



Explanatory Note to Decision 2014/016/R

Amendments to AMC/GM to Annex VII (Part-NCO)

RELATED NPA/CRD 2009-02 — OPINION No 02/2012 — RMT.0289 (OPS.001) — 24.04.2014

EXECUTIVE SUMMARY

This Decision deals with AMC and GM for air operators related to non-commercial specialised air operations with non-complex aircraft.

The specific objective is to maintain a high level of safety, to ensure proportionate rules where appropriate; and to warrant flexibility and efficiency for operators and authorities.

This Decision is part of the OPS Phases III and IV involving amendments to the Cover Regulation and the following Annexes to the Regulation on Air Operations:

- Annex II (Part-ARO),
- Annex III (Part-ORO),
- Annex IV (Part-CAT),
- Annex VII (Part-NCO), and
- Annex VIII (Part-SPO).

Applicability		Process map	
Affected regulations and decisions:	AMC/GM to Part-NCO	Terms of Reference:	20.7.2006
Affected stakeholders:	Air operators	Concept Paper:	No
Driver/origin:	Legal obligation	Rulemaking group:	Yes
Reference:		RIA type:	Full
		Technical consultation during NPA drafting:	Yes
		Publication date of the NPA:	31.2.2009
		Duration of NPA consultation:	6 months
		Review group:	Yes
		Focussed consultation:	No
		Publication date of the Opinion:	16.4.2012

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1. Procedural information

1.1. The rule development procedure

The European Aviation Safety Agency (hereinafter referred to as the 'Agency') developed ED Decision 2014/016/R in line with Regulation (EC) No 216/2008¹ (hereinafter referred to as the 'Basic Regulation') and the Rulemaking Procedure².

This rulemaking activity is included in the Agency's [4-year Rulemaking Programme](#) under RMT.0289 (OPS.001). The scope and timescale of the task were defined in the related Terms of Reference (see process map on the title page).

The draft text of this Decision has been developed by the Agency based on the input of the Rulemaking Group RG02. All interested parties were consulted through NPA 2009-02³. More than 15 000 comments in total were received from interested parties, including industry, national aviation authorities and social partners.

The Agency has reviewed the comments received on the NPA. The comments received and the Agency's responses are presented in the Comment-Response Document (CRD) [2009-02](#).

The final text of this Decision with the Acceptable Means of Compliance (AMC)/Guidance Material (GM) has been developed by the Agency based on the input of RG02 and the EASA Committee.

The process map on the title page summarises the major milestones of this rulemaking activity.

1.2. Structure of the related documents

Chapter 1 contains the procedural information related to this task. Chapter 2 explains the core technical content. Chapter 3 provides references. The text of the AMC/GM is annexed to the ED Decision.

¹ Regulation (EC) No 216/2008 of the European Parliament and the Council of 20 February 2008 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency, and repealing Council Directive 91/670/EEC, Regulation (EC) No 1592/2002 and Directive 2004/36/EC (OJ L 79, 19.3.2008, p. 1), as last amended by Commission Regulation (EU) No 6/2013 of 8 January 2013 (OJ L 4, 9.1.2013, p. 34).

² The Agency is bound to follow a structured rulemaking process as required by Article 52(1) of the Basic Regulation. Such process has been adopted by the Agency's Management Board and is referred to as the 'Rulemaking Procedure'. See Management Board Decision concerning the procedure to be applied by the Agency for the issuing of opinions, certification specifications and guidance material (Rulemaking Procedure), EASA MB Decision No 01-2012 of 13 March 2012.

³ In accordance with Article 52 of the Basic Regulation and Articles 5(3) and 6 of the Rulemaking Procedure.

2. Explanatory Note

This Decision provides a new consolidated version of the AMC/GM to Part-NCO and corresponds to the Commission Regulation (EU) No 379/2014 of 24 April 2014 laying down, among others, requirements for specialised air operations.

