

EASA Workshop From JARs to IRs



The Development of the New Implementing Rules

Eric Sivel, Deputy Rulemaking Director

Annette Ruge, Manager FCL



CONTENT

- Rulemaking Drafting Groups
- Structure of NPAs
- Timetable of NPAs
- Comment Response Document
- Possible Transition



Rulemaking Drafting Groups





Rulemaking Drafting Groups

➤ Objective is to develop rules for the implementation of the extended Basic Regulation:

★ **Opinion**

➤ Implementing Rules (IR)

★ **Decision**

➤ Acceptable Means of Compliance (AMC)

➤ Guidance Material (GM)



3 Rulemaking Drafting Groups

Group	Task: Draft IR for	ToRs adopted	work started
MDM.032	non complex aircraft not involved in commercial activities, Subgroup Lic	Feb 2006	May 2007
FCL.001	Flight Crew Licensing	July 2006	Aug 2006
OPS.001	Air Operations	July 2006	Aug 2006



Subgroups FCL and Objectives

➤ Transfer Subgroup

- ★ Licensing requirements based on JAR-FCL 1 (Aeroplanes) and JAR-FCL 2 (Helicopters)

➤ Non-JAR licences Subgroup

- ★ Licensing requirements for gliders, balloons, airships and tilt rotorcraft
- ★ Provisions based on ICAO Annex 1 and existing national regulations



Subgroups FCL and Objectives

➤ Medical Subgroup

★ Medical requirements for

- Class 1 and Class 2 based on JAR-FCL 3
- Leisure Pilot Licence with input from MDM.032 (Licensing Subgroup)

➤ Authority Requirements Subgroup

★ Requirements for

- competent authorities based on JAA JIP and further needs in the European System



Subgroups OPS

- Commercial air transport (CAT)
- Commercial operations other than CAT
- Non-commercial operations with complex motor-powered aircraft
- Authority requirements and Management System



Subgroups OPS - Objectives

Develop rules for

➤ commercial air transport (CAT)

- ✧ based on EU-OPS/ JAR-OPS 1 and 3

➤ commercial operation other than CAT

- ✧ based on draft of JAR-OPS 0 and JAR-OPS 4

➤ training and medical fitness for cabin crew

- ✧ based on EU-OPS/ JAR-OPS 1



Subgroups OPS - Objectives

- non-commercial operations
 - ★ with complex motor-powered aircraft
 - ➔ based on draft of JAR-OPS 0 and JAR-OPS 2
 - ★ with non-complex motor-powered aircraft
 - ➔ input from task MDM.032
- Authority requirements and Management System
 - ★ based on JAA JIPs and further needs in the European system

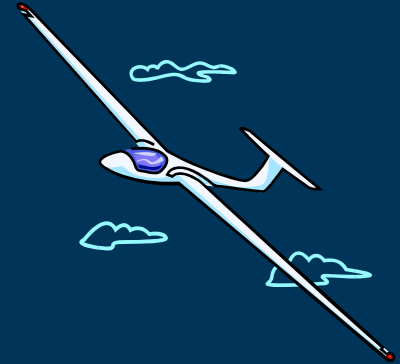


MDM.032

- Provided the elements for NPA for
 - ✧ leisure pilot licence rules (to FCL.001)
 - ✧ leisure pilot licence medical (to FCL.001)
 - ✧ general operational rules (to OPS.001)



Structure: Flight Crew Licensing





Structure FCL: Annex I Part FCL

- Part FCL and the Appendices contain
 - ★ Licensing requirements for training and testing of pilots for all categories of licences
 - ★ provisions for type and class ratings and additional qualifications and ratings
 - ★ Instructor ratings
 - ★ Examiner authorisations



Structure FCL: Annex II, Medical

- Implementing Rules
 - ✧ General Requirements
 - ✧ Class 1 and Class 2 general medical requirements
 - ✧ Basic requirements LAPL
 - ✧ Requirements for Aeromedical Examiners

- Acceptable Means of Compliance
 - ✧ Medical requirements LAPL
 - ✧ Detailed medical requirements for Class 1 and Class 2



Medical: Something Missing?

The answer is NO !

