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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, ...
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Draft

COMMISSION REGULATION (EU) No .../...

of [...]

laying down detailed rules for the qualification of cabin crew involved in commercial operations and amending Commission Regulation (EU) No .../... laying down detailed rules for civil aviation personnel pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council

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COMMISSION REGULATION (EU) No .../...

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(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 216/2008 of the European Parliament and of 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⁽¹⁾, and in particular Article 8(5) thereof,

Whereas:

- (1) Regulation (EC) No 216/2008 aims at establishing and maintaining a high uniform level of civil aviation safety in Europe. That Regulation provides for the means of achieving that objective and other objectives in the field of civil aviation safety.
- (2) Cabin crew involved in the operation of certain aircraft have to comply with the relevant essential requirements set out in Annex IV to Regulation (EC) No 216/2008. According to that Regulation, cabin crew shall be continuously fit and competent to exercise their assigned safety duties; those involved in commercial operations shall hold an attestation as initially set out in Annex III, Subpart O, point (d) of OPS 1 1005 as set out in Regulation (EEC) No 3922/91 of 16 December 1991 on the harmonisation of technical requirements and administrative procedures in the field of civil aviation².
- (3) Regulation (EC) No 216/2008 requires the Commission to adopt the necessary implementing rules for the licensing of pilots, the qualification of cabin crew and for the assessment of their medical fitness. Regulation (EU) No. .../.. establishes those implementing rules, with the exception of the aspects related to the qualification and related attestation of cabin crew. The present Regulation therefore amends Regulation (EU) No. .../... to include these particular aspects.
- (4) It is necessary to provide sufficient time for the aeronautical industry and Member State administrations to adapt to this new framework and to recognise under certain

¹ OJ L 79, 13.3.2008, p. 1.

² OJ L 373, 31.12.1991, p. 4. Regulation as last amended by Regulation (EC) No 1592/2002 (OJ L 240, 7.9.2002, p. 1).

conditions the validity of attestations of safety training issued to cabin crew before the applicability of this Regulation.

- (5) In order to ensure a smooth transition and a high uniform level of civil aviation safety in the Union, implementing measures should reflect the state of the art, including best practices, and scientific and technical progress in the field of aircrew training. Accordingly, Council Regulation (EEC) No 3922/91 of 16 December 1991 on the harmonisation of technical requirements and administrative procedures in the field of civil aviation, technical requirements and administrative procedures agreed by the International Civil Aviation Organisation (hereinafter referred to as “ICAO”) and the European Joint Aviation Authorities until 30 June 2009, as well as existing legislation pertaining to a specific national environment, should be considered.
- (6) The measures specified in Annex III to Regulation (EEC) No 3922/91 for the attestation of safety training of cabin crew are deleted in accordance with Article 69(3) of Regulation (EC) No 216/2008. The measures adopted by this Regulation are to be regarded as the corresponding measures.
- (7) The European Aviation Safety Agency (hereinafter referred to as “the Agency”) prepared draft implementing rules and submitted them as an opinion to the Commission in accordance with Article 19(1) of Regulation (EC) No 216/2008.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 65 of Regulation (EC) No 216/2008.

HAS ADOPTED THIS REGULATION:

Article 1

Commission Regulation (EU) No .../.. is amended as follows:

1. In Article 1, the following point shall be added:
 - “6. the conditions for issuing, maintaining, amending, limiting, suspending or revoking cabin crew attestations, as well as the privileges and responsibilities of the holders of cabin crew attestations.”
2. In Article 2, the following point shall be added:
 - “(11) ‘Cabin crew member’ means an appropriately qualified crew member, other than a flight crew or technical crew member, who is assigned by an operator to perform duties related to the safety of passengers and flight during operations.”
3. The following article is inserted:

“Article 9b

Cabin crew qualification and related attestation

1. Cabin crew members involved in commercial operation of aircraft referred to in Article (1)(b) and (c) of Regulation (EC) No 216/2008 shall be qualified and hold the related attestation in accordance with the technical requirements and administrative procedures laid down in Annex V.

