

**AMC/GM to Annex II (Part-ARO) – Issue 2**

**Change information**

The amendments are presented as follows:

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| Text to be deleted   | <del>Text to be deleted is shown with a line through it.</del>   |
| New text to be inserted  | New text to be inserted is highlighted with grey shading.  |
| New text to replace existing text                                  | <del>Text to be deleted is shown with a line through it</del> followed by the replacement text which is highlighted with grey shading. |
| Text unchanged   | Text without a horizontal line through it or grey shading remains the same.  |
| Remaining text is unchanged in front of or following the amendment | ...  |

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**Amendments to AMC/GM to Annex II (Part-ARO)**

**SUBPART GEN – GENERAL REQUIREMENTS**

**SECTION II – MANAGEMENT**

- 1) AMC1 ARO.GEN.200(a) was amended as follows:

**AMC1 ARO.GEN.200(a) Management system**

GENERAL

- a) All of the following should be considered when deciding upon the required organisational structure:
- (1) the number of certificates, attestations, authorisations and approvals to be issued;
  - (2) the number of declared organisations;
  - (3) the number of certified or authorised persons and organisations exercising an activity within that Member State, including persons or organisations certified or authorised by other competent authorities;
  - (4) the possible use of qualified entities and of resources of other competent authorities to fulfil the continuing oversight obligations;
  - (5) the level of civil aviation activity in terms of:
    - (i) number and complexity of aircraft operated;
    - (ii) size and complexity of the Member State's aviation industry;
  - (6) the potential growth of activities in the field of civil aviation.

- 2) GM1 ARO.GEN.200(a)(2) was amended as follows:

**GM1 ARO.GEN.200(a)(2) Management system**

SUFFICIENT PERSONNEL

- (a) This GM on the determination of the required personnel is limited to the performance of certification, authorisation and oversight tasks, excluding personnel required to perform tasks subject to any national regulatory requirements.
- (b) The elements to be considered when determining required personnel and planning their availability may be divided into quantitative and qualitative elements:
- (1) Quantitative elements:

...

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- (iv) the estimated number of persons and organisations exercising their activity within the territory of the Member State and established or residing in another Member State;
  - (v) the number of organisations having declared their activity to the competent authority;-
  - (vi) the number of organisations holding a specialised operations authorisation from the authority.
- (2) Qualitative elements:
- (i) the size, nature and complexity of activities of certified, authorised and declared organisations (cf. AMC1 ORO.GEN.200(b)), taking into account:  
...
  - (B) type of approval, scope of approval, multiple certification, authorisations and declared activities;  
...
  - (iv) the size and complexity of the Member State's aviation industry and the potential growth of activities in the field of civil aviation, which may be an indication of the number of new applications and changes to existing certificates and authorisations to be expected.
- (c) Based on existing data from previous oversight planning cycles and taking into account the situation within the Member State's aviation industry, the competent authority may estimate:
- (1) the standard working time required for processing applications for new certificates (for persons and organisations) and authorisations;
  - (2) the number of new declarations or changed declarations;
  - (3) the number of new certificates and authorisations to be issued for each planning period; and
  - (4) the number of changes to existing certificates and authorisations to be processed for each planning period.
- (d) In line with the competent authority's oversight policy, the following planning data should be determined specifically for each type of organisation certified or authorised by the competent authority as well as for declared organisations; including those being authorised.
- ...
- (f) It is recommended to use a spreadsheet application to process data defined under (c) and (d), to assist in determining the total number of working hours/days per oversight planning cycle required for certification, authorisation, oversight and enforcement activities. This application could also serve as a basis for implementing a system for planning the availability of personnel.
- (g) For each type of organisation certified or high risk commercial specialised operation authorised by the competent authority the number of working hours/days per planning period for each qualified inspector that may be allocated for certification, authorisation, oversight and enforcement activities should be determined, taking into account:
- (1) purely administrative tasks not directly related to oversight and certification/authorisation;

- (2) training;
  - (3) participation in other projects;
  - (4) planned absence; and
  - (5) the need to include a reserve for unplanned tasks or unforeseeable events.
- (h) The determination of working time available for certification, **authorisation**, oversight and enforcement activities should also consider:
- (1) the possible use of qualified entities; and
  - (2) possible cooperation with other competent authorities for approvals **or authorisations** involving more than one Member State.
- (i) Based on the elements listed above, the competent authority should be able to:
- (1) monitor dates when audits and inspections are due and when they have been carried out;
  - (2) implement a system to plan the availability of personnel; and
  - (3) identify possible gaps between the number and qualification of personnel and the required volume of certification/**authorisation** and oversight.

