



What is new in the EASA Regulation

EASA Workshop
From JARs to IRs: Impact of the Agency's
extended responsibilities



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I. The Structure of the Basic Regulation Regulation (EC) 216/2008

http://www.easa.europa.eu/ws_prod/g/rg_regulations.php#BR



I. Structure of the Basic Regulation

- Chapter I. **Principles**
- Chapter II. **Substantive Requirements**
- Chapter III. **The European Aviation Safety Agency**
- Chapter IV. **Final Provisions**
- Annexes



I. Structure of the Basic Regulation

➤ Chapter I. Principles

- ★ Scope

- ★ Objectives

 - high uniform level of aviation safety

 - ...

- ★ Definitions

 - operator**

 - commercial operation**

 - complex motor-powered aircraft**

 - flight simulation training device

 - rating

 - qualified entity

 - ...



I. Structure of the Basic Regulation

➤ Chapter II. Substantive Requirements

- ✧ Basic principles and applicability
- ✧ Pilot licensing
- ✧ Air operations
- ✧ Aircraft used by a third country operator
- ✧ Oversight and enforcement
- ✧ Qualified entities
- ✧ Recognition of certificates
- ✧ Flexibility
- ✧ Protection of the source of information
- ✧ ...



I. Structure of the Basic Regulation

➤ Chapter III. The European Aviation Safety Agency

★ Tasks of the Agency:

... pilot certification, air operation certification, third-country operators, fines and periodic penalty payments ...

★ Internal structure

★ Working methods

★ Financial requirements



I. Structure of the Basic Regulation

➤ Chapter IV. **Final Provisions**

- ★ ...
- ★ Penalties
- ★ **Repeals**
- ★ **Entry into force**



I. Structure of the Basic Regulation

➤ Annexes

- ★ Annex I ERs for airworthiness
- ★ Annex II **'Annex II aircraft' (art. 4(4))**
- ★ Annex III **ERs for pilot licensing**
- ★ Annex IV **ERs for air operations**
- ★ Annex V **Criteria for qualified entities**
- ★ Annex VI Correlation table



II. What is new ?

II. What is new ?

- ★ **Definitions**
- ★ **Pilot Licensing**
- ★ **Air Operations**
- ★ **Third Country Operators**
- ★ **Oversight and Enforcement**



II. What is new – Definitions

II. What is new ?

★ Definitions

- ➔ 'Operator'
- ➔ 'Commercial operation'
- ➔ 'Complex motor-powered aircraft'
- ➔ aircraft for leisure pilot licence



II. What is new – Definitions

➤ « operator »

... legal or natural person operating ... one or more aircraft

➤ « commercial operation »

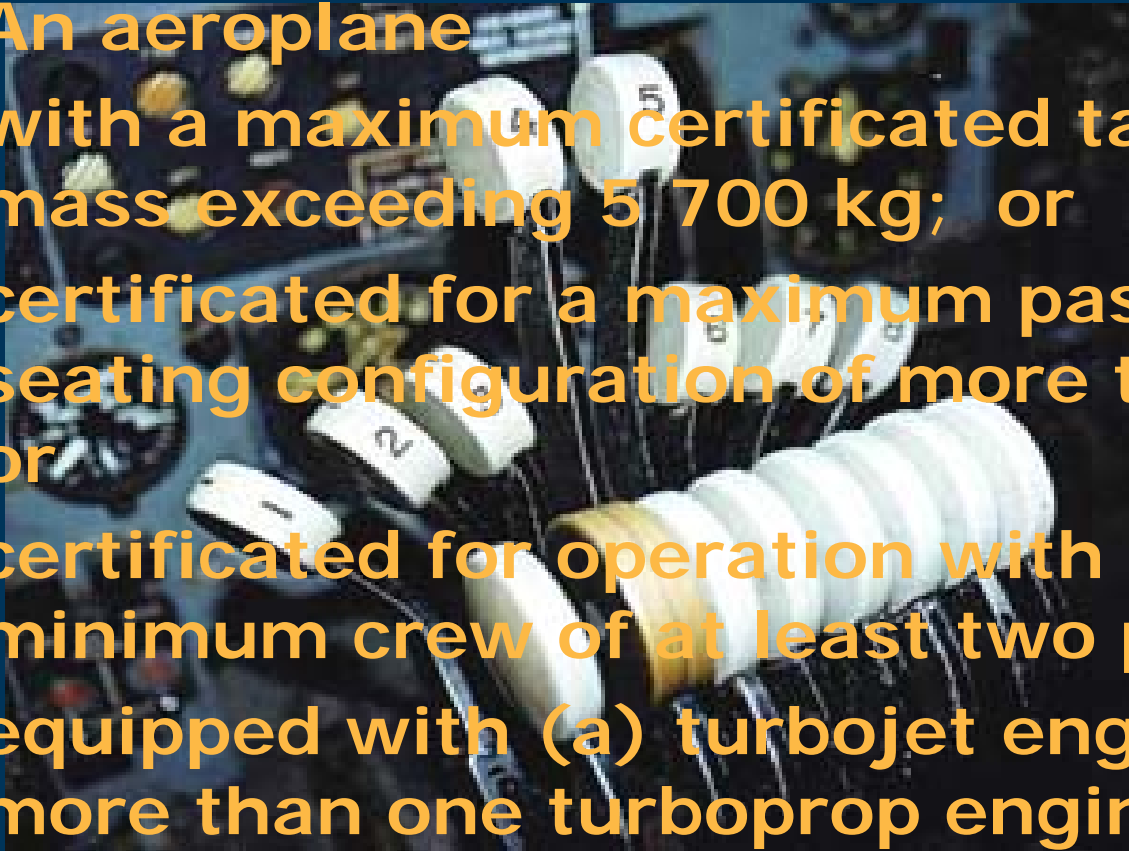
... for remuneration or other valuable consideration, which is available to the public, or ... performed under contract between an operator and a customer, where the latter has no control over the operator