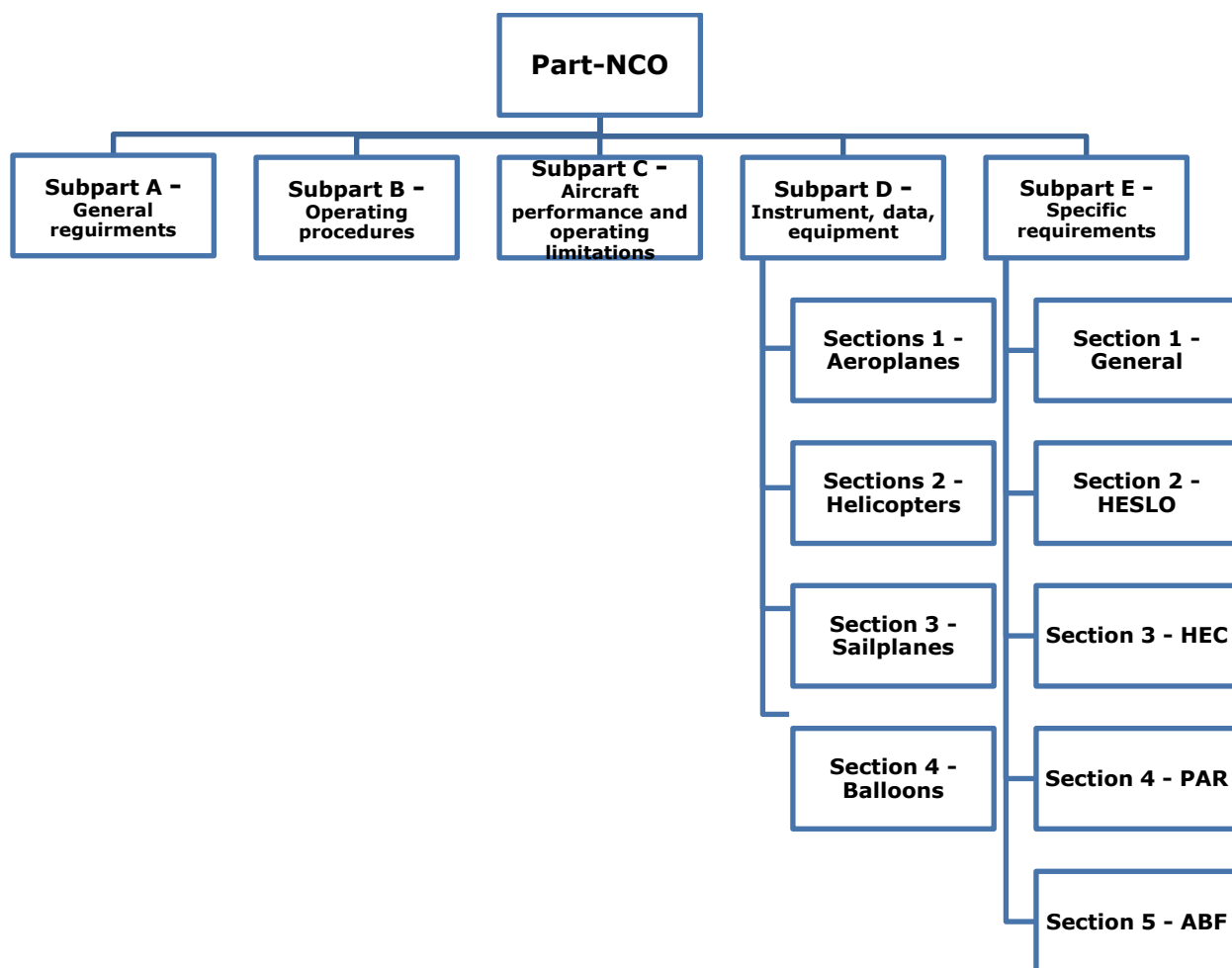
2.1. Overview of the issues to be addressed

This Decision is part of OPS Phases III and IV involving amendments to the Cover Regulation and the following Annexes:

- Annex II (Part-ARO),
- Annex III (Part-ORO),
- Annex IV (Part-CAT),
- Annex VII (Part-NCO), and
- Annex VIII (Part-SPO).

A new Subpart E — Specific requirements — of Part-NCO contains, among others, the technical requirements for non-commercial specialised air operations with non-complex aircraft. This Decision adds AMC and GM for the new Subpart.

The following chart describes the updated structure of Part-NCO.



2.2. Objectives

The overall objectives of the EASA system are defined in Article 2 of the Basic Regulation. This proposal will contribute to the achievement of the overall objectives by addressing the issues outlined in Chapter 2. The specific objective of this proposal is, therefore, to maintain a high level of safety, to ensure proportionate rules where appropriate, and to warrant flexibility and efficiency for operators and authorities.

2.3. Overview of the amendments

Subpart A – General requirements

AMC1 NCO.GEN.105(c) is added to specify that the pilot should use checklists provided by the manufacturer and to re-start any suspended check from a safe point prior to the interruption. This AMC is addressing the safety recommendation SPAN-2009-025.

GM1 NCO.GEN.155(b) on MEL general guidance has been expended to provide guidance to operators for the case when an MMEL, as defined in the mandatory part of operational suitability data, has not been established.

GM2 NCO.GEN.155 is added to provide clarifications on the scope of the MEL.

Subpart C – Aircraft performance and operating limitations

GM1 NCO.POL.105 on weighing is expanded to include cases where the AFM may require to record any change to mass and CG position and make them known to the commander.

Subpart D – Instruments, data and equipment

Section 1 – Aeroplanes

GM1 NCO.IDE.A.100(a) is amended to clarify the applicable airworthiness requirements.

GM1 NCO.IDE.A.100(b) is split in two GMs to address separately the cases of required and not required equipment which do not need an approval. Other clarifications are also introduced.