Care should be taken to keep planning data up-to-date in line with changes in the underlying planning assumptions, with particular focus on risk-based oversight principles.

- 3) AMC1 ARO.GEN.200(d) was amended as follows:

**AMC1 ARO.GEN.200(d) Management system**

PROCEDURES AVAILABLE TO THE AGENCY

- (a) Copies of the procedures related to the competent authority's management system and their amendments to be made available to the Agency for the purpose of standardisation should provide at least the following information:

(...)

- (3) How the following are carried out: assessing applications and evaluating compliance, issuance of certificates **and authorisation**, performance of continuing oversight, follow-up of findings, enforcement measures and resolution of safety concerns.

- 4) GM1 ARO.GEN.205 was amended as follows:

**GM1 ARO.GEN.205 Allocation of tasks to qualified entities**

CERTIFICATION/**AUTHORISATION** TASKS

The tasks that may be performed by a qualified entity on behalf of the competent authority include those related to the initial certification, **or specialised operations authorisation**, and continuing oversight of persons and organisations as defined in this Regulation, with the exclusion of the issuance of certificates, **authorisations**, licences, ratings or approvals.

5) AMC1 ARO.GEN.220(a)(1);(2);(3) was amended as follows:

**AMC1 ARO.GEN.220(a)(1);(2);(3) Record-keeping**

COMPETENT AUTHORITY MANAGEMENT SYSTEM

Records related to the competent authority's management system should include, as a minimum and as applicable:

...

(d) the contract(s) established with qualified entities performing certification, authorisation or oversight tasks on behalf of the competent authority.

6) AMC1 ARO.GEN.220(a)(4) was amended as follows:

**AMC1 ARO.GEN.220(a)(4);(4a) Record-keeping**

ORGANISATIONS

Records related to an organisation certified, or operations authorised by or having declared its activity to the competent authority should include, as appropriate to the type of organisation:

(a) the application for an organisation approval, a specialised operation authorisation or the declaration received;

(b) the documentation based on which the approval or authorisation has been granted and any amendments to that documentation;

(c) the organisation approval certificate or specialised operation authorisation, including any changes;

...

7) a new GM1 ARO.GEN.220 (a)(4a) was inserted

**GM1 ARO.GEN.220(a)(4a) Record-keeping**

AUTHORISATION HOLDERS — DOCUMENTATION

Documentation to be kept as records in support of the authorisation of a high risk commercial specialised operation include the risk assessment documentation and related standard operating procedures (SOPs), as well as a description of the management system of the proposed operation and a statement that all the documentation sent to the competent authority has been verified by the operator and found in compliance with the applicable requirements. Any amendments to these documents should be documented.

8) AMC1 ARO.GEN.220(a)(6) was amended as follows:

**AMC1 ARO.GEN.220(a)(67) Record-keeping**

ACTIVITIES PERFORMED IN THE TERRITORY OF A MEMBER STATE BY PERSONS OR ORGANISATIONS ESTABLISHED OR RESIDING IN ANOTHER MEMBER STATE

...

- (b) Records should be kept by the competent authority having performed the audit or inspection and should be made available to other competent authorities at least in the following cases:
  - (1) serious incidents or accidents;
  - (2) findings through the oversight programme where organisations certified or authorised by another competent authority are involved, to determine the root cause;
  - (3) an organisation being certified, authorised or having approvals in several Member States.

...

**'SECTION III – OVERSIGHT OF OPERATIONS**

- 9) GMC1 ARO.GEN.300(d) was amended as follows:

**GM1 ARO.GEN.300(d) Oversight**

ACTIVITIES WITHIN THE TERRITORY OF THE MEMBER STATE

- (a) Activities performed in the territory of the Member State by persons or organisations established or residing in another Member State include:
  - (1) activities of:
    - (i) organisations certified or authorised by or declaring their activity to the competent authority of any other Member State or the Agency; or
    - (ii) persons performing operations with other than complex motor powered aircraft; and
  - (2) activities of persons holding a licence, certificate, rating, or attestation issued by the competent authority of any other Member State.

(...)

- 10) AMC1 ARO.GEN.305(b);(d) was amended as follows:

**AMC1 ARO.GEN.305(b);(d);(d1) Oversight**

SPECIFIC NATURE AND COMPLEXITY OF THE ORGANISATION, RESULTS OF PAST OVERSIGHT

(...)