II. What is new – Definitions

➤ « complex motor-powered aircraft »

- ★ **An aeroplane**
with a maximum certificated take-off mass exceeding 5 700 kg; or
certificated for a maximum passenger seating configuration of more than 19; or
certificated for operation with a minimum crew of at least two pilots; or
equipped with (a) turbojet engine(s) or more than one turboprop engine

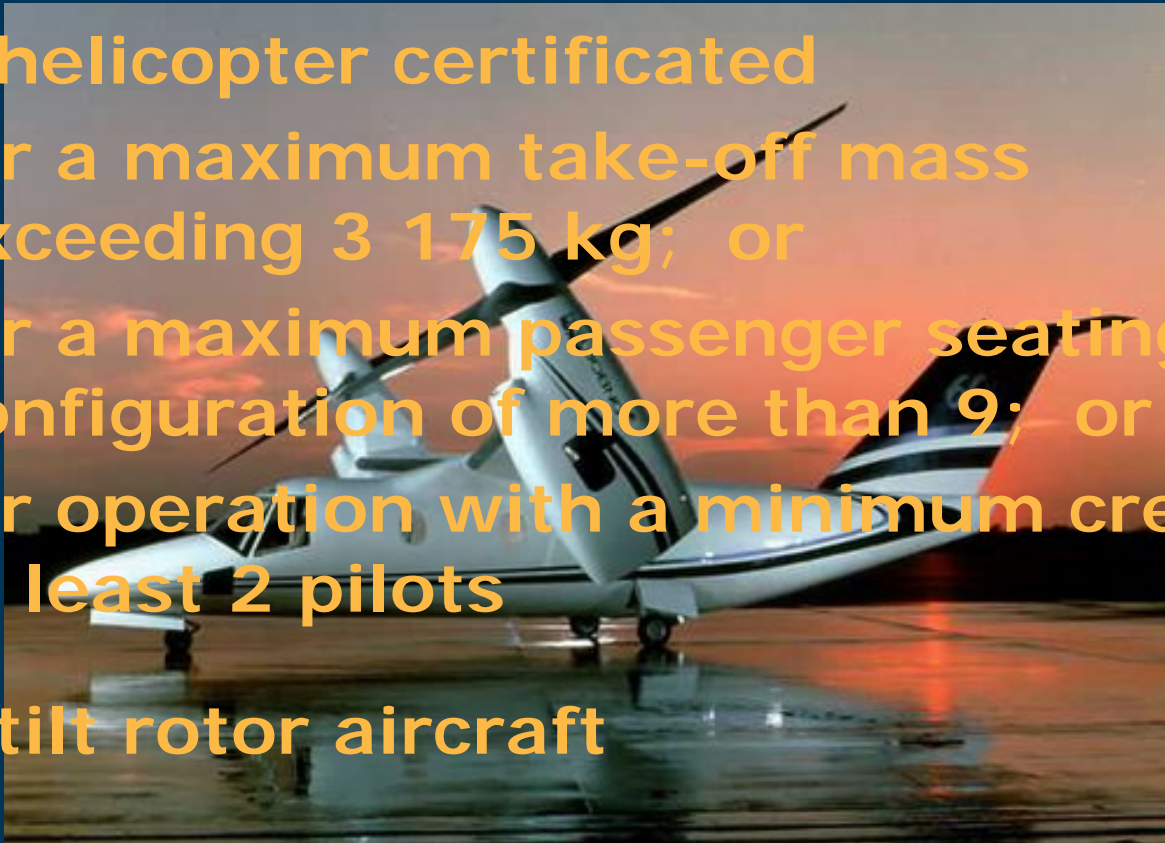




II. What is new – Definitions

➤ « complex motor-powered aircraft »

- ★ a helicopter certificated for a maximum take-off mass exceeding 3 175 kg; or for a maximum passenger seating configuration of more than 9; or for operation with a minimum crew of at least 2 pilots
- ★ a tilt rotor aircraft





II. What is new – Definitions

➤ « aircraft for leisure pilot licence »

- ★ certificated take off mass of 2 000 kg or less
- ★ non-complex aircraft





II. What is new – Pilot Licensing

II. What is new ?

★ Pilot Licensing

- ➔ Article 7
- ➔ Article 21
- ➔ Annex III





II. What is new – Pilot Licensing

Article 7

- mandates compliance with the relevant ERs in Annex III for
 - ★ operation of aircraft and FSTDs
 - ★ training, testing, checking
 - ★ medical assessments
- requires pilots to hold an appropriate licence and medical certificate
- mandates conditions for the issuance of a licence and medical certificate



II. What is new – Pilot Licensing

Article 7

- describes the issuance of an approval to pilot training organisations and to aero-medical centres
- mandates the issuance of a certificate for FSTDs
- requires provisions (IRs) for the issuance of all ICAO licences AND of a leisure pilot licence



II. What is new – Pilot Licensing

Article 21

- Mandates the Agency to conduct
 - ★ investigations and audits of the organisations (and their personnel) it certifies
 - ★ technical inspections of the FSTDs it certifies
- (itself, through NAAs or qualified entities)



II. What is new – Pilot Licensing

Article 21

- Mandates the Agency to issue, renew, amend, limit, suspend or revoke certificates of
 - ★ pilot training organisations and of aero-medical centres (and their personnel) located outside the Community
 - ★ and of FSTDs used by training organisations certified by the Agency, or located outside the Community, or at the request of a MS concerned



II. What is new – Pilot Licensing