AMC2 NCO.IDE.A.140 on upper torso restraint systems and seat belts is clarified in the wording.

AMC1 NCO.IDE.A.170 on batteries is expanded to address several types of batteries that may be used.

GM1 NCO.IDE.A.170 on emergency locator transmitter (ELT) and personal locator beacon (PLB) terminology is added consistently with Part-SPO.

Section 2 – Helicopters

GM1 NCO.IDE.H.100(a) is amended to clarify the applicable airworthiness requirements.

GM1 NCO.IDE.H.100(b) is split in two GMs to address separately the cases of required and not required equipment which do not need an approval. Other clarifications are also introduced.

AMC2 NCO.IDE.H.140 on upper torso restraint systems and seat belts is clarified in the wording.

AMC1 NCO.IDE.H.170 on batteries is expanded to address several types of batteries that may be used.

GM1 NCO.IDE.H.170 on ELT and PLB terminology is added consistently with Part-SPO.

AMC1 NCO.IDE.H.185 on emergency flotation equipment has been added.

Section 3 – Sailplanes

GM1 NCO.IDE.S.100(a) is amended to clarify the applicable airworthiness requirements.

GM1 NCO.IDE.S.100(b) is split in two GMs to address separately the cases of required and not required equipment which do not need an approval. Other clarifications are also introduced.

AMC1 NCO.IDE.S.135(b) on batteries is expanded to address several types of batteries that may be used.

GM1 NCO.IDE.S.135(b) PLB terminology is added consistently with Part-SPO.

Section 4 – Balloons

GM1 NCO.IDE.B.100(a) is amended to clarify the applicable airworthiness requirements.

GM1 NCO.IDE.B.100(b) is split in two GMs to address separately the cases of required and not required equipment which do not need an approval. Other clarifications are also introduced.

AMC1 NCO.IDE.B.110 is added to provide the specifications for anti-collision lights.

GM1 NCO.IDE.B.115(b)(3) is added to clarify when a means to measure and display pressure altitude is needed.

AMC1 NCO.IDE.B.130(b) on batteries is expanded to address several types of batteries that may be used.

GM1 NCO.IDE.B.130(b) on ELT PLB terminology is added consistently with Part-SPO.

AMC1 NCO.IDE.B.140 (c)(1) on miscellaneous equipment is added to specify the characteristics of the knife.

Subpart E – Specific requirements

Subpart E – Specific requirements was not included in the CRD or Opinion versions. This Subpart was added during the discussions in the EASA Committee. The new AMC and GM to this Subpart, however, was already included in the CRD version of Part-SPO, which at that stage also included non-commercial specialised operations with other-than-complex motor-powered aircraft.

The new AMC and GM material for this Subpart has been aligned with the AMC and GM of Part-SPO, where appropriate.

Section 1 – General

This section contains general rules which would be applicable for any specialised operation.

NCO.SPEC.100 specifies the scope of the new Subpart E. AMC1 to NCO.SPEC.100 provides criteria to determine whether an activity falls within the scope of specialised operations or not. The associated GM provides a list of operations which are considered to fulfil the criteria in the AMC and are regarded as specialised operations. This is a non-exhaustive list and was already published with Opinion 02/2012. The EASA Committee, however, recommended moving this list to the GM level.

NCO.SPEC.105 requires that specialised operations shall be performed in accordance with checklists. The associated GM1 provides a list of non-exhaustive items which should be taken into account. The source for the GM is AMC2 SPO.OP.230. It was amended for NCO-

type of operations. GM2 provides template forms for the risk assessment, hazard identification, mitigating measures, and a risk register.

NCO.SPEC.125 deals with the safety briefing for the task specialist. The associated AMC with further details is aligned with the AMC1 SPO.OP.135.

NCO.SPEC.175 contains performance and operating criteria for helicopters. The associated GM is aligned with GM1 SPO.POL.146(c).

Section 2 – HESLO

HESLO operations are activities that are performed for the purpose of transporting external loads by different means, e.g. under slung, external pods or racks.

NCO.GEN.HSLO.100 contains areas to be addressed in the checklist. The associated GM provides references to AMC and GM material to SPO.SPEC.HSLO.100 which can be used as good practice examples for developing the checklist for HESLO operations.

Section 3 – HEC

HEC operations are activities that are performed for the purpose of transporting humans as external loads from/to aerodromes and/or operating sites.

NCO.GEN.HEC.100 contains areas to be addressed in the checklist. The associated GM provides a reference to the generic SOP format in AMC1 SPO.SPEC.HSLO.100 which can be used as good practice examples for developing the checklist for HEC operations.

3. References

3.1. Related regulations

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 European Parliament and of the Council (OJ L 296, 25.10.2012, p. 1).

3.2. Affected decisions

None.

3.3. Reference documents

Annex VIII (Part-SPO) to Commission Regulation (EU) No 965/2012.