

Executive Director Decision

2019/019/R

of 16 September 2019

amending the Guidance Material to Regulation (EU) No 965/2012 and the Acceptable Means of Compliance and Guidance Material to Annex I (Definitions for terms used in Annexes II to VIII), Annex II (Part-ARO), Annex III (Part-ORO), Annex IV (Part-CAT), Annex V (Part-SPA), Annex VI (Part-NCC), Annex VII (Part-NCO), and Annex VIII (Part-SPO) to Commission Regulation (EU) No 965/2012

'GM to Regulation (EU) No 965/2012 — Issue 1, Amendment 3

GM to Annex I (Definitions for terms used in Annexes II to VIII) — Issue 1, Amendment 11

AMC & GM to Part-ARO — Issue 3, Amendment 10

AMC & GM to Part-ORO — Issue 2, Amendment 15

AMC & GM to Part-CAT — Issue 2, Amendment 17

AMC & GM to Part-SPA — Issue 1, Amendment 8

AMC & GM to Part-NCC — Initial issue, Amendment 12

AMC & GM to Part-NCO — Issue 2, Amendment 9

AMC & GM to Part-SPO — Initial issue, Amendment 12'

THE EXECUTIVE DIRECTOR OF THE EUROPEAN UNION AVIATION SAFETY AGENCY (EASA),

Having regard to Regulation (EU) No 2018/1139¹, and in particular Article 104(3)(a) thereof,

Having regard to Commission Regulation (EU) No 965/2012², and in particular ARO.GEN.120(a) of Annex II thereto,

¹ Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91 (OJ L 212, 22.8.2018, p. 1) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1535612134845&uri=CELEX:32018R1139>).

² Commission Regulation (EU) No 965/2012 of 5 October 2012 laying down technical requirements and administrative procedures related to air operations pursuant to Regulation (EC) No 216/2008 of the

Whereas:

- (1) EASA shall, pursuant to Article 76(3) of Regulation (EU) 2018/1139, issue certification specifications and acceptable means of compliance, as well as guidance material, for the application of Regulation (EU) 2018/1139 and of the delegated and implementing acts adopted on the basis thereof.
- (2) Acceptable means of compliance are non-binding standards adopted by EASA which may be used by persons and organisations to demonstrate compliance with Regulation (EU) 2018/1139 and the delegated and implementing acts adopted on the basis thereof.
- (3) Guidance material is non-binding material developed by EASA which helps to illustrate the meaning of a requirement or specification and is used to support the interpretation of Regulation (EU) 2018/1139, the delegated and implementing acts adopted on the basis thereof, certification specifications and acceptable means of compliance.
- (4) With Decision 2014/019/R of 24 April 2014, the Executive Director issued Guidance Material to Regulation (EU) No 965/2012.
- (5) With Decision 2012/015/Directorate R of 24 October 2012, the Executive Director issued Guidance Material to Annex I (Definitions) to Commission Regulation (EU) No 965/2012.
- (6) With Decision 2014/025/R of 28 July 2014, the Executive Director issued Acceptable Means of Compliance and Guidance Material to Part-ARO of Commission Regulation (EU) No 965/2012 (Issue 3).
- (7) With Decision 2014/017/R of 24 April 2014, the Executive Director issued Acceptable Means of Compliance and Guidance Material to Part-ORO of Commission Regulation (EU) No 965/2012 (Issue 2).
- (8) With Decision 2014/015/R of 24 April 2014, the Executive Director issued Acceptable Means of Compliance and Guidance Material to Part-CAT of Commission Regulation (EU) No 965/2012 (Issue 2).
- (9) With Decision 2012/019/Directorate R of 24 October 2012, the Executive Director issued Acceptable Means of Compliance and Guidance Material to Part-SPA of Commission Regulation (EU) No 965/2012.
- (10) With Decision 2013/021/R of 23 August 2013, the Executive Director issued Acceptable Means of Compliance and Guidance Material to Part-NCC of Commission Regulation (EU) No 965/2012.
- (11) With Decision 2014/016/R of 24 April 2014, the Executive Director issued Acceptable Means of Compliance and Guidance Material to Part-NCO of Commission Regulation (EU) No 965/2012.
- (12) With Decision 2014/018/R of 24 April 2014, the Executive Director issued Acceptable Means of Compliance and Guidance Material to Part-SPO of Commission Regulation (EU) No 965/2012.

