

Executive Director Decision

2016/008/R

of 2 May 2016

**amending the Acceptable Means of Compliance and Guidance Material
to Part-FCL and Part-ARA of Commission Regulation (EU) No 1178/2011, as amended,
and the Acceptable Means of Compliance and Guidance Material to Part-ORO and Part-ARO
of Commission Regulation (EU) No 965/2012, as amended**

**‘Part-FCL (PBN) — Amendment 2
Part-ARA (PBN, ARA.MED) — Amendment 3
Part-FCL (Learning Objectives (LOs)) — Amendment 2
Part-ORO — Issue 2, Amendment 7
Part-ARO (OCC for MPL) — Issue 3, Amendment 2’**

THE EXECUTIVE DIRECTOR OF THE EUROPEAN AVIATION SAFETY AGENCY,

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

Having regard to Commission Regulation (EU) No 1178/2011², and in particular ARA.GEN.120(a) of Annex VI thereto,

Having regard to Commission Regulation (EU) No 965/2012³, and in particular ARO.GEN.120(a) of Annex II thereto,

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 which may be used by persons and organisations to demonstrate compliance with Regulation (EC) No 216/2008 and its implementing rules; when acceptable means of compliance are complied with, the related requirements of the implementing rules are met.

¹ 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 (OJ L 79, 19.3.2008, p. 1).

² Commission Regulation (EU) No 1178/2011 of 3 November 2011 laying down technical requirements and administrative procedures related to civil aviation aircrew pursuant to Regulation (EU) No 216/2008 of the European Parliament and of the Council (OJ L 311, 25.11.2011, p. 1).

³ Commission Regulation (EU) No 965/2012 of 5 October 2012 laying down technical requirements and administrative procedures related to air operations pursuant to Regulation (EU) No 216/2008 of the European Parliament and of the Council (OJ L 296, 25.10.2012, p. 1).

- (3) Guidance material is non-binding material developed by the Agency which 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) With Decision 2011/016/R of 15 December 2011, the Executive Director issued Acceptable Means of Compliance and Guidance Material to Part-FCL of Commission Regulation (EU) No 1178/2011.
- (5) With Decision 2012/006/R of 19 April 2012, the Executive Director issued Acceptable Means of Compliance and Guidance Material to Part-ORA and Part-ARA of Commission Regulation (EU) No 290/2012⁴.
- (6) With Decision 2014/025/R of 28 July 2014, the Executive Director issued Acceptable Means of Compliance and Guidance Material to Part-ARO (Issue 3) of Commission Regulation (EU) No 965/2012.
- (7) With Decision 2014/017/R of 24 April 2014, the Executive Director issued Acceptable Means of Compliance and Guidance Material to Part-ORO (Issue 2) of Commission Regulation (EU) No 965/2012.
- (8) The Agency shall, pursuant to Article 19(2) of Regulation (EC) No 216/2008, reflect the state of the art and the best practices in the fields concerned, and shall update its decisions taking into account worldwide aircraft experience in service, and scientific and technical progress.
- (9) The Agency, in the framework of rulemaking task RMT.0256 & RMT.0257, issued on 31 March 2015 Comment-Response Document (CRD) 2013-25 and Opinion No 03/2015 'Revision of operational approval criteria for Performance-Based Navigation (PBN)'. The draft AMC and GM, which were proposed in Notice of Proposed Amendment (NPA) 2013-25, remained unchanged for the related CRD 2013-25.
- (10) Based on NPA/CRD 2013-25 and on Opinion No 03/2015, the European Commission prepared and published Commission Regulation (EU) 2016/539⁵, amending Regulation (EU) No 1178/2011, as regards pilot training, testing and periodic checking for performance-based navigation.
- (11) The Agency, pursuant to Article 52(1)(c) of Regulation (EC) No 216/2008 and Articles 5(3), 6 and 7 of the Agency's Rulemaking Procedure⁶, has widely consulted interested parties on the matters which are the subject of the AMC and GM presented in NPA 2013-25, and has provided a written response to the comments received⁷.
- (12) The European Commission published Commission Regulation (EU) No 445/2015⁸, amending Regulation (EU) No 1178/2011, as regards editorial changes and some specific amendments requested by some Member States. A new point *ARA.MED.330 Special medical circumstances* is now applicable.