- (c) Regarding results of past oversight, the competent authority should also take into account relevant results of ramp inspections of organisations it has certified or



authorised, persons and other organisation having declared their activity or persons performing operations with other-than-complex motor-powered aircraft that were performed in other Member States in accordance with ARO.RAMP.

11) AMC1 ARO.GEN.305(b);(c);(d) was amended as follows:

**AMC1 ARO.GEN.305(b);(c);(d);(d1) Oversight programme**

INDUSTRY STANDARDS

(...)

12) A new AMC1 ARO.GEN.305(d1) was inserted as follows:

**AMC1 ARO.GEN.305(d1) Oversight programme**

OVERSIGHT OF AUTHORISATION HOLDERS

- (a) When determining the oversight programme of high risk commercial specialised operators holding an authorisation, the competent authority should assess the risks related to the type of activity of each organisation and adapt the oversight to the level of risk identified and to the organisation's ability to effectively manage safety risks.
- (b) An oversight cycle not exceeding 24 months should be applied. The oversight planning cycle may be extended to a maximum of 48 months if the competent authority has established that during the previous 24 months the organisation has been able to effectively manage safety risks.
- (c) The competent authority should establish a schedule of audits and/or inspections, including unannounced inspections, appropriate to each organisation's business. The planning of audits and inspections should take into account the results of the hazard identification and risk assessment conducted and maintained by the organisation as part of the organisation's management system. Inspectors should work in accordance with the schedule provided to them.
- (d) If the specialised authorisation is time-limited, the competent authority should adapt the schedule of audits and inspections to the duration of the specialised operation authorisation. Audits or inspections may not be necessary if an authorisation is issued for a single flight or event.
- (e) The schedule of audits and inspections should take into account the activity conducted by authorised organisations in other Member States. The competent authority should coordinate the audit and inspection schedule with the authority in which territory the activity is taking place.
- (f) Additional audits or inspections to specific operators may be included in the oversight programme on the basis of the assessment of associated risks carried out within the occurrences reporting scheme(s).

13) new GM1 ARO.GEN.305(d1) was introduced

**GM1 ARO.GEN.305(d1) Oversight programme**

OVERSIGHT OF AUTHORISATION HOLDERS

Past and current authorisation process refers to relevant results of past and current authorisation and oversight activities.

14) AMC1 ARO.GEN.310(a) was amended as follows:

**AMC1 ARO.GEN.310(a) Initial certification procedure – organisations**

VERIFICATION OF COMPLIANCE

(...)

(b) The competent authority should ensure that the following steps are taken:

(...)

(2) An individual should be nominated by the responsible person of the competent authority to oversee, to become the focal point for all aspects of the organisation certification process and to coordinate all necessary activity. The nominated person should be responsible to the responsible person of the competent authority for confirming that all appropriate audits and inspections have been carried out. He/she should also ensure that the necessary specific or prior approvals required by (b)(3) are issued in due course. Of particular importance on initial application is a careful review of the qualifications of the organisations' nominated persons. Account ~~shall~~ **should** be taken of the relevance of the nominee's previous experience and known record.

(g) When the verification process is complete, the person with overall responsibility, nominated in accordance with (b)(2), should present the application to the person responsible for the issue of an AOC together with a written recommendation and evidence of the result of all investigations or assessments which are required before the operator certificate is issued. Approvals required ~~shall~~ **should** be attached to the recommendation. The competent authority should inform the applicant of its decision concerning the application within 60 days of receipt of all supporting documentation. In cases where an application for an organisation certificate is refused, the applicant should be informed of the right of appeal as exists under national law.

15) AMC1 ARO.GEN.330 was amended as follows:

**AMC1 ARO.GEN.330 Changes – organisations**

GENERAL AOC HOLDERS

(a) Changes in nominated persons:

....

**SUBPART OPS – AIR OPERATIONS**

**'SECTION IA – AUTHORISATION OF HIGH RISK COMMERCIAL SPECIALISED OPERATIONS**

16) a new AMC1 ARO.OPS.150 was inserted as follows:

**AMC1 ARO.OPS.150 Authorisation of high risk commercial specialised operations**

**GENERAL**

The competent authority should make publicly available a list of activities of high risk specialised operations so that operators are informed when to apply for an authorisation.