Annex III

- Contains the essential requirements for pilot licensing
 - ★ Training
 - ★ Experience
 - ★ Training Organisations
 - ★ Medical fitness



II. What is new – Air Operations

II. What is new ?

★ Air Operations

- ➔ Article 8
- ➔ Article 22
- ➔ Annex IV





II. What is new – Air Operations

Article 8

- mandates compliance with the relevant ERs in Annex IV
- commercial operators to hold a certificate (AOC)
- non-commercial operators of complex motor-powered aircraft to provide a declaration
- cabin crew involved in commercial operations to hold an attestation



II. What is new – Air Operations

Article 8

- requires provisions (IRs) to specify
 - ★ conditions to operate an aircraft
 - ★ conditions for issuing, maintaining, amending, limiting, suspending or revoking the certificate issued to commercial operators and for the cabin crew attestation
 - ★ conditions and procedures for the declaration and oversight of non-commercial operators of complex motor-powered aircraft
-



II. What is new – Air Operations

Article 22

- Agency to react to air safety problems
- Agency to issue Flight Time Limitation (FTL) certification specifications
(initially IRs to include all substantive provisions of EU OPS Subpart Q)
- Process for individual FTL specification schemes:
 - ★ MS concerned to notify Agency, Commission and other MS
 - ★ Agency to assess scheme, propose changes (if any), publish scheme



II. What is new – Air Operations

Annex IV

- Contains the essential requirements for air operations:
 - ★ General
 - ★ Flight preparation and operations
 - ★ Aircraft performance and operating limitations
 - ★ Instruments, data and equipment
 - ★ Continuing airworthiness
 - ★ Crew members
 - ★ Commercial operations and complex motor-powered aircraft
-



II. What is new – 3rd Country Operators

II. What is new ?

★ Third-country Operators

- ➔ Article 9
- ➔ Article 23





II. What is new – 3rd Country Operators

Article 9

- **comply with ICAO Standards**
 - ★ **to the extent that there are no such Standards, comply with ERs in Annexes I, III and IV, provided these are not in conflict with rights under the Conventions**
- **Commercial operators to demonstrate capability and means of compliance**
 - ★ **Acceptance of third-country certificates**
 - ★ **Issuance of an authorisation**



