



## Comment-Response Document 2014-28

### AMC/GM for non-complex Approved Training Organisations (ATOs)

CRD to NPA 2014-28 — RMT.0421 (FCL.014) — 15.4.2015

Related Decision 2015/011/R

#### EXECUTIVE SUMMARY

This Comment-Response Document (CRD) contains the comments received on NPA 2014-28 and the Agency's responses thereto.

Based on the comments and responses, Decision 2015/011/R was developed.

During the NPA 2014-28 public consultation, the Agency received 252 comments. The received feedback, notably from the GA community, showed only limited support for the proposed amendments. However, the majority of comments indicated that, with the exception of the 'organisational review' concept, the remaining proposals should be discontinued. Consequently, the Agency decided to include in the associated Decision only AMC/GM related to the 'organisational review' and not any further amendments to the existing AMC/GM related to non-complex ATOs.

This new concept is already included in the amendment to Regulation (EU) 1178/2011 (through Commission Regulation (EU) 2015/445 of 17 March 2015 amending Regulation (EU) No 1178/2011 as regards technical requirements and administrative procedures related to civil aviation aircrew, which entered into force on 8 April 2015).

Applicability		Process map	
Affected regulations and decisions:	ED Decision No 2012/007/R (AMC/GM to Part-ORA)	Concept Paper:	No
Affected stakeholders:	Non-complex ATOs	Terms of Reference:	9.3.2012
Driver/origin:	Legal obligation; proportionality	Rulemaking group:	No
Reference:	N/A	RIA type:	None
		Technical consultation during NPA drafting:	No
		Publication date of the NPA:	8.12.2014
		Duration of NPA consultation:	2 months
		Review group:	No
		Focussed consultation:	Yes
		Publication date of the Decision:	concurrently with this CRD



## Table of contents

1. Procedural information .....	3
1.1. The rule development procedure.....	3
1.2. The structure of this CRD and related documents .....	3
1.3. The next steps in the procedure.....	3
2. Summary of comments and responses.....	4
3. Individual comments (and responses) .....	5



## 1. Procedural information

### 1.1. *The rule development procedure*

The European Aviation Safety Agency (hereinafter referred to as the 'Agency') developed this Comment-Response Document (CRD) in line with Regulation (EC) No 216/2008<sup>1</sup> (hereinafter referred to as the 'Basic Regulation') and the Rulemaking Procedure<sup>2</sup>.

This rulemaking activity is included in the [Agency's Rulemaking Programme](#), under RMT.0421 (FCL.014). The scope and timescale of the task were defined in the related [Terms of Reference](#) (ToR).

The draft AMC/GM have been developed by the Agency in close cooperation with a dedicated task force consisting of GA organisations and Member States representatives. All interested parties were consulted through NPA 2014-28<sup>3</sup>, which was published on 8 December 2014. 252 comments were received from interested parties, including industry and national aviation authorities.

The text of this CRD has been developed by the Agency.

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

### 1.2. *The structure of this CRD and related documents*

This CRD provides the full set of individual comments and responses thereto received to NPA 2014-28.

### 1.3. *The next steps in the procedure*

The Decision containing AMC and GM will be published concurrently with this CRD.

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<sup>1</sup> Regulation (EC) No 216/2008 of the European Parliament and of 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).

<sup>2</sup> 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.

<sup>3</sup> <http://www.easa.europa.eu/document-library/comment-response-documents>



## 2. Summary of comments and responses

The Agency carefully assessed all the comments received. A large proportion of the comments, notably from the GA community, showed only limited support for the proposed amendments. Furthermore, the comments indicated that, with the exception of the proposals associated with the 'organisational review' concept, the remaining proposals should be discarded. It should be highlighted that these proposals had been developed by the Agency in close cooperation with a dedicated task force consisting of GA organisations and Member States representatives. Their aim was to develop AMC/GM to provide further support to non-complex ATOs. The Agency believes that the limited support was to a certain extent the result of biased assumptions (i.e. that the AMC/GM for the organisational review would apply in addition to the existing AMC/GM for ORA.GEN.200(a)(3) and (a)(6); as a matter of fact, it replaces them). Furthermore, the limited support may also be due to higher stakeholder expectations with regard to the extent of the alleviations for the respective ATOs through this task (i.e. stakeholders were already expecting the introduction of the 'training outside ATO' concept).

In this context, the Agency highlights that the Commission, the Member States and the Agency agreed, as already reflected in Regulation (EU) 2015/445, to allow Member States to further delay the implementation of the rules for ATOs that provide only training for the LAPL, PPL, SPL and BPL as well as for the associated ratings or certificates until April 2018. This derogation was proposed in order to provide sufficient time for the development of alternative rules for the training for these licences, ratings and certificates. Said alternative rules will include a training route outside ATOs. The aforementioned derogation in Regulation (EU) 2015/445 and a soon to be launched rulemaking task on training outside ATOs are expected to bring further alleviations for GA pilot training.

Consequently, based on the reasoning above, the Agency decided to only include the proposed AMC/GM for the 'organisational review' in its Decision. This new concept is already included in Regulation (EU) 2015/445 which entered into force on 8 April 2015. No further amendments to the existing AMC/GM for non-complex ATOs are anticipated at this stage.

Refer to the Explanatory Note for Decision 2015/011/R for a summary of comments and responses.



### 3. Individual comments and responses

In responding to comments, a standard terminology has been applied to attest the Agency’s position. This terminology is as follows:

- (a) **Accepted** — The Agency agrees with the comment and any proposed amendment is wholly transferred to the revised text.
- (b) **Partially accepted** — The Agency either agrees partially with the comment, or agrees with it but the proposed amendment is only partially transferred to the revised text.
- (c) **Noted** — The Agency acknowledges the comment but no change to the existing text is considered necessary.
- (d) **Not accepted** — The comment or proposed amendment is not shared by the Agency.

<b>(General Comments)</b>	-
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Comment	<p><b>1</b> comment by: <i>PBN-Abbenes</i></p> <p>In the introduction it states that the topic under review concerns training for NON commercial licences such as LAPL. The training however concerns training for LAPL SPL AND BPL with commercial privileges as well.</p> <p>The issue under review concerns the training for as far as the ballooning community is concerned for all licences and privileges and ratings for: LAPL B, BPL and BPL with commercial privileges furthermore the FI training for LAPL and BPL.</p> <p>The alterations as suggested should also be seen in the light of the changes as proposed during October meeting of the Committee of EASA. During this meeting the content of ATO's was discussed and a third option training outside an ATO was introduced. We do not see any of those suggestions in this paper.</p>				
Response	<p>Noted</p> <p>Please refer to the response to comment No 12 or to Chapter 2 of this CRD.</p>				
comment	<p><b>12</b> comment by: <i>European Gliding Union</i></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 80%; text-align: left;">General</th> <th style="width: 20%; text-align: right;">Comments</th> </tr> </thead> <tbody> <tr> <td colspan="2" style="padding: 5px;">The small improvements proposed by this NPA are certainly welcome, but leave a body of ATO requirements that is neither justified by evidence nor proportionate for sporting aviation.</td> </tr> </tbody> </table>	General	Comments	The small improvements proposed by this NPA are certainly welcome, but leave a body of ATO requirements that is neither justified by evidence nor proportionate for sporting aviation.	
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comment

16

comment by: BGA

Minor changes proposed by this NPA are welcome. However, they do not resolve the wider problem represented by the ATO requirements, which include:

- -Prescriptive organisational and management requirements designed for commercial air transport training
- -Overly complex process that results in unnecessary cost and diverts limited volunteer expertise
- -Cost and bureaucracy associated with NAA approval, external audit and subsequent re-approval
- - There is no evidence to suggest that existing, unapproved sailplane pilot training represents an unacceptable risk or impacts on freedom of movement

Hazards are addressed in gliding through adopted self-regulation and organisational procedures. No data has been supplied by EASA that justifies regulating and approving sailplane training activity.

The BGA believes that this disproportionate requirement to formally approve sailplane training organisations is a legacy of EASA's previous, flawed approach of requiring GA and air sport to comply with watered down requirements designed for commercial aviation. We strongly urge EASA to address the issue under its revised approach to regulating GA.

response

Noted



Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

Regarding your request to address your particular sailplane issues under the revised approach to regulating GA, the Agency suggests you refer to the GA Road Map.

For the latest information on the GA Road Map, please consult the following website:

<http://easa.europa.eu/easa-and-you/aviation-domain/general-aviation/general-aviation-road-map>

comment

20 comment by: *René Meier, Europe Air Sports*

Europe Air Sports thanks the Agency for the preparation of this NPA. It is a pity that we have, again, to do with re-engineering. This time-consuming task could have been avoided if the concerns we stipulated from the beginning would have been considered.

Our members, 22 national Aero-Clubs and 8 European federations, understand that NPA 2014-28 (FCL.014)(RMT.0421) is not related to NPA 2014-29 (FCL.002)(RMT.0188 and RMT.0189). Of course, there is a statement in the Executive Summary that Rulemaking Task FCL.001 is to be looked at, as well as the General Aviation Roadmap and the comments thereto. Nevertheless, the fact of receiving both NPAs stated in the same period of time, one published on 8 December 2014, the second on 17 December 2014, both just before the holiday period, one with a shortened comment period, the other with the standard period, created considerable confusion among our members, created undue pressure and will result in questionable results.

May we add that we do not think it to be helpful just to make a statement in the Executive Summary that only "most of these concerns" were addressed by the Agency. And we do not understand why you repeatedly put the term proportionality in apostrophes. Do we have to make proposals for a definition of this term? To all of us it must be clear what is meant, otherwise we will end up in epic discussions as it happens e.g. with the term "commercial operations": "Proportionate provisions, rules, regulations stem from respecting the scaled risk hierarchy developed by the Agency together with the stakeholders. The different degree in protection required by a fare-paying passenger in the commercial air transport world compared to the protection required by a pilot/owner operating his/her own aircraft must be respected by all stakeholders in all aeronautics related activities" might be a try. Proportionate is proportionate, not more not less. We will neither accept compromises and nor interpretations.

No part of NPA 2014-28 considers the existence of "one person" training establishments like there are many across Europe. Some of the proposed provisions are absolutely not proportionate to this form of undertaking.

Most important of all: We deal here with AMC/GM, texts not normally translated in the official languages of the European Union. Considering the fact of persons freely moving within the Union, for the sake of the level playing field so often cited, we urgently ask for full translation of these few pages. We hereby offer our assistance.

response

Noted



Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

The Agency would like to confirm that NPA 2014-28 is indeed not related to NPA 2014-29. In addition, the Agency does not see why the publication of 2 separate NPAs, NPA 2014-28 (published on 8 December 2014) dealing with a review and amendment to Part-FCL only and NPA 2014-29 (published on 17 December 2014) dealing with AMC/GM to Part-ORA only, creates confusion. The Agency publishes several NPAs during the year and certain dates of publication are chosen due to deadlines, the case here being 8 April 2015 — that is, the day Regulation (EU) 2015/455 enters into force. This caused a certain time pressure for this NPA and the consultation period as some of the AMC are urgently needed by industry in April 2015.

Regarding your comment that the NPA is only published in English, please note that according to Article 32 'Publication of documents' of the Basic Regulation, the following documents shall be produced in all official languages of the Community:

- '(a) the safety review referred to in Article 15(4);
- (b) opinions addressed to the Commission pursuant to Article 19(1);
- (c) the annual general report and programme of work referred to in Article 33(2)(b) and (c) respectively.

AMC and GM are not a part of this list and therefore this NPA is only written in English. In principle, a translation of the AMC/GM into the national languages is supported by the Agency but it has to be provided on the Member State level. However, the problem is already identified by the GA Road Map initiative and additional ways to address this issue are under discussion.

comment

41 comment by: *DGAC France*

**Subject:**

**General comment on the NPA 2014-28**

France considers that the proposed AMCs and GMs in NPA 2014-28 are a first step for non complex ATO providing only training for private pilot licences.

Nevertheless some of the proposals are not enough in line with the General Aviation Roadmap. As a matter of fact the objective of simplification is not always met. It is particularly true for the organisational review (ORA.GEN.200 (c)). The proposed amendments remain difficult to be implemented by small ATOs.

The principle of more detailed and focussed guidance does not match the original objective of the NPA and the expectations of the general aviation that were looking for practical and efficient solutions.

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.





Regarding your comment on ORA.GEN.200(c), see the response on comments on AMC1 and GM1 and GM2 ORA.GEN.200(c) later in this CRD.

comment

43

comment by: DGAC France

**Subject:****General comment concerning differentiation between complex and non complex ATOs**

The regulation and the AMCs talk about on one side about “ATO providing only training for LAPL, PPL, SPL or BPL and the **associated ratings and certificates**” and the other side “ATO providing training for CPL, MPL and ATPL and the **associated ratings and certificates**”. The term “**associated ratings**” to a licence is vague. It should be clarified which “associated ratings” can be trained in those ATOs.

As a consequence, France considers that the differentiation between ATOs (ATO section I or ATO section I + II / complex ATO or non complex ATO) and their scope of activities (training programs provided by the ATO) is not sufficiently defined and clarified with the NPA 2014-28. We suggest an additional AMC to be developed.

AMC1 ORA.GEN.200 (b) § (c) (1) states that training organisation providing training for LAPL, PPL, SPL or BPL are non complex ATOs. These same training organisations are covered by section I of Part ORA. For these ATOs France considers that their scope in terms of “**associated ratings**” is the following: non HPA class and/or type rating (SEP, difference and familiarisation training, single engine piston helicopters type rating), additional ratings (night, mountain, aerobatic ratings) and IR training (CB IR, EIR...).

Additionally it should be also clarified which part of the regulation is applicable for ATOs providing training for type rating to the sole benefits of holders of professional pilot licence. These ATOs are not approved to provide training for licences. Are ORA ATO sections I and II requirements applicable or only ORA ATO section I requirements?

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

Regarding your comment that in the Regulation and the AMC the term ‘associated ratings’ is vague, the Agency disagrees. This term is a standard term used in the FCL regulation, for example in Article 4 of Commission Regulation (EU) No 1178/2011 (the Aircrew Regulation) and in a great number of paragraphs therein. To clarify the issue raised in your comment, the Agency confirms that a non-complex ATO is allowed (if approved for these courses) to provide instruction for all ratings and certificates which can be held by a PPL, BPL, SPL or LAPL holder. The Agency carefully reviewed your proposal but will not develop any additional AMC on this at this stage.

Regarding the differentiation between Sections I and II in the ATO section:

The classification into complex or non-complex and the differentiation in ‘Section I’ and ‘Section II’ ATOs are not linked.

a. Section I of Subpart ATO in Annex VII (Part-ORA) applies to all ATOs (complex and non-



complex). In GM1 ORA.ATO.100 'Scope', it is further explained to which ATOs this section is applicable.

- b. Section II of Subpart ATO in Annex VII (Part-ORA) contains **additional** requirements and applies to ATOs providing training for CPL, MPL and ATPL and the associated ratings and certificates.

This same applies to the respective AMC/GM. The AMC/GM have the indicators 'COMPLEX' or 'NON-COMPLEX' in capital letters in their subheadings when it should be applied only to the respective ATO. When that indicator is missing, those AMC/GM should be applied to both complex and non-complex ATOs.

Next to that, there is AMC1 ORA.GEN.200(b) 'Management system' which gives criteria by which an organisation should be considered complex.

comment

70

comment by: CAA-NL

This NPA is only applicable for 'non-complex ATO's providing training only for PPL, LAPL, SPL and BPL. What is missing are requirements for organisations providing training exclusively or partly for Part-CC. Can this be taken into consideration? Furthermore the ATO-certificate is limited to ORA and FCL. Any references to Part-CC are missing. Could this be added to the Implementing Rule?

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

Regarding your comment on Part-CC, please note that according to the ToR for RMT.0421 (FCL.014) and Section 2.2 'Objectives' of the Explanatory Note of the NPA, the objective of this task is to review the AMC/GM in Part-ORA and consider developing new AMC/GM for non-complex ATOs in order to provide more detailed information and guidance to these organisations.

Part-CC is beyond the scope of the task. Should CAA-NL want to have requirements for organisations providing training exclusively or partly for Part-CC, it is invited to submit a new rulemaking proposal to the Agency.

comment

71

comment by: CAA-NL

We suggest that EASA will provide compliance checklists which can be used by Organisations in the Aircrew domain.

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

Regarding your request to provide compliance checklists which can be used by organisations in the Aircrew domain, please note that there is such checklist in the OPS domain, namely GM3 ORO.GEN.200(a)(6) 'Management system.' In addition, the new GM2 ORA.GEN.200(c) 'Management system', provides a list of items to be checked when compliance monitoring is



conducted in the form of an organisational review. Based on the fact that the majority of comments did not support the proposed hazard checklist or the emergency response plan, the Agency will not develop further checklists or other guidance.

comment

76

comment by: CAA-NL

Enclosed you will find an example of the so called SMS light tool used by the Dutch inspectorate to promote SMS in small organisations. We suggest to add this as Guidance Material.

The Safety Management System (SMS Light) is a tool that the inspectorate offers to anyone who wants to introduce SMS in General Aviation.

The SMS light tool is based on the global (ICAO) requirements.

SMS Light consists of separate components within one system. The manual contains all the components and forms of that system.

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

The Agency assessed the so called SMS light tool used by the Dutch inspectorate to promote SMS in small organisations, but will not add it as Guidance Material because of the reasoning above. However, the Agency proposes to further discuss these proposals with the Agency's units dealing with safety promotion and to create a repository of available material from NAAs and industry. The SMS light tool will therefore be forwarded to the European General Aviation Safety Team (EGAST) for further review. EGAST is a voluntary safety partnership of GA associations, industry, the Agency and other authorities across Europe.

EGAST creates a forum for sharing best practices, improving data sources and promoting safety by building on existing initiatives undertaken at national level or by GA manufacturers, organisations or associations.

comment

78

comment by: CAA-NL

General comment:

NPA 2018-28 does not provide simplification of requirements for non-complex organisations.

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

83

comment by: trevor sexton

We want EASA to keep the current Registered Facility arrangement.



? What Risk assessment has been done...

? IN the UK the CAA,s fee,s/charges for being an ATO are very excessive.

? Audits again here in the UK the CAA charge excessive fees for these.

These will mean it will cost more too learn to fly, this is a stuggerling buisness with several Flying clubs going out of business this year already, main reason being costly charges from CAA driven by EASA regu;ations, more maintenance charges again driven by EASA regulations.

EASA already has a bad name with most general aviation,  
EASA seems to ahave forgotten that many people learn to fly for FUN...  
EASA seems to be driven by rules for commercial.

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

Regarding your complaint that CAA UK charges excessive fees for the ATO certification, this is up to the national authority and not ruled by the Aircrew Regulation. Should someone not agree with the fee policy of their national authority, they can only resolve this issue at national level, for example by registering a complaint to the national body dealing with complaints against State authorities. However, the Agency will further discuss this issue in the context of the GA Road Map activities and will also raise it with the Member States representatives.

comment

84                      comment by: *trevor sexton*

The EASA rules for small ATO,s fail to take into account a one man operation.  
le 1 instructor who owns his own flying club business, he may bring in other instructor/CFI when required for skills test,s etc.

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

85                      comment by: *trevor sexton*

ATO facilities. Again this documention fails to take into account a small training school with a small building.  
With only one room to do everything in..  
In our case we have planning restriction which mean we cannot add new building to the site.

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

86                      comment by: *trevor sexton*



response	<p>ATO training records. Due to the small size of our training facility / building we currently keep all training records of site. At a secured location. The new regulations fail to take this into account.</p> <p>Noted</p> <p>The Agency acknowledges this problem for small training organisations, but the storage of data backup in a different location is out of the scope of the NPA. This is a horizontal issue which needs further discussion.</p> <p>Point (d) in AMC1 ORA.GEN.220(b) 'Record-keeping' states that: 'All computer hardware used to ensure data backup should be stored in a different location from that containing the working data and in an environment that ensures they remain in good condition'. The intent of this point is to clarify that the data backup should be stored in a separate location, and not in a different secured part of the same location.</p> <p>This AMC wants to ensure that the day-to-day data is handled on one computer which is not the same computer used for data backup, being in a different location and ideally outside of the ATO to minimise the risk of data loss in case of fire.</p>
comment	<p>87                      comment by: <i>trevor sexton</i></p> <p>ATO facilities. We have in the past shared facilities with another training organisations in this case microlight training school, we have stored our student records in a locked filing cabinet. The facility being a large room , therefore we have used other rooms on the airfield to do training , exams etc. These new ATO rules fail to take this into account.</p> <p>Due to planning restriction we are not allowed to build new facilities onsite.</p>
response	<p>Noted</p> <p>The Agency carefully assessed the comment regarding the storing of student records. Whilst the Agency appreciates and would have considered the comment, it decided not to develop additional AMC or GM and not to include the AMC/GM proposed (except for the organisational review) for the reasons provided in the response to comment No 12 or in Chapter 2 of this CRD.</p>
comment	<p>96                      comment by: <i>Summers</i></p> <p>The way this is all set-up, from these documents alone, to the structure of these proposals is of no help to our industry whatsoever. General Aviation is meant to be for pleasure purposes, so to have restrictions imposed on ATOs on how to train a PRIVATE pilot is just cumbersome - do you want to kill the GA industry? It reads to me like a money making exercise. Even to access and comment on these documents alone - it's structured as so it's next to</p>



impossible/ a complete ballache to try and comment on such.

This sector is already suffering massively, so to bring in all these 'approvals', restrictions, authorities, structure, and so forth, it just becomes boring, restrictive, annoying and so forth is just going to close the door on GA altogether.

Schools have been training pilots for years upon years now, with no aggravations, so to slap on these OTT rules is completely pointless for PRIVATE flight training facilities.  
RTFs will close down and only a select few companies will continue to operate - meaning GA & small, friendly and atmospheric clubs will cease - GAME OVER GENERAL AVIATION.

Private Pilot training needs to be inline with the REST OF THE WORLD. Take America, they've done it right, so take a leaf out of there book.  
The structure you have proposed for PRIVATE pilot training is just stupid - it's worked until now, so why the new overburden, these requirements are like a 10mph speed limit on a motorway. Pointless.

Regulation Kills GENERAL AVIATION.

PLEASE STOP OVER-REGULATING.

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

97 comment by: *T. Cunningham*

Having read through this document, I believe that a step towards reducing the infringements on schools providing LAPL, PPL training is a must if we wish to preserve GA.  
A private licence is by its very definition a permission to enjoy a PRIVATE activity. The people involved in the community all over Europe are sick of hearing about new legislation coming in time after time, destroying the purpose of GA, to fly for one's personal enjoyment.