2. Cabin crew members holding, at the applicability of this Regulation, an attestation of safety training issued in accordance with Council Regulation (EEC) No 3922/91³ (hereinafter referred to as EU-OPS):
 - (a) shall be deemed to be compliant with this Regulation if they comply with the applicable training, checking and recency requirements of EU-OPS; or
 - (b) if they do not comply with the applicable training, checking and recency requirements of EU-OPS, they shall complete all required training and checking before being deemed to be compliant with this Regulation; or
 - (c) if they have not operated in commercial operations by aeroplanes for more than 5 years, they shall complete the initial training course and shall pass the related examination as required in Annex V before being deemed to be compliant with this Regulation.
 3. Member States shall replace the attestations of safety training issued in accordance with EU-OPS with cabin crew attestations of the format established in Part-AR no later than 8 April 2017.
 4. Cabin crew members involved in commercial operations of helicopters at the applicability of this Regulation:
 - (a) shall be deemed to be compliant with the initial training requirements of Annex V if they comply with the applicable training, checking and recency provisions of the Joint Aviation Requirements for commercial air transportation by helicopters; or
 - (b) if they do not comply with the applicable training, checking and recency requirements, they shall complete all relevant training and checking required to operate on helicopter(s), except the initial training, before being deemed to be compliant with this Regulation; or
 - (c) if they have not operated in commercial operations by helicopters for more than 5 years, they shall complete the initial training course and shall pass the related examination as required in Annex V before being deemed to be compliant with this Regulation.
 5. Member States shall issue cabin crew attestations of the format established in Part-AR to all cabin crew members involved in commercial operations by helicopters no later than 8 April 2013.
4. A new Annex V as set out in the Annex to this Regulation is inserted.

Article 2

1. This Regulation shall enter into force on the day following that of its publication in the Official Journal of the European Union.
It shall apply as from 8 April 2012.

³ OJ L 373, 31.12.1991, p. 4-8.

2. By way of derogation from paragraph 1, Member States may decide not to apply the provisions of paragraph CC.GEN.030 (*Documents and record-keeping*) of Annex V until 8 April 2014.
3. By way of derogation from paragraph 1, Member States may decide not to apply the provisions of this Regulation to cabin crew members involved in commercial operations by helicopters until 8 April 2014.
4. When a Member State makes use of the provisions of paragraphs 2 or 3, it shall notify the Commission and the Agency. This notification shall describe the reasons for such derogation as well as the programme for implementation containing actions envisaged and related timing.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, [...]

For the Commission

[...]

The President

ANNEX V
Qualification of cabin crew involved in commercial air transport operations

[PART-CC]

SUBPART GEN - GENERAL REQUIREMENTS

CC.GEN.001 Competent authority

For the purpose of this Part, the competent authority shall be the authority designated by the Member State where a person applies for the issue of a cabin crew attestation.

CC.GEN.005 Scope

This Part establishes the requirements for the issue of cabin crew attestations and the conditions for their validity and use by their holders.

CC.GEN.015 Application for a cabin crew attestation

The application for a cabin crew attestation shall be made in a form and manner established by the competent authority.

CC.GEN.020 Minimum age

The applicant for a cabin crew attestation shall be at least 18 years of age.

CC.GEN.025 Privileges and conditions

- (a) The privileges of holders of a cabin crew attestation are to act as cabin crew members in commercial air transport operation of aircraft referred to in Article 4(1)(b) and (c) of Regulation (EC) No 216/2008.
- (b) Cabin crew members may exercise the privileges specified in (a) only if they:
 - (1) hold a valid cabin crew attestation as specified in CC.CCA.105; and
 - (2) comply with CC.GEN.030, CC.TRA.225 and the applicable requirements of Part-MED.

CC.GEN.030 Documents and record-keeping

- (a) To show compliance with the applicable requirements as specified in CC.GEN.025(b), each holder shall keep, and provide upon request, the training and checking records relevant to his/her aircraft type or variant qualification(s), unless the operator employing his/her services keeps such records and can make them readily available upon request by an authority or by the holder.
- (b) When exercising the associated privileges, holders shall carry their cabin crew attestation and the list of their aircraft type or variant qualification(s) provided by the operator(s) employing their services.

