

European Aviation Safety Agency

DECISION 2014/003/R OF THE EXECUTIVE DIRECTOR OF THE AGENCY

of 31 January 2014

amending Acceptable Means of Compliance and Guidance Material to Part-ORO of Regulation (EU) No 965/2012

'AMC and GM to Part-ORO – Amendment 3'

THE EXECUTIVE DIRECTOR OF THE EUROPEAN AVIATION SAFETY AGENCY,

Having regard to Regulation (EC) No 216/2008¹, and in particular Article 38 (3)(a),

Having regard to Regulation (EU) No 965/2012², and in particular point ARO.GEN.120 of Annex II (Part-ARO) thereof,

Whereas:

- (1) The Agency shall, pursuant to Article 18(c) of Regulation (EC) No 216/2008, issue certification specifications and acceptable means of compliance, as well as guidance material for the application of Regulation (EC) No 216/2008 and its implementing rules.
- (2) Acceptable means of compliance are non-binding standards adopted by the Agency to illustrate means to establish compliance with Regulation (EC) No 216/2008 and its implementing rules.
- (3) Guidance material is non-binding material developed by the Agency that helps to illustrate the meaning of a requirement or specification and is used to support the interpretation of Regulation (EC) No 216/2008, its implementing rules, certification specifications and acceptable means of compliance.
- (4) By Decision 2012/017/R of the Executive Director of the Agency of 24 October 2012, the Executive Director adopted Acceptable Means of Compliances and Guidance Material to Part ORO of Regulation (EU) No 965/2012. The Agency shall, pursuant to Article 19(2) 2nd sentence of Regulation (EC) No 216/2008, reflect the state of the art and the best practices in the fields concerned and update its decisions taking into account worldwide aircraft experience in service, and scientific and technical progress.

¹ Regulation (EC) No 216/2008 of the European Parliament and 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 (OJ L 79, 19.3.2008, p. 1, as last amended by Commission Regulation (EU) No 6/2013, OJ L 004, 09.01.2013).

² Regulation (EU) No 965/2012 of the European Commission of 5 October 2012 laying down technical requirements and administrative procedures related to air operations pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council (OJ, L 296, 25.10.2012, p.1), as last amended by Commission Regulation (EU) Commission Regulation (EU) No 83/2014, (OJ L 28, 31.1.2014, p. 17).

- (5) Regulation (EU) No 965/2012 has been amended to introduce new FTL requirements applicable to CAT operations with aeroplanes.
- (6) This Decision provides air operators with means to comply with the new requirements to be met by an operator and its crew members with regard to flight and duty time limitations and rest requirements for crew members. The objective is to maintain a high level of safety and to ensure proportionate application of this Regulation and, when appropriate, to warrant flexibility and efficiency for operators and authorities.
- (7) The Agency, pursuant to Article 52(1)(c) of Regulation (EC) No 216/2008 and Articles 5(3) and 6 and 7 of the Agency's Rulemaking Procedure³, has widely consulted interested parties on the matters, which are the subject of this Decision, and has provided thereafter a written response to the comments received⁴.

HAS DECIDED:

Article 1

The Annex to Decision 2012/017/R of the Executive Director of the Agency of 24 October 2012 is amended as laid down in the Annex to this Decision.

Article 2

This Decision shall enter into force on the 10th day following that of its publication in the Official Publication of the Agency.

Done at Cologne, 31 January 2014

*For the European Aviation Safety Agency
The Executive Director*

Patrick KY

³ EASA MB Decision No 01-2012 of 13 March 2012 amending and replacing decision 08-2007 concerning the procedure to be applied by the Agency for the issuing of opinions, certification specifications and guidance material ('Rulemaking Procedure'), see <http://easa.europa.eu/official-publication/rulemaking-procedure.php>.

⁴ <http://easa.europa.eu/rulemaking/r-archives.php#crd>.