- ★ Requirements for Aero-medical Centres
 - ➔ Included in Management System
- ★ Requirements for the competent authority
 - ➔ Included in Authority requirements



Annex III: Acceptance of Licences

- Acceptance of Licences and Medical Certificates issued by or on behalf of third countries for pilots involved in the operation of aircraft
 - ★ registered in a third country and
 - ★ used by an operator for which any Member State ensures oversight; or
 - ★ used into, within or out of the Community by an operator established or residing in the Community



Structure FCL: Annex IV, Conversion

- Conversion of European national licences and ratings for aeroplanes and helicopters
- Applicable to licenses issued by a Member State in accordance with national requirements



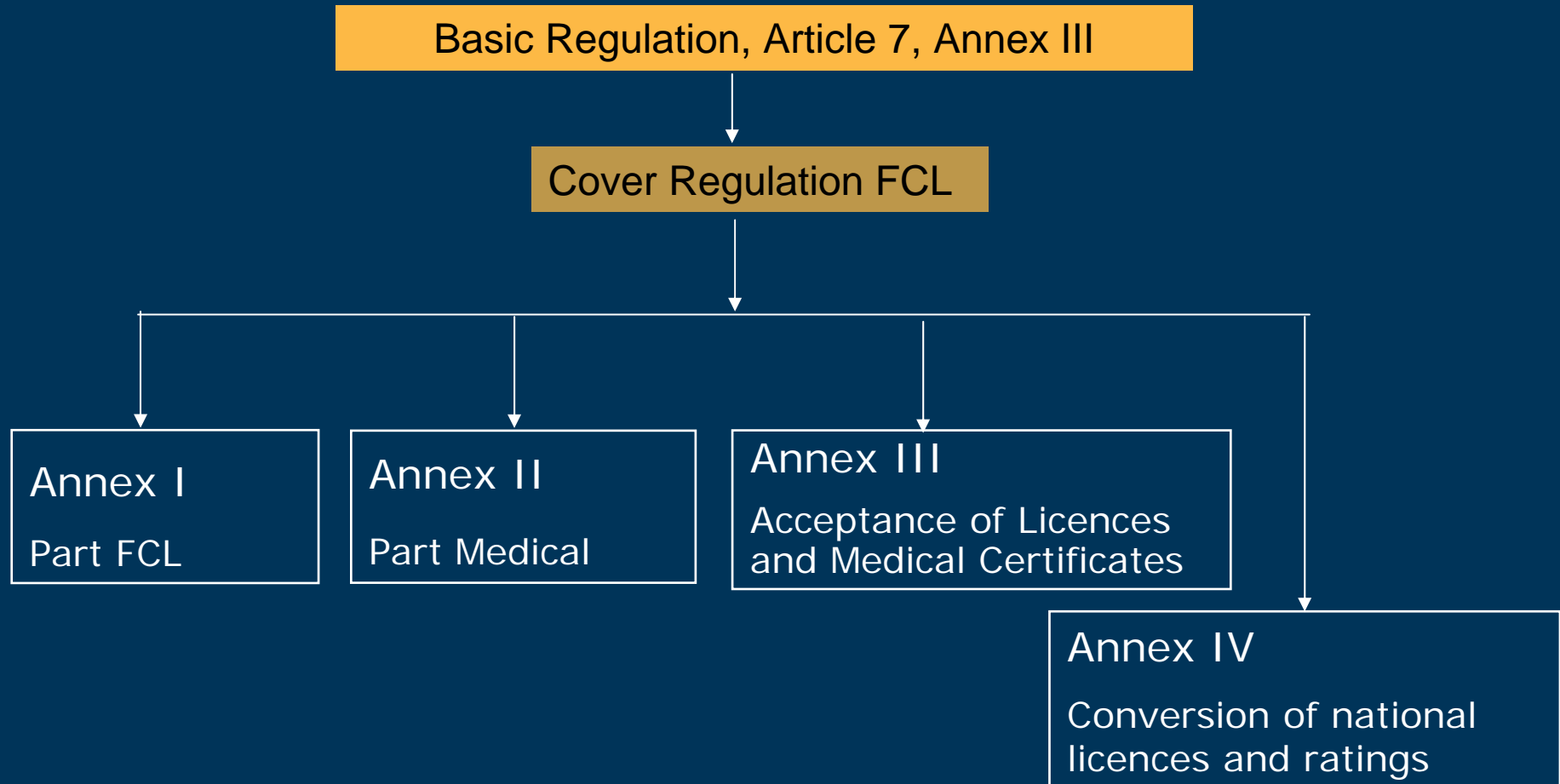
Part(s) FCL: Something Missing?