Although regulation is often seen as a method of increasing the safety factor in this industry, what it is actually doing in this case is over-burdening companies to the point where some will not continue to operate. Why should these companies providing simple, safe and enjoyable training to the pleasure flying community be preyed upon to the same extent as those turning out professional pilots??  
Companies have had to hire extra staff to deal with the growing amount of legislation and rules. In turn, more jobs must be created in all sectors to keep up with this paperwork. Is the need for RTF's to comply with the same rules as those bigger ATO's a step in the right direction? No, it most certainly is not! What it will do is cripple the a generation of GA flying that has done well up until the last few years.

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.



comment	<p>124 comment by: <i>Light Aircraft Association</i></p> <p>The Light Aircraft Association supports EASAs commitment to "Simpler, Lighter, Better rules for General Aviation". Whilst this NPA is welcomed, a Rule Making Task for "training outside an ATO" should be accelerated to meet the 2018 transition date for existing Registered Facilities. There should be the aim of minimum regulatory burden for transition of existing Registered Facilities; this NPA does not adequately address the issues faced by many existing small Registered Facilities which may function as one-person operations.</p>
response	<p>Noted</p> <p>Please refer to the response to comment No 12 or to Chapter 2 of this CRD.</p>
comment	<p>127 comment by: <i>AOPA Finland</i></p> <p>Attachment <a href="#">#1</a></p> <p>AOPA Finland proposes that following MASTER_ATO_TEMPLATE_AOPA_FINLAND.pdf will be used as a sample template to simplify the way to to comply with the requirements - laid down in Part-ORA - for non-complex approved training organisations (ATOs) by providing essential information in a format of either dedicated new or adequately amended AMC's and GM.</p> <p>Level of complexity is far too high of the requirements currently to be complied with in case of ATO's representing the non-commercial sector and providing training mainly for the LAPL, PPL and the other non-commercial licenses, as well as associated ratings and certificates. The proposed changes are expected to attenuate safety, increase regulatory burden on Member States and ATO applicants, diminish harmonisation, and decrease proportionality of the rules for General Aviation by ignoring the principles of the 'General Aviation Road Map'.</p>
response	<p>Noted</p> <p>Please refer to the response to comment No 12 or to Chapter 2 of this CRD.</p> <p>The Agency assessed your sample template for the operations and training manual, but finally decided not to include it in the Decision because of the reasoning above. However, the Agency proposes to further discuss these proposals with the Agency's units dealing with safety promotion to create a repository of available material from NAAs and Industry. Your example will be given to the European General Aviation Safety Team (EGAST) for further review. The EGAST is a voluntary safety partnership between General Aviation associations, industry, the Agency and other authorities from across Europe</p> <p>EGAST creates a forum for sharing best practices, improving data sources, and promoting safety and building on existing initiatives undertaken at national level or by GA manufacturers, organisations or associations.</p>
comment	<p>136 comment by: <i>Deutscher Aero Club (DAeC)</i></p> <p>German Aero Club (DAeC) represents 100000 members situated in Germany and performing air sport in 7 disciplines.</p>



The German Aero Club (DAeC) is very puzzled about the proposed NPA. The work to be done is again the result of a poor, low-quality legislation in the first place. Concerns of national and European stakeholder were not taken into consideration. The proposed changes come so late that the ATO will first have to comply with the existing more stringent rules and in the given NPA can be asked for better and more appropriate rules for small and non complex training in voluntary driven organisations.

The presented NPA 2014-28 (FCL.014) seems to be from a different world. What about the GA road map, what about the indication and promises from the Executive Director of EASA at our meeting in Cologne and the Conference in Rome. We were promised real change and not small adjustments and call with our comments for fulfillment of the promise for relaxation of the given rules.

Again the NPA is only published in the English language which was, is and will be an unacceptable situation as 80% of the European Citizens are forced to read and comment in a language which is not their mother tongue. It keeps them from participation which in our opinion neglects their rights as European citizens.

Whether the publication dates were chosen on purpose or are just the result of poor management is unknown to us but it generates extra pressure. As in most European Countries Germany tries to be merry in the Christmas period. The German Aero Club is mainly a volunteer organization which adds to the difficulty to find adequate work force to handle the workload which was multiplied by the NPA 2014-29, published around the same date.

The short Executive Summary makes one shiver. Instead of proposing less unnecessary regulation it suggests "more focused detailed information, specific alleviations and more detailed guidance". DAeC wants and needs less regulation for its ATOs. One should not forget that flight training has happened for over 100 years in Europe and that the national rules achieved a very high safety level and produced excellent pilots at least in the air sport community.

NPA 2014-28 makes a step forward in regards to "one person" training establishments but forgets completely to adjust the regulation in order to allow for such ATO in the relating rules.

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

Regarding your comment on the GA Road Map and the promise made by the Executive Director of the Agency, this is still an ongoing project, beyond the scope of this NPA.

EASA's Annual Safety Conference 2014 (held in Rome on 15–16 October 2014) was dedicated to the topic of GA. In his closing remarks, Patrick Ky, the EASA Executive Director described the 6 commitments of EASA to the GA community:

1. IFR Flying: Easier access of GA pilots to IFR rating, as a concrete measure that will improve safety.
2. Training: By end of 2018, the 3rd option for licensing will be fully developed providing a





simple system for pilot training outside ATOs.

3. Part-M 'Light': Work towards a simpler and more proportionate framework for aircraft maintenance and licence: a Part-M 'Light'.

4. Technology: Continue development of CS-STAN and other similar tools to enable the introduction of new technologies which contribute to safety.

5. Simpler Certification: Towards a simpler framework for certifying LSA aircraft in the short term by increasing the support to applicants (e.g. workshops, document templates, etc.) in the long term by amending applicable regulations in order to bring a radical simplification.

6. Industry Standards: Build on the improvements of CS-23/Part-23 on other CS or regulations in order for EASA to focus on its safety objectives and to delegate the preparation of associated standards to industry groups (ASTM, ASD etc.)

For the latest information on the GA Road Map, please consult the following website:

<http://easa.europa.eu/easa-and-you/aviation-domain/general-aviation/general-aviation-road-map>

Regarding your comment that the NPA is only published in English, please note that according to Article 32 'Publication of documents' of the Basic Regulation, the following documents shall be produced in all official languages of the Community:

'(a) the safety review referred to in Article 15(4);

(b) opinions addressed to the Commission pursuant to Article 19(1);

(c) the annual general report and programme of work referred to in Article 33(2)(b) and (c) respectively.'

AMC and GM are not a part of this list and therefore this NPA is only written in English. In principle, a translation of the AMC/GM into the national languages is supported by the Agency but it has to be provided on the Member State level. However, the problem is already identified by the GA Road Map initiative and additional ways to address this issue are under discussion.

Regarding your comment on the chosen publication date, please note that this date was chosen in order to have the related Decision published before 8 April 2015. This is the date the Regulation (EU) 2015/455 (which also includes significant changes for non-complex ATOs providing training only for the PPL, LAPL, SPL and BPL as well as for the associated ratings or certificates) enters into force. Hence, the related AMC/GM (annexed to the above-mentioned Decision) need to be ready on the same date.

comment

204

comment by: *Head of Aeroclub*

The small training school is being destroyed by these regulations.

On a day to day basis schools are being bullied into complying with ATO requirements that are known and accepted to be excessive and inappropriate.



**EASA must step in URGENTLY and prevent NAAs** with an unhealthy vested interest from forcing small flight training organisations to comply.

**THE Registered Facility needs to be re-opened as an EMERGENCY MEASURE, to save the lives, homes, and families being destroyed NOW.**

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

Regarding your proposal to allow the Registered Facilities (RFs) to continue providing flight training, it should be highlighted that the Commission, the Member States and the Agency agreed, as already reflected in Regulation (EU) 2015/445, to allow former RFs to continue providing flight training for the LAPL and the PPL without complying with the provisions of Part-ORA until April 2018. The extension of privileges and timelines were proposed in order to provide sufficient time for the development of alternative rules for the training for private pilot licences, ratings and certificates. Said alternative rules will include a training route outside ATOs.

comment

207 comment by: *Finnish Transport Safety Agency*

General comment

Trafi welcomes the clear and comprehensive guidance material provided for hazard checklists, emergency response plans and organizational review. The material will be very helpful.

response

Noted

The Agency welcomes your positive feedback on the proposed comprehensive guidance material for the hazard checklist, the emergency response plan and the organisational review.

However, it was decided not to include such AMC and GM in the final Decision. Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

213 comment by: *Royal Danish Aeroclub*

Royal Danish Aeroclub is representing the largest community for flying in Denmark. Approximately 1.200 aircrafts and 9.000 members are connected to our organization.

We have for years been forced into the EASA-system – and despite of a very low accident rate, we now have to make major changes in the way we organize and document training and education of pilots. And this is where the challenge in the voluntary based organizations and flying schools and -clubs are.

If the burden for the volunteer instructors and examiners becomes too heavy – we will simply loose the volunteers and fewer pilots wants to become instructor and examiners in the future.

This is a wrong heading for the whole flying society. We need the small clubs and the small flying schools.



response	<p>We are informed of and aware of the response from Europe Air Sports – and do fully support the proposals for changes into the regulation.</p> <p>Noted</p> <p>Please refer to the response to comment No 12 or to Chapter 2 of this CRD.</p>
comment	<p>216 comment by: <i>Austro Control</i></p> <p><b><u>Comment No 1 to Pages No 22 - 26 – Subpart GEN items 15 to 17</u></b></p> <p><b>Comment:</b> The AMC/GM proposed in here is referring to a new ORA.GEN.200(c). This new paragraph ORA.GEN.200(c) cannot be found in this NPA. The management review is intended to replace more demanding compliance monitoring and safety management systems, as explained at the end of chapter 2.1 of the NPA. However, the proposed text of AMC/GM ORA.GEN.200(c) just lays down the elements of the organisational review and does not explicitly say that this review substitutes further compliance monitoring or safety management activities. Obviously, the said new rule ORA.GEN.200(c) was planned to make this issue clear, but, as already mentioned, this new rule is not part of the NPA.</p> <p><b>Justification:</b> See above.</p> <p><b>Proposal:</b> Add the new rule ORA.GEN.200(c) to the NPA / opinion or amend the proposed new AMC/GM in such way that it refers to existing paragraphs within the regulation (most possible ORA.GEN.200(a)(3) and (a)(6)) and clearly indicates that this review substitutes further compliance monitoring or safety management activities.</p> <p><b><u>Comment No 2 to Page No 28 – Subpart ATO item 4</u></b></p> <p><b>Comment:</b> The new AMC5 ORA.ATO.125 wants to clarify that the detailed and demanding contents of AMC2/3/4 ORA.ATO.125 should not apply to non-complex organisations just by saying that a “more proportionate training programme” may be used. This wording is indented to cause more trouble than relief and should be revised.</p> <p><b>Justification:</b></p> <ol style="list-style-type: none"> <li>1. the wording of the proposed AMC is not fully in line with the respective explanatory note above at the end of chapter 2.3 of the NPA where it says that this relief in the case of helicopters should be applicable only to single-engine piston helicopters. The proposed AMC text itself does not reflect this limitation to SE helicopters.</li> <li>2. it remains totally unclear in what way and to which extend the contents of AMC2/3/4 could be replaced by less-demanding training arrangements. In order to ensure standardised training under the umbrella of regulation 1178/2011 more detailed information should be given.</li> </ol> <p><b>Proposal:</b> Review AMC5 ORA.ATO.125 to give more detailed guidance and information.</p>
response	<p>Noted</p> <p>The Agency carefully assessed the comment. Whilst the Agency appreciates and would have considered the comment, it decided not to include this proposed new AMC to ORA.ATO.125</p>



for the reasons provided in the response to comment No 12 or in Chapter 2 of this CRD.

Regarding your comment on ORA.GEN.200(c), in Section 1.1 ‘The rule development procedure’ of the Explanatory Note of the NPA, it is explained that the Commission launched a second aircrew amendment package which includes significant changes on the implementing rule level for non-complex ATOs providing training only for the PPL, LAPL, SPL and BPL as well as for the associated ratings or certificates. The related proposals for additional AMC and GM are related to the amended — through Regulation (EU) 2015/455 — requirement ORA.GEN.200 (AMC1, GM1 and GM2 ORA.GEN.200(c)) which introduced the possibility to perform an organisational review .

The text from the amended requirement ORA.GEN.200 in the said amendment package was already shared with all Member States in summer 2014 and is the following:

“In Annex VII, in ORA.GEN.200, the following point (c) is added:

‘(c) Notwithstanding point (a), in an organisation providing training only for the LAPL, PPL, SPL or BPL and the associated ratings or certificates, safety risk management and compliance monitoring defined in points (a)(3) and (a)(6) may be accomplished by an organisational review, to be performed at least once every calendar year. The competent authority shall be notified about the results of this review by the organisation without undue delay.’”

**Notice of Proposed Amendment 2014-28**

p. 1

comment

187

comment by: *AOPA Finland*

The proposed changes do not simplify the requirements enough - laid down in this NPA 2014-28 for Part-ORA - for non-complex approved training organisations (ATOs). See the attached file for reference how to simplify the requirements.

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

204 ❖

comment by: *Head of Aeroclub*

The small training school is being destroyed by these regulations.

On a day to day basis schools are being bullied into complying with ATO requirements that are known and accepted to be excessive and inappropriate.

**EASA must step in URGENTLY and prevent NAAs** with an unhealthy vested interest from forcing small flight training organisations to comply.

**THE Registered Facility needs to be re-opened as an EMERGENCY MEASURE, to save the lives, homes, and families being destroyed NOW.**

response

Noted



Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

Regarding your proposal to allow the Registered Facilities (RFs) to continue providing flight training, it should be highlighted that the Commission, the Member States and the Agency agreed, as already reflected in Regulation (EU) 2015/445, to allow former RFs to continue providing flight training for the LAPL and the PPL without complying with the provisions of Part-ORA until April 2018. The extension of privileges and timelines were proposed in order to provide sufficient time for the development of alternative rules for the training for private pilot licences, ratings and certificates. Said alternative rules will include a training route outside ATOs.

comment

215

comment by: MAHE, Danish Transport Authority

1.

**AMC2 ORA.GEN.200(a)(3)(c)**

It is not clear what the purpose of the “particular focus” of the organization is. What “events” are referred to and why should a particular focus be made on “internal reporting”?

2.

**Annual organizational review** is mentioned in AMC2 ORA.GEN.200(a)(3)(f) and AMC1 ORA.ATO.105 Item 13. It is unclear what is meant by the annual organizational review. What requirement is this referring to and why should it only be applicable for non-complex ATO? A definition in the legislation would be desirable.

3.

**AMC1 ORA.GEN.200(c)** ORA.GEN.200(c) does not exist in the legislation. It is therefore not possible to assess the AMC.

4.

**AMC1 ORA.GEN.200(a)(6)**

Item (c)(3)(ii) – (v) seem to be revised but is not marked as revised.

Item (d)(2) seem to be an additional requirement, that was not defined previously. This is not consistent with the intention of simplifying requirements for non-complex ATO. It appears that the requirements are not simplified, instead additional requirements appear.

Item (d)(3) (v) if the bullet (v) is the only thing that is removed, the text following the bullet becomes unclear.

5.

**AMC5 ORA.ATO.125**

It should be specified what is meant by proportionate training programme, since the absence of a specified purpose may very well lead to content free/no training programmes.

6.

**AMC1 ORA.ATO.130**

To what requirements are the subsections of the manual referring? If none, why should it be included in the manual?

If a headline in the list is not referring to a requirement in part ORA, a specification should address what purpose is sought and to what depth the description will suffice. Alternatively, the items should be specified or made optional as a guidance material.



The regulation requires that the manual shall enable staff to perform their task a give students guidance to what is expected of them. Content could very well be determined by the ATO.

A non-comprehensive list of examples:

- • What description will suffice regarding item (4) Student discipline and disciplinary action?
- • What is the point of (7) Command of aircraft? Is this not already defined in operational regulation?
- • What is meant by Aircraft handling notes?

The purpose of the Operations and Training manual should be re-invented. Originally these manuals seem to be documents aimed towards the students, supplying commercial terms and training guidance. The documents have now evolved into documents aimed towards the authority, showing how compliance is obtained. The manuals become less relevant for either party if aimed at both compliance documentation and student guidance.

response

Noted

The Agency carefully assessed the comment. Whilst the Agency appreciates and would have considered the comment, it decided not to include this proposed amendment to the AMC/GM (except for the AMC/GM related to organisational review) for the reasons provided in the response to comment No 12 or in Chapter 2 of this CRD.

Regarding your request for a definition of 'organisational review', please note that when drafting point (c) of ORA.GEN.200 for the second amendment package (amending Regulation (EU) 2015/445), where the term 'organisational review' is introduced in the Implementing Rule, providing a definition was not deemed necessary.

Regarding your comment on ORA.GEN.200(c), please note that the text of point (c) of the amended ORA.GEN.200 in the amendment package was shared with all Member States in summer 2014 and is the following:

"In Annex VII, in ORA.GEN.200, the following point (c) is added:

'(c) Notwithstanding point (a), in an organisation providing training only for the LAPL, PPL, SPL or BPL and the associated ratings or certificates, safety risk management and compliance monitoring defined in points (a)(3) and (a)(6) may be accomplished by an organisational review, to be performed at least once every calendar year. The competent authority shall be notified about the results of this review by the organisation without undue delay.'

**Applicability — Process map**

p. 1

comment

103

comment by: *Head of Aeroclub*

What does each "no" mean in the "Process Map" under



"Concept Paper"? :  
 "Rulemaking Group"? :  
 "RIA"? :  
 "Technical Consultation during drafting"? :  
 "Review Group" ? :

AND what does "focussed consultation" mean? I presume that means behind closed doors with people who have a vested interest in making this sector as complicated as possible? Consulting people who do not run Private Flight Training Organisations?

response

Noted

The 'process map' on the cover page of the Agency documents contains the major milestones of the subject rulemaking activity. Through the process map in question, the reader is informed that, for this rulemaking activity:

- (a) there was no Concept Paper developed;
- (b) there was no rulemaking group involved (the working method selected was 'Agency', meaning that the activity was performed by Agency staff only. However, in this case a specific task force was consulted during the drafting phase);
- (c) no Regulatory Impact Assessment (RIA) was conducted considering the classification of this rulemaking task as a systematic and non-controversial one — please refer also to Section 1.2 'The structure of this NPA and related documents' of the NPA;
- (d) there was no technical consultation during the NPA drafting; and
- (e) as there was no rulemaking group established, there was no review group as well.'

With reference to the 'focussed consultation' issue, please note that a focussed consultation might be launched with the aim of clarifying the comments received and of assisting the Agency in reviewing and addressing them.

The focussed consultation shall be announced via the process map. The focussed consultation can take different forms, according to the needs of the specific rulemaking task. The focussed consultation for this rulemaking task took place in the form of several meetings with affected stakeholders (i.e. EAS and IAOPA) and a 2-day technical workshop (with experts from different organisations) on 15–16 May 2014.

comment

188

comment by: *AOPA Finland*

The proposed changes do not simplify the requirements enough - laid down in this NPA 2014-28 for Part-ORA - for non-complex approved training organisations (ATOs). See the attached file for reference how to simplify the requirements.

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

204 ❖

comment by: *Head of Aeroclub*

response	<p>The small training school is being destroyed by these regulations.</p> <p>On a day to day basis schools are being bullied into complying with ATO requirements that are known and accepted to be excessive and inappropriate.</p> <p><b>EASA must step in URGENTLY and prevent NAAs</b> with an unhealthy vested interest from forcing small flight training organisations to comply.</p> <p><b>THE Registered Facility needs to be re-opened as an EMERGENCY MEASURE, to save the lives, homes, and families being destroyed NOW.</b></p>
	<p>Noted</p> <p>Please refer to the response to comment No 12 or to Chapter 2 of this CRD.</p> <p>Regarding your proposal to allow the Registered Facilities (RFs) to continue providing flight training, it should be highlighted that the Commission, the Member States and the Agency agreed, as already reflected in Regulation (EU) 2015/445, to allow former RFs to continue providing flight training for the LAPL and the PPL without complying with the provisions of Part-ORA until April 2018. The extension of privileges and timelines were proposed in order to provide sufficient time for the development of alternative rules for the training for private pilot licences, ratings and certificates. Said alternative rules will include a training route outside ATOs.</p>

<b>EXECUTIVE SUMMARY</b>	p. 1
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comment	<p>13      comment by: <i>European Gliding Union</i></p> <p>EXECUTIVE SUMMARY</p> <p>EASA is wrong to assert that " ... the Agency fulfilled the commitment to improve 'proportionality' of the rules concerning non-complex ATOs."</p> <p>The small improvements proposed by this NPA are certainly welcome, but leave a body of ATO requirements that is neither justified by evidence nor proportionate for sporting aviation.</p> <p>This is far from fulfilling the commitment</p>
response	<p>Noted</p> <p>Please refer to the response to comment No 12 or to Chapter 2 of this CRD.</p>
comment	<p>17      comment by: <i>BGA</i></p> <p>It is incorrect to state that the Agency has fulfilled the commitment to improve 'proportionality' of the rules concerning non-complex ATOs. Minor changes proposed by this NPA are welcome. However, the remaining ATO requirements are disproportionate and inappropriate for gliding.</p>





response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

21 comment by: *René Meier, Europe Air Sports*

Please refer to comment 20.

response

Noted

Please refer to the response to comment No 20.

comment

41 ❖ comment by: *DGAC France***Subject:****General comment on the NPA 2014-28**

France considers that the proposed AMCs and GMs in NPA 2014-28 are a first step for non complex ATO providing only training for private pilot licences.

Nevertheless some of the proposals are not enough in line with the General Aviation Roadmap. As a matter of fact the objective of simplification is not always met. It is particularly true for the organisational review (ORA.GEN.200 (c)). The proposed amendments remain difficult to be implemented by small ATOs.

The principle of more detailed and focussed guidance does not match the original objective of the NPA and the expectations of the general aviation that were looking for practical and efficient solutions.