⁴ Commission Regulation (EU) No 290/2012 of 30 March 2012 amending Regulation (EU) No 1178/2011 as regards technical requirements and administrative procedures related to civil aviation aircrew (OJ L 100, 5.4.2012, p. 1).

⁵ Commission Regulation (EU) 2016/539 of 6 April 2016 amending Regulation (EU) No 1178/2011 as regards pilot training, testing and periodic checking for performance-based navigation (OJ L 91, 7.4.2016, p. 1).

⁶ EASA Management Board (MB) Decision 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') (<http://www.easa.europa.eu/the-agency/facts-and-figures/easa-mb-decision-01-2012-amending-and-replacing-mb-decision-08-2007>).

⁷ See CRD 2013-25 (http://www.easa.europa.eu/system/files/dfu/CRD%202013-25_1.pdf).

⁸ Commission Regulation (EU) No 445/2015 of 17 March 2015 amending Regulation (EU) No 1178/2011 as regards technical requirements and administrative procedures related to civil aviation aircrew (OJ L 74, 18.3.2015, p. 1).



- (13) The Agency, pursuant to Article 52(1)(c) of Regulation (EC) No 216/2008 and Articles 5(3), 6 and 7 of the Agency's Rulemaking Procedure, has widely consulted interested parties on the matters which are the subject of the AMC and GM to ARA.MED.330.
- (14) The European Commission published Commission Regulation (EU) 2016/539, amending Commission Regulation (EU) No 1178/2011, as regards requirements for the issue of a multi-crew pilot licence (MPL).
- (15) Based on the constraints imposed by some Member States during the comitology procedure for Commission Regulation (EU) 2016/539, the Agency has proposed GM to Part-ORO and Part-ARO, and has consulted interested parties on the matter.
- (16) The Agency, in the framework of rulemaking task RMT.0188 (FCL.002(a)) & RMT.0189 (FCL.002(b)), issued on 17 December 2014 NPA 2014-29 (D)(1) & (D)(2)⁹ 'Learning Objectives (LOs) for the theoretical knowledge training for ATPL, MPL, CPL and IR'.
- (17) The Agency, pursuant to Article 52(1)(c) of Regulation (EC) No 216/2008 and Articles 5(3), 6 and 7 of the Agency's Rulemaking Procedure, has widely consulted interested parties on the matters which are the subject of the AMC and GM for the LOs. The decision was taken to consider the comments received on NPA 2014-29 (D)(1) & (D)(2) for the development of new LOs in the framework of rulemaking task RMT.0595, and the publication of the LOs of NPA 2014-29 (D)(1) & (D)(2) shall only cover the transition period until the new LOs are applicable,

HAS DECIDED:

Article 1

The Annexes to Decision 2011/016/R 'AMC & GM to Part-FCL' of 15 December 2011 and to Decision 2012/006/R 'AMC & GM to Part-ARA and Part-ORA' of 19 April 2012 of the Executive Director of the European Aviation Safety Agency are amended as laid down in Annex I (PBN, ARA.MED) to this Decision.

Article 2

The Annex to Decision 2011/016/R 'AMC & GM to Part-FCL' of 15 December 2011 of the Executive Director of the European Aviation Safety Agency is amended as laid down in Annex II (Learning Objectives (LOs)) to this Decision.

Article 3

The Annexes to Decision 2014/025/R 'AMC & GM to Part-ARO' of 28 July 2014 and to Decision 2014/017/R 'AMC and GM to Part-ORO — Issue 2' of 24 April 2014 of the Executive Director of the European Aviation Safety Agency are amended as laid down in Annex III (OCC for MPL) to this Decision.

⁹ NPA 2014-29 (D)(1) (<http://www.easa.europa.eu/system/files/dfu/NPA%202014-29%20%28D%29%281%29.pdf>),
NPA 2014-29 (D)(2) (<http://www.easa.europa.eu/system/files/dfu/NPA%202014-29%20%28D%29%282%29.pdf>).



Article 4

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

Done at Cologne, 2 May 2016

*For the European Aviation Safety Agency
The Executive Director*

Patrick KY

