



Issued: 9 August 2016

CAA Information Bulletin on EASA Developments – 4 March to 8 August 2016

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 (IN) provides highlights of EASA developments and CAA activities covering the period 4 March 2016 to 8 August 2016.

2 EASA Management Board

2.1 The EASA Management Board met on 7 June 2016. The agenda included the following substantive items:

Stakeholder Advisory Body (SAB) - EASA outlined their plans to consolidate the industry bodies – the EASA Advisory Board and Safety Standards Consultative Committee – into one Stakeholders Advisory Body (SAB) which means membership falls from 68 to 36. Industry members will continue to be involved in various sub-committees of the new SAB, the membership of which was endorsed by the Management Board. EASA intends to involve industry more at several stages in the rulemaking process including in the newly created Collaborative Analysis Groups, with the goal being more open and increased collaboration.

Operational Directives - EASA has been experimenting with the use of Operational Directives for manual flying and the Germanwings recommendations. There is more work to be done to clarify the legal basis (via the ongoing EASA Basic Regulation discussions) and the terminology and use of these Directives.

Drones - EASA gave a very brief update on their two complimentary task forces and the development of prototype rules. Clearly appropriate and proportionate regulation of drones is a priority for EASA.

Overregulation - EASA presented their work so far on the examples Member States gave them a few months back on overregulation. EASA received 48 comments from 8 Member States (including the UK). They grouped these comments into several issues:

- Better regulation
- Performance based approach in rulemaking
- Effectiveness of oversight system – sharing resources and inspector qualifications
- GA overregulation
- Too many regulations, too fast
- Effective horizontal regulations
- Overregulation in specific cases

Possible future actions included:

- New rulemaking process with strengthened impact assessment in place
- European Plan for Aviation Safety more integrated with the rulemaking process
- Assess every possibility to use a performance based approach
- Ex-post evaluation of the rules, using impact assessments while the rule is being implemented (starting with the horizontal rules on OR and AR requirements)
- GA roadmap ongoing implementation
- Issues raised on specific regulations e.g. MEL, HEMS, rescue and firefighting – wherever possible, add to ongoing rulemaking activity

Conflict zones - EASA updated on initiatives taken so far which include ICAO task force, ICAO repository of NOTAMs, NOTAMs and AICs issued by States, EASA Safety Information Bulletins, Commission (DG-HOME) working group and the Dutch Safety Board report on MH17.

Toxic Air Quality - Netherlands asked for an update from EASA, who confirmed that the various European initiatives are being coordinated by EASA and that there is a joined up approach.

EASA Basic Regulation - During their Presidency, the Dutch have done a good job at getting agreement on large sections of the text. The Slovakian Presidency will focus on drones, cooperative oversight and the section on EASA governance. The Basic Regulation is expected to be adopted in 2017 but it is not clear whether it will be at the start or end of the year.

EASA safety conference - Will be held in Bratislava on 25-26 October 2016, focussing on new technologies, new business models and the challenges to safety.

Flight Standards Director - Ricardo Genova will be leaving EASA by the end of 2016 and a new Flight Standards Director will be recruited.

EASA building move - EASA has now moved to a new building on the opposite side of the river in Cologne. Please see [EASA website](#) for further information.