SUBPART CCA - SPECIFIC REQUIREMENTS FOR THE CABIN CREW ATTESTATION

CC.CCA.100 Issue of the cabin crew attestation

- (a) Cabin crew attestations shall only be issued to applicants who have passed the examination following completion of the initial training course in accordance with this Part.
- (b) Cabin crew attestations shall be issued in accordance with AR.CC.200:

- (1) by the competent authority; or
- (2) by an organisation approved to do so by the competent authority.

CC.CCA.105 Validity of the cabin crew attestation

The cabin crew attestation shall be issued with unlimited duration and shall remain valid unless:

- (a) it is suspended or revoked by the competent authority; or
- (b) its holder has not exercised the associated privileges during the preceding 60 months on at least one aircraft type.

CC.CCA.110 Suspension and revocation of the cabin crew attestation

- (a) If holders do not comply with this Part, their cabin crew attestation may be suspended or revoked by the competent authority in accordance with AR.GEN.355.
- (b) In case of suspension or revocation of their cabin crew attestation by the competent authority, holders shall:
 - (1) be informed in writing of this decision, and of their right of appeal in accordance with national law;
 - (2) not exercise the privileges granted by their cabin crew attestation;
 - (3) inform, without undue delay, the operator(s) employing their services; and
 - (4) return their attestation in accordance with the applicable procedure established by the competent authority.

SUBPART TRA - TRAINING REQUIREMENTS FOR CABIN CREW ATTESTATION APPLICANTS AND HOLDERS

CC.TRA.215 Provision of training

Training required in this Part shall be:

- (a) provided by training organisations or commercial air transport operators approved to do so by the competent authority in accordance with AR.CC.200;
- (b) performed by personnel appropriately qualified for the training elements to be covered; and
- (c) conducted according to a training programme and syllabus documented in the organisation's approval.

CC.TRA.220 Initial training course and examination

- (a) Applicants for a cabin crew attestation shall complete an initial training course to familiarise themselves with the aviation environment and to acquire sufficient general knowledge and basic proficiency required to perform the duties and discharge the responsibilities related to the safety of passengers and flight during normal, abnormal and emergency operations.
- (b) The programme of the initial training course shall cover at least the elements specified in Appendix 1 to this Part. It shall include theoretical and practical training.
- (c) Applicants for a cabin crew attestation shall undergo an examination covering all elements of the training programme specified in (b), except CRM training, to demonstrate that they have attained the level of knowledge and proficiency required in (a).

CC.TRA.225 Aircraft type or variant qualification(s)

- (a) Holders of a valid cabin crew attestation shall only operate on an aircraft if they are qualified in accordance with the applicable requirements of Part-CAT.
- (b) To be qualified for an aircraft type or a variant, the holder:
 - (1) shall comply with the applicable training, checking and validity requirements, covering as relevant to the aircraft to be operated:
 - (i) aircraft-type specific training, operator conversion training; and familiarisation;
 - (ii) differences training;
 - (iii) recurrent training; and
 - (2) shall have operated within the preceding 6 months on the aircraft type , or shall have completed the relevant refresher training and checking before operating again on that aircraft type.

Appendix 1 to Part-CC

Initial training course and examination

TRAINING PROGRAMME

The training programme of the initial training course shall include at least the following:

1. *General theoretical knowledge of aviation and aviation regulations covering all elements relevant to the duties and responsibilities required from cabin crew:*
 - 1.1. general knowledge of relevant aviation terminology, theory of flight, passenger distribution, areas of operation, meteorology and effects of surface contamination;
 - 1.2. aviation regulations relevant to cabin crew and the role of the competent authority;
 - 1.3. duties and responsibilities of cabin crew during operations and the need to respond promptly and effectively to emergency situations;
 - 1.4. continuing competence and fitness to operate as a cabin crew member, including as regards flight and duty time limitations and rest requirements;
 - 1.5. the importance of ensuring that relevant documents and manuals are kept up-to-date, with amendments provided by the operator as applicable;
 - 1.6. the importance of cabin crew performing their duties in accordance with the operations manual of the operator;
 - 1.7. the importance of the cabin crew's pre-flight briefing and the provision of necessary safety information with regards to their specific duties; and
 - 1.8. the importance of identifying when cabin crew members have the authority and responsibility to initiate an evacuation and other emergency procedures.
2. *Communication:*

During training, emphasis shall be placed on the importance of effective communication between cabin crew and flight crew, including communication techniques, common language and terminology.