The answer is NO !

- ★ Requirements for Training Organisations
 - ➔ Included in Management System
- ★ Requirements for the competent authority
 - ➔ Included in Authority requirements



Flight Crew Licensing





Structure: Air Operations





Air Operations

- Part Commercial Operations
 - JAR-OPS 1, EU-OPS
- Part Commercial Operations other than CAT
 - Aerial Work
- Part Operations requiring specific approvals
 - e.g. MNPS, ETOPS, CAT III



Air Operations

Basic Regulation, Article 8, Annex IV

Cover Regulation OPS

Part General Operating and Flight Rules

**Part
Commercial
Air Transport**

**Part Commercial
Operations other
than CAT**

**Part Operations
requiring specific
approvals**



Third Country Aircraft





European Aviation Safety Agency

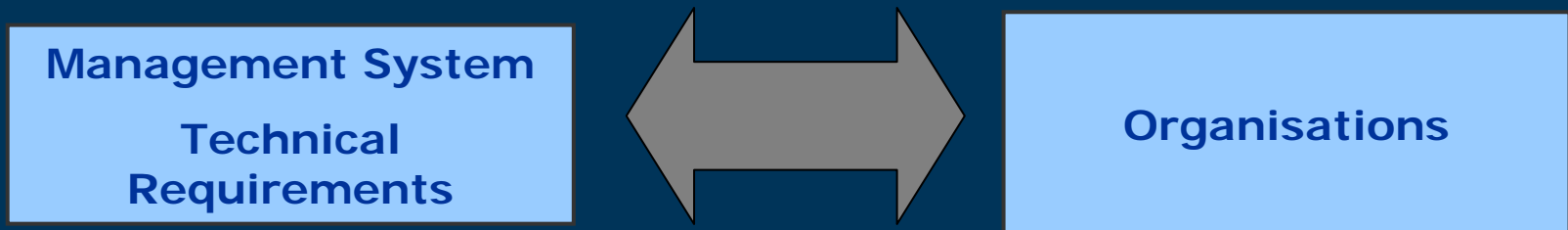
Management System





Management System - Purpose

- Create technical requirements for organisations for
 - ★ certification or
 - ★ self-declaration
 - ★ E.g. for air operators, training organisations and aero-medical centres





MS – Integrated approach

- MS rules cover all technical certification requirements for organisations:
 - ➔ Safety management
 - ➔ Organisational Structure and Accountabilities
 - ➔ Quality management
 - ➔ Outsourcing and purchasing
 - ➔ Personnel
 - ➔ Facility
 - ➔ Record-keeping



MS – Tailored approach

- Applicability depends on
 - ✧ size,
 - ✧ nature, and
 - ✧ complexity of the organisation

- Dedicated AMCs for organisations classified as
 - ✧ "small"
 - ✧ "other"