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

Regarding your comment on ORA.GEN.200(c), see the response on comments on AMC1 and GM1 and GM2 ORA.GEN.200(c) later in this CRD.

comment

98 comment by: *Hermann Spring*

**EASA ATO even after this NPA (2014-28) is implemented is not balanced for LAPL & PPL training**

**EXECUTIVE SUMMARY**

**Simplest regulation for LAPL & PPL pilots training is the JAR-Registered Facility. It covered the requirement with 140 words only.**

**There is no benefit demonstrated which justifies to change the requirement from JAR-RF to an EASA ATO for the LAPL & PPL pilots training!**

**Safety improvements were not demonstrated, to expand the requirements from JAR-RF to**



**EASA ATO.**

**The biggest safety improvement to reduce fatal accidents is a change of pilot's attitude to risk.**

**The above statements are the reason, that this feedback is attached to the executive summary, as it does not make sense, to comment any of the (unnecessary) details in this NPA.**

**1. Scope**

This feedback is from a small flight training school called JAR-Registered-Facilities, FCL 1.125 (JAR-RF) compiled by a flight instructor with 40 years of practical experience. The main concern is, that an ATO for LAPL and PPL training even after implementation of NPA 2014-28 is still containing a lot of unnecessary administration. This results in less time for add value activates such as safety related items and in most cases creating more frustration than motivation to do it simpler & better, therefore has is to be much lighter.

In 75% is the main cause of fatal accidents (LAPL & PPL) is *Pilot's attitude to risk*. This will not be reduced with a management system of the training organization.

**Reduction of the adminstrative requirements for LAPL & PPL Training to a similar level like for JAR-RF would free capacity and form the base ground for change of pilot's attitude to risk**

**This new balanced requirement for LAPL & PPL may be called Registered Training Facility (RTF).**

Such a change would free capacity to develop the improvement of the *pilot's attitude to risks* and will reduce the fatal accident rate. We have to enter in the pilot's social environment, but not with regulations.

**Discussion**

The reason why to reduce the ATO requirements is explained in the following part of this document. Statements are based on 40 year experience as flight instructor for LAPL & PPL and other jobs in the General Aviation environment and also many specific discussions with experts.

Given are also proposals how to reduce the fatal accident rates and ways how to implement the EASA ***Towards simpler, lighter better rules for general aviation.*** (See annual Safety Conference 2014).

**Judgement of the NPA 2014-24**

In point of view of the already implemented EASA-ATO requirement is this NPA a good improvement.

***To change a recent new introduced regulation confirms once more, that an EASA requirement was implemented which is an overkill for the lower end group of the General Aviation (LAPL & PPL).***

In point of view of a JAR-RF flight school are the ATO reductions for LAPL & PPL after implementing NPA 2014-24, much too less simplifying. The remaining administration requirements are still a huge overkill.

**There was no safety improvement demonstrated when implementing EASA ATO for LAPL & PPL.**

But the changes brought a large and boring administration increase, raising cost and reducing available time for safety and other real improvements.

**What human skills are required to pilot an aircraft?**

All the human factors required to pilot an aircraft are many times more, than the matter learned in the flight school to get a pilot's licence.



Basic training starts after the birth, as anyone has to learn to recognize, to react, to walk, to talk, to think, to read and thousands of things more. All this takes place outside the EASA regulated environment and a vast portion within the family, where no management and monitoring systems are implemented.

To train an overall capable person to a licenced pilot is an add-on of <10 % of the basic human skills.

The overall personal attitude is formed as part of the basic skills and influenced by the social environment mainly.

As more as we can motivate a student pilot, as more we get benefit of his basic skills and we can give more influence to *pilot's attitude to risk*.

#### **Main reason for fatal accidents of LAPL & PPL pilots**

The personal attitude is formed mainly in the non EASA environment.

It is a known fact, that 75% of fatal accident are related to *pilot's attitude to risk*.

(Ref. EASA Safety Conference 2014 Panel 1 [Panel presentations](#)).

In other words, fatal accidents are not mainly related to skills and therefore not much related to the training in an ATO.

I strongly believe, that more regulations would not reduce this kind of accidents, but **better & positive motivated pilots would help to reduce the rate of accidents remarkable**.

#### **Possible area for safety improvements**

##### **Change the pilots attitude to risk**

To improve the safety needs that soft factors will be more considered instead of increasing the unnecessary and demotivating administration and detailed regulations. It is a known fact, that people don't like administration and regulations, but they like to adhere to standards with scoring, anyone likes is challenges (e.g. handicap for golf players).

We have to support a culture in our social environment (Flying Clubs, private organisations etc.) which allows to approach anyone, if a risk or a bad behaviour is observed. This kind of communication has to be trained systematically. I am sure that such an environment cannot be implemented efficient with regulations, management systems etc. EASA and all authorities have to enter into the social environment of the pilots with a cooperative attitude.

##### **What we do in my small environment today**

We introduced several years ago free annual flight safety seminars in our flying clubs which. The high level of attending (>90 %) shows, that we can influence the social environment of our pilots.

Some of the remaining 10 % who could not attend, due to schedule constraints ask us for the presented material and ask also their colleagues what they could learn on this seminars. The few silent not attending pilots get approached by the Head of Training individually. They get ask what we should be done better to make it attractive for them, but they have also to answer our questions, why they believe not having a need for an update. They normally attend next time on their own.

##### **What should be done more?**

FLYTOP is a training program to prevent accidents in aviation. A few years ago was it supported by Swiss FOCA for glider clubs, but due to non-availability of time (all were kept busy with the introduction of new EASA regulations) no further actions took place yet.

Safer aircraft, safer systems and simpler procedures are an additional item on our wish list as.

##### **What should be avoided or specially considered?**

Any kind of frustration would have a negative impact to the process to get better. Too expanded Regulations, and a lot of rules are creating demotivation and this would result in minimizing the overall and safety attention of the pilots.



Overloading with too much information shall be avoided (reduced to maximum efficiency).  
**Keep documents short and start with the basics (Maximum 10), show the benefit of its purpose.**

#### **Training material**

The training aids, syllabus, training documentation, etc. should be supported by all parties and shared.

Flight instructor courses (initial and revalidation) shall address the soft (social) factors.

A good cooperation and communication between authorities (incl. examiners) and the training schools to motivate anyone to support improvements.

There are no big changes required, we have only to use the existing once in an efficient manner.

#### **Alternative proposal to the layout for an ATO for LAPL & PPL (R-ATO?)**

A regulation requiring a management system for small organizations with one or a few instructors is a huge overkill.

Many pilots get their licence trained by a single flight instructors only, some others may have 2 or 3.

This means, the coordination between the instructors does not need a management system.

Leave the organization (management) to the head of the flight schools, they know, what best balanced is for their size of organisation, their environment and locations.

A single motivated person feeling responsible is more efficient than a delegation that to a management system with wide distributed responsibility.

#### **JAA defined the requirements for the Registered Facilities in a quarter of a page (130 words)!**

(Appendix 2 to JAR-FCL 1.125).

#### **EASA should use exactly the same text the RTF (LAPL & PPL training).**

For every sentence more should following apply:

#### **Add-ons to JAR-RF only, if there significant safety improvement can be demonstrated!**

Once more:

#### **REDUCE THE REQUIREMENTS TO THE LEVEL OF JAR-RF** (Appendix 2 to JAR-FCL 1.125).

#### **Definition of the exercises and skill tests for LAPL & PPL**

I support a syllabus as a guide line and checklist. This assures that the training has covered all required aspects. Generally I agree with today's standards which the trainee has to demonstrate at the skill test. LAPL and PPL are quite well balanced, *(except Language Proficiency Check, but no further comments here)*

#### **Overview obligation of local authority**

Every pilot has to pass a skill test with an examiner nominated by the authority.

Every flight instructor has to pass a skill test with a following of an on the job training as trainee.

Subsequent are regular revalidation courses and checks for all flight instructors required.

All this skill test results should give adequate view about the training school to the authority.

Every new licence entry requires a skill test, this is a 100% output test

The basic rule in a quality management systems (such as EN9100) says, that no system audits are required with a 100 % output test, as long as the output shows acceptable level of quality.

Therefore are regular and formal system audits etc. are not required, and the RTF approval should not expire until JAR-FCL 1.125 Para 5 applies.

*5 The facility will remain registered until the Authority is informed by its operator that PPL*



*training is to cease, or the Authority establishes that instruction is not being carried out safely and/or in compliance with JAR-FCL. In both these situations the registration of the facility will be revoked.*

#### **Conclusion**

EASA NPA 2014-24 for the training of LAPL & PPL pilots is a change in the right direction, but only a small step, where a quantum leap would be required.

JAR-Registered facilities (JAR-RF) did not have bad history which would require a change.

The requirements in EASA NPA 2014-24 should be simplified to the level of the proven JAR-RF.

A change of *pilot's attitude to risk* is therefore the largest potential to reduce fatal accidents remarkable.

The implementation of the administration burden for JAR-RF to get an ATO even with NPA 2014-24 implemented is moving away from pilots attitude change to be safer.

**A simplified system like JAR-RF shall be introduced by EASA as RTF (or similar).**

**No single add on to the JAR-RF shall be introduced, before a remarkable safety improvement is demonstrated.**

The EASA approach **Simpler, Lighter & Better** will allow to get safer, this even more, if an open culture get supported by the authorities as well, instead of today's approach with expanding administration and increasing regulations.

Finally **SIMPLER** (Like JAR-RF), **LIGHTER** (no unnecessary administration) **BETTER** (supporting there, where safety may be improved) shall be the **RULE FOR** the LAPL & PPPL pilots training in **General Aviation**.

Motivation of the flight instructors and PPL-Pilots in positive manner by EASA will result in a safer aviation.

Hermann Spring **MOTORFLUGGRUPPE PILATUS, Switzerland, JAR-FC, CH-RF 110142, hermann@springsweb.net** Head of Training

#### **Attachment (extract of JAR-FCL 1)**

##### **Appendix 2 to JAR-FCL 1.125**

##### **Registration of facilities for PPL instruction only**

(See JAR-FCL 1.125)

1 Application for acceptance of registration shall be made by the owner or responsible person in charge

of the facility to the Authority of the JAA Member State in which the facility is located which will provide the

applicant with a registration form.

2 The application form for registration shall contain the information as shown in Appendix 3 to

JAR-FCL 1.125.

3 Upon receipt of the completed application form the Authority of the JAA Member State in which the

facility is located will register the facility to conduct PPL training within that State, without formal approval

procedure, at the discretion of the Authority unless it has reason to doubt that the instruction can be carried

out safely. The Authority will inform the applicant to this effect.

4 Any changes to the information entered on this form shall be communicated to the Authority.



response	<p>5 The facility will remain registered until the Authority is informed by its operator that PPL training is to cease, or the Authority establishes that instruction is not being carried out safely and/or in compliance with JAR–FCL. In both these situations the registration of the facility</p> <p>Noted</p> <p>Please refer to the response to comment No 12 or to Chapter 2 of this CRD.</p> <p>Your proposal relates to a different system for an organisation providing training similar to RFs. The Agency welcomes your proposal which will be taken into account in the context of the new RMT dealing with training outside ATOs.</p>
comment	<p>102                      comment by: <i>Head of Aeroclub</i></p> <p>"This NPA aims at the simplification of the way to comply with the requirement"</p> <p>This premise is already wrong. The requirements that are inappropriate still stand and this is merely an attempt to make compliance easier. The fundamental requirements are just plain wrong and inappropriate for grass roots PRIVATE training activities.</p> <p>"...more detailed guidance on safety risk management and compliance monitoring in a format of either dedicated new or adequately amended AMCs and GMs"</p> <p>MORE DETAILED GUIDANCE !!! REFORMATTING !!! Are you mad? This does not address the fundamental problem it merely attempts to make it more palatable it is an attempt to still push through a framework that the whole industry has rejected as inappropriate.</p> <p>"By including this rulemaking task RMT.0421 (FCL.014) in its Rulemaking Programme, the Agency fulfilled the commitment to improve 'proportionality' of the rules concerning non-complex ATOs." NO it has not fulfilled that commitment, it has done the opposite, by sheer stubbornness it is attempting to PUSH through an inconvenient consultation process the same rules but with 'nicer' sounding AMCs. This is a tidying of the AMC and NOT a change in the rules (bar an 'alleviation', which is still not a change to the rules.</p> <p>GO BACK, LISTEN, LOOK, and START AGAIN this is unacceptable.</p>
response	<p>Noted</p> <p>Please refer to the response to comment No 12 or to Chapter 2 of this CRD.</p>
comment	<p>123                      comment by: <i>Xavier Chauderlot</i></p> <p>Training at a PPL level has always been permitted in many ICAO countries in registered facilities (France, UK, Belgium, USA (Part 61), etc.). The burden imposed by the present AMC on simple organisations (facilities operating only one aeroplane with one or two instructors) is such that those simple organisations will have</p>



to go out of business. There is absolutely no way for those very small schools to recover the cost of the paperwork and the audits required.

**No safety benefit in imposing such a burden on small organisations has ever been established.**

**The USA and the UK have a very good safety record without imposing such a burden.**

Only large schools will survive, training will become a tick the box & rubber stamp activity and the benefit of a close relationship between an instructor and a student, which is good for safety, will not be accessible anymore.

Until 2018 registered facilities may still operate, and yet new facilities have to get approved as ATO. Why such an unfair competition environment?

The solution would be to implement now the official EASA commitment:

*By end of 2018 the 3rd option for licensing will be fully developed providing a simple system for pilot training outside ATO.*

It's very simple: just allow registered facilities to be set up and operated the way they were before

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

137 comment by: *Deutscher Aero Club (DAeC)*

Please recognize comment 136

response

Noted

Please refer to the response to comment No 136.

comment

189 comment by: *AOPA Finland*

The proposed changes do not simplify the requirements enough - laid down in this NPA 2014-28 for Part-ORA - for non-complex approved training organisations (ATOs). See the attached file for reference how to simplify the requirements.

response

Noted

Please refer to the response to comment No 127.

comment

204 ❖ comment by: *Head of Aeroclub*

The small training school is being destroyed by these regulations.

On a day to day basis schools are being bullied into complying with ATO requirements that are known and accepted to be excessive and inappropriate.

**EASA must step in URGENTLY and prevent NAAs with an unhealthy vested interest from forcing small flight training organisations to comply.**

**THE Registered Facility needs to be re-opened as an EMERGENCY MEASURE, to save the**



	<b>lives, homes, and families being destroyed NOW.</b>
response	<p>Noted</p> <p>Please refer to the response to comment No 12 or to Chapter 2 of this CRD.</p> <p>Regarding your proposal to allow the Registered Facilities (RFs) to continue providing flight training, it should be highlighted that the Commission, the Member States and the Agency agreed, as already reflected in Regulation (EU) 2015/445, to allow former RFs to continue providing flight training for the LAPL and the PPL without complying with the provisions of Part-ORA until April 2018. The extension of privileges and timelines were proposed in order to provide sufficient time for the development of alternative rules for the training for private pilot licences, ratings and certificates. Said alternative rules will include a training route outside ATOs.</p>

**Table of contents**

p. 2

comment	<p>104                      comment by: <i>Head of Aeroclub</i></p> <p>In "Table of contents" item 1.2 does not indicate fairly that Regulatory Impact Assessment is covered in this section.</p>
response	<p>Noted</p> <p>As explained in Section 1.2 'The structure of this NPA and related documents' of the NPA, considering the classification of this rulemaking task as a systematic and non-controversial one (addressing only AMC and GM providing some more alleviations and information for non-complex ATOs), the RIA has not been conducted.</p>
comment	<p>190                      comment by: <i>AOPA Finland</i></p> <p>The proposed changes do not simplify the requirements enough - laid down in this NPA 2014-28 for Part-ORA - for non-complex approved training organisations (ATOs). See the attached file for reference how to simplify the requirements.</p>
response	<p>Noted</p> <p>Please refer to the response to comment No 127.</p>
comment	<p>204 ❖                      comment by: <i>Head of Aeroclub</i></p> <p>The small training school is being destroyed by these regulations.</p> <p>On a day to day basis schools are being bullied into complying with ATO requirements that are known and accepted to be excessive and inappropriate.</p> <p><b>EASA must step in URGENTLY and prevent NAAs</b> with an unhealthy vested interest from</p>





forcing small flight training organisations to comply.

**THE Registered Facility needs to be re-opened as an EMERGENCY MEASURE, to save the lives, homes, and families being destroyed NOW.**

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

Regarding your proposal to allow the Registered Facilities (RFs) to continue providing flight training, it should be highlighted that the Commission, the Member States and the Agency agreed, as already reflected in Regulation (EU) 2015/445, to allow former RFs to continue providing flight training for the LAPL and the PPL without complying with the provisions of Part-ORA until April 2018. The extension of privileges and timelines were proposed in order to provide sufficient time for the development of alternative rules for the training for private pilot licences, ratings and certificates. Said alternative rules will include a training route outside ATOs.

## 1. Procedural information

p. 3-4

comment

2 comment by: *PBN-Abbenes*

Procedural Information:

There is a statement that the GA parties concerned were consulted. Neither the European Ballooning Federation nor the KNVvL nor PBN (Association of Professional Balloon Pilots in the Netherlands) have been involved in the consultation. We have stated several times that we would be prepared to assist where possible but we were not involved at all.

response

Noted

The Agency has consulted the GA community, and in particular the sporting aviation, for feedback and text proposals.

Already at an early stage, after the publication of the related ToR on 9 March 2012, the Agency contacted Europe Air Sports (EAS) with the first draft for this NPA and asked them for their contribution. Also, IAOPA was invited to give comments.

Next to that, as stated in Section 1.1 'The rule development procedure' of the NPA, the Commission and the Agency organised a workshop ('Registered Facility/ATO workshop'), held on 15–16 May 2014 at the EASA premises in Cologne. At this workshop, RF and ATO experts from Member States, industry and GA were invited to work together with the Agency on this draft NPA.

At this workshop, there was an expert from the Dutch KNVvL and, for example, an expert from a German Balloon ATO, who even delivered a presentation regarding the balloon community.

As the recently founded balloon federation EBF was not in place at the time, your



organisation could simply not be involved in the discussions.

Those experts mentioned above also participated in the three different working groups which were formed during that workshop.

At the end of the workshop, a task force was established with six experts, one of them from EAS. This task force worked together with the Agency on further drafting of this NPA.

As communicated already, described in the Explanatory Note of this NPA and recently discussed with the ballooning community and EBF, another rulemaking initiative on training outside ATOs will be launched soon. EBF is invited to participate.

comment

22

comment by: *René Meier, Europe Air Sports*

1.1 The rule development procedure  
page 4

Agency statement: "And additional initiative and a rulemaking task will be launched soon":  
Many thanks for this.

Our questions:

- 1) What do you understand by "soon"?
- 2) Will you extend the comment period to clearly more than three months from the start?

response

Noted

The October 2014 EASA Committee Meeting indeed agreed with the Agency/EC proposal for an option to provide training outside an ATO. This needs to be in place by April 2018. During this meeting, some time frames were discussed. With this date in mind and given that experience has shown that users need about one year to properly introduce changes in their systems, certain deliverables and milestones were defined, such as the establishment of a task force in the first quarter of 2015. This task force will draft the related ToR and Concept Paper and at a later stage the NPA. A focussed consultation will take place and the publication of the Opinion will follow. The aim is to have the amended Part-FCL/Part-ORA regarding this subject, published by the end of 2017. This small task force will comprise representatives from the GA sector and EU regions with major GA activity.

comment

99

comment by: *Peter KEUTGENS*

VVMV (Vereniging Vlaamse MotorVliegclubs / Association of Flemish MotorFlying clubs) represents Flemish motorflying clubs and pilots, thus very much focused on the recreational aspect of flying. Through its 18 Flemish non-profit member aeroclubs, 6 associated Walloon non-profit aeroclubs, and 9 commercial training organisations, VVMV effectively represents all Belgian non-profit motorflying aeroclubs and so well more than 2,500 Belgian pilots.

Our comments to this NPA are based on our ATO workgroup's experience working with aeroclubs wishing to meet EASA's requirements in order to continue to provide affordable flight training.



Whilst a number of aeroclubs are well on their way to meeting EASA's non-complex organisational requirements others are likely to struggle, e.g. clubs with only few students.

VMMV believes that it understands EASA's overall safety objective and how this may be achieved through a clear safety policy and accountabilities, standard operating procedures, and monitoring of these procedures.

However we also believe that an ATO largely modeled along former FTO lines, which in turn was designed to deal with organisational complexities of delivering the many training objectives of the ATPL in an economically efficient way, should never have been the only possible model for greater safety to be achieved. Pressure related to delivery of these objectives within a certain budget is simply not a factor for our largely recreational membership.

We cannot recall in fact having seen EASA's reasoning for banning the Registered Training Facility (RTF). Competencies required for the PPL remain the same regardless of the training model used, so the playing field remains as level as it has always been. Is it that on average more PPL pilots trained at FTOs subsequently continue to train towards the ATPL that makes them safer pilots than those trained at RFs? Is there any evidence in fact that FTO-trained pilots are safer or better than RF-trained pilots?

VMMV believes that indeed there may be some merit in a more structured approach to safety management, engaging pilots to think more about safety and seek training where needed. However, attempts for this to be achieved through an all too rigid, overkill structure, thus more difficult access to flight training, risks a net detrimental effect on pilot proficiency and safety at our member flying clubs. An SMS simply cannot be effective without engagement at all levels.

We applaud EASA's recent efforts however to finally engage with GA organisations and we look forward to the opportunity to positively work together towards EASA's safety objective.

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

The Agency notes your positive comment regarding the Agency's effort to engage with GA organisations. The effort to engage with GA organisations resulted in the GA Road Map. This GA Road Map is an ongoing project, beyond the scope of this NPA.

EASA's Annual Safety Conference 2014 (held in Rome on 15–16 October 2014) was dedicated to the topic of GA. In his closing remarks, Patrick Ky, the EASA Executive Director described the 6 commitments of EASA to the GA community:

1. IFR Flying: Easier access of GA pilots to IFR rating, as a concrete measure that will improve safety.
2. Training: By end of 2018, the 3rd option for licensing will be fully developed providing a simple system for pilot training outside ATOs.
3. Part-M 'Light': Work towards a simpler and more proportionate framework for aircraft maintenance and licence: a Part-M 'Light'.



4. Technology: Continue development of CS-STAN and other similar tools to enable the introduction of new technologies which contribute to safety.

5. Simpler Certification: Towards a simpler framework for certifying LSA aircraft in the short term by increasing the support to applicants (e.g. workshops, document templates, etc.) in the long term by amending applicable regulations in order to bring a radical simplification.

6. Industry Standards: Build on the improvements of CS-23/Part-23 on other CS or regulations in order for EASA to focus on its safety objectives and to delegate the preparation of associated standards to industry groups (ASTM, ASD etc.)

For the latest information on the GA Road Map, please consult the following website:

<http://easa.europa.eu/easa-and-you/aviation-domain/general-aviation/general-aviation-road-map>

comment

105

comment by: *Head of Aeroclub*

"The text of this NPA has been developed by the Agency in close cooperation with GA organisations and Member States."