17) a new AMC1 ARO.OPS.150(a);(b) was inserted as follows:

**AMC1 ARO.OPS.150(a);(b) Authorisation of high risk commercial specialised operations**

**VERIFICATION OF COMPLIANCE**

- (a) For the purpose of verifying the operator's standard operating procedures (SOPs), the competent authority may conduct an audit at the operator's facilities or require the conduct of one or more demonstration flights operated as if they were high risk commercial specialised operations.
- (b) An individual should be nominated by the competent authority to become the focal point for all aspects of the authorisation process and to coordinate all necessary activity. This nominated person should confirm to the responsible person of the competent authority issuing the authorisation that all appropriate audits and inspections have been carried out.
- (c) When the verification process is complete, the person, nominated in accordance with (b), should present the application to the person responsible for the issuance of an authorisation together with a written recommendation and evidence of the result of the review of the operator's risk assessment documentation and SOPs, which is required before the authorisation is issued. The competent authority should inform the applicant of its decision concerning the application. In cases where an application for an authorisation is refused, the applicant should be informed of the right of appeal as exists under national law.

18) a new GM1 ARO.OPS.150(b) was inserted as follows:

**GM1 ARO.OPS.150(b) Authorisation of high risk commercial specialised operations**

**LIMITATIONS**

The competent authority may issue the authorisation for a limited duration, e.g. for a single event or a defined series of flights, or limit the operating area.

19) a new GM1 ARO.OPS.150(c) was inserted as follows:

**GM1 ARO.OPS.150(c) Authorisation of high risk commercial specialised operations**

CHANGE OF NAME OF THE ORGANISATION

- (a) Upon receipt of the application for a change of the authorisation, the competent authority should re-issue the authorisation.
- (b) A name change alone does not require the competent authority to re-assess the risk assessment and SOP, unless there is evidence that other aspects of the operation have changed.

20) a new AMC1 ARO.OPS.150(f) was inserted as follows:

**AMC1 ARO.OPS.150(f) Authorisation of high risk commercial specialised operations**

AUTHORISATION OF CROSS-BORDER HIGH RISK COMMERCIAL SPECIALISED OPERATION

- (a) An authorisation for cross-border high risk commercial specialised operations should be issued by the competent authority, when both the competent authority itself and the competent authority of the place where the operation is planned to be conducted are satisfied that the risk assessment and SOPs are appropriate for the area overflown.
- (b) The authorisation should be amended to include those areas for which the operator has received the authorisation to conduct cross-border high risk commercial specialised operation.

21) a new GM1 ARO.OPS.150(f) was inserted as follows:

**GM1 ARO.OPS.150(f) Authorisation of high risk commercial specialised operations**

AUTHORISATION OF CROSS-BORDER HIGH RISK COMMERCIAL SPECIALISED OPERATION

Cross-border high risk commercial specialised operation means a high risk commercial specialised operation in a territory other than the Member State where the operator has its principle place of business

22) a new GM1 ARO.OPS.155 was inserted as follows:

**GM1 ARO.OPS.155 Lease agreements**

WET LEASE-IN

Since ICAO has not stipulated globally harmonised standards for specialised operators and their operations, the applicable requirements involving a third country registered aircraft of a third country operator will be of a local or national nature. Therefore, the competent authority approving a wet lease-in agreement is encouraged to collect information on the oversight system of the state of the operator or state of registry in order to have a better understanding of the operation.

23) a new GM2 ARO.OPS.155 was inserted as follows:

**GM2 ARO.OPS.155 Lease agreement**

LEASE AGREEMENTS BETWEEN OPERATORS REGISTERED IN AN EU MEMBER STATE

No approval is required for any lease agreements between operators having their principle place of business in an EU Member State.

24) GM1 ARO.OPS.210 was amended as follows:

**GM1 ARO.OPS.210 Determination of local area**

GENERAL

The distance or local area should reflect the local environment and operating conditions.

**SECTION III – OVERSIGHT OF OPERATIONS**

25) New AMC1 ARO.OPS.300 was inserted as follows:

**AMC1 ARO.OPS.300 Introductory flights**

MARGINAL ACTIVITY

The competent authority should publish criteria specifying to which extent it considers an activity marginal and how this is being overseen.

26) New GM1 ARO.OPS.300 was inserted as follows:

**GM1 ARO.OPS.300 Introductory flights**

ADDITIONAL CONDITIONS

For introductory flights carried out in the territory of the Member State, the authority may establish additional conditions such as defined area of the operation, time period during which such operations are to be conducted, safety risk assessments to be accomplished, aircraft to be used, specific operating procedures, notification requirements, maximum distance flown, pilot qualification, maximum number of

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passengers on-board, further restrictions on the maximum take-off mass and applicable criteria for marginal activity.