- Criteria for classification "small" and "other" will be established



MS – Structure

- Horizontal structure

- ★ MS covers the areas of the Agency's competencies

- ➔ Air Operations and Flight Crew Licensing
 - ➔ expandable to Airworthiness

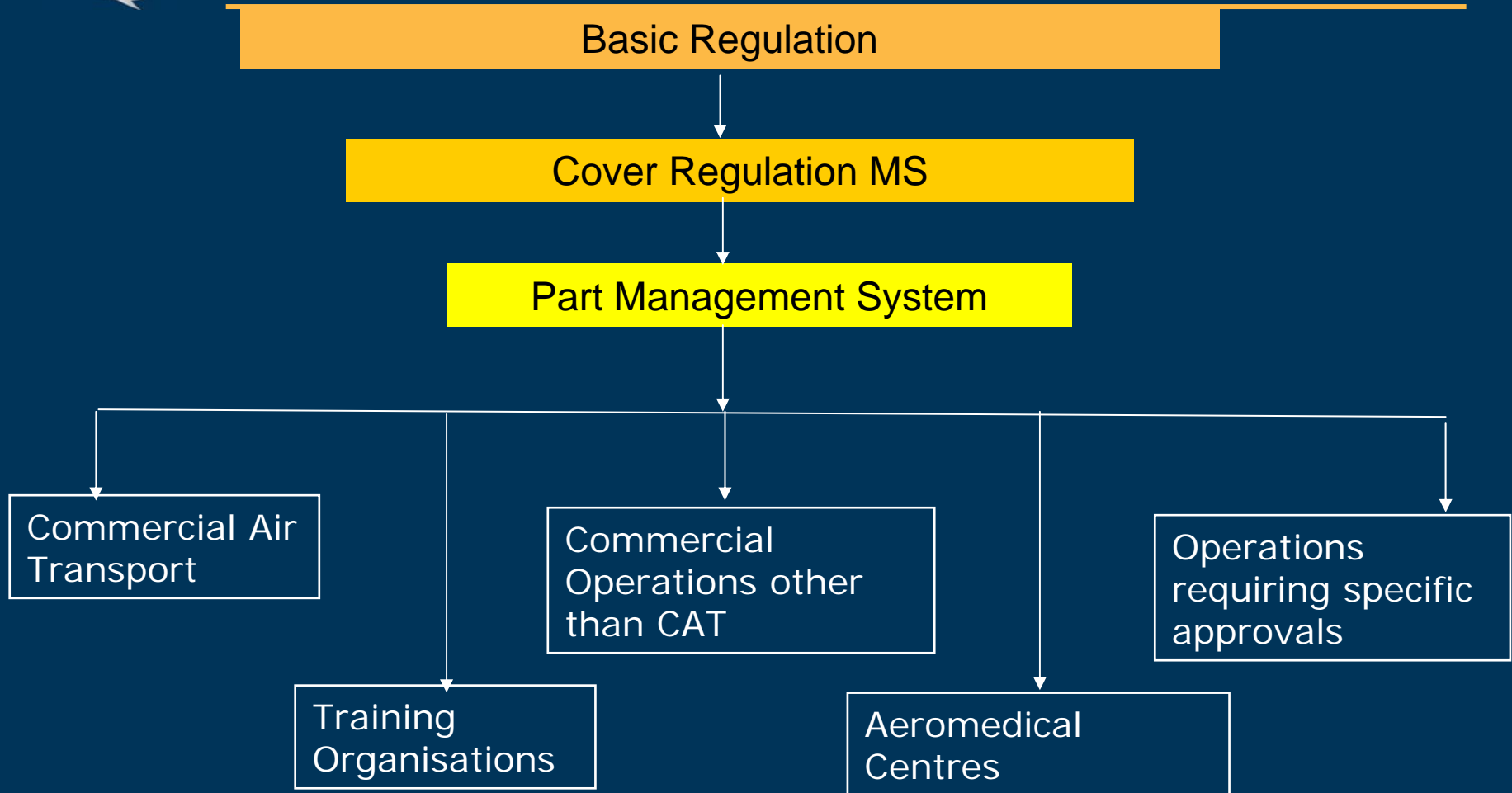
- Design for growth

- ★ will continue to cover the areas of the Agency's competencies after further extension of scope

- ➔ Aerodromes and ATM



Management System – Structure





Authority Requirements





Authority Requirements - Purpose

- Create requirements and procedures for
 - ★ **Interaction at competent authority level**
 - ➔ competent authority ↔ regulated persons
 - ➔ competent authority ↔ organisations
 - ★ **Interaction at Regional / Community level**
 - ➔ Member States ↔ the Agency and the Commission



Authority Requirements

- Two Levels
 - ✧ Competent Authority Level
 - ✧ Regional/Community Level

- Horizontal approach
 - ✧ Applicable to the different areas of the Agency's competencies

- Design for growth
 - ✧ Regulation is designed in such a way that enables growth following the Agency's extension of responsibilities.



Authority Requirements – Structure

➤ Subpart – General

★ General administrative requirements

★ *Examples:*

- ➔ Designation of a competent authority by a Member State
- ➔ Procedures to deal with findings and corrective actions
- ➔ Mutual exchange of information