**BUT NOT WITH PRIVATE TRAINING ORGANISATIONS !**

GA Organisations !? You mean AOPA who have published their own template Manuals and who like a union would like this to be complex to help justify their existence?

Retired NAA employees who seek to make a business from writing manuals since it is impossible for small Training Providers to write them?

Member States !? OLD NAAs who's conflict of interests are to create a framework requiring their intervention and oversight so that they can charge fees and increase their power base.

Complex Organisations have an interested to make these requirements as complex as possible and EASA should resist that pressure and protect nCOs

This is a corrupt process.

response

Noted

The Agency notes your comment.

The Agency cannot accept your comment that the drafting of this NPA is a 'corrupt process' and that the aero clubs were not involved.

The Agency has consulted the GA community, and in particular the sporting aviation, for feedback and text proposals.

Already at an early stage, after the publication of the ToR FCL.014 on 9 March 2012, the Agency contacted Europe Air Sports (EAS), the membership of which embraces the National Aero Clubs of 22 countries, with the first draft for this NPA and asked them for their contribution.



Next to that, as stated in Section 1.1 ‘The rule development procedure’ of the NPA, the Commission and the Agency organised a workshop (‘Registered Facility/ATO workshop), held on 15–16 May 2014 at the EASA premises, in Cologne. In this workshop, RF and ATO experts from Member States, industry and GA were invited to work together with the Agency on this draft NPA.

IAOPA was represented by two experts and EAS by three experts who offered their contribution to this NPA in the three different working groups which were formed during that workshop.

At the end of the workshop, a task force was established with 6 experts, one of them from EAS. This task force worked together with the Agency on further drafting this NPA.

comment

106 comment by: *Head of Aeroclub*

In 1.2 the RIA (Regulatory IMPACT Assessment) is dismissed at the end of the paragraph. That is highly disingenuous since the Regulatory Impact is clearly not beyond the comprehension of participants in this process.

Furthermore the UK government is attempting to reduce and unburden small organisations from excessive Red Tape and inappropriate bureaucratic interference.

This proposal represents the introduction of enormous regulatory burden which they do not yet have in the UK and is against their democratic will.

response

Noted

Please note that considering the classification of this rulemaking task as a systematic and non-controversial one, a RIA has not been conducted.

comment

128 comment by: *Light Aircraft Association*

It is stated that an additional initiative and rulemaking task will be launched soon; the training community will need EASA to communicate the intended time frame of this initiative as a matter of urgency.

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

138 comment by: *Deutscher Aero Club (DAeC)*

1.1 The rule development procedure  
page 4

Agency statement: "it should be highlighted that.... the possibility to opt-out the application of the rules until April 2018.

Our questions are here:

1) Why is it possible that countries vote for a delay of the implementation and then go home and do the opposite which is clearly possible by using the wording “may” instead of “shall” in



	<p>the relating document.</p> <p>2) Where is the European idea in that and how is this followed by the procedures of the Agency and the Commission.</p>
response	<p>Noted</p> <p>The Agency notes your comment regarding the possibility to opt-out.</p> <p>In accordance with Regulation (EU) No 1178/2011 laying down technical requirements and administrative procedures related to civil aviation aircrew, as last amended, EU Member States and EFTA States may decide to postpone the application of certain provisions. When EU Member States and EFTA States decide to do so, they have an obligation to notify the European Commission and the Agency.</p> <p>As stated in Section 1.1 ‘The rule development procedure’ of the NPA, the second amendment package allows Member States to further delay the implementation of the rules for ATOs that provide training only for the LAPL, PPL, SPL and BPL and the associated ratings or certificates until April 2018. This derogation was proposed in order to provide the time to develop alternative rules for the training for these licences, ratings and certificates which will include a training route outside ATOs.</p> <p>Once this second amendment package comes in effect on 8 April 2015 (the date Regulation (EU) 2015/455 enters into force), EU Member States and EFTA States have to notify if they have chosen to postpone this application until April 2018.</p> <p>The Agency has published a table on its <a href="#">website</a> which contains all the information provided by the EU Member States and EFTA States on provisions the application of which they have chosen to postpone. This table will be updated regularly.</p> <p>It is indeed up to the Member States to make use of this derogation, and this is the reason for using the word ‘may’.</p>
comment	<p>191                      comment by: <i>AOPA Finland</i></p> <p>The proposed changes do not simplify the requirements enough - laid down in this NPA 2014-28 for Part-ORA - for non-complex approved training organisations (ATOs). See the attached file for reference how to simplify the requirements.</p>
response	<p>Noted</p> <p>Please refer to the response to comment No 127.</p>
comment	<p>204 ❖                      comment by: <i>Head of Aeroclub</i></p> <p>The small training school is being destroyed by these regulations.</p> <p>On a day to day basis schools are being bullied into complying with ATO requirements that are known and accepted to be excessive and inappropriate.</p> <p><b>EASA must step in URGENTLY and prevent NAAs</b> with an unhealthy vested interest from</p>



forcing small flight training organisations to comply.

**THE Registered Facility needs to be re-opened as an EMERGENCY MEASURE, to save the lives, homes, and families being destroyed NOW.**

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

Regarding your proposal to allow the Registered Facilities (RFs) to continue providing flight training, it should be highlighted that the Commission, the Member States and the Agency agreed, as already reflected in Regulation (EU) 2015/445, to allow former RFs to continue providing flight training for the LAPL and the PPL without complying with the provisions of Part-ORA until April 2018. The extension of privileges and timelines were proposed in order to provide sufficient time for the development of alternative rules for the training for private pilot licences, ratings and certificates. Said alternative rules will include a training route outside ATOs.

comment

205

comment by: *Flying Club President*

I note that, to quote:

"This derogation was proposed in order to provide the time to develop alternative rules for the training for these licences, ratings and certificates **which will include a training route outside ATOs. An additional initiative and a rulemaking task will be launched soon.**"

There is a rule making task to look at Training for these basic licenses outside the ATO structure as it is done in most other countries.

It is strongly welcomed throughout the Small Training Organisations that there will be a "training route outside ATOs". Since the ATO requirements do not appear to be practical or proportionate.

Is it possible in the meantime to **help** the small businesses, **suffering now**, by facilitating Flight Training Organisations to enroll again as Registered facilities whilst this avenue is explored? This is **URGENT** for some small organisations

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

## 2. Explanatory Note — 2.1. Overview of the issues to be addressed

p. 5-6

comment

3

comment by: *PBN-Abbenes*

Overview of the issues to be addressed

In order to understand what the real issues to be addressed are the writers should get a



picture of the current situation regarding training and the systems that provide excellent training in a perfectly good operational system in place. In the Netherlands there are 2 possibly 3 pilots under training for the hot air balloon licences per year. In the busiest years there were 6 examinations per year. You may want to consider this when building a very costly and administrative burdensome system of training.

At this moment we have a system that works very well and the price for a pilot under training is reasonable. We have very few accidents and very few incidents. We are working on a Safety Management System (SMS) with the goal to further reduce the incidents and accidents and create a climate of safety awareness. We are very busy making our sports and industry safer. We do not need a very burdensome and expensive system to achieve something that is much more expensive, much more administrative and yet provides no better safety.

More administration does not mean more safety!!

Safety is a mind-set. Safety should be part of a culture that is part of the ballooning sport and industry. You do not achieve this by forcing participants to fill out forms and tick boxes.

Our training system should encourage new participants and not discourage these newcomers with the suggested or consequential high cost and burdensome administration. We accept that some admin is needed but it should be kept to the minimum. Furthermore administration should be useful and serve a clear purpose. Your proposals go far beyond these guidelines.

There is no instructor or pilot who wants to be involved in an incident or accident. We are there to make passengers feel and be safe. That is our goal. We as representatives of the pilots and instructors have taken the responsibility of making our activity safer and better. The training and keeping up to date with new developments and knowledge has been introduced years ago. Our current pilots have to have annual training in order to keep their licence valid. We have organized our pilot training in such a way that it is affordable and very safe.

Your suggestions are detrimental to our activity and makes it very difficult and very expensive for newcomers to learn to fly a balloon. If that is your purpose then you are succeeding very well.

We were given to understand that the purpose of extending the opt-out for ATO and FCL is to be able to reduce unneeded administration and introduce a training system that is manageable at reasonable costs. You have reduced some of the ideas as suggested in earlier writings but you have failed to change the principle of it all. Transferring responsibility to the sector. Proportionality. There must be a relation between the efforts you put in a system and the resulting outcome.

Furthermore: this NPA is very limited in its goals. There are other more detailed issues that need to be addressed as well:

FI: there is no need to have an FI involved in every training session. One out of 3 or 4 would be much more cost efficient. The other training could be done by an experienced pilot. The proof of knowledge is in the FI training and the examination.

FE: an FE has a status aparte. He is self employed and has to compete with other FE's. The competition is based on what..? Easy examination? Price? FE should be appointed by the Competent Authority and be objective and not in competition.

Training outside ATO: This option should be further developed.





response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD. However, the Agency points out that a new route allowing for training outside ATOs is under development.

Your additional comments requesting on the one hand that any experienced pilot not being a qualified instructor shall be allowed to provide flight training and on the other hand challenging the qualification and objectivity of flight examiners are not dealt with by this rulemaking activity as these are issues addressed in Part-FCL. However, the Agency will soon organise a workshop for the balloon community in order to further discuss these issues.

comment

23 comment by: *René Meier, Europe Air Sports*

2. Explanatory Note  
page 5

Text block 6 and 8 are confusing the readers. Our comment on the "proportionate" we already posted.

Rationale:

On the one hand we clearly dislike "by simplifying **some** of the provisions", on the other this is not reflected in the first sentence of text block 8.

response

Noted

The Agency notes your comment regarding the text in the Explanatory Note in segment 6 and segment 8.

The text in segment 6 refers to the consultation period after the publication of NPAs 2008-22c and 2009-02c 'Part-OR'. The Agency received comments regarding the level of detail required for ATOs representing the non-profit sector and providing training mainly for the LAPL and the other private licences or the associated ratings and certificates. After said consultation, the Agency addressed most of these concerns by simplifying some of the provisions in Section I of Subpart ATO.

In this segment, the word 'some' has been used, because not all the provisions could be simplified at that time due to the Agency's need for more in-depth study and consultation. Therefore, the Agency committed to further improve the 'proportionality' of the rules concerning non-complex ATOs and included rulemaking task RMT.0421 in its Rulemaking Programme in order to review the AMC/GM for non-complex ATOs and provide more detailed information. This RMT.0421 resulted into this NPA.

comment

100 comment by: *Peter KEUTGENS*

Paragraph 1: if the default position is that ATOs providing only training for the LAPL, PPL, SPL or BPL and the associated ratings or certificates are considered non-complex, then clarification of what are considered "associated ratings or certificates" would be useful. Would these include the new competency-based routes towards the (Enroute)



Instrument Rating? And what about FI courses for PPL? These are now subject to interpretation by local CAAs and not necessarily driven by much organisational logic, thus not unlikely leading to an unlevel playing field across European countries.

It is important at the outset to identify two distinct aspects of the problem-setting proposed in this NPA:

- An assessment that LAPL, PPL, BPL, SPL and associated ratings or certificates are private/recreational in nature and that these may be subject to a lighter organisational structure is in fact an assessment of risk, unrelated to any organisational complexity.
- Organisational complexity on the other hand relates to the deployment of people and resources in function of a goal or set of goals. This way of thinking should work well for a flight school needing to provide an economically efficient, integrated training path towards the ATPL and its many training objectives.

The first part of the problem-setting is somewhat flawed in that any of the ratings or certificates may well be a person's first step towards a flying career. For a pilot seeking further training, for instance for the CB-IR or EIR, or indeed a CPL, FI or any other rating or certificate, it is not clear at which point additional organisational complexity should be mandated? We suggest that EASA needs to work with people and organisations on the ground to refine its organisational requirements per type of rating and/or certificate that the ATO may provide training towards. This may well render EASA's complex/non-complex organisational on/off switch unnecessary.

Small organisations or indeed individual flight instructors may well do a great job providing specialist training on any of those ratings or certificates, without necessarily much organisational complexity. We would encourage EASA to take a step back and seriously consider the true safety benefits of an ATO. Mapping these benefits may help to determine alternative models to deliver the same safety benefits. After all, organisational complexity on its own does not lead to greater proficiency, airmanship, or indeed safety, except that the organisation needs to be well equipped for the type of flight training that it wants to conduct. EASA would do well to scrap the terms "complex" and "non-complex" from its vocabulary and instead define various requirements on the basis of their true contribution to the safe conduct of training.

In fact, the former JAR-FCL RTF is not unlike an FAA Part 61 flight school, which has following characteristics:

	Potential advantages	Potential disadvantages
Part 61 / RTF	<p>More flexible training environment, allowing the instructor to modify his or her program to meet the students' desires and goals</p> <p>Better for part-time students pursuing flight training on a less regular schedule</p> <p>Students can interview and choose the flight instructor that fits best</p>	<p>Less structured training environment</p> <p>May require more flight hours</p> <p>May have fewer instructors to choose from at a given airport</p> <p>Truly "independent" flight instructors may be difficult for new students to find unless they have a referral</p>



Part 141 / ATO	More structured training environment Better for full-time, career-oriented students Good students may be able to complete certificates in fewer hours if the school's curriculum has been approved for this	May be too rigid for students not planning to pursue an aviation career Faster pace may overwhelm some students School may not always provide the students with a choice on instructor assignment. That being said, better schools will allow an instructor change if there is a mismatch May not be available at local airport
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Source: "Part 61 vs. Part 141", Lane Wallace, Flying Feb 18, 2010

We point out that in the US under Part 61, FAR 61.193 an individual flight instructor is authorized within the limitations of that person's flight instructor certificate and ratings to train and issue endorsements that are required for:

- A student pilot certificate
- A pilot certificate
- A flight instructor certificate
- A ground instructor certificate
- An aircraft rating
- An instrument rating
- A flight review, operating privilege, or recency of experience requirement of Part 61
- A practical test
- A knowledge test.

So the more flexible training route in the US is not at all restricted to just the PPL. Each of these certificates has its own required competencies and practical test standards.

What exactly is the reason for the FAA's better GA safety record remains a topic for much debate, but it appears that on average more pilots having had more training towards an instrument rating explains at least part of the question. In Europe traditionally very few private pilots seek further training after obtaining their PPL.

VVMV believes that EASA has taken a bold positive step in the form of the competency based route towards the (Enroute) Instrument Rating, but we fear that this may be partly offset by the administrative burden for flight instructors to administer training. We strongly believe that any training adds to a pilot's flying skill, thus EASA's safety objective is best served through easy access to training.

We suggest that EASA may at least want to amend wording in AMC1 ORA.GEN.200(b) to adopt a default position that all organisations should be considered non-complex, unless there is a good reason for them to be considered complex (such as the reasons set out in paragraphs a and b of that AMC).

Even better would be to delete its complex/non-complex on/off switch and instead work with GA organisations in the field to determine where more is required in addition to its 'non-complex' default positions, so introducing true proportionality of an organisation relative to its objectives. Examples are given below as to what we mean with this approach.

Another topic of much discussion and interpretation has been the term "organisation", in particular related to the aeroclub sector. Typically an aeroclub is a non-profit organisation



with a mission to promote and facilitate aviation. This may take many forms:

- The aeroclub typically provides access to aircraft; it may own these aircraft or simply facilitate access to member-owned aircraft
- Flight training has tended to be done in the form of a less rigid Part-FCL RTF structure, with individual instructors taking responsibility for students' training path
- The aeroclub may own and/or manage the airfield that it operates on
- The aeroclub may organise group flying, fly-ins, airshows or any other event to draw pilots and the general public towards its flying activity.

Clearly promotion of safety should be high on the aeroclubs' agenda, and indeed it is our experience that most aeroclubs already promote safety through club magazines and regular presentations on safety-related matters.

The danger however of an all too rigid ATO structure is a tendency for this ATO to be ring-fenced from the other club flying, thus the benefits of the SMS not reaching the wider aeroclub pilot community. That is if the aeroclub does not have to stop its training activities due to ATO complexities not being a viable option for them, for instance clubs with a low number of students. VMMV does not believe that that would be a desirable outcome.

Key disadvantage of the RTF, from a risk management perspective, may have been its lack of clarity with regard to lines of accountability between the organisation and its instructors. The ATO firmly defines those lines firmly towards the organisation and its management. An equally good alternative approach however might have been to draw those lines towards the individual flight instructor.

We would think that reintroducing an RTF model, allowing individual flight instructors to train at the aeroclub, but on the condition of a safety management system at the aeroclub would be a much better fit and would engage more pilots in the safety program.

In what follows we provide more detailed comments on the text of the NPA, but at the same time we hope that this will only be a first step towards a less rigid regime.

response

Noted

The Agency notes your different and very detailed comments.

Regarding your first comment related to the term 'associated ratings and certificates, please note that this term is a standard term used in the FCL regulation, for example in Article 4 of Regulation (EU) No 1178/2011 (the Aircrew Regulation) and in a great number of paragraphs therein. To clarify the issue raised in your comment, the Agency confirms that a non-complex ATO is allowed (if approved for these courses) to provide instruction for all ratings and certificates which can be held by a PPL, BPL, SPL or LAPL holder. This includes the new instrument ratings, the instructor certificates and other ratings.

In your second comment, you suggest that the terms 'complex' and 'non-complex' should be deleted and instead define various requirements of the true contribution of the organisation



to the safe conduct of training.

The Agency would like to point out that this distinction between 'complex' and 'non-complex' was made based on several requests from stakeholders during the consultation period of NPAs 2008-22c and 2009-02c. The Agency addressed and responded to these comments, which are contained in a Comment-Response Document (CRD) that has been produced for NPAs 2008-22c and 2009-02c (please see CRD to NPA 2008-22c and 2009-02c 'Organisation Requirements'). In the Explanatory Note of this CRD of 4 October 2010 under c. 'Proportionality of the rules and balance between Implementing Rules and AMCs', it is explained why application of the rule may differ depending on the type of organisation or operation to avoid the creation of an unnecessary burden for certain types of organisation. At this stage, this topic should not be reviewed and amended. However, it might be taken up by another task which will deal with training outside ATOs and is to be initiated soon.

Regarding your third comment on the interpretation of the term 'organisation' and your request to reintroduce the RTF model, the Agency would like to refer to the October 2014 EASA Committee Meeting. During this meeting, the Agency/EC proposal for a third option (training outside an ATO) was agreed. This proposal needs to be in place by April 2018. During this meeting, a number of time frames were discussed. With this date in mind and given that experience has shown that users need about one year to properly introduce changes in their systems, certain deliverables and milestones were defined, such as the establishment of a task force in the first quarter of 2015. This task force will draft the related ToR and Concept Paper and at a later stage the NPA. A focussed consultation will take place and the publication of the Opinion will follow. The aim is to have the amended Part-FCL/Part-ORA regarding this subject, published by the end of 2017. This small task force will comprise representatives from the GA sector and EU regions with major GA activity.

Your detailed proposals for an alternative route of ATOs will be forwarded to the concerned rulemaking group.

comment

107

comment by: *Head of Aeroclub*

"The Agency committed to further improve the 'proportionality' of the rules concerning non-complex ATOs"

Could we then have a look at the RULES then?

In accordance with the above statement, instead of just tinkering with the AMCs and GMS the actual RULES need to be changed.

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

129

comment by: *AOPA Finland*

The current situation among and between ATO applicants is disproportionate, unfair and discriminating due different approach and related reviewing process due to the fact that some MSs have given the ATO status automatically, with one signature on a certain document, based on the applicant's current RTF, registered training facility, status while certain member states are requiring exhaustive and fully compatible documentation of 50 pages based on EASA regulation, Part-FCL, Part-MED, Part-M and SERA.

A certain CAA/NAA has spent 30-100 hours for reviewing this type of documentation charging the applicant 150,- € per hour in year 2014.

response

Noted

The Agency notes your comment regarding the different approach and related reviewing process by some Member States.

Please refer to Subpart ATO of Part-ARA and the related AMC, where the specific requirements for authorities related to ATOs can be found. It is understood from the comment that different Member States have taken a different approach which led to problems and a high financial burden in some cases. The Agency will use its GA Road Map network to discuss this kind of issues with the members representing Member States' authorities with the aim of reducing the burden for GA organisations on all levels.

comment

139 comment by: *Deutscher Aero Club (DAeC)*

2. Explanatory Note  
page 5

Text block 6, use of the expression "non-profit sector". DAeC thinks that this term is used for the first time and that it is not sensible to do so. First of all a definition of "non-profit" is missing and overall it is not logic to use it in aviation rulemaking. DAeC thinks, that a mixture of fiscal and aviation rules is not appropriate for the needs. ATO are either complex or non-complex depending on the training they provide and the safety rulemaking has to influence if it is properly applied.

Text block 8: Instead of proposing less unnecessary regulation it suggests "more focused detailed information, specific alleviations and more detailed guidance". DAeC wants and needs less regulation for its ATOs. One should not forget that flight training in air sport has happened for over 100 years in Europe and that the national rules achieved a very high safety level and produced excellent pilots. However, it has to be recognized by the regulator that air sport is performed in a self driven voluntary organized environment. Increasing any regulatory and financial burden on these community results in diminished activity and in the long run discriminates safety.

response

Noted

The Agency notes your comment regarding the term 'non-profit sector' in segment 6 of the NPA. The Agency agrees that a definition is missing and that it is not logical to use it in aviation rulemaking. Therefore, this expression is never used in the regulations. It was used here, based on the stakeholders who commented during the consultation of rulemaking task



FCL.001 by using that expression.

Regarding your comment on text block 8 concerning 'more focused detailed information, specific alleviations and more detailed guidance', the Agency wishes to clarify that the main intent of this NPA was to provide these ATOs with more guidance, clarifications and simplifications on the AMC and GM level only.

comment

204 ❖

comment by: *Head of Aeroclub*

The small training school is being destroyed by these regulations.

On a day to day basis schools are being bullied into complying with ATO requirements that are known and accepted to be excessive and inappropriate.

**EASA must step in URGENTLY and prevent NAAs** with an unhealthy vested interest from forcing small flight training organisations to comply.

**THE Registered Facility needs to be re-opened as an EMERGENCY MEASURE, to save the lives, homes, and families being destroyed NOW.**

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

Regarding your proposal to allow the Registered Facilities (RFs) to continue providing flight training, it should be highlighted that the Commission, the Member States and the Agency agreed, as already reflected in Regulation (EU) 2015/445, to allow former RFs to continue providing flight training for the LAPL and the PPL without complying with the provisions of Part-ORA until April 2018. The extension of privileges and timelines were proposed in order to provide sufficient time for the development of alternative rules for the training for private pilot licences, ratings and certificates. Said alternative rules will include a training route outside ATOs.

