

Issued: 23 May 2014

CAA Information Bulletin on EASA Developments - 21 February to 23 May 2014

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

Recipients are asked to 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).

Applicability:	
Aerodromes:	All Aerodrome Licence Holders
Air Traffic:	All ATC, FIS and ANSPs
Airspace:	All NATMAC Members
Airworthiness:	All Airworthiness Organisations
Flight Operations:	All AOC Holders and General Aviation Pilots
Licensed/Unlicensed Personnel:	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 21 February to 23 May 2014.

2 EASA Management Board

- 2.1 The EASA Management Board met on 11 March. The agenda included the following substantive items:

i) *Central Question Data Bank (CQDB)*

EASA reported that it proposes to update the CQDB as a matter of urgency with the help of experts to write new questions and Member States to validate them.

ii) *Better Regulation*

EASA proposed a number of workstreams associated with better regulation including the GA and ATM roadmaps. Further work will be done in ensuring a common understanding of what is meant by risk-based oversight and performance based regulation.

iii) *TCO Authorisation Procedure*

EASA presented the TCO authorisation procedure in advance of the regulation being published (see also paragraph 4.4). The procedure received a positive vote from the EASA Management Board.

iv) *Standardisation*

EASA presented their Continuous Monitoring Approach tool which will be used to target their standardisation inspections and enable a more risk-based approach. Member States will receive a visit from EASA to explain their State's results in more detail.

2.2 The agenda also included a regular report from the Executive Director which included:

- an update on EASA's reorganisation plans;
- information on a New Financial Regulation;
- discussion of the 2013 Annual General Report;
- endorsement of the IAS Strategic Audit Plan 2014-2016; and
- a progress report on the Sub-group on the Future European Aviation Regulatory System.

Some financial/administrative items were also included, with a report from the FABs Advisory Board, Adoption of the 2015 Draft Budget, Draft Work Programme and Establishment Plan and Adoption of the Staff Policy Plan 2015-2017.

3 EASA Committee

3.1 The EASA Committee met on 7-8 May. The agenda covered the following items on the first day:

i) *Update on on-going Commission adoption procedures - Information by the Commission*

- EASA advised that the Regulation for **Third Country Operators (Part-TCO)** will enter into force at the end of May; EASA will process applications over the next two years to deal with existing traffic. Any new operators will need prior authorisation before starting operations. The Commission is working closely with EASA on the implementation of Part-TCO.
- The Commission confirmed that the EASA Opinion on **JAA cabin safety tasks** will be incorporated as AMC.
- **Revision of Basic Regulation 216/2008:** The Commission has produced a roadmap which includes the main issues, policy objectives and associated options for changes to the Regulation. It also includes information on their intentions for the impact assessment and consultation process. The public consultation will be launched mid-May and takes the form of a questionnaire. This will be in parallel to EASA publishing their Advance Notice of Proposed Amendment soliciting views on potential changes to the Basic Regulation. The documents are complementary and have been developed in parallel; they will both be subject to a three-month consultation period. The summary of the results will form part of the Commission's impact assessment.

ii) *Draft Commission Regulation on aircraft continuing airworthiness monitoring and on critical tasks (based on EASA Opinion 06/2012 limited to Part-T CAT, on EASA Opinion 02/2013 and on EASA Opinion 06/2013) amending Commission Regulations (EC) No. 2042/2003 and No. 965/2012, and aligning Commission Regulation (EC) No. 2042/2003 with Regulation (EC) No. 216/2008 and with ICAO Annex 8 – Review and discussion*

EASA advised that we await a number for this new Regulation, which will be allocated after the scrutiny process for the recast regulation (likely to be completed in June). There are three Opinions behind this draft Regulation and they have now been brought into a single Regulation along with the changes agreed at the previous EASA Committee. It is likely to come back to the Committee in July for a **possible vote**.

- iii) *Draft Commission Regulation (based on EASA Opinion 07/2013) on flight testing, amending Commission Regulation (EU) No. 748/2012 laying down implementing rules for the airworthiness and environmental certification of aircraft and related products, parts and appliances, as well as for the certification of design and production organisations – Review and discussion*

EASA has addressed the comments the UK raised after the last Committee in relation to differences between the airworthiness flight test requirements and Part-FCL.

There was some discussion regarding the timescales for approval of the Flight Test Operations Manual (FTOM), particularly for smaller aircraft. EASA will take this into consideration.