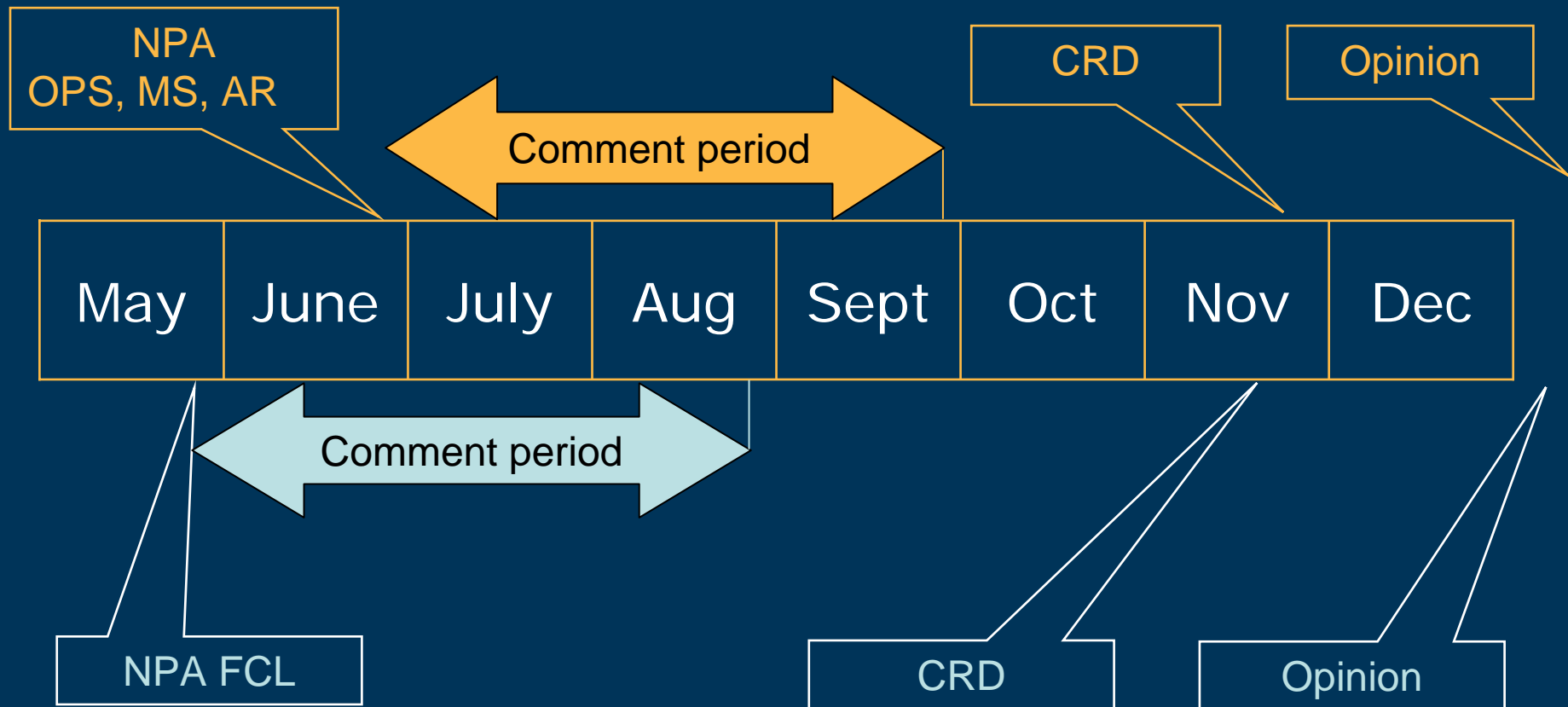
Authority Requirements – Structure

- Subpart – Air Operations
 - ★ Administrative requirements for the certification and oversight of operators

- Subpart – Flight Crew Licensing
 - ★ Administrative requirements for licensing of flight crew and approval and oversight of training organisations and medical centres.