3 EASA Committee

3.1 The EASA Committee met on 29-30 June 2016. The agenda covered the following items on the first day:

- i) Update on on-going Commission adoption procedures – *Information by the Commission*
- **Commission Regulation (EU) No. 2016/539** amending Commission Regulation (EU) No. 1178/2011 as regards pilot training, and periodic checking for Performance Based Navigation was adopted on 6 April 2016 and became applicable on 8 April 2016.
 - **Commission Regulation (EU) No. 2015/1536** amending Commission Regulation (EU) No. 1321/2014 as regards alignment of rules for continuing airworthiness with Regulation (EC) No. 216/2008, critical maintenance tasks and aircraft continuing airworthiness monitoring was adopted on 16 September 2015 and becomes applicable on 25 August 2016.
 - **Commission Regulation (EU) No. 2016/583** amending Commission Regulation (EU) No. 1332/2011 laying down common airspace usage requirements and operating procedures for airborne collision avoidance was adopted on 15 April and becomes applicable on 25 August 2016.
 - **Commission Regulation (EU) No. 2016/1158** amending Commission Regulation (EU) No. 452/2014 laying down technical requirements and administrative procedures related to air operations of third country operators was adopted on 15 July and entered into force 20 days later.
 - **Commission Regulation (EU) No. 2016/1199** amending Commission Regulation (EU) No. 965/2012 on air operations as regards operational approval of Performance Based Navigation (PBN), certification and oversight of data services (DAT) providers and helicopter offshore operations, was adopted on 23 July and becomes applicable on 25 August 2016.
- ii) Draft Commission Regulation amending Commission Regulation (EU) No. 965/2012 as regards the operational approval of single engine turbine aeroplane operations and approval of Dangerous Goods Training Programmes – *Discussion and possible vote*
- Following a positive discussion at the last EASA Committee meeting, various amendments to the proposed text addressing Commercial Air Transport using Single Engine Turbine aircraft operations at night and in IMC conditions were proposed and agreed.

A derogation to enable complex motor powered aircraft (CMPA) to be ferried for certain purposes was proposed. This will avoid the need for an operator to make a declaration of compliance with Part-NCC before a one-off ferry flight in a CMPA, after 25 August 2016. The derogation is needed to enable a new rulemaking task to be undertaken to address this issue. In the meantime, national regulations will continue to apply.

Revised text was also proposed to adopt a more proportionate and risk-based approach to the approval requirements for dangerous goods training programmes for commercial operators.

The combined proposals received a positive vote on the second day of the Committee.

In States where SET IMC OPS has been permitted by derogation to regulation (EU) No. 965/2012 there will be a six month transition period, following adoption, for extant operators to come into full compliance with new regulation.

- iii) EASA Opinion No. 01/2016 on revision of the European operational rules for balloons - *Discussion and information by EASA*
 - Member States (MS) discussed the draft Balloon OPS regulation. There was strong support for the dedicated balloon regulations. However, views were split regarding whether Commercial Operators should be issued with an Air Operators Certificate or would simply be permitted to make a declaration. This point will likely be discussed again at the next EASA Committee meeting in October.
- iv) Exemption of one-off ferry flights from the application of Regulation (EU) No. 965/2012 - *Discussion and information by EASA*
 - Member States supported the introduction of exemption from the NCC rules for one-off ferry flights. The proposed text was adopted as part of the amendment to regulation (EU) No. 965/2012.
- v) Adoption of corrigenda to Commission Regulations
 - Draft Commission Regulation to correct the French version of Regulation (EU) No. 139/2014 – *Discussion and possible vote.*
 - Draft Commission Regulation to correct the Bulgarian, Dutch and German version of Regulation (EU) No. 1321/2014 – *Discussion and possible vote.*

The corrigenda received a positive vote by the Committee.

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

- vi) Standardisation Annual Report 2015 – *Information by EASA*
 - EASA presented the high level findings from the standardisation inspection process. The Agency explained that the number of findings has increased in the last year; however this is largely as a result of findings arising from the application of horizontal rules in several new domains. The number of overdue findings is reducing; but there are still wide variations across the MS.
- vii) Draft Commission Decision in accordance with Article 11(2) of Regulation (EC) No. 2016/2008 with regard to certificates issued by HATA (ex-approved Maintenance Training Organisation – ref. EASA supplementary report AIR.EL.02.2014) - *Discussion*
 - EASA provided a briefing on the long running issues arising from the withdrawal of the Part-147 Maintenance training organisation approval issued to HATA, and the impact on the validity of the Certificates of Recognition held by many Part-66 licence holders. There is a need for all MS to identify licence holders who used HATA issued certificates and take appropriate action to ensure the individuals have actually fulfilled the basic knowledge requirements.
- viii) Draft Commission Regulation amending Regulation (EU) No. 1321/2014 as regards safety management systems in continuing airworthiness and alleviation for general aviation aircraft
 - EASA Opinion 05/2016: Task force for the review of Part-M for General Aviation (PHASE II) – *Orientation discussion.*
 - EASA Opinion 06/2016: Embodiment of Safety Management System (SMS) requirements into Commission Regulation (EU) No. 1321/2014 - SMS in Part-M – *Orientation discussion.*

EASA briefed on their plans to introduce Safety Management System requirements into the Part-M regulations for Continued Airworthiness Management Organisations (CAMOs). The proposals reaffirmed the Agency's commitment to remove general aviation from the scope of the revised regulations and to revisit the proposed regulations for Part-145 and Part-147 organisations, after SMS implementation for

CAMOs. The introduction of the new requirements will be aligned with the introduction of Part-M Light for General Aviation.

