Compliance (AMC) and Guidance Material (GM) continues under the auspices of three EASA drafting groups all of which have UK representation. The groups are, ATM001 (Rules for ANSPs), ATM003 (Rules for ATCOs and Approved Training Organisations) and ATM004 (Rules for Competent Authorities). The outcome of this next phase of rulemaking activity is expected to be more far-reaching than the 'fast-track' transposition activity and will be the subject of formal consultation with stakeholders using the EASA Notice of Proposed Amendment (NPA) process. On current scheduling, a number of NPAs seeking stakeholder views on ATM/ANS rulemaking are due to be published during 2012 and 2013.

## 5 CAA Responses to NPAs and CRDs

5.1 The CAA submitted comments on the following EASA consultations since the last communication (Information Notice 2011/070) was published:

CRD to NPA 2009-02b	Implementing Rules for air operations of Community operators – Part NCC and Part NCO
CRD to A-NPA 2009-10	Cabin Air Quality onboard Large Aeroplanes

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CRD to NPA 2011-02	Standardised European Rules of the Air (SERA) Part B
NPA 2011-07	Appendix 1 Aircraft type ratings for Part-66 aircraft maintenance licence
NPA 2011-10	Certification Specifications – Cabin Crew
NPA 2011-11	Certification Specifications – Master Minimum Equipment List (CS-MMEL)

5.2 The CAA had no comments on the following EASA consultations since the last communication was published:

NPA 2011-08	Implementation of CAEP/8 Amendments
NPA 2011-09	Incorporation of Generic SC and AMC CRIs in CS-25
NPA 2011-12	Systematic review and transposition of existing FAA TSO standards for parts and appliances into EASA ETSO
NPA 2011-13	Large Aeroplanes protection against fuel low level and fuel exhaustion
CRD to NPA 2010-06	Damage Tolerance and Fatigue Evaluation of Metallic Rotorcraft Structures
CRD to NPA 2010-08	Control of Contracted Maintenance Personnel
CRD to NPA 2011-07	Appendix 1 Aircraft type ratings for Part-66 aircraft maintenance licence

5.3 CAA responses on NPA and CRD consultations can be viewed via the following webpage:

<http://www.caa.co.uk/default.aspx?catid=620&pagetype=90&pageid=11403>

## 6 Queries

6.1 Any queries related to this Information Notice should be sent to [European.Affairs@caa.co.uk](mailto:European.Affairs@caa.co.uk).

## 7 Cancellation

7.1 This Information Notice will remain in force until 28 May 2012.