## 2. Explanatory Note — 2.2. Objectives

p. 6

comment

24

comment by: *René Meier, Europe Air Sports*

2.2. Objectives  
page 6

May we add that we do not want proportionate AMC/GM put in apostrophes. We need risk-based rules applied uniformly in all member states.

Rationale:

Not having risk-based rules, uniformly applied, will never enable us to reach a level playing-field.



response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

130

comment by: *AOPA Finland*

AMC/GM has to be translated into each Member States official languages by EASA/EU. The proposed changes are expected to attenuate safety, increase regulatory burden on Member States and ATO applicants, diminish harmonisation, and decrease proportionality of the rules for General Aviation by ignoring the principles of the 'General Aviation Road Map'.

response

Noted

The Agency notes your comment regarding the fact that AMC and GM are only published in English.

Regarding your comment that the NPA is only published in English, please note that according to Article 32 'Publication of documents' of the Basic Regulation, the following documents shall be produced in all official languages of the Community:

'(a) the safety review referred to in Article 15(4);

(b) opinions addressed to the Commission pursuant to Article 19(1);

(c) the annual general report and programme of work referred to in Article 33(2)(b) and (c) respectively.

AMC and GM are not a part of this list and therefore this NPA is only written in English. In principle, a translation of the AMC/GM into the national languages is supported by the Agency but it has to be provided on the Member State level. However, the problem is already identified by the GA Road Map initiative and additional ways to address this issue are under discussion.

Please also refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

204 ❖

comment by: *Head of Aeroclub*

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response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.





Regarding your proposal to allow the Registered Facilities (RFs) to continue providing flight training, it should be highlighted that the Commission, the Member States and the Agency agreed, as already reflected in Regulation (EU) 2015/445, to allow former RFs to continue providing flight training for the LAPL and the PPL without complying with the provisions of Part-ORA until April 2018. The extension of privileges and timelines were proposed in order to provide sufficient time for the development of alternative rules for the training for private pilot licences, ratings and certificates. Said alternative rules will include a training route outside ATOs.

## 2. Explanatory Note — 2.3. Overview of the proposed amendments — Subpart GEN

p. 6-7

comment

101 comment by: *Peter KEUTGENS*

The proposed bipolar world of complex versus non-complex organisations appears at odds with the true meaning of the term “proportionality”. If a non-complex model meets requirements then surely additional organisational requirements should be avoided unless a clear safety benefit may be demonstrated?

response

Noted

Please refer to the response to comment No 100.

comment

108 comment by: *Head of Aeroclub*

"The main objective of this recently introduced concept of the organisational review is to provide a more proportionate way for these organisations to implement risk management and compliance monitoring. By using this organisational review and the related AMC and GM, the ATO will ensure that these two functions remain effective by verifying that it has continually identified its aviation safety hazards, has mitigated the associated risks and monitors compliance with the applicable requirements."

organisational review and risk management are vital functions that are in practice continuously carried out by small organisations, they are so small that everybody knows what everybody is doing and what is going on, this is de-facto a live process that is ongoing. To formalise it into a formulaic **doctrinal** risk management and compliance monitoring **process** risks neutralising it. The process will be turned into a time consuming tick box exercise and will not fit the nature of the Organisations. Even to call them 'organisations' is a mismatch and encourages rulemakers to imagine a military or governmental unit and the temptation to make them comply with a centralised structure for achieving these goals sounds sensible to a person who has no experience or understanding of this activity.

response

Noted

The Agency notes your comment regarding the introduction of the organisational review.

In Section 1.1 'The rule development procedure' of the Explanatory Note of the NPA, it is explained that the Commission launched a second aircrew amendment package which includes significant changes on the implementing rule level for non-complex ATOs providing



training only for the PPL, LAPL, SPL and BPL as well as for the associated ratings or certificates. The related proposals for additional AMC and GM are related to the amended — through Regulation (EU) 2015/455 — requirement ORA.GEN.200 (AMC1, GM1 and GM2 ORA.GEN.200(c)) which introduced the possibility to perform an organisational review .

The text from the amended requirement ORA.GEN.200 in the said amendment package is the following:

“In Annex VII, in ORA.GEN.200, the following point (c) is added:

‘(c) Notwithstanding point (a), in an organisation providing training only for the LAPL, PPL, SPL or BPL and the associated ratings or certificates, safety risk management and compliance monitoring defined in points (a)(3) and (a)(6) may be accomplished by an organisational review, to be performed at least once every calendar year. The competent authority shall be notified about the results of this review by the organisation without undue delay.’”

This organisational review concept has been discussed in length with the experts of the Commission and the Agency and the amended new point (c) in ORA.GEN.200 entered into force on 8 April 2015. The related AMC/GM were also discussed by these experts and were included in the NPA.

Regarding AMC1 ORA.GEN.200(c) ‘Management system’, as explained under point (a)(1), the primary objective of the organisational review is to enable the organisation to ensure that its management system remains effective by verifying that it has continually identified its aviation safety hazards.

comment

115 comment by: *Head of Aeroclub*

"safety risk management and compliance monitoring defined in in ORA.GEN.200(a)(3) and (a)(6). This NPA provides the respective AMC and GM to this new requirement ORA.GEN.200(c)."

How do 3 experienced instructors who work closely together do this without it being an artificial tick box exercise? This will have the opposite effect. Once a month, and/or just before inspections, fill out all the paper work the NAA wants to see, regardless of it's applicability? The functionality of this type of organisation just cannot afford to be that dissociated from the actual risk issues, it can't afford to make it an 'inspectors exercise', this is not a tax-funded enterprise that can afford to engage in irrelevant an inappropriate procedure.

response

Noted

The Agency notes your comment.

Please refer to the responses to the comments regarding the AMC and GM to this new requirement ORA.GEN.200(c). The amendments introduced will allow a small team of at least 2 persons, fulfilling the functions required, to use the new approach of an organisational review in order to manage the typical risks of a small training organisation and



to monitor compliance on a level which is adapted to this kind of organisation. However, the Agency understands your concerns and is currently involved in developing a system for training outside of ATOs to be put in place the latest by April 2018.

comment

116 comment by: *Head of Aeroclub*

"A new AMC2 ORA.GEN.200(a)(3) regarding safety risk management is inserted. The requirements in (a) are the same as under point (a) of the former AMC1 ORA.GEN.200 (a)(1);(2);(3);(5). Furthermore, this AMC contains minimum inputs for hazard identification and risk assessment and requirements to record the risk assessment and actions taken in a (simple) risk register."

"A new GM5 ORA.GEN.200(a)(3) regarding risk management for non-complex organisations is inserted. It provides an example of a simple risk register."

These minimum inputs for hazard identification are symptomatic of a thoroughly clueless grasp on what is actually a risk in a small training environment. If anyone were actually to perform this exercise and believe in it they would be at great risk. The first risk they need to identify is to not seek comfort in having performed such a detached exercise. It's one thing to do a useful exercise but quite another to waste such an effort to achieve a negative result. This is an exercise in generating inspection criteria.

The complex version is even worse.

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

117 comment by: *Head of Aeroclub*

"A new GM4 ORA.GEN.200(a)(6) is added to provide guidance on how to acquire the relevant knowledge, background and appropriate experience on compliance monitoring in relation to the activities of the organisation."

This is all about APPROVED POST HOLDERS which is another device for EASA MS CAs to control and bully individuals and is often a power misused. There is absolutely no need nor justification to have any external interference is who an 'Accountable Manager' chooses. It is the AM's choice.

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

118 comment by: *Head of Aeroclub*

"A non-complex training organisation using the organisational review will be required to conduct such review at least once every calendar year and to provide an annual report to the competent authority."

Our organisations have no confidence in the CAs competence to process the annual report.



The process is just an 'excuse to administer'. At the very least the NAA/CA should automatically accept what a NCATO says but that is most unlikely to be what happens.

We have been systematically lied to about this whole process. We have been told that the role of 'inspectors' will be to 'help', this is patently untrue.

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

131 comment by: *AOPA Finland*

The proposed changes do not simplify the requirements enough - laid down in this NPA 2014-28 for Part-ORA - for non-complex approved training organisations (ATOs). The proposed changes are expected to attenuate safety, increase regulatory burden on Member States and ATO applicants, diminish harmonisation, and decrease proportionality of the rules for General Aviation by ignoring the principles of the 'General Aviation Road Map'. See the attached file for reference how to simplify the requirements.

response

Noted

Please refer to the response to comment No 127.

comment

204 ❖ comment by: *Head of Aeroclub*

The small training school is being destroyed by these regulations.

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response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

Regarding your proposal to allow the Registered Facilities (RFs) to continue providing flight training, it should be highlighted that the Commission, the Member States and the Agency agreed, as already reflected in Regulation (EU) 2015/445, to allow former RFs to continue providing flight training for the LAPL and the PPL without complying with the provisions of Part-ORA until April 2018. The extension of privileges and timelines were proposed in order to provide sufficient time for the development of alternative rules for the training for private pilot licences, ratings and certificates. Said alternative rules will include a training route outside ATOs.



## 2. Explanatory Note — 2.3. Overview of the proposed amendments — Subpart ATO

p. 7-8

comment

18

comment by: *BGA*

The Proposed hazard checklists make a number of unjustified assumptions. Although that may seem innocuous to EASA as it 'only' guidance material, an NAA will use the guidance to insist that an ATO puts in place mitigating requirements. In particular the following, entirely normal elements of world-wide gliding activity are identified under GEN.200 as possible hazards:

- extensive use of part-time or freelance instructors.
- existence of informal procedures
- use of uncontrolled aerodromes or operating sites

What data has EASA used to justify identifying these issues as hazards in sailplane training?  
We recommend these unhelpful assumptions are removed

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

119

comment by: *Head of Aeroclub*

"AMC1 ORA.ATO.105 has been amended in order to ask for less detailed information for non-complex ATOs. For the numbered questions with an asterisk, the non-complex ATOs may fill in a general statement..."

Still way too specific, getting caught up in the notification of changes requirements as well

Also requiring specific Head of Training which presumably will have to be an APPROVED POST HOLDER again? Why, not necessary.

Asterisk item require general remarks - really that'll grow into what acceptable general remarks are.

Is "any training related to Private Licenses" acceptable for instance?

"On any Non-Complex aircraft" ?

"by any appropriately qualified instructors that the club chooses to use"?

"At any aerodromes the club chooses"?

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

120

comment by: *Head of Aeroclub*

"AMC1 ORA.ATO.110 is added regarding the combination of post holder tasks in a non-complex organisation. This AMC should better clarify that the tasks of the accountable manager, head of training, safety manager and compliance monitoring manager may be



combined under certain conditions"

All these people combining tasks in a prescribed way subject to 'CA approval' as post holders, just cannot work, it is attempting to fit an artificial framework around functional processes, in a way that is awkward, difficult to administer and inappropriate whilst trying to comply with constraints that may not have any relevance.

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

192

comment by: *AOPA Finland*

The proposed changes do not simplify the requirements enough - laid down in this NPA 2014-28 for Part-ORA - for non-complex approved training organisations (ATOs). The proposed changes are expected to attenuate safety, increase regulatory burden on Member States and ATO applicants, diminish harmonisation, and decrease proportionality of the rules for General Aviation by ignoring the principles of the 'General Aviation Road Map'. See the attached file for reference how to simplify the requirements.

response

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comment

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response

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<b>3. Proposed amendments — 3.1. Draft EASA Decision — Subpart GEN — AMC1</b> <b>ORA.GEN.200(a)(1);(2);(3);(5)</b>	p. 9
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comment

193

comment by: *AOPA Finland*

The proposed changes do not simplify the requirements enough - laid down in this NPA 2014-28 for Part-ORA - for non-complex approved training organisations (ATOs). The proposed changes are expected to attenuate safety, increase regulatory burden on Member States and ATO applicants, diminish harmonisation, and decrease proportionality of the rules for General Aviation by ignoring the principles of the 'General Aviation Road Map'. See the attached file for reference how to simplify the requirements.

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response

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<b>3. Proposed amendments — 3.1. Draft EASA Decision — Subpart GEN — AMC2</b> <b>ORA.GEN.200(a)(1)</b>	p. 9-10
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comment

39

comment by: *Stephan Kablitz*

I think the AMC2 should instead of requiring more elaboration in the individual ATOs'



response	<p>manuals, provide a generic handbook that would suit probably 95% of all clubs in Europe. The original purpose of achieving better safety through standardization is clearly missed. Right now, all gliding clubs in Germany are preparing individual Operating Handbooks and Training Programmes by copying chapters out of various templates which are circulated. This will result in thousands of ATOs that can no longer transfer students and flight instructors easily, since every time the differences between the ATOs have to be recognized and addressed.</p> <p>Noted</p> <p>Please refer to the response to comment No 12 or to Chapter 2 of this CRD.</p>
comment	<p>44 comment by: DGAC France</p> <p><b>AMC2 ORA.GEN.200 (a) (1) §(b)</b></p> <p><b>Subject:</b> <b>Management system and responsibilities</b></p> <p>The term “<i>responsibilities</i>” in this AMC should be understood as the administrative responsibility of the overall training organisation for organizing the hazard identification, risk assessment and mitigation. The overall responsibilities remain with the accountable manager.</p> <p>France suggests replacing the term “responsible for” by “in charge of” in §(b).</p> <p><b>Proposed new draft:</b></p> <p><b>AMC2 ORA.GEN.200 (a) (1) Management system</b> (a) [...] (b) the organisation should identify a person who fulfils the role of the safety manager and who <b>is in charge of</b> <del>is responsible for</del> the coordination of the safety management processes and tasks</p>
response	<p>Noted</p> <p>Please refer to the response to comment No 12 or to Chapter 2 of this CRD.</p> <p>Regarding the term ‘responsibilities’, please note that the Agency does not see the need to replace the term ‘responsible for’ with ‘in charge of’. An amendment will result in inconsistency with this term that is used in Part-ORA.</p>
comment	<p>79 comment by: CAA-NL</p> <p><b>3.1 and 4 page 9 and 10</b></p> <p>Deleting AMC1 ORA.GEN.200 and replacing all of its content to new AMC’s is not exactly a simplification. But the NPA does not only replace content but it adds content to.</p> <p>AMC2 ORA.GEN.200(a)(3) is the replaced (a) of ORA.GEN.200 but adds new burden to non-complex organisation (b, c, d, e and f). We suggest to change these in Guidance material.</p>





	Please note: it seems that (b)(1) and (c) are regarding both 'internal reported events'; (c) can be deleted.
response	<p>Noted</p> <p>Please refer to the response to comment No 12 or to Chapter 2 of this CRD.</p>
comment	<p><b>110</b> comment by: <i>Peter KEUTGENS</i></p> <p>Complex / non-complex is not an on / off switch. Proportionality means that the organisation should be consistent with the risks taken. For instance the new AMC2.ORA.GEN.200(a)(1) requires a safety manager at each organisation, but what if multiple aeroclubs and flight schools operate at the same airfield? Obviously the various accountable managers would retain responsibility for safety, but it should be perfectly possible and in fact desirable for one safety manager to be appointed for the airfield, aeroclubs and flight schools.</p> <p>Whilst this appears not impossible under the current state of the regulation, there remains a lot of room for interpretation. We suggest that EASA should continue dialogue with GA stakeholders to determine terms and conditions. For instance in the above example, if one flight school trumps the others in terms of number of flights and risks taken then there may be a point that that school should have its own safety manager. How that point may be determined is something that should be worked out with the GA industry.</p>
response	<p>Noted</p> <p>The Agency notes your comment regarding the sharing of a safety manager when multiple aero clubs and flight schools operate at the same airfield.</p> <p>The requirement in the proposed new, but now deleted AMC2.ORA.GEN.200(a)(1), is exactly the same as the one in the first sentence under point (c) of the current AMC1 ORA.GEN.200(a)(1);(2);(3); (5).</p> <p>AMC are non-binding standards adopted by the Agency which illustrate the means to establish compliance with the rule. In the rule itself, in ORA.GEN.200 'Management system', it is required that 'The organisation shall establish, implement and maintain a management system [...] including a direct safety accountability of the accountable manager'.</p> <p>The position itself is not required at Implementing Rule level and the AMC only states that the organisation needs to identify a person who fulfils the role (it can be someone with an operational role), not a post-holder. The Implementing Rules do not regulate the kind of contractual arrangements that are in place; there is nothing in the rules that would prevent a safety manager from fulfilling this role in two different organisations at the same time, if their tasks and reporting lines are clearly identified.</p> <p>As many hazards as the interfaces may entail, it may be very good to have such a coordination function, but it is important that such person properly reports to each approved organisation and this should be via the person designated to fulfil the role of safety manager.</p> <p>Regarding the dialogue with GA stakeholders, please see the responses on this subject throughout this CRD. The GA Road Map is an ongoing project.</p>



For the latest information on the GA Road Map, please consult the following website:  
<http://easa.europa.eu/easa-and-you/aviation-domain/general-aviation/general-aviation-road-map>

comment

132 comment by: *AOPA Finland*

Organisation should itself decide how to identify and document responsibilities for hazard identification, risk assessment and mitigation. CAA/NAA shall accept this chosen method by ATO.

Organisation should itself decide who will be the safety manager being responsible for coordination of the safety management processes and tasks. CAA/NAA shall accept this chosen method by ATO.

According to EASA's European General Aviation Safety Strategy, GA must be treated as a sector in its own right and not as a watered-down "Commercial Air Transport (CAT) by-product."

The risk based approach - a proposed acceptable risk hierarchy presents that different stakeholders may demand and deserve a different approach to risk management. Some sort of hierarchy is proposed as follows, in descending order of "risk averseness":

1. Uninvolved third parties
2. Fare-paying passengers in CAT
3. Involved third parties (e.g. air show spectators, airport ground workers)
4. Aerial work participants / Air crew involved in aviation as workers
5. Passengers ("participants") on non-commercial flights
6. Private pilots on non-commercial flight.

It is therefore highly desirable for GA regulation to consider first the simplest cases of aircraft design, production, licensing and operations etc, and setting the minimum requirements for these cases, then developing specific requirements for less simple cases (in terms of aircraft design, production or type of operations) to be progressively added to cover specific items.

The proposed changes do not simplify the requirements enough - laid down in this NPA 2014-28 for Part-ORA - for non-complex approved training organisations (ATOs). The proposed changes are expected to attenuate safety, increase regulatory burden on Member States and ATO applicants, diminish harmonisation, and decrease proportionality of the rules for General Aviation by ignoring the principles of the 'General Aviation Road Map'. See the attached file for reference how to simplify the requirements.

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.



comment	<p>148 comment by: <i>EASA Consultants OÜ</i></p> <p>In (b), this wording may be interpreted as requiring a safety manager even in circumstances where the role is combined. EASA Consultants proposes the following wording "The organisation should identify a person who fulfills the requirements and role of the safety manager and who is responsible for the coordination of the safety management processes, and may be either a dedicated safety manager or an individual who combines the role with other duties in the organisation including management duties.</p>
response	<p>Noted</p> <p>The Agency carefully assessed the comment. Whilst the Agency appreciates and would have considered the comment, it decided not to include this proposed amendment to the AMC to ORA.GEN.200 for the reasons provided in the response to comment No 12 or in Chapter 2 of this CRD.</p>
comment	<p>181 comment by: <i>Head of Aeroclub</i></p> <p>AMC exceeds madante of the regulation again.</p> <p>We might empower everybody with full safety responsibility rather than seeking to 'ghettoise' safety under the responsibilty of an 'acceptable post holder'.</p> <p>and in any case for some legal entities the (other) applicable laws establish that the Directors are ultimately responsible.</p> <p>and in any case the 'accountable manager' is responsible regardless of what this AMC states.</p>
response	<p>Noted</p> <p>Please refer to the response to comment No 12 or to Chapter 2 of this CRD.</p>
comment	<p>204 ❖ comment by: <i>Head of Aeroclub</i></p> <p>The small training school is being destroyed by these regulations.</p> <p>On a day to day basis schools are being bullied into complying with ATO requirements that are known and accepted to be excessive and inappropriate.</p> <p><b>EASA must step in URGENTLY and prevent NAAs with an unhealthy vested interest from forcing small flight training organisations to comply.</b></p> <p><b>THE Registered Facility needs to be re-opened as an EMERGENCY MEASURE, to save the lives, homes, and families being destroyed NOW.</b></p>
response	<p>Noted</p> <p>Please refer to the response to comment No 12 or to Chapter 2 of this CRD.</p> <p>Regarding your proposal to allow the Registered Facilities (RFs) to continue providing flight</p>



training, it should be highlighted that the Commission, the Member States and the Agency agreed, as already reflected in Regulation (EU) 2015/445, to allow former RFs to continue providing flight training for the LAPL and the PPL without complying with the provisions of Part-ORA until April 2018. The extension of privileges and timelines were proposed in order to provide sufficient time for the development of alternative rules for the training for private pilot licences, ratings and certificates. Said alternative rules will include a training route outside ATOs.

**3. Proposed amendments — 3.1. Draft EASA Decision — Subpart GEN — AMC2** p. 10  
**ORA.GEN.200(a)(2)**

comment

4 comment by: *Prof. Filippo Tomasello*

In AMC2 ORA.GEN.200(a)(2) mentioning "highest safety" for non complex organisations, may be disproportionate for general aviation. I would suggest:

"The safety policy should include a commitment to improve towards the highest **higher** safety standards ...."

response

Noted

The Agency carefully assessed the comment. Whilst the Agency appreciates and would have considered the comment, it decided not to include this proposed amendment to the AMC/GM (except for the AMC/GM related to organisational review) for the reasons provided in the response to comment No 12 or in Chapter 2 of this CRD.

comment

25 comment by: *René Meier, Europe Air Sports*

AMC2 ORA.GEN.200(a)(2) Management System  
page 10

Please replace "highest safety standards" by "acceptable safety standards". The rest of the paragraph is good for us, we always respect these principles.

Rationale:

What we do must be acceptably safe, considering the greatly varying nature of our operations. If more is asked for we will be grounded.

response

Noted

The Agency carefully assessed the comment. Whilst the Agency appreciates and would have considered the comment, it decided not to include this proposed amendment to the AMC/GM (except for the AMC/GM related to organisational review) for the reasons provided in the response to comment No 12 or in Chapter 2 of this CRD.

comment

45 comment by: *DGAC France*

**AMC2 ORA.GEN.200 (a) (2)**

**Subject:**

**Reference to “best practices”**

The practices have to take into account the size and scope of activities of the training organisation and remain pragmatic for small ATOs. In order to clarify France proposes a slight amendment.

