

## Executive Director Decision

**2022/020/R**

**of 3 November 2022**

**issuing Amendment 5 to Issue 1 to the Acceptable Means of Compliance and Guidance  
Material to the rules of the air**

**‘AMC and GM to the rules of the air — Issue 1, Amendment 5’**

**‘Acceptable Means of Compliance and Guidance Material to the Annex  
to Commission Implementing Regulation (EU) No 923/2012’**

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

Having regard to Regulation (EU) 2018/1139<sup>1</sup>, and in particular Articles 76(3) and 104(3)(a) thereof,

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 issued 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 issued 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.

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<sup>1</sup> 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>).

- (4) With Decision 2013/013/R<sup>2</sup> of 17 July 2013, the Executive Director issued Acceptable Means of Compliance and Guidance Material to Commission Implementing Regulation (EU) No 923/2012<sup>3</sup>.
- (5) 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.
- (6) The principles for air–ground communication between pilots and air traffic services, including the use of standardised radiotelephony phraseologies, are established in point SERA.14001 of the Annex (Rules of the air) to Commission Implementing Regulation (EU) No 923/2012. Such standardised radiotelephony phraseologies are contained in Appendix 1 to AMC1 SERA.14001, and build on those contained in ICAO Doc 4444 ‘PANS-ATM’, thus allowing for consistency in air–ground voice communications at global level.
- (7) Recent Amendment 11 to ICAO Doc 4444 ‘PANS-ATM’ standardised the radiotelephony phraseologies for air–ground voice communications and necessitates the timely alignment of the SERA radiotelephony phraseologies in order to ensure the necessary harmonisation in voice communications between pilots and air traffic controllers, and to prevent any misunderstanding that would potentially result in safety issues, especially in a critical phase of the flight such as the approach.
- (8) In this context, EASA has determined the need to amend the acceptable means of compliance and guidance material to the rules of the air to facilitate the uniform implementation of the subject provisions.
- (9) EASA, pursuant to Article 115(1)(c) of Regulation (EU) 2018/1139 and Articles 6(2) and (3) of the EASA Rulemaking Procedure<sup>4</sup>, consulted its Advisory Bodies (ABs) on the content of this Decision and considered the comments received,

HAS DECIDED:

### **Article 1**

The Annex to ED Decision 2013/013/R is amended as laid down in the Annex to this Decision.

<sup>2</sup> Decision 2013/013/R of the Executive Director of the European Aviation Safety Agency of 17 July 2013 adopting the Acceptable Means of Compliance and Guidance Material to Commission Implementing Regulation (EU) No 923/2012 of 26 September 2012 laying down the common rules of the air and operational provisions regarding services and procedures in air navigation and amending Implementing Regulation (EU) No 1035/2011 and Regulations (EC) No 1265/2007, (EC) No 1794/2006, (EC) No 730/2006, (EC) No 1033/2006 and (EU) No 255/20101 — ‘Acceptable Means of Compliance and Guidance Material to the rules of the air’ (<https://www.easa.europa.eu/document-library/agency-decisions/ed-decision-2013013r>).

<sup>3</sup> Commission Implementing Regulation (EU) No 923/2012 of 26 September 2012 laying down the common rules of the air and operational provisions regarding services and procedures in air navigation and amending Implementing Regulation (EU) No 1035/2011 and Regulations (EC) No 1265/2007, (EC) No 1794/2006, (EC) No 730/2006, (EC) No 1033/2006 and (EU) No 255/2010 (OJ L 281, 13.10.2012, p. 1) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32012R0923&qid=1635949921294>).

<sup>4</sup> EASA is bound to follow a structured rulemaking process as required by Article 115(1) of Regulation (EU) 2018/1139. Such a process has been adopted by the EASA Management Board (MB) and is referred to as the ‘Rulemaking Procedure’. See MB Decision No 01-2022 of 2 May 2022 on the procedure to be applied by EASA for the issuing of opinions, certification specifications and other detailed specifications, acceptable means of compliance and guidance material (‘Rulemaking Procedure’), and repealing Management Board Decision No 18-2015 (<https://www.easa.europa.eu/the-agency/management-board/decisions/easa-mb-decision-01-2022-rulemaking-procedure-repealing-mb>).

**Article 2**

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

It shall apply from 1 December 2022.

Cologne, 3 November 2022.

*For the European Union Aviation Safety Agency*

*The Executive Director*

Patrick KY