MS were broadly supportive of the proposals; however several MS were a little concerned that the Part-M regulation would grow in size and become too complicated as a result of the proposed restructuring to accommodate Part-M light. The Agency and Commission accepted that the document would increase in size and reiterated the benefits of having a dedicated section for General Aviation.

ix) Draft Commission Regulation amending Regulation (EU) No. 748/2012 as regards embodiment of risk-based compliance verification into Part-21

- EASA Opinion 07/2016: Embodiment of level of involvement requirements into Part-21 – *Orientation discussion*.

There was strong support from the MS for EASA to finalise its proposal on the introduction of the risk based Level of Involvement concept for Part-21 design organisations. It is likely that the Committee will vote on the proposal at the next meeting in October 2016.

x) Draft Commission Regulation amending Regulation (EU) No. 2015/640 as regards additional airworthiness in Commercial Air Transport, by improving certain characteristics of the insulation material installed in the fuselage, the protection of occupants in a survivable impact accident, and the management of ageing aircraft issue

- EASA Opinion 02/2016: Seat crashworthiness improvement on large aeroplanes / Dynamic testing 16 g – *Orientation discussion*.
- EASA Opinion 04/2016: Additional airworthiness specifications for operations: thermal/acoustic insulation materials - *Orientation discussion*.

EASA briefed on the content of the Opinions that will amend Part-26 and how the changes were mostly aligned with those already introduced by the FAA.

4 Other Rulemaking Topics

4.1 EASA Consultation on draft Opinion/Decision - Germanwings

The CAA responded to an Agency consultation on a draft regulatory proposal addressing the safety issues identified by the EASA-led Germanwings Task Force on the accident of the Germanwings Flight 9525 in June. Following this, the Agency is now seeking comments from the Advisory Bodies on the resulting draft Opinion/Decision. Comments close on 22 September 2016.

4.2 Single European Sky (SES)

Progress on SES activities is covered in [CAA Information Notices](#) published periodically on the CAA website.

5 CAA Responses to NPAs and CRDs

5.1 The CAA made comments on the following EASA consultations since the last update ([IN 2016/024](#)) was published:

NPA 2015-14	AMC and GM to Regulation 2015/XXX laying down the common rules of the air and operational provisions regarding services and procedures in air navigation (SERA Part C)
NPA 2015-21	TAWS operation in IFR and VFR, and TAWS for turbine-powered aeroplanes under 5700 kg MCTOM able to carry six to nine passengers
NPA 2015-22	Open rotor engine and installation
NPA 2016-01	Helicopter ditching and water impact occupant survivability

NPA 2016-04 Maintaining aerodrome rules – CS ADR-DSN

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

6 Opinions

6.1 EASA recently published the following Opinions:

Opinion 02/2016	Seat crashworthiness improvement on large aeroplanes - Dynamic testing 16 g
Opinion 03/2016	Maintaining the aerodromes rules – ICAO new approach classification
Opinion 04/2016	Additional airworthiness specifications for operations: thermal/acoustic insulation materials
Opinion 05/2016	Task force for the review of Part-M General Aviation (PHASE II)
Opinion 06/2016	Embodiment of Safety Management System (SMS) requirements into Commission Regulation (EU) No. 1321/2014 - SMS in Part-M
Opinion 07/2016	Embodiment of level of involvement requirements into Part-21
Opinion 08/2016	Halon – Update of Part-26 to comply with ICAO Standards
Opinion 10/2016	Performance-based navigation implementation in the European Air Traffic Management Network

7 Commonly used Abbreviations in EASA Bulletin

7.1 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.

8 Queries

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

9 Cancellation

9.1 This Information Notice will remain in force until 9 January 2017.

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
EASP EASp	EASA Aviation Safety Programme EASA Aviation Safety Plan
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