**Proposed new draft:**

**AMC2 ORA.GEN.200(a)(2) Management system**

*The safety policy should include a commitment to improve towards the highest safety standards, comply with all applicable legal requirements, meet all applicable standards, consider **good best** practices and provide appropriate resources.*

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

Regarding your proposal to use the term ‘good practices’ instead of ‘best practices’, please note that this phrase is common terminology and also used in the equivalent AMC in Part-ORO and in the NPA stemming from MDM.055.

comment

133

comment by: AOPA Finland

Non-commercial non-complex ATOs usually do not have capabilities and resources to improve and reach the highest safety standards but they are able to comply with all applicable legal requirements. All applicable standards and best practises could be met and considered.

According to EASA's European General Aviation Safety Strategy, GA must be treated as a sector in its own right and not as a watered-down “Commercial Air Transport (CAT) by-product.”

The risk based approach - a proposed acceptable risk hierarchy presents that different stakeholders may demand and deserve a different approach to risk management. Some sort of hierarchy is proposed as follows, in descending order of “risk averseness”:

1. Uninvolved third parties
2. Fare-paying passengers in CAT
3. Involved third parties (e.g. air show spectators, airport ground workers)
4. Aerial work participants / Air crew involved in aviation as workers
5. Passengers (“participants”) on non-commercial flights
6. Private pilots on non-commercial flight.



It is therefore highly desirable for GA regulation to consider first the simplest cases of aircraft design, production, licensing and operations etc, and setting the minimum requirements for these cases, then developing specific requirements for less simple cases (in terms of aircraft design, production or type of operations) to be progressively added to cover specific items.

The proposed changes do not simplify the requirements enough - laid down in this NPA 2014-28 for Part-ORA - for non-complex approved training organisations (ATOs). The proposed changes are expected to attenuate safety, increase regulatory burden on Member States and ATO applicants, diminish harmonisation, and decrease proportionality of the rules for General Aviation by ignoring the principles of the 'General Aviation Road Map'. See the attached file for reference how to simplify the requirements.

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

140 comment by: *Deutscher Aero Club (DAeC)*

AMC2 ORA.GEN.200(a)(1) and (2) Management System  
page 10

The requirements are still too hard for volunteer organizations. The present training organizations have worked very well and only by making unnecessary requirements nothing changes. In organisations organized as clubs without interest in gaining financial profit or pressure to get financial benefit and amortization of the activity and, per structure, without any managerial authority of the board members towards the club member such requirement transferred from commercial air transport are not appropriate and proportionate. This will reduce the number of persons in the activity and at the end the enthusiasm to develop air sport in Europe.

Safety standard in itself implies the best available. This time EASA asks for "highest safety standards" which suggests that we had average, good, high, higher and now highest standards. What can come next? "Highest " ? Any activity people follow in their leisure time works on their acceptable safety level. As long as no third party is involved "acceptable safety standards" should be enough.

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

179 comment by: *Head of Aeroclub*

This AMC is a typical example of grossly exceeding the regulation.

The regulation states:

(2) a description of the overall philosophies and principles of the organisation with regard to safety, referred to as the safety policy;

and the AMC states:



AMC2 ORA.GEN.200(a)(2) Management system  
NON-COMPLEX ORGANISATIONS — SAFETY POLICY  
The safety policy should include a commitment to improve towards the highest safety standards, comply with all applicable legal requirements, meet all applicable standards, consider best practices and provide appropriate resources.

This AMC is written in meaningless politically correct speak and not only distorts and hijacks the regulation but it really is making the most fundamental of mistakes: The "Highest Standard" means what? No we don't use the highest standard, we use the practically appropriate standard. The highest standard might be using PC12s with only 10,000 hr instructors, we might use Jodels with only 1000hr instructors.

In training risk is sometimes taken in order hopefully to ensure less total risk throughout the lifetime of the trainee. Practising stall, spin, flappless landing, autorotation to the ground ... etc.

Highest standard as judged by whom? An inspector with mediocre experience and highly questionable personal, subjective (and often erroneous) opinions?

The regulation DOES NOT mention compliance with the laws, laws already do that, the AMC is not a place for that.

An organisation might deem it necessary to protect it's trainees from excessively complex and confusing regulation. It might choose to point out that the mindset of rule compliance can be very dangerous, giving a false sense of protection which in reality does not exist.

These valid approaches would be stamped out by what at first glance appear to be 'sensible' AMCs.

A hypothetical safety policy might be to "strike a balance between safety and enjoyment and the pursuit of happiness."

One opinion might be different from another; some people might think it is safer to fly over the mountain for 5 mins rather than expose to the lesser risk of taking the valley but for the longer period of 45 minutes. Whose opinion wins? Surely the person accountable rather than the CA's view?

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

204 ❖ comment by: *Head of Aeroclub*

The small training school is being destroyed by these regulations.

On a day to day basis schools are being bullied into complying with ATO requirements that are known and accepted to be excessive and inappropriate.

**EASA must step in URGENTLY and prevent NAAs** with an unhealthy vested interest from forcing small flight training organisations to comply.

	<p><b>THE Registered Facility needs to be re-opened as an EMERGENCY MEASURE, to save the lives, homes, and families being destroyed NOW.</b></p>
response	<p>Noted</p> <p>Please refer to the response to comment No 12 or to Chapter 2 of this CRD.</p> <p>Regarding your proposal to allow the Registered Facilities (RFs) to continue providing flight training, it should be highlighted that the Commission, the Member States and the Agency agreed, as already reflected in Regulation (EU) 2015/445, to allow former RFs to continue providing flight training for the LAPL and the PPL without complying with the provisions of Part-ORA until April 2018. The extension of privileges and timelines were proposed in order to provide sufficient time for the development of alternative rules for the training for private pilot licences, ratings and certificates. Said alternative rules will include a training route outside ATOs.</p>
comment	<p>208 comment by: <i>Finnish Transport Safety Agency</i></p> <p>Trafi suggests including encouraging to open reporting culture (JUST culture) in the safety policy.</p>
response	<p>Noted</p> <p>The Agency notes your comment and certainly embraces the idea of open reporting culture (JUST culture) in the safety policy. The JUST culture is in line with Regulation (EU) No 376/2014 of the European Parliament and of the Council of 3 April 2014 on the reporting, analysis and follow-up of occurrences in civil aviation, amending Regulation (EU) No 996/2010 of the European Parliament and of the Council and repealing Directive 2003/42/EC of the European Parliament and of the Council and Commission Regulations (EC) Nos 1321/2007 and 1330/2007.</p> <p>A new rulemaking task (RMT.0681) will deal with the JUST culture.</p>

**3. Proposed amendments — 3.1. Draft EASA Decision — Subpart GEN — AMC2** p. 10  
**ORA.GEN.200(a)(3)**

comment	<p>5 comment by: <i>Prof. Filippo Tomasello</i></p> <p>In AMC2 ORA.GEN.200(a)(3), paragraph (b) I would add one more subparagraph:</p> <p>"(5) support from a qualified entity to collect data from different organisations and analyse them."</p> <p>The justification is that this is already happening in particular in the field of remotely piloted aircraft systems (RPAS). See for instance: <a href="http://eurousc.com/services/light-uas-scheme/assurance/">http://eurousc.com/services/light-uas-scheme/assurance/</a></p>
response	<p>Noted</p>





The Agency carefully assessed the comment. Whilst the Agency appreciates and would have considered the comment, it decided not to include this proposed amendment to the AMC/GM (except for the AMC/GM related to organisational review) for the reasons provided in the response to comment No 12 or in Chapter 2 of this CRD.

comment

53 comment by: *DGAC France***AMC2 ORA.GEN.200 (a) (3)****Subject:****Hazard identification and risk assessment****Content of comment:**

France agrees on the general principles described in AMC2 ORA.GEN.200 (a) (3).  
§ (b) (4) of this AMC is understood as a small ATO may rely upon others organisations for hazard identification and risk assessment.

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

66 comment by: *Eisten Nilsson*

Under item (e) the proposal say that He/she **should** involve....

Under AMC1.ORA.ATO.110 the regulations allow combinations of task som all positions excl compliance monitoring are to one person.

For small organsiations there may not be any other persons to involv.

Change the wording ..... **should** ....

response

Noted

The Agency carefully assessed the comment. Whilst the Agency appreciates and would have considered the comment, it decided not to include this proposed amendment to the AMC for the reasons provided in the response to comment No 12 or in Chapter 2 of this CRD.

comment

141 comment by: *Deutscher Aero Club (DAeC)*

“appropriate resources” in club organisations is voluntary personnel which is limited and can not be compensated by financial income. Such requirements will result in loss of experienced people as they are not willing to perform their educational and training work under the pressure of commercially like structures. Overall has to be considered that the requirements described in this para will result in increase of paperwork with very limited or no influence on safety.

Aero Clubs are not forced to deliver flight training within a given period of time by. Fis are



	<p>not paid and students do not pay for Fis or the training itself. Students do not need the license for any job training.</p>
response	<p>Noted</p> <p>Please refer to the response to comment No 12 or to Chapter 2 of this CRD.</p>
comment	<p>151 comment by: <i>EASA Consultants OÜ</i></p> <p>We feel the wording in (b)(1) has the potential for miscomprehension on the part of the Authorities and ATOs. Could be interpreted as requiring separate reports which are not integrated into the existing activities must be used. This is especially a risk where high levels of proficient English are not prevalent in the Competent Authority and the State has not elected to translate the "soft law" into the local language</p> <p>Proposed alternative wording - (1) internal safety reports (e.g. sections that may be detached from navigation logs or other day-to-day forms or separate forms as developed by the organisation). Such wording would provide crystal clarity.</p>
response	<p>Noted Please refer to the response to comment No 12 or to Chapter 2 of this CRD.</p>
comment	<p>160 comment by: <i>AOPA Finland</i></p> <p>Non-commercial non-complex ATOs usually do not have capabilities and resources to improve and reach the highest safety standards but they are able to comply with all applicable legal requirements. All applicable standards and best practises could be met and considered.</p> <p>According to EASA's European General Aviation Safety Strategy, GA must be treated as a sector in its own right and not as a watered-down "Commercial Air Transport (CAT) by-product."</p> <p>The risk based approach - a proposed acceptable risk hierarchy presents that different stakeholders may demand and deserve a different approach to risk management. Some sort of hierarchy is proposed as follows, in descending order of "risk averseness":</p> <ol style="list-style-type: none"> <li>1. Uninvolved third parties</li> <li>2. Fare-paying passengers in CAT</li> <li>3. Involved third parties (e.g. air show spectators, airport ground workers)</li> <li>4. Aerial work participants / Air crew involved in aviation as workers</li> <li>5. Passengers ("participants") on non-commercial flights</li> <li>6. Private pilots on non-commercial flight.</li> </ol> <p>It is therefore highly desirable for GA regulation to consider first the simplest cases of aircraft design, production, licensing and operations etc, and setting the minimum requirements for these cases, then developing specific requirements for less simple cases (in terms of aircraft</p>



design, production or type of operations) to be progressively added to cover specific items.

The proposed changes do not simplify the requirements enough - laid down in this NPA 2014-28 for Part-ORA - for non-complex approved training organisations (ATOs). The proposed changes are expected to attenuate safety, increase regulatory burden on Member States and ATO applicants, diminish harmonisation, and decrease proportionality of the rules for General Aviation by ignoring the principles of the 'General Aviation Road Map'. See the attached file for reference how to simplify the requirements.

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

183

comment by: *Head of Aeroclub***This:**

(3) the identification of aviation safety hazards entailed by the activities of the organisation, their evaluation and the management of associated risks, including taking actions to mitigate the risk and verify their effectiveness

**becomes this:**

AMC2 ORA.GEN.200(a)(3) Management systemNON-COMPLEX ORGANISATIONS — HAZARD IDENTIFICATION AND RISK ASSESSMENT

(a) Hazard identification and risk assessment may be performed using hazard checklists or similar risk management tools or processes which are integrated into the activities of the organisation.

(b) As a minimum, hazard identification and risk assessment should consider the following inputs:

(1) internal safety reports

;

(2) assessment of changes to the organisation (changes in personnel, in training facilities, aircraft, etc.) that may have an impact on safety

;

(3) external safety reports and safety information as relevant to the activity of the organisation;

and

(4) the selection of suppliers and contracting to organisations not themselves approved to perform the tasks.

(c) The organisation should, in particular, focus on the events, safety issues, proposals or recommendations reported internally.

(d) The hazards and safety issues identified, the related risk assessment and the actions taken, if any, should be recorded. A simple risk register may be used to this effect.

(e) The person fulfilling the role of the safety manager should ensure that the risk register is maintained and reviewed on a regular basis. He/she should involve relevant staff in the risk assessment and determination of risk mitigation actions.

(f) The risk register should be made available to all staff, in order to provide feedback on issues identified and actions taken. The register should form the basis for the review of the risk management function at the occasion of the annual organisational review



It has grown a lot. It is excessive, and even if it is done as the organisation perceives it it will still be subject to the additional layer of confusion of being subject to the opinion of an external assessor, who will not 'approve' it if it does not accord with their (potentially flawed) opinion. It should not be for an external person to determine how an organisation wishes to fulfill IT'S safety policy at all.

"As a minimum .... should consider..." no it should consider what it thinks is relevant to consider.

I already know of a severe reprimand because a TRTO changed the size of one of its briefing rooms without informing the authority. It is humiliating, dehumanising, irrelevant, stressful and ultimately counterproductive. Now they'll be contravening the hazard identification part of their management system if they fail to consider the safety implications of changing the lavatory arrangements. In way way way to deep into the internal affairs of an organisation.

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

184

comment by: *Head of Aeroclub***This:**

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AND ACTUALLY THERE'S MORE NOT COPIED INTO HERE

It has grown a lot. It is excessive, and even if it is done as the organisation perceives it it will still be subject to the additional layer of confusion of being subject to the opinion of an external assessor, who will not 'approve' it if it does not accord with their (potentially flawed) opinion. **It should not be for an external person to determine how an organisation wishes to fulfill IT'S safety policy at all.**

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response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

204 ❖ comment by: *Head of Aeroclub*

The small training school is being destroyed by these regulations.

On a day to day basis schools are being bullied into complying with ATO requirements that are known and accepted to be excessive and inappropriate.

**EASA must step in URGENTLY and prevent NAAs** with an unhealthy vested interest from forcing small flight training organisations to comply.

**THE Registered Facility needs to be re-opened as an EMERGENCY MEASURE, to save the lives, homes, and families being destroyed NOW.**

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

Regarding your proposal to allow the Registered Facilities (RFs) to continue providing flight training, it should be highlighted that the Commission, the Member States and the Agency agreed, as already reflected in Regulation (EU) 2015/445, to allow former RFs to continue providing flight training for the LAPL and the PPL without complying with the provisions of Part-ORA until April 2018. The extension of privileges and timelines were proposed in order to provide sufficient time for the development of alternative rules for the training for private pilot licences, ratings and certificates. Said alternative rules will include a training route



outside ATOs.

**3. Proposed amendments — 3.1. Draft EASA Decision — Subpart GEN — AMC3** p. 10-11  
**ORA.GEN.200(a)(3)**

comment

6

comment by: *Prof. Filippo Tomasello*

In AMC3 ORA.GEN.200(a)(3) I would add a new letter (b):

(b) risk assessment and mitigation related to changes may be outsourced from an accredited qualified entity.

Letter (b) in the NPA should become (c).

The justification is that this is already implemented in some MS for small drones; see for example:

[https://www.enac.gov.it/repository/ContentManagement/information/N1220929004/Reg%20SAPR%20english\\_022014.pdf](https://www.enac.gov.it/repository/ContentManagement/information/N1220929004/Reg%20SAPR%20english_022014.pdf)

response

Noted

The Agency carefully assessed the comment. Whilst the Agency appreciates and would have considered the comment, it decided not to include this proposed amendment to this AMC (except for the AMC/GM related to organisational review) for the reasons provided in the response to comment No 12 or in Chapter 2 of this CRD.

comment

27

comment by: *René Meier, Europe Air Sports*

AMC3 ORA.GEN.200(a)(3) Management System  
page 11

As regards (a): We see the need for managing changes but it must be done in simple and straightforward way. We did not find any link to the "hazard identification, risk assessment, mitigation process".

Rationale:

In our view combining all this leads to requirements put on us by competent authorities adding much to the paperwork, not much to safety.

As regards (b): A simple Emergency Response Plan really can be helpful. We insist on the last part of the paragraph: "...and reflect the size, nature and complexity of the activities performed by the organisation". We would like to add at the end of the sentence "as well as considering the risks of the operations undertaken."

Rationale:

By adding this last part it is made clear: An Emergency Response Plan has to reflect the risks as well as size, nature and complexity of the activities.



response

Noted

The Agency carefully assessed the comment. Whilst the Agency appreciates and would have considered the comment, it decided not to include this proposed amendment to this AMC (except for the AMC/GM related to organisational review) for the reasons provided in the response to comment No 12 or in Chapter 2 of this CRD.

comment

46 comment by: *DGAC France***AMC3 ORA.GEN.200 (a) (3) §(a)****Subject:****Documented process**

The “documented process” identified in § (a) has to remain simple and shall fit the size and scope of activities of the training organisation.

This general comment is directly linked with the comment and proposal for GM4 ORA.GEN.200 (a) (3).

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

72 comment by: *CAA-NL*

For consistency reasons we propose to replace paragraph (a) of AMC3 ORA.GEN.200 (a) (3) Management System to AMC2.ORA.GEN.200 (a) 3 Management systems above

Furthermore we propose to change to title of AMC3 ORA.GEN.200 (a) (3) Management System Non-complex organisations - Safety Risk Management into **EMERGENCY RESPONSE PLAN**

response

Noted

The Agency carefully assessed the comment. Whilst the Agency appreciates and would have considered the comment, it decided not to include this proposed amendment to this AMC (except for the AMC/GM related to organisational review) for the reasons provided in the response to comment No 12 or in Chapter 2 of this CRD.

comment

109 comment by: *Peter KEUTGENS*

Similarly the risk register introduced for non-complex organisations in AMC2.ORA.GEN.200(a)(3), why should that not become the default with additional requirements to be determined as and when needed? We suggest that more efficient regulation may be achieved through minimum standards and guidance on where more than that minimum is expected from individual operators.

The text in AMC3 ORA.GEN.200(a)(3)(b) referring “actions to be taken by the organisation or



response | specified individuals" should that not be specified functions, as the individual may be away?  
 Noted  
 Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment | 142 comment by: *Deutscher Aero Club (DAeC)*  
 AMC3 ORA.GEN.200(a)(3) Management System  
 page 11  
 The described procedures are still focusing on commercially orientated organizations, were the need for stringent, financially viable processes are paramount. The risk register puts emphasis on issues completely irrelevant to a training organization in a volunteer organization. Which risk to whom is the basis for this AMC? It does not follow the GA road map and the declared wish of the Agency to diminish the burden on air sport activities. It is difficult for DAeC to understand why this AMC is proposed as the underlying rules are under discussion for relaxation.  
 Although, the implementation of an emergency response plan is not applicable to non-complex training. Todays reality is as follows. If any procedures of training cannot be performed due to incident or accident, the activity is completely stopped until all necessary prerequisites are in place again. There is no pressure to restart the activities again before all safety concerns are addressed. Due to this DAeC thinks that this requirement as such is not proportionate for non-complex training organisations. DAeC proposes to exclude distinct activities from the requirement to establish ERP.  
 The required paperwork, as by the way in Part M, is not fostering flight safety. Pilots need to spend their time honing their flying and training skills rather fulfilling unnecessary tasks.

response | Noted  
 Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment | 161 comment by: *AOPA Finland*  
 Non-commercial non-complex ATOs usually do not have capabilities and resources to improve and reach the highest safety standards but they are able to comply with all applicable legal requirements. All applicable standards and best practises could be met and considered.  
 According to EASA's European General Aviation Safety Strategy, GA must be treated as a sector in its own right and not as a watered-down "Commercial Air Transport (CAT) by-product."  
 The risk based approach - a proposed acceptable risk hierarchy presents that different stakeholders may demand and deserve a different approach to risk management. Some sort of hierarchy is proposed as follows, in descending order of "risk averseness":  
 1. Uninvolved third parties  
 2. Fare-paying passengers in CAT





3. Involved third parties (e.g. air show spectators, airport ground workers)
4. Aerial work participants / Air crew involved in aviation as workers
5. Passengers (“participants”) on non-commercial flights
6. Private pilots on non-commercial flight.

It is therefore highly desirable for GA regulation to consider first the simplest cases of aircraft design, production, licensing and operations etc, and setting the minimum requirements for these cases, then developing specific requirements for less simple cases (in terms of aircraft design, production or type of operations) to be progressively added to cover specific items.

The proposed changes do not simplify the requirements enough - laid down in this NPA 2014-28 for Part-ORA - for non-complex approved training organisations (ATOs). The proposed changes are expected to attenuate safety, increase regulatory burden on Member States and ATO applicants, diminish harmonisation, and decrease proportionality of the rules for General Aviation by ignoring the principles of the ‘General Aviation Road Map’. See the attached file for reference how to simplify the requirements.

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

194 comment by: *Head of Aeroclub*

Excessive, inappropriate

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

204 ❖ comment by: *Head of Aeroclub*

The small training school is being destroyed by these regulations.

On a day to day basis schools are being bullied into complying with ATO requirements that are known and accepted to be excessive and inappropriate.

**EASA must step in URGENTLY and prevent NAAs** with an unhealthy vested interest from forcing small flight training organisations to comply.

**THE Registered Facility needs to be re-opened as an EMERGENCY MEASURE, to save the lives, homes, and families being destroyed NOW.**

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.



Regarding your proposal to allow the Registered Facilities (RFs) to continue providing flight training, it should be highlighted that the Commission, the Member States and the Agency agreed, as already reflected in Regulation (EU) 2015/445, to allow former RFs to continue providing flight training for the LAPL and the PPL without complying with the provisions of Part-ORA until April 2018. The extension of privileges and timelines were proposed in order to provide sufficient time for the development of alternative rules for the training for private pilot licences, ratings and certificates. Said alternative rules will include a training route outside ATOs.

### 3. Proposed amendments — 3.1. Draft EASA Decision — Subpart GEN — GM32.ORA.GEN.200(a)(3) p. 11

comment

7 comment by: *PBN-Abbenes*

GM32.ORA.GEN.200(a)(3)

It seems rather farfetched to have a plan in place for a circumstance that does not affect ballooning at all. Unless the volcanic ashes are so thick that they will clog up the burners in which case visibility will prevent pilots to fly anyway.

response

Noted

The Agency notes your comment. The amendment for this GM is only an editorial in the numbering, not in the content. However, based on the final decision (see explanation and reasons provided in the response to comment No 2 or in Chapter 2 of this CRD) not to include any of the proposed AMC and GM except for the organisational review, this editorial in numbering will now be corrected in the context of the activities of RMT.0412 and RMT.0413 (FCL.013) 'Updating Part ARA and ORA pertaining to FCL'.