Original timetable of NPAs



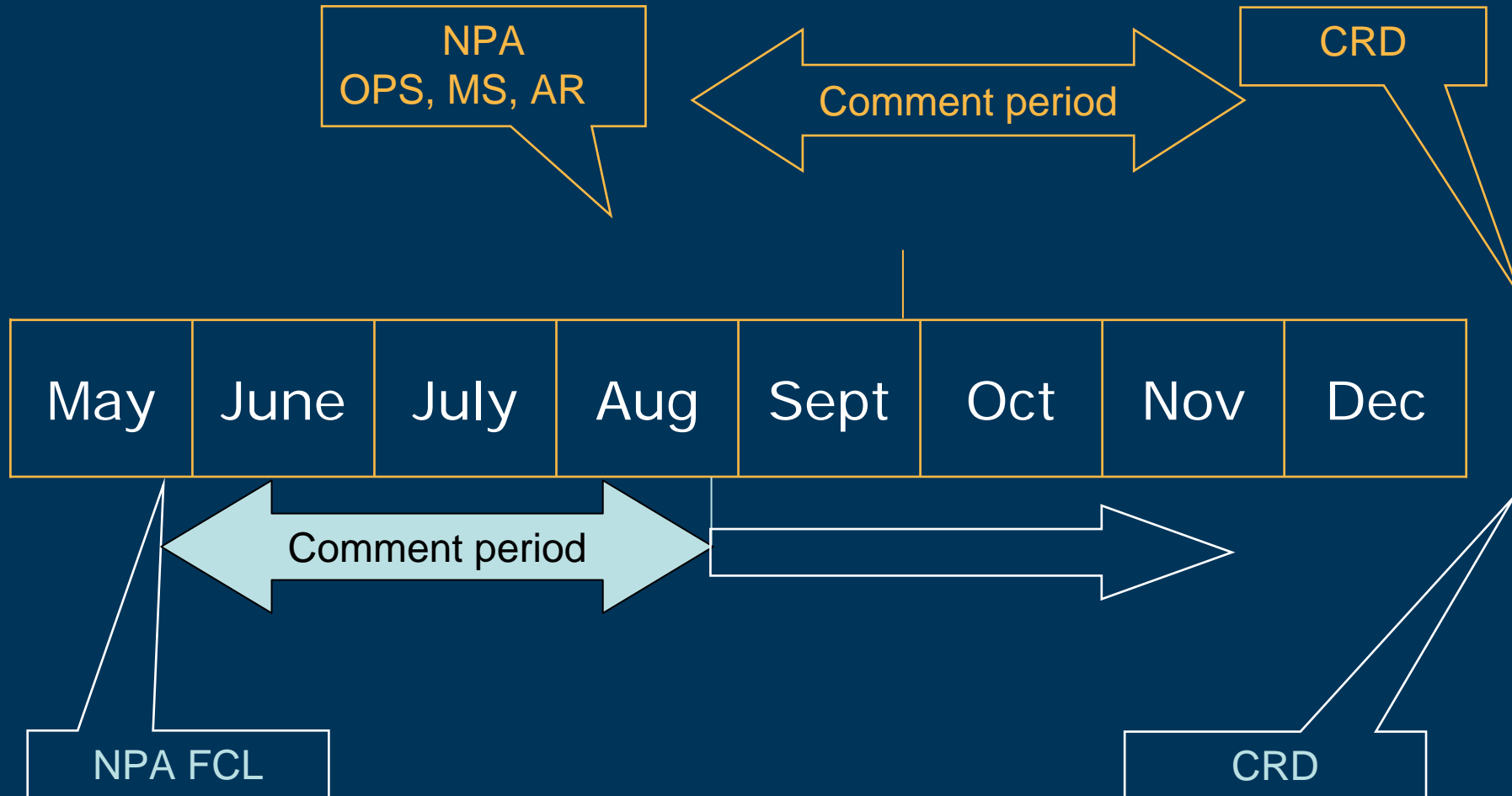


Timetable of NPAs

- Part FCL is considered mature to be published
- Requests were made to do further work on Part OPS, Management System and Authority Requirements
- Any delay in publishing will result in a shorter transition period ...



Timetable of NPAs





Comment Response Document

- Comment Response Tool on the EASA Website will help to handle comments
- Comment Response Document will be published three months after the end of the comment period
- Requests were made to adapt the comment period FCL to the publication date of the NPA on OPS, MS and AR
- Quality of the comments does the trick ...



Possible Transition

- Time for transition is determined in Article 70 of the Basic Regulation
 - ★ Latest implementation date is 08 April 2012
 - ★ Earlier implementation dates may be specified in the implementing rules
- Transition times will be proportionate to change



Possible Transition

- Grandfathering for certificates, authorisations and approvals issued according to
 - ✧ JAR-FCL
 - ✧ EU OPS
 - ✧ JAR-OPS 3
 - ✧ JAR/STDand
- Time will be given for small adaptations
- New elements coming from JAA-NPAs not regulated through JAA



Communication & Information

- Detailed technical information on NPAs will be provided in dedicated Workshops
 - ✧ Flight Crew Licensing: 10 – 11 June 2008
 - ✧ Air Operations, Management System and Authority Requirements around 2 weeks after publication of the NPAs
 - ✧ Handbooks will be published



European Aviation Safety Agency

. . . thank you

European

Aviation

Safety

Agency