3. *Introductory course on human factors (HF) in aviation and crew resource management (CRM)*

This course shall be conducted by at least one cabin crew CRM instructor. The training elements shall be covered in depth and shall include at least the following:

- 3.1. *General:* human factors in aviation, general instructions on CRM principles and objectives, human performance and limitations;
- 3.2. *Relevant to the individual cabin crew member:* personality awareness, human error and reliability, attitudes and behaviours, self-assessment; stress and stress management; fatigue and vigilance; assertiveness; situation awareness, information acquisition and processing.

4. *Passenger handling and cabin surveillance:*

- 4.1 the importance of correct seat allocation with reference to aeroplane mass and balance, special categories of passengers and the necessity of seating able-bodied passengers adjacent to unsupervised exits;
- 4.2 rules covering the safe stowage of cabin baggage and cabin service items and the risk of it becoming a hazard to occupants of the passenger compartment or otherwise obstruction or damaging emergency equipment or exits;
- 4.3 advice on the recognition and management of passengers who are, or become, intoxicated with alcohol or are under the influence of drugs or are aggressive;
- 4.4 precautions to be taken when live animals are carried in the passenger compartment;
- 4.5 duties to be undertaken in the event of turbulence, including securing the passenger compartment; and
- 4.6 methods used to motivate passengers and the crowd control necessary to expedite an emergency evacuation.

5. *Aero-medical aspects and first-aid:*

- 5.1 general instruction on aero-medical aspects and survival;
- 5.2 the physiological effects of flying with particular emphasis on hypoxia and oxygen requirements;
- 5.3 basic first-aid, including care of:
 - a. air sickness;
 - b. hyperventilation;
 - c. burns;
 - d. wounds;
 - e. the unconscious; and
 - f. fractures and soft tissue injuries;
- 5.4 in-flight medical emergencies and associated first-aid covering at least:
 - a. asthma;
 - b. stress and allergic reactions;
 - c. shock;

- d. diabetes;
 - e. choking;
 - f. epilepsy;
 - g. childbirth;
 - h. stroke; and
 - i. heart attack;
- 5.5 the use of appropriate equipment including first-aid oxygen, first-aid kits and emergency medical kits and their contents;
- 5.6 practical cardio-pulmonary resuscitation training by each cabin crew member using a specifically designed dummy and taking account of the characteristics of an aircraft environment; and
- 5.7 travel health and hygiene, including:
- a. hygiene on board;
 - b. risk of contact with infectious diseases and means to reduce such risks;
 - c. handling of clinical waste;
 - d. aircraft disinfection;
 - e. handling of death on board; and
 - f. alertness management, physiological effects of fatigue, sleep physiology, circadian rhythm and time zone changes.
6. *Dangerous goods:*
- 6.1 general principles,
 - 6.2 importance of procedures and reporting; and
 - 6.3 applicable packaging and limitations.
7. *General security aspects in aviation, including awareness of the provisions laid down in Regulation (EC) No 300/2008.*
8. *Fire and smoke training:*
- 8.1 emphasis on the responsibility of cabin crew to deal promptly with emergencies involving fire and smoke and, in particular, emphasis on the importance of identifying the actual source of the fire;
 - 8.2 the importance of informing the flight crew immediately, as well as the specific actions necessary for coordination and assistance, when fire or smoke is discovered;
 - 8.3 the necessity for frequent checking of potential fire-risk areas including toilets, and the associated smoke detectors;
 - 8.4 the classification of fires and the appropriate type of extinguishing agents and procedures for particular fire situations, the techniques of application of extinguishing agents, the consequences of misapplication, and of use in a confined space; and
 - 8.5 the general procedures of ground-based emergency services at aerodromes.

9. *Survival training:*

- 9.1 survival training on the ground, including hostile environments (e.g. polar, desert or jungle);
- 9.2 water survival training, including the actual donning and use of personal flotation equipment in water and the use of life-rafts or similar equipment, as well as actual practice in water.