This GM regarding risk management of flight operations with known or forecast volcanic ash contamination was introduced by Decision 2013/008/R of 16 April 2013, amending Decision No 2012/007/R (AMC/GM to Part-ORA).

This amendment was the result of rulemaking task RMT.0460, which addressed a safety issue related to the operations of flight into areas forecast to be or aerodromes/operating sites known to be contaminated with volcanic ash. This task is linked to the outcome of the work of the ICAO IVATF and especially the publication of ICAO Doc No 9974 related to 'Risk management of flight operations with known or forecast volcanic ash contamination'. The specific objective is to mitigate the risks linked to operations into an area forecast to be contaminated by volcanic ash by providing some specific provisions related to the definition of a volcanic ash safety risk assessment. This Decision proposes to introduce guidance to ATOs on how to define their volcanic ash safety risk assessment as part as their management system. The proposed changes are expected to increase safety and improve harmonisation throughout Europe.

However, if an ATO for ballooning decides that volcanic ash does not pose any risk to their operation, it might simply decide to carry on with their activities.



comment

163

comment by: *AOPA Finland*

According to EASA's European General Aviation Safety Strategy, GA must be treated as a sector in its own right and not as a watered-down "Commercial Air Transport (CAT) by-product."

The risk based approach - a proposed acceptable risk hierarchy presents that different stakeholders may demand and deserve a different approach to risk management. Some sort of hierarchy is proposed as follows, in descending order of "risk averseness":

1. Uninvolved third parties
2. Fare-paying passengers in CAT
3. Involved third parties (e.g. air show spectators, airport ground workers)
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5. Passengers ("participants") on non-commercial flights
6. Private pilots on non-commercial flight.

It is therefore highly desirable for GA regulation to consider first the simplest cases of aircraft design, production, licensing and operations etc, and setting the minimum requirements for these cases, then developing specific requirements for less simple cases (in terms of aircraft design, production or type of operations) to be progressively added to cover specific items.

The proposed changes do not simplify the requirements enough - laid down in this NPA 2014-28 for Part-ORA - for non-complex approved training organisations (ATOs). The proposed changes are expected to attenuate safety, increase regulatory burden on Member States and ATO applicants, diminish harmonisation, and decrease proportionality of the rules for General Aviation by ignoring the principles of the 'General Aviation Road Map'. See the attached file for reference how to simplify the requirements.

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

195

comment by: *Head of Aeroclub*

As irrelevant as the 'Millenium Bug' hysteria debacle that we all had to endure.

response

Noted

Please refer to the response to comment No 7.

comment

204 ❖

comment by: *Head of Aeroclub*

The small training school is being destroyed by these regulations.

On a day to day basis schools are being bullied into complying with ATO requirements that



response	<p>are known and accepted to be excessive and inappropriate.</p> <p><b>EASA must step in URGENTLY and prevent NAAs</b> with an unhealthy vested interest from forcing small flight training organisations to comply.</p> <p><b>THE Registered Facility needs to be re-opened as an EMERGENCY MEASURE, to save the lives, homes, and families being destroyed NOW.</b></p> <p>Noted</p> <p>Please refer to the response to comment No 12 or to Chapter 2 of this CRD.</p> <p>Regarding your proposal to allow the Registered Facilities (RFs) to continue providing flight training, it should be highlighted that the Commission, the Member States and the Agency agreed, as already reflected in Regulation (EU) 2015/445, to allow former RFs to continue providing flight training for the LAPL and the PPL without complying with the provisions of Part-ORA until April 2018. The extension of privileges and timelines were proposed in order to provide sufficient time for the development of alternative rules for the training for private pilot licences, ratings and certificates. Said alternative rules will include a training route outside ATOs.</p>
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<b>3. Proposed amendments — 3.1. Draft EASA Decision — Subpart GEN — GM4 ORA.GEN.200(a)(3)</b> p. 11
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comment	<p>47 comment by: <i>DGAC France</i></p> <p><b>GM4 ORA.GEN.200 (a) (3)</b></p> <p><b>Subject:</b> <b>Risk register and classification</b></p> <p>The example of risk register proposed in the GM needs further simplification. By providing lots of details it gives an impression of complexity.</p> <p>We suggest that the GM only focuses on the essential points of an efficient safety risk management policy:</p> <ul style="list-style-type: none"> <li>- Collect of risks,</li> <li>- Analysis/Classification of risks,</li> <li>- Corrective/Mitigation actions,</li> <li>- Information.</li> </ul> <p>The method, classification, acceptability matrix should not be described in too much details and be left to the appreciation of the ATO and the Authority.</p>
response	<p>Noted</p> <p>Please refer to the response to comment No 12 or to Chapter 2 of this CRD.</p>
comment	<p>95 comment by: <i>ENAC</i></p>



The definitions used for the severity of the consequences are not consistent with ICAO definitions of accident and serious incident.  
 The wording “likelihood of occurrence”, in the likelihood definitions, seems to restrict the scope of the table to reactive schemes only, whilst AMC2 ORA.GEN.200(a)(3) clearly considers also some proactive schemes.  
 It is also unusual to define “unlikely” as “very unlikely”.  
 For harmonization purposes, we suggest the adoption of the metric used in the ICAO SMM doc 9859.

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

164 comment by: *AOPA Finland*

Non-commercial non-complex ATOs usually do not have capabilities and resources to improve and reach the highest safety standards but they are able to comply with all applicable legal requirements. All applicable standards and best practises could be met and considered.

According to EASA's European General Aviation Safety Strategy, GA must be treated as a sector in its own right and not as a watered-down “Commercial Air Transport (CAT) by-product.”

The risk based approach - a proposed acceptable risk hierarchy presents that different stakeholders may demand and deserve a different approach to risk management. Some sort of hierarchy is proposed as follows, in descending order of “risk averseness”:

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2. Fare-paying passengers in CAT
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It is therefore highly desirable for GA regulation to consider first the simplest cases of aircraft design, production, licensing and operations etc, and setting the minimum requirements for these cases, then developing specific requirements for less simple cases (in terms of aircraft design, production or type of operations) to be progressively added to cover specific items.

The proposed changes do not simplify the requirements enough - laid down in this NPA 2014-28 for Part-ORA - for non-complex approved training organisations (ATOs). The proposed changes are expected to attenuate safety, increase regulatory burden on Member States and ATO applicants, diminish harmonisation, and decrease proportionality of the rules for General Aviation by ignoring the principles of the ‘General Aviation Road Map’. See the attached file for reference how to simplify the requirements.



response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

204 ❖

comment by: *Head of Aeroclub*

The small training school is being destroyed by these regulations.

On a day to day basis schools are being bullied into complying with ATO requirements that are known and accepted to be excessive and inappropriate.

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**THE Registered Facility needs to be re-opened as an EMERGENCY MEASURE, to save the lives, homes, and families being destroyed NOW.**

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

Regarding your proposal to allow the Registered Facilities (RFs) to continue providing flight training, it should be highlighted that the Commission, the Member States and the Agency agreed, as already reflected in Regulation (EU) 2015/445, to allow former RFs to continue providing flight training for the LAPL and the PPL without complying with the provisions of Part-ORA until April 2018. The extension of privileges and timelines were proposed in order to provide sufficient time for the development of alternative rules for the training for private pilot licences, ratings and certificates. Said alternative rules will include a training route outside ATOs.

### 3. Proposed amendments — 3.1. Draft EASA Decision — Subpart GEN — GM4 ORA.ATO.200(a)(3) p. 11-14

comment

8

comment by: *PBN-Abbenes*

GM4 ORA ATO 200(a)(3)

Here again we would like to state that we have 3 possibly 5 pilots under training a year.... Having a system that is administratively burdensome will not be effective. We should have an annual safety seminar in which all participants should table the issues of importance. We should avoid having a system just to have a system....

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

28

comment by: *René Meier, Europe Air Sports*

GM4 ORA.GEN.200(a)(3) Management System  
page 12



(a) Risk Register exemple

Good exemple, thank you. We would add a "Remarks" column, that's all.

Rationale:

Very often there will be remarks to be added which should not be noted and stored separately. Such a column will make it easier to get the full picture of a risk or a hazard.

response

Noted

The Agency carefully assessed the comment. Whilst the Agency appreciates and would have considered the comment, it decided not to include this proposed amendment to this GM (except for the AMC/GM related to organisational review) for the reasons provided in the response to comment No 12 or in Chapter 2 of this CRD.

comment

29 comment by: *René Meier, Europe Air Sports*

GM4 ORA.GEN.200(a)(3) Management System  
page 14

(b) Proposed severity and likelihood definitions

Question: In the column "Qualitative definition" you propose "unlikely", in the "Meaning" you write "very unlikely". What is the difference?

response

Noted

The Agency carefully assessed the comment. Whilst the Agency appreciates and would have considered the comment, it decided not to include this proposed amendment to this GM (except for the AMC/GM related to organisational review) for the reasons provided in the response to comment No 12 or in Chapter 2 of this CRD.

comment

47 ❖ comment by: *DGAC France*

**GM4 ORA.GEN.200 (a) (3)**

**Subject:**

**Risk register and classification**

The example of risk register proposed in the GM needs further simplification. By providing lots of details it gives an impression of complexity.

We suggest that the GM only focuses on the essential points of an efficient safety risk management policy:

- Collect of risks,
- Analysis/Classification of risks,
- Corrective/Mitigation actions,
- Information.



response	<p>The method, classification, acceptability matrix should not be described in too much details and be left to the appreciation of the ATO and the Authority.</p> <p>Noted</p> <p>The Agency carefully assessed the comment. Whilst the Agency appreciates and would have considered the comment, it decided not to include this proposed amendment to this GM (except for the AMC/GM related to organisational review) for the reasons provided in the response to comment No 12 or in Chapter 2 of this CRD.</p>
comment	<p>73                      comment by: CAA-NL</p> <p>We suggest to change to order of 'severity'. Negligible above fatal accident. This is in compliance with the common order of ICAO and EASA (RIA's).</p>
response	<p>Noted</p> <p>The Agency carefully assessed the comment. Whilst the Agency appreciates and would have considered the comment, it decided not to include this proposed amendment to this GM (except for the AMC/GM related to organisational review) for the reasons provided in the response to comment No 12 or in Chapter 2 of this CRD.</p>
comment	<p>112                      comment by: Peter KEUTGENS</p> <p>A detailed comment with regard to the proposed 3 x 3 "risk acceptability matrix" in GM4 ORA.GEN.200(a)(3)(c) will in practice likely see all risks in the orange colour. A more granular matrix may be called for?</p>
response	<p>Noted</p> <p>The Agency carefully assessed the comment. Whilst the Agency appreciates and would have considered the comment, it decided not to include this proposed amendment to this GM (except for the AMC/GM related to organisational review) for the reasons provided in the response to comment No 12 or in Chapter 2 of this CRD.</p>
comment	<p>152                      comment by: EASA Consultants OÜ</p> <p>The register example may be interpreted as being the only way in which to comply with the AMC. We propose the following wording is added to allow suitable flexibility: "The risk register below is an example of how organisations may fulfill the requirement. Organisations may also produce alternative risk registers, customized to their own requirements provided at least the information contained below is included as a minimum". This wording would allow sufficient flexibility for GA while preventing the Authorities requiring submission of an AltMOC for even minor deviations from the AMC.</p>
response	<p>Noted</p> <p>The Agency carefully assessed the comment. Whilst the Agency appreciates and would have considered the comment, it decided not to include this proposed amendment to this GM</p>





(except for the AMC/GM related to organisational review) for the reasons provided in the response to comment No 12 or in Chapter 2 of this CRD.

comment

165

comment by: *AOPA Finland*

Non-commercial non-complex ATOs usually do not have capabilities and resources to improve and reach the highest safety standards but they are able to comply with all applicable legal requirements. All applicable standards and best practises could be met and considered.

According to EASA's European General Aviation Safety Strategy, GA must be treated as a sector in its own right and not as a watered-down "Commercial Air Transport (CAT) by-product."

The risk based approach - a proposed acceptable risk hierarchy presents that different stakeholders may demand and deserve a different approach to risk management. Some sort of hierarchy is proposed as follows, in descending order of "risk averseness":

1. Uninvolved third parties
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3. Involved third parties (e.g. air show spectators, airport ground workers)
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6. Private pilots on non-commercial flight.

It is therefore highly desirable for GA regulation to consider first the simplest cases of aircraft design, production, licensing and operations etc, and setting the minimum requirements for these cases, then developing specific requirements for less simple cases (in terms of aircraft design, production or type of operations) to be progressively added to cover specific items.

The proposed changes do not simplify the requirements enough - laid down in this NPA 2014-28 for Part-ORA - for non-complex approved training organisations (ATOs). The proposed changes are expected to attenuate safety, increase regulatory burden on Member States and ATO applicants, diminish harmonisation, and decrease proportionality of the rules for General Aviation by ignoring the principles of the 'General Aviation Road Map'. See the attached file for reference how to simplify the requirements.

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

204 ❖

comment by: *Head of Aeroclub*

The small training school is being destroyed by these regulations.



On a day to day basis schools are being bullied into complying with ATO requirements that are known and accepted to be excessive and inappropriate.

**EASA must step in URGENTLY and prevent NAAs** with an unhealthy vested interest from forcing small flight training organisations to comply.

**THE Registered Facility needs to be re-opened as an EMERGENCY MEASURE, to save the lives, homes, and families being destroyed NOW.**

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

Regarding your proposal to allow the Registered Facilities (RFs) to continue providing flight training, it should be highlighted that the Commission, the Member States and the Agency agreed, as already reflected in Regulation (EU) 2015/445, to allow former RFs to continue providing flight training for the LAPL and the PPL without complying with the provisions of Part-ORA until April 2018. The extension of privileges and timelines were proposed in order to provide sufficient time for the development of alternative rules for the training for private pilot licences, ratings and certificates. Said alternative rules will include a training route outside ATOs.

comment

209 comment by: *Finnish Transport Safety Agency*

In Trafi's opinion a column should be added for related risk severity and likelihood after the mitigation measures.

response

Noted

The Agency carefully assessed the comment. Whilst the Agency appreciates and would have considered the comment, it decided not to include this proposed amendment to this GM (except for the AMC/GM related to organisational review) for the reasons provided in the response to comment No 12 or in Chapter 2 of this CRD.

### 3. Proposed amendments — 3.1. Draft EASA Decision — Subpart GEN — GM5 ORA.ATO.200(a)(3) p. 14-16

comment

14 comment by: *European Gliding Union*

GM5 ORA.GEN.200(a)(3) - page 14  
NON-COMPLEX ORGANISATIONS - HAZARD CHECKLIST ORGANISATIONAL RISKS  
Hazard checklist example - organisational risks:

Ref 1 suggests that possible hazards may stem from:  
- extensive use of part-time or freelance instructors.

Where is the evidence that hazards in sporting aviation can stem from part-time or freelance instructors?



Nearly all European gliding instructors are volunteers; the service they provide to pupils is second to none. The Agency's insult to them is not justified.

Ref 5 suggests that possible hazards may stem from:

- existence of informal procedures.

Volunteer gliding clubs across the whole of Europe operate, satisfactorily, with a mixture of formal and informal procedures. Most importantly, they are able to judge when each is appropriate.

Where is the evidence that they are getting this wrong?

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

30 comment by: *René Meier, Europe Air Sports*

GM5 ORA.GEN.200(a)(3) Management System  
pages 14 to 17

Hazard Checklist exemple

We are deeply sorry, but his proposal it totally unacceptable to us: It is not appropriate to size, nature, risk and complexity of our training organisations. We want to have it deleted.

Rationale:

If you propose such a list as GM, not translated, any competent authority will interpret these texts individually, by doing so creating frustration. Some "hazards" simply are not hazards, just situations, some elements you propose have nothing to do with the safety of flight or the quality of the training performed.

response

Accepted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

54 comment by: *DGAC France*

**GM5 ORA.GEN.200 (a) (3)**

**Subject:**

**Organisational risks checklist**

France agrees on the proposal described in this GM for identification of organisational risks.

response

Noted

The Agency appreciates the positive feedback. However, it has decided not to include this proposed amendment to this GM for identification of organisational risks for the reasons provided in the response to comment No 12 or in Chapter 2 of this CRD.



comment

111 comment by: *Peter KEUTGENS*

VVMV agrees that the development of hazard checklists such as introduced in GM5 and GM6 ORA.GEN.200(a)(3) is best done through international cooperation such as by the SM ICG. This to ensure that the latest thinking with regard to safety is incorporated at all levels. The condition would be that checklists remain as relevant as possible, so our suggestion would be that bespoke checklists should be developed for the type of operator.

Important is that the checklists should be accompanied by guidelines on how to interpret the various items in the checklist. The Basic Aviation Risk Standard Implementation Guidelines (BARS) by the Flight Safety Foundations (FSF) may serve as an example, but we would need guidelines applicable and proportional to our flight training and private flying.

Networking through organisations such as SM ICG, EGAST, FSF and others should ensure a path of continuous safety improvement. We also point out that organisations such as Europe AirSports (EAS), AOPA or indeed VVMV may play a role in establishing common standards for their membership.

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

143 comment by: *Deutscher Aero Club (DAeC)*

GM5 ORA.GEN.200(a)(3) Management System  
pages 14 to 17

Hazard Checklist example

This example must not be proposed as AMC. Most likely it will be the only one available and thereby used by the competent authorities. The examples given do not reflect the operation done by non-complex ATO in volunteer organizations. We want to have it deleted.

The checklist proves total ignorance towards the air sports associations. some examples:  
Rapid growth- where is this concern applicable in club environment? The pressure for commercial success is not given.

Limited or lack of commitment , they do it voluntarily and are 100% committed , because the love what they do

High ratio of students , the instructor trains as long as he feels comfortable to do the task, he is a volunteer

High rate of turnover , our instructors stay usually for decades and are familiar with the given routines

Facilities , they are built from the members money and kept for as it is their home

Record keeping , we are members of the same club we spend our time together for years

Training courses frequent change... -We are basically using the same syllabi since 1950, because it is good

Instructor fatigue , it is voluntarily done, when tired the FI stops instructing

Psycho-social stress , it is our hobby, we love it. Flying is done under social supervision and pressure by structured documentation will not improve the situation.



response

Accepted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD. The Agency will delete this GM but highlights that this hazard checklist example was not 'proposed as an AMC' as stated in your comment. The GM was foreseen to allow a non-complex ATO to establish their own (reduced) hazard checklist and should be used as an example only. However, based on the reasoning explained in comment No 12 it was decided not to include this GM in the Decision, as proposed by you.

comment

167

comment by: AOPA Finland

Non-commercial non-complex ATOs usually do not have capabilities and resources to improve and reach the highest safety standards but they are able to comply with all applicable legal requirements. All applicable standards and best practises could be met and considered.

According to EASA's European General Aviation Safety Strategy, GA must be treated as a sector in its own right and not as a watered-down "Commercial Air Transport (CAT) by-product."

The risk based approach - a proposed acceptable risk hierarchy presents that different stakeholders may demand and deserve a different approach to risk management. Some sort of hierarchy is proposed as follows, in descending order of "risk averseness":

1. Uninvolved third parties
2. Fare-paying passengers in CAT
3. Involved third parties (e.g. air show spectators, airport ground workers)
4. Aerial work participants / Air crew involved in aviation as workers
5. Passengers ("participants") on non-commercial flights
6. Private pilots on non-commercial flight.

It is therefore highly desirable for GA regulation to consider first the simplest cases of aircraft design, production, licensing and operations etc, and setting the minimum requirements for these cases, then developing specific requirements for less simple cases (in terms of aircraft design, production or type of operations) to be progressively added to cover specific items.

The proposed changes do not simplify the requirements enough - laid down in this NPA 2014-28 for Part-ORA - for non-complex approved training organisations (ATOs). The proposed changes are expected to attenuate safety, increase regulatory burden on Member States and ATO applicants, diminish harmonisation, and decrease proportionality of the rules for General Aviation by ignoring the principles of the 'General Aviation Road Map'. See the attached file for reference how to simplify the requirements.

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.



comment	<p>196 comment by: <i>Head of Aeroclub</i></p> <p>Self fulfilling risk increase from this absurd distraction from the key objective by wasting time and diverting (intellectual) resources to filling out this sort of nonsense to the satisfaction of an inspector (vindictive, narrow, minded, unpleasant, out of touch). Devisive humiliating tosh.</p>
response	<p>Noted</p> <p>Please refer to the response to comment No 12 or to Chapter 2 of this CRD.</p>

comment	<p>204 ❖ comment by: <i>Head of Aeroclub</i></p> <p>The small training school is being destroyed by these regulations.</p> <p>On a day to day basis schools are being bullied into complying with ATO requirements that are known and accepted to be excessive and inappropriate.</p> <p><b>EASA must step in URGENTLY and prevent NAAs</b> with an unhealthy vested interest from forcing small flight training organisations to comply.</p> <p><b>THE Registered Facility needs to be re-opened as an EMERGENCY MEASURE, to save the lives, homes, and families being destroyed NOW.</b></p>
response	<p>Noted</p> <p>Please refer to the response to comment No 12 or to Chapter 2 of this CRD.</p> <p>Regarding your proposal to allow the Registered Facilities (RFs) to continue providing flight training, it should be highlighted that the Commission, the Member States and the Agency agreed, as already reflected in Regulation (EU) 2015/445, to allow former RFs to continue providing flight training for the LAPL and the PPL without complying with the provisions of Part-ORA until April 2018. The extension of privileges and timelines were proposed in order to provide sufficient time for the development of alternative rules for the training for private pilot licences, ratings and certificates. Said alternative rules will include a training route outside ATOs.</p>

comment	<p>214 comment by: <i>Royal Danish Aeroclub</i></p> <p>This is to much to ask for in non-complex-non-commercial flying schools and -clubs. Please delete the text.</p>
response	<p>Accepted</p> <p>Please refer to the response to comment No 12 or to Chapter 2 of this CRD. This GM was foreseen to allow a non-complex ATO to establish their own (reduced) hazard checklist and should be used as an example only. However, based on the reasoning explained in comment No 12 it was decided not to include this GM in the Decision, as proposed by you.</p>



**3. Proposed amendments — 3.1. Draft EASA Decision — Subpart GEN — GM6 ORA.ATO.200(a)(3) p. 16-17**

comment

15 comment by: *European Gliding Union*

GM6 ORA.GEN.200(a)(3)

NON-COMPLEX ORGANISATIONS - HAZARD CHECKLIST OPERATIONAL RISKS

Hazard checklist example - operational risks:

Ref 5 suggests that possible hazards may stem from:

- use of uncontrolled aerodromes or operating sites

Controlled aerodromes or operating sites are rarely appropriate for gliding.