II. What is new – 3rd Country Operators

Article 9

- non-commercial operations of complex motor-powered aircraft
 - ★ operators may be required to provide a declaration
- Process for authorisations to take account of
 - ★ results of the ICAO USAOP
 - ★ information from ramp inspections
 - ★ other recognised relevant safety information



II. What is new – 3rd Country Operators

Article 9

- requires provisions (IRs) to specify
 - ★ conditions to operate
 - ★ conditions for issuing, maintaining, amending, limiting, suspending or revoking the operator's authorisation
 - ★ operator privileges and responsibilities
 - ★ conditions and procedures for the declaration and oversight of non-commercial operators of complex motor-powered aircraft



II. What is new – 3rd Country Operators

Article 23

- Agency to conduct
 - ★ investigations and audits regarding commercial operators
 - ★ oversight of operators from which the Agency has received declarations
(itself, through NAAs or qualified entities)
- Agency to issue, renew, amend, limit, suspend or revoke the authorisation
- Agency to receive the declaration, where required



II. What is new – Oversight & Enforcement

II. What is new ?

★ Oversight and Enforcement





II. What is new – Oversight & Enforcement

Article 10 – Oversight and Enforcement

- MS, Commission and Agency to cooperate and exchange information to ensure compliance
 - MS to conduct investigations (incl. ramp inspections) and take measures to prevent infringement
 - Agency to conduct investigations
 - IRs to specify conditions for
 - ★ collection, exchange and dissemination of information
 - ★ ramp inspections and grounding of aircraft
-



II. What is new – Oversight & Enforcement

Article 24 - Monitoring

Article 55 – Investigation of undertakings

- Agency to conduct standardisation inspections and investigations of entities

Article 25 – Fines

- Entitles the Agency to impose fines and periodic penalty payments to entities to which it has issued a certificate
- IRs to be developed



II. What is new – Oversight & Enforcement

Article 68 – Penalties

- MS to lay down penalties for infringement
- effective, proportionate and dissuasive



III. What is amended ?

III. What is amended ?

- ✧ **Airworthiness**
- ✧ **Qualified Entities**
- ✧ **Annex II Aircraft**
- ✧ ...



III. What is amended – **Annex II Aircraft**

III. What is amended ?

- ★ **Annex II aircraft**



III. What is amended – Annex II Aircraft

- List of Annex II aircraft amended:
 - ★ Some minor corrections to mass limits
 - ★ Mass consideration for mounted total recovery parachute system
 - ★ Inclusion of gyroplanes with MTOM $\leq 560\text{kg}$
 - ★ Description criteria for historic aircraft revised
 - ★ Minor further amendments
 - National competence
 - ★ for airworthiness
 - ★ for licensing of pilots and for operation, except for certain Annex II aircraft when engaged in commercial air transport
-



III. What is amended – **Annex II Aircraft**

- Community competence for licensing of pilots and operation of the following Annex II aircraft when engaged in commercial air transport:
 - ★ Aircraft having a clear historical relevance related to a participation in a noteworthy historical event, or a major step in the development of aviation, or a major role played into the armed forces of a Member State
 - ★ Aircraft that have been in the service of military forces, unless the aircraft is of a type for which a design standard has been adopted by the Agency
 - ★ Replicas of aircraft meeting the criteria above, for which the structural design is similar to the original aircraft



III. What is amended – Qualified Entities

III. What is amended ?

★ Qualified Entities

- ➔ Article 13
- ➔ Annex V



III. What is amended – Qualified Entities

Article 13

When allocating a specific certification task to a qualified entity, the Agency or the national aviation authority concerned shall ensure that such entity comply with the criteria laid down in Annex V

Annex V

Criteria for qualified entities



Repeals

Repeals

- Regulation 1592/2002
- Council Directive 91/670/EEC on mutual acceptance of personnel licences
- Annex III to Regulation 3922/91 (EU OPS)
- Directive 2004/36/EC on the safety of third-country aircraft (SAFA Directive)

(dates as specified)



Entry into Force

Entry into force

- Implementing Rules (IRs) are being developed by the Agency
- Applicability of the relevant articles as specified in their respective IRs, but not later than **8 April 2012**
- In the meantime, “EU OPS” (from 16 July 2008) and the national rules continue to apply



Questions?





Thank you
for your attention