- iv) *Draft Commission Regulation (based on EASA Opinion 08/2013) on additional airworthiness requirements for operations (Part-26) as well as amending Commission Regulation (EU) No. 965/2012 laying down technical requirements and administrative procedures related to air operations - Review and discussion*

Discussion focused on bringing the document up-to-date as the previous JAR-26 document contained old references, for example, there is an outdated paragraph regarding smoking onboard aircraft. EASA will review the document.

- v) *Draft Commission Regulation introducing sterile flight deck procedures, amending Commission Regulation (EU) No. 965/2012 laying down technical requirements and administrative procedures related to air operations pursuant to Regulation (EC) No. 216/2008 – Review, discussion and vote*

Clarifications were made in the text to clarify that “other than complex-motor powered helicopters” come under Annex VII.

The Committee voted in favour of the adoption of this draft Commission Regulation.

- vi) *EASA Opinion on Aircraft Tracking – Information from the Commission and orientation discussion*

The Commission has prepared two papers for presentation at an ICAO meeting in May on aircraft tracking; one of the papers includes potential options for tracking aircraft throughout the flight. In conjunction with the Commission’s papers, EASA has accelerated an Opinion on the serviceability of flight recorders and underwater locating devices, based on previous ongoing discussions with rulemaking experts in Member States. See [paragraph 7](#) for link to the Opinion published on 6 May 2014.

The drivers for this action were the Air France accident and, more recently, the Malaysian Airlines accident where there have been difficulties tracking and locating the aircraft.

- vii) *Any other business:*

- **In-flight security** – *Presentation by the Commission and EASA*

A comparison table of in-flight security and safety measures was presented, with the aim of identifying and tidying up any gaps and/or duplication. This proposal was widely welcomed.

Once the proposal is approved, EASA will amend the AMC material which should then ensure compliance with ICAO (without having to amend the rules).

- **General Aviation Roadmap** - *Information by the Commission and EASA*

EASA presented the GA roadmap, in the context that the current Regulations designed for CAT are disproportionate and excessive for GA. The roadmap project has been launched to address this issue and a Steering Group has been established to help EASA and Member States to achieve more proportionate rules for the GA community.

The Steering Group is chaired by the UK CAA and there are now 11 participating Member States. This group will have the opportunity to influence the rules and to challenge and help EASA, and to promote a common view across the Member States.

3.2 The following agenda items were covered on the second day:

- viii) *EASA Opinion 10/2013 on Part-M General Aviation, on the continuing airworthiness of aircraft and aeronautical products, parts and appliances, and on the approval of organisations and personnel involved in these tasks - Orientation discussion*

There was widespread support for this Opinion, which has taken a proportionate and risk-based approach.

There were some questions around liabilities and legal issues, which will need to be clear to all parties.

- ix) *EASA Opinion 11/2013 laying down technical requirements and administrative procedures related to air traffic controllers' licences and certificates pursuant to Regulation (EC) No. 216/2008 of the European Parliament and of the Council and repealing Commission Regulation (EU) No. 805/2011 - Orientation discussion*

EASA presented the Opinion, stressing that they have tried to follow the common structure of EASA rules – which looks slightly different from the rule structure seen for previous ATM-related rules in Europe.

ATCO licensing and certificates, training, inspection, assessor and aeromedical requirements are included in this Opinion.

Member States were generally supportive of the Opinion, although there were a number of requests for clarity and more flexibility in areas such as assessors, language proficiency and aeromedical requirements.

This subject is likely to be discussed again at the next EASA Committee meeting.

- x) *Any other business:*

- Draft European reply to **US ANPRM** (FAA Advance Notice of Proposed Rulemaking) **on drug and alcohol testing**

The Committee supported the reply drafted by the Commission regarding the US ANPRM on drug and alcohol testing for maintenance engineers.

- **Website on Article 14 flexibility provisions**

EASA announced that they have created a new website where all approved Article 14 flexibility provisions will be listed, including EASA's advice. It will be populated with exemptions and derogations, once Member States have updated the Commission with a list of their current exemptions subject to notification.

- Applicability of **Article 83bis** of the Chicago Convention

The Commission explained that they are reviewing this with their Legal service at the moment.

- **Consolidated Air Operations Regulation**

There are no plans for the Commission to recast the Air Operations Regulation into a single official document. However, EASA has produced a consolidated text on their website, although it should be noted that this is an **unofficial version** and does not currently include amendments 83/2014 and 379/2014.