European Parliament and of the Council (OJ L 296, 25.10.2012, p. 1) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1547741598437&uri=CELEX:32012R0965>)



- (13) EASA shall, pursuant to Article 4(1)(a) of Regulation (EU) 2018/1139, reflect the state of the art and the best practices in the field of aviation and update its decisions taking into account worldwide aviation experience and scientific and technical progress in the respective fields.
- (14) In the context of the activities of rulemaking task (RMT).0516 regarding an update of the rules on air operations, EASA published Notice of Proposed Amendment (NPA) NPA 2015-18 on 27 November 2015 and, subsequently, Opinion No 04/2017 'Update of the rules on air operations and continuing airworthiness' on 29 June 2017.
- (15) In the context of the activities of RMT.0352 regarding non-commercial operations of aircraft listed in the Operations Specifications (OpSpecs) by an AOC holder, EASA published NPA 2015-05 on 30 March 2015 and, subsequently, Opinion No 04/2017 'Update of the rules on air operations and continuing airworthiness' on 29 June 2017.
- (16) In the context of the activities of RMT.0393 regarding maintenance check flights, EASA published NPA 2012-08 on 30 July 2012 and, subsequently, Opinion No 01/2017 'Maintenance check flights' on 8 March 2017.
- (17) Based on the above-mentioned Opinions, the European Commission prepared and published Commission Regulation (EU) 2019/1384³, amending Regulations (EU) Nos 965/2012 and 1321/2014 as regards the use of aircraft listed on an air operator certificate for non-commercial operations and specialised operations, the establishment of operational requirements for the conduct of maintenance check flights, the establishment of rules on non-commercial operations with reduced cabin crew on board and introducing editorial updates concerning air operations requirements.
- (18) EASA, pursuant to Article 115(1)(c) of Regulation (EU) 2018/1139 and Articles 6(3), 7 and 8 of the EASA Rulemaking Procedure⁴, 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 received⁵,

HAS DECIDED:

Article 1

The Annex to Decision 2014/019/R of the Executive Director of the Agency of 24 April 2014 is amended as laid down in Annex I to this Decision.

³ Commission Implementing Regulation (EU) 2019/1384 of 24 July 2019 amending Regulations (EU) No 965/2012 and (EU) No 1321/2014 as regards the use of aircraft listed on an air operator certificate for non-commercial operations and specialised operations, the establishment of operational requirements for the conduct of maintenance check flights, the establishment of rules on non-commercial operations with reduced cabin crew on board and introducing editorial updates concerning air operations requirements (OJ L 228, 4.9.2019, p. 106) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1567585758405&uri=CELEX:32019R1384>).

⁴ EASA Management Board (MB) Decision No 18-2015 of 15 December 2015 replacing Decision 01/2012 concerning the procedure to be applied by the Agency for the issuing of opinions, certification specifications, acceptable means of compliance and guidance material ('Rulemaking Procedure') (<http://www.easa.europa.eu/system/files/dfu/EASA%20MB%20Decision%2018-2015%20on%20Rulemaking%20Procedure.pdf>)

⁵ <http://easa.europa.eu/document-library/comment-response-documents>



Article 2

The Annex to Decision 2012/015/Directorate R of the Executive Director of the Agency of 24 October 2012 is amended as laid down in Annex II to this Decision.

Article 3

The Annex to Decision 2014/025/R of the Executive Director of the Agency of 28 July 2014 is amended as laid down in Annex III to this Decision.

Article 4

The Annex to Decision 2014/017/R of the Executive Director of the Agency of 24 April 2014 is amended as laid down in Annex IV to this Decision.

Article 5

The Annex to Decision 2014/015/R of the Executive Director of the Agency of 24 April 2014 is amended as laid down in Annex V to this Decision.

Article 6

The Annex to Decision 2012/019/Directorate R of the Executive Director of the Agency of 24 October 2012 is amended as laid down in Annex VI to this Decision.

Article 7

The Annex to Decision 2013/021/R of the Executive Director of the Agency of 23 August 2013 is amended as laid down in Annex VII to this Decision.

Article 8

The Annex to Decision 2014/016/R of the Executive Director of the Agency of 24 April 2014 is amended as laid down in Annex VIII to this Decision.

Article 9

The Annex to Decision 2014/018/R of the Executive Director of the Agency of 24 April 2014 is amended as laid down in Annex IX to this Decision.

Article 10

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

Cologne, 16 September 2019

*For the European Union Aviation Safety Agency
The Executive Director*

Patrick KY