4 Other Rulemaking Topics

4.1 *Aircrew*

Commission Regulation (EU) No. 245/2014 amending the Aircrew Regulation was published in the OJEU on 14 March 2014.

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

Commission Regulation (EU) No. 379/2014 amending the Air Operations Regulation was published in the OJEU on 24 April 2014.

4.3 *Single European Sky (SES)*

Progress on all SES activities is covered in the SES Bulletin published periodically on the following webpage: www.caa.co.uk/SES.

4.4 *Third Country Operators*

Commission Regulation (EU) No. 452/2014 laying down requirements for Third Country Operators was published on the OJEU on 6 May 2014. The Commission also issued a **Press Release on TCO** on 29 April 2014.

4.5 *Occurrence Regulation*

Commission Regulation (EU) No. 376/2014 amending the Occurrence Regulation was published in the OJEU on 24 April 2014.

5 CAA Agreed EASA Terminology

- 5.1 A list published on the CAA website which provides a **CAA agreed standard set of terms** to be used when describing the high level EASA Regulations has recently been updated. It now includes additional regulations that have been published, including implementing rules for air traffic controllers, common rules of the air, airspace usage requirements, safety oversight of air traffic management and air navigation services, common requirements for air navigation services and aerodromes.

6 CAA Responses to NPAs and CRDs

- 6.1 The CAA made comments on the following EASA consultations since the last update (**IN-2014/041**) was published:

NPA 2013-24	Requirements for Apron Management Services at Aerodromes
NPA 2013-25	Revision of operational approval criteria for performance-based navigation (PBN)
NPA 2013-26	Amendment of requirements for flight recorders and underwater locating devices
NPA 2014-01	Carriage of Special Categories of Passengers (SCPs)
NPA 2014-02	Specific risk and standardised criteria for conducting aeroplane-level safety assessments of critical systems
NPA 2014-04	Technical Records
NPA 2014-05	Amendment to Commission Implementing Regulation (EU) No. 923/2012 laying down the common rules of the air and operational provisions regarding services and procedures in air navigation (SERA Part C)

6.2 The CAA had no comments on the following EASA consultation since the last update was published:

NPA 2014-03 Engine Vibration Surveys

6.3 [CAA responses on NPA and CRD consultations](#) can be viewed on the CAA website.

7 Opinions

7.1 EASA recently published [Opinion 01/2014](#) for the 'Amendment of Requirements for flight recorders and underwater locating devices'. [CRD 2013/26](#) on this topic was also published simultaneously.

8 Commonly used Abbreviations in EASA Bulletin

8.1 A list of commonly used abbreviations used in our EASA Bulletins and their meanings are provided as an Annex to this Information Notice. The Annex also includes a link to the standard list of terms used to describe the high-level EASA regulations.

9 Queries

9.1 Any queries as a result of this communication should be addressed to the European.Affairs@caa.co.uk e-mail address.

10 Cancellation

10.1 This Information Notice will remain in force until 21 November 2014.

Annex Commonly used Abbreviations in CAA EASA Information Bulletin

ACAS	Airborne Collision Avoidance System
AMC/GM	Acceptable Means of Compliance / Guidance Material
ANS	Air Navigation Services
AR/OR	Authority Requirements / Organisation Requirements
ATCO	Air Traffic Control Officer
ATM	Air Traffic Management
CC	Cabin Crew
CRD	Comment Response Document
EAB	EASA Advisory Board
FABS	Finance and Business Services
FCL	Flight Crew Licensing
FTL	Flight Time Limitations
GA	General Aviation
IMC	Instrument Meteorological Conditions
IR	Implementing Rule
MED	Medical
NAA	National Aviation Authority
NPA	Notice of Proposed Amendment
NSA	National Supervisory Authority
OJEU	Official Journal of the European Union
OPS-NCO/NCC	Operations - non-commercial operations with other than complex motor-powered aircraft / non-commercial operations with complex motor-powered aircraft
OPS-SPO/CAT (S+B)	Operations - specialised operations / commercial air transport operations for sailplanes and balloons
OPS-CAT/SPA	Operations - Commercial air transport operations and specific approvals
OSD	Operational Suitability Data
RAG	Rulemaking Advisory Group
SERA	Standardised European Rules of the Air
SES	Single European Sky
SSCC	Safety Standards Consultative Committee
TAG	Thematic Advisory Group
TCO	Third Country Operators

Note: A further list of standard terms used to describe the EASA Regulations can be found at: [EASA Terminology](#).