Where is the evidence that use of uncontrolled sites could represent a hazard to gliding?

These items illustrate the CAT mind set that EASA continues to employ when framing regulations for sporting aviation.

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

31 comment by: *René Meier, Europe Air Sports*

See comment 31

response

Noted

The Agency highlights that there is no other comment No 31.

comment

55 comment by: *DGAC France***GM6 ORA.GEN.200 (a) (3)****Subject:****Operational risks checklist**

The GM is too detailed and the content should focus on the principles.

The GM has to remain a pure example. The risk of listing some operational hazards is not encouraging the training organisations to conduct its own evaluation of potential hazards that might be experienced by their pilots.

They should be identified on a case by case basis and established according to the context and scope of activities of the training organisation.

France proposes to remove the examples of operational risks provided in the chart.

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.



comment

168

comment by: *AOPA Finland*

Non-commercial non-complex ATOs usually do not have capabilities and resources to improve and reach the highest safety standards but they are able to comply with all applicable legal requirements. All applicable standards and best practises could be met and considered.

According to EASA's European General Aviation Safety Strategy, GA must be treated as a sector in its own right and not as a watered-down "Commercial Air Transport (CAT) by-product."

The risk based approach - a proposed acceptable risk hierarchy presents that different stakeholders may demand and deserve a different approach to risk management. Some sort of hierarchy is proposed as follows, in descending order of "risk averseness":

1. Uninvolved third parties
2. Fare-paying passengers in CAT
3. Involved third parties (e.g. air show spectators, airport ground workers)
4. Aerial work participants / Air crew involved in aviation as workers
5. Passengers ("participants") on non-commercial flights
6. Private pilots on non-commercial flight.

It is therefore highly desirable for GA regulation to consider first the simplest cases of aircraft design, production, licensing and operations etc, and setting the minimum requirements for these cases, then developing specific requirements for less simple cases (in terms of aircraft design, production or type of operations) to be progressively added to cover specific items.

The proposed changes do not simplify the requirements enough - laid down in this NPA 2014-28 for Part-ORA - for non-complex approved training organisations (ATOs). The proposed changes are expected to attenuate safety, increase regulatory burden on Member States and ATO applicants, diminish harmonisation, and decrease proportionality of the rules for General Aviation by ignoring the principles of the 'General Aviation Road Map'. See the attached file for reference how to simplify the requirements.

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

197

comment by: *Head of Aeroclub*

Horribly far away from the very real risks that we manage effectively on a day to day basis.

The only ray of light here is that this is so removed from the real risks that hopefully no one would take it seriously, if they did they would be at grave danger.





Obviously as a paper pushing tick box exercise it does give the 'Approved Post Holder' something to natter about with the Inspector when he visits. while everybody else attempts to stay alive and be productive so that the 'Approved Post Holder' and the Inspector can eat. Which will be a challenge because evrybody will be taking their spending power to the USA to train, and not have to pay for this nonsense. No greater risk in the USA either.

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

204 ❖ comment by: *Head of Aeroclub*

The small training school is being destroyed by these regulations.

On a day to day basis schools are being bullied into complying with ATO requirements that are known and accepted to be excessive and inappropriate.

**EASA must step in URGENTLY and prevent NAAs** with an unhealthy vested interest from forcing small flight training organisations to comply.

**THE Registered Facility needs to be re-opened as an EMERGENCY MEASURE, to save the lives, homes, and families being destroyed NOW.**

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

Regarding your proposal to allow the Registered Facilities (RFs) to continue providing flight training, it should be highlighted that the Commission, the Member States and the Agency agreed, as already reflected in Regulation (EU) 2015/445, to allow former RFs to continue providing flight training for the LAPL and the PPL without complying with the provisions of Part-ORA until April 2018. The extension of privileges and timelines were proposed in order to provide sufficient time for the development of alternative rules for the training for private pilot licences, ratings and certificates. Said alternative rules will include a training route outside ATOs.

### 3. Proposed amendments — 3.1. Draft EASA Decision — Subpart GEN — GM7 ORA.ATO.200(a)(3) p. 17-18

comment

32 comment by: *René Meier, Europe Air Sports*

GM7 ORA.ATO.200(a)(3) Emergency Response Plan (ERP)  
pages 17 and 18

2. Exemples
3. Organisation
4. Reaction to...
5. Maintaining the ERP



We agree with your proposals.

Rationale:

Best possible information and training on how to use the ERP, held as simple and clear as possible, positively supports any task in an emergency of whatever size.

response

Noted

The Agency notes your support and agreement with the content of GM7 containing the ERP. Whilst the Agency appreciates and would have considered the comment, it decided not to include this proposed new GM for the reasons provided in the response to comment No 12 or in Chapter 2 of this CRD.

comment

56 comment by: *DGAC France*

**GM7 ORA.ATO.200 (a) (3) §3**

**Subject:**

**The point of contact of Emergency Response Plan (ERP)**

It should be clear that the “single point of contact” identified for activating the ERP may be based on a list of members of staff of the training organisation (and not a unique person). France proposes a new draft for clarification.

**Proposed new draft:**

**GM7 ORA.ATO.200 (a) (3)**

[...]

*3. Organisation*

*It is important to define ~~a single~~ **points of contact** that any member of staff may alert in the case of an emergency, including outside normal operating hours.*

*~~This single~~ **Those points** of contact will be in charge of activating the ERP and coordinating required actions.*

response

Noted

The Agency carefully assessed the comment. Whilst the Agency appreciates and would have considered the comment, it decided not to include this proposed amendment to this GM (except for the AMC/GM related to organisational review) for the reasons provided in the response to comment No 12 or in Chapter 2 of this CRD.

comment

114 comment by: *Peter KEUTGENS*

More guidance regarding the Emergency Response Plan (ERP) is helpful, but again we suggest that complex/non-complex should not be used as an on/off switch. Better would be to establish a common minimum standard and determine in cooperation with the industry conditions where additional requirements should be developed.

Also we suggest that in the above example of multiple organisations operating at an airfield



that a single integrated ERP may be developed. Whilst this is not impossible under the current regulations, experience learns that in the field people often require a little push in order to work together. As the ERP is maintained by the safety manager, one safety manager reporting to the airfield accountable manager but taking account of the various operators' requirements, should negate the need these operators to have their own safety manager.

response

Noted

The Agency carefully assessed the comment. Whilst the Agency appreciates and would have considered the comment, it decided not to include this proposed amendment to the GM or to add a clarification regarding an integrated single ERP for the reasons provided in the response to comment No 12 or in Chapter 2 of this CRD.

comment

144 comment by: *Deutscher Aero Club (DAeC)*

GM7 ORA.ATO.200(a)(3) Emergency Response Plan (ERP)  
pages 17 and 18

In principle, DAeC does not agree to the instrument of ERP for voluntary organisations. The activities are performed in structures without hierarchical structures and only by personal commitment of the people acting in responsible function in the organization.

Procedures of good practice and common sense are sufficient to ensure that, if any problem occurs, the operations will not be performed, until it is safe. At least for air sport activities the proposed procedures are completely overdone as the described situations or safety risks for third parties hardly exist.

This requirement is again an example for in proportionate regulation for all sectors of aviation. Air sport activities should be excluded from the requirements.

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD. The Agency highlights that this NPA and the final Decision can only address changes to the AMC/GM but not to the Implementing Rules. Therefore, this GM containing an example for an ERP was developed together with industry experts (task force) to assist non-complex ATOs and provide guidance for establishing their own ERP. However, it will be deleted as proposed by you for the reasons explained in the response to comment No 12.

comment

153 comment by: *EASA Consultants OÜ*

The wording "...to determine the need for..." implies that there may actually be no need to perform emergency "drills", and that the responsibility for determining that would be with the safety manager. This provides for the situation where the safety manager determines that training for the ERP is not required, does not perform such drills and consequently the organisation fails to maintain compliance with ORA.GEN.200(a)(4).

As a continuum from the text herein, we propose the following additional wording "... The determination of frequency of emergency drills should take into consideration the period since previous drills were performed and any changes that have occurred to the organisation. Changes having a significant safety implication should always require a run of complimentary emergency response drills for those individuals affected"



response

Noted

The Agency carefully assessed the comment. Whilst the Agency appreciates and would have considered the comment, it decided not to include this proposed amendment to this GM (except for the AMC/GM related to organisational review) for the reasons provided in the response to comment No 12 or in Chapter 2 of this CRD.

comment

169

comment by: *AOPA Finland*

Non-commercial non-complex ATOs usually do not have capabilities and resources to improve and reach the highest safety standards but they are able to comply with all applicable legal requirements. All applicable standards and best practises could be met and considered.

According to EASA's European General Aviation Safety Strategy, GA must be treated as a sector in its own right and not as a watered-down "Commercial Air Transport (CAT) by-product."

The risk based approach - a proposed acceptable risk hierarchy presents that different stakeholders may demand and deserve a different approach to risk management. Some sort of hierarchy is proposed as follows, in descending order of "risk averseness":

1. Uninvolved third parties
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It is therefore highly desirable for GA regulation to consider first the simplest cases of aircraft design, production, licensing and operations etc, and setting the minimum requirements for these cases, then developing specific requirements for less simple cases (in terms of aircraft design, production or type of operations) to be progressively added to cover specific items.

The proposed changes do not simplify the requirements enough - laid down in this NPA 2014-28 for Part-ORA - for non-complex approved training organisations (ATOs). The proposed changes are expected to attenuate safety, increase regulatory burden on Member States and ATO applicants, diminish harmonisation, and decrease proportionality of the rules for General Aviation by ignoring the principles of the 'General Aviation Road Map'. See the attached file for reference how to simplify the requirements.

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.



comment

198 comment by: *Head of Aeroclub*

This is all very well in a state building or public office, perhaps at a concert venue but not in a club premises.

If the club burns down we have to try and build a new club. The president of the club will find out eventually and it makes no difference whether he finds out today or manyana. We're not going to keep it a secret.

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

204 ❖ comment by: *Head of Aeroclub*

The small training school is being destroyed by these regulations.

On a day to day basis schools are being bullied into complying with ATO requirements that are known and accepted to be excessive and inappropriate.

**EASA must step in URGENTLY and prevent NAAs** with an unhealthy vested interest from forcing small flight training organisations to comply.

**THE Registered Facility needs to be re-opened as an EMERGENCY MEASURE, to save the lives, homes, and families being destroyed NOW.**

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

Regarding your proposal to allow the Registered Facilities (RFs) to continue providing flight training, it should be highlighted that the Commission, the Member States and the Agency agreed, as already reflected in Regulation (EU) 2015/445, to allow former RFs to continue providing flight training for the LAPL and the PPL without complying with the provisions of Part-ORA until April 2018. The extension of privileges and timelines were proposed in order to provide sufficient time for the development of alternative rules for the training for private pilot licences, ratings and certificates. Said alternative rules will include a training route outside ATOs.

comment

210 comment by: *Finnish Transport Safety Agency*

Editorial, the heading should be GM7 ORA.GEN.200(a)(3).

response

Noted

The Agency carefully assessed the comment. Whilst the Agency appreciates and would have considered the comment, it decided not to include this proposed amendment to this GM (except for the AMC/GM related to organisational review) for the reasons provided in the response to comment No 12 or in Chapter 2 of this CRD.



comment	217 comment by: <i>G Purchase</i>  Items 2 (c) and 2 (d) are business continuity issues, not emergency situations and should be removed from the list of events to activate the ERP.
response	Noted  The Agency carefully assessed the comment. Whilst the Agency appreciates and would have considered the comment, it decided not to include this proposed amendment to this GM (except for the AMC/GM related to organisational review) for the reasons provided in the response to comment No 12 or in Chapter 2 of this CRD.

<b>3. Proposed amendments — 3.1. Draft EASA Decision — Subpart GEN — AMC1</b> <b>ORA.GEN.200(a)(5)</b>	p. 19
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comment	80 comment by: <i>CAA-NL</i>  <b>13 page 19</b> AMC1 ORA.GEN200(a)(6) regards complex as well as non-complex organisations. (d)(2) is added, again complicating the management system of non-complex organisations. Parts of this article can be regarded Guidance material: (c), (d) and (e).
response	Noted  The Agency carefully assessed the comment. Whilst the Agency appreciates and would have considered the comment, it decided not to include this proposed amendment to the AMC/GM (except for the AMC/GM related to organisational review) for the reasons provided in the response to comment No 12 or in Chapter 2 of this CRD.
comment	154 comment by: <i>EASA Consultants OÜ</i>  In the absence of adequate guidance following the publication of Regulation (EU) 290/2012, many non-complex organisations opted to follow the original AMC 1 ORA.GEN.200(a)(5) when showing compliance with the substantive point of regulation. The absence of additional guidance regarding ORA.GEN.200(a)(5) for the non-complex ATO may lead to confusion regarding those ATOs that have already implemented the more restrictive items. Additionally, following dialogue with some Authorities, the position has been taken by the CA to deem non-complex organisation adherence to complex organisation AMCs as an automatic indication that the organisation is to be considered as complex in full. We propose EASA insert a clarification that non-complex organisations may elect to comply with a more restrictive set of AMCs intended for complex organisations, so long as the AMC being complied with does not undermine the classification as a non-complex organization, and such adherence to complex ATO criteria would not be indicative of renouncing their non-complex status.
response	Noted  The Agency carefully assessed the comment. Whilst it appreciates and would have considered the comment, it decided not to include this proposed amendment to this AMC



for the reasons provided in the response to comment No 12 or in Chapter 2 of this CRD.

Regarding your proposal that the Agency should include a clarification that non-complex organisations may elect to comply with a more restrictive set of AMC intended for complex organisations, the following should be highlighted. It is correct that an ATO might decide to follow the AMC established for complex organisations if no AMC for non-complex organisations is established. However, the use of AMC established for complex ATOs does not undermine the classification as a non-complex organisation.

comment

170

comment by: AOPA Finland

Non-commercial non-complex ATOs usually do not have capabilities and resources to improve and reach the highest safety standards but they are able to comply with all applicable legal requirements. All applicable standards and best practises could be met and considered.

According to EASA's European General Aviation Safety Strategy, GA must be treated as a sector in its own right and not as a watered-down "Commercial Air Transport (CAT) by-product."

The risk based approach - a proposed acceptable risk hierarchy presents that different stakeholders may demand and deserve a different approach to risk management. Some sort of hierarchy is proposed as follows, in descending order of "risk averseness":

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6. Private pilots on non-commercial flight.

It is therefore highly desirable for GA regulation to consider first the simplest cases of aircraft design, production, licensing and operations etc, and setting the minimum requirements for these cases, then developing specific requirements for less simple cases (in terms of aircraft design, production or type of operations) to be progressively added to cover specific items.

The proposed changes do not simplify the requirements enough - laid down in this NPA 2014-28 for Part-ORA - for non-complex approved training organisations (ATOs). The proposed changes are expected to attenuate safety, increase regulatory burden on Member States and ATO applicants, diminish harmonisation, and decrease proportionality of the rules for General Aviation by ignoring the principles of the 'General Aviation Road Map'. See the attached file for reference how to simplify the requirements.

response

Noted



Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

199 comment by: *Head of Aeroclub*

"ORGANISATION'S SAFETY MANAGEMENT MANUAL"

Hang on. A manual !?

What about a side of A4? Is that a manual?

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

204 ❖ comment by: *Head of Aeroclub*

The small training school is being destroyed by these regulations.

On a day to day basis schools are being bullied into complying with ATO requirements that are known and accepted to be excessive and inappropriate.

**EASA must step in URGENTLY and prevent NAAs** with an unhealthy vested interest from forcing small flight training organisations to comply.

**THE Registered Facility needs to be re-opened as an EMERGENCY MEASURE, to save the lives, homes, and families being destroyed NOW.**

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

Regarding your proposal to allow the Registered Facilities (RFs) to continue providing flight training, it should be highlighted that the Commission, the Member States and the Agency agreed, as already reflected in Regulation (EU) 2015/445, to allow former RFs to continue providing flight training for the LAPL and the PPL without complying with the provisions of Part-ORA until April 2018. The extension of privileges and timelines were proposed in order to provide sufficient time for the development of alternative rules for the training for private pilot licences, ratings and certificates. Said alternative rules will include a training route outside ATOs.

**3. Proposed amendments — 3.1. Draft EASA Decision — Subpart GEN — AMC1** p. 19-21  
**ORA.GEN.200(a)(6)**

comment

9 comment by: *PBN-Abbenes*

AMC1 ORA.GEN.(a)(6)

Here again we would like to state that we have 3 possibly 5 pilots under training a year..... Having a system that is administratively burdensome will not be effective. We should have





response

an annual safety seminar in which all participants should table the issues of importance. We should avoid having a system just to have a system....

Noted

The Agency notes your statement which is indeed similar to your comment 8. Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

According to the new rule text of ORA.GEN.200(c), in an organisation providing training only for the LAPL, PPL, SPL or BPL and the associated ratings or certificates, safety risk management and compliance monitoring defined in points (a)(3) and (a)(6) may be accomplished by an organisational review, to be performed at least once every calendar year. This means that the organisation does not have to comply with the provisions of ORA.GEN.200(a)(3) and AMC1 ORA.GEN.200(a)(6).

comment

33 comment by: *René Meier, Europe Air Sports*

AMC1 ORA.GEN.200(a)(6) Management System  
Compliance Monitoring  
pages 19, 20, part of 21

We are of the opinion that the proposed text is disproportionate. We insist on a full re-write of this text, to the exception of (6), which is reasonable.

Rationale:

As a whole transforming a Registered Facility to an Approved Training Organisation cost in cases known to Europe Air Sports several tens of thousands of Euros, this without any increase in safety. The provisions in place for Compliance Monitoring were real cost drivers. Structures are asked for which are not needed, initiatives in the direction of benevolent activities are killed, contrary to what the European Union proposes, self-responsibility does not exist. Of course we read under (e) Training (4) that the allocation of time and resources should be governed by the volume and complexity of the activities concerned, but: Who rules what counts? Surely not we as stakeholders. That is why we want to have all this completely re-written. Stating tasks to be fulfilled instead of organisational levels concerned would be more profitable: It is the correct fulfilment of a task that counts, not the position of a person in a hierarchy, which in all cases will be a very flat one when we think of the staff a non-complex training organisation usually disposes of.

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

57 comment by: *DGAC France*

**AMC1 ORA.GEN.200 (a) (6) §(d) (2)**

**Subject:**  
**Compliance monitoring programme**

For small training organisation the term “programme” seems excessive. Once again the



objective is simplification.

We consider that the necessity to establish a programme should be left to the appreciation of the ATO and the Authority.

France proposes to remove the explicit reference to a programme.

**Proposed new draft:**

**AMC1 ORA.GEN.200 (a) (6)**

*(d) Compliance monitoring documentation should include:*

*(1) Relevant documentation should include for the relevant part(s) of the organisation's management system documentation.*

*(2) A compliance monitoring programme **may be established depending on the size and scope of activities of the ATO. that should reflect:***

***~~(i) the schedule of the monitoring programme;~~***

***~~(ii) the audit procedures;~~***

***~~(iii) the reporting procedures;~~***

***~~(iv) the follow up and corrective action procedures; and~~***

***~~(v) the recording system.~~***

response

Noted

The Agency carefully assessed the comment. Whilst the Agency appreciates and would have considered the comment, it decided not to include this proposed amendment to this AMC (except for the AMC/GM related to organisational review) for the reasons provided in the response to comment No 12 or in Chapter 2 of this CRD.

comment

113

comment by: *Peter KEUTGENS*

AMC1 ORA.GEN.200(a)(6) agreed that this should set out principles for both complex and non-complex. Paragraphs (c)(1) – (c)(6) however appear too prescriptive for situations where an organisational review is deemed appropriate. The definition of a review is less than that of an audit, and so the ongoing audit requirement contradicts the principle of a review.

More detailed audits may still be appropriate in case of shortcomings reported in the organisational review, but the text of this NPA now appears to suggest that the requirement of an organisational review is on top of all other audit requirements, so further adding to the complexity.

In addition, the requirement in paragraph (c)(1) to designate a compliance monitoring manager appears at odds with the principle of a once-a-year organisational review. Surely the once-a-year review does not require day-to-day management such as suggested in paragraph (c)(2)? Again, the so-called “simplified” approach of an organisational review appears in fact simply added to all other compliance requirements.

The accountable manager retains full responsibility for making sure that procedures are adhered to and so he or she would be best placed to decide if a dedicated compliance



manager is required. If he or she was to elect to have the review regularly conducted by a 3rd party then a dedicated compliance monitoring manager would not be required.

He or she is equally best placed to decide if a dedicated safety manager or indeed a head of training is required. The burden is on the Accountable Manager to demonstrate that requirements are met, so there should be no reason to be all too prescriptive as to how he or she should organise management of the organisation.

A body of “best practice” management principles exists, as clearly EASA staff has been reading it in order to draft its various NPAs. However the overriding principle should be that it should be up to the Accountable Manager to decide how this may apply to the organisation. We strongly recommend that EASA needs to be clear as to what it wants to achieve and then work with the industry to achieve those objectives.

**For VVMV,**

The ATO-team,

The VVMV chairman,

Peter Keutgens

Marc Ghys

Hans Bogaerts

Dominique Van Den Heuvel

Bert Indevuyt

Pierre Peeters

Paul Naveau

VVMV contact details: [info@vvmv.be](mailto:info@vvmv.be) [www.vvmv.be](http://www.vvmv.be)

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

Regarding your comment that the requirement for an organisational review is on top of all other audit requirements, so further adding to the complexity, the Agency is of the opinion that the organisational review does not add complexity to the existing system; quite the opposite.

According to the new rule text of ORA.GEN(c), in an organisation providing training only for the LAPL, PPL, SPL or BPL and the associated ratings or certificates, safety risk management and compliance monitoring defined in points (a)(3) and (a)(6) may be accomplished by an organisational review, to be performed at least once every calendar year. This means that this organisation does not have to comply with the provisions of AMC1 ORA.GEN.200(a)(3) and AMC1 ORA.GEN.200(a)(6).

comment

145

comment by: *Deutscher Aero Club (DAeC)*

AMC1 ORA.GEN.200(a)(6) Management System  
Compliance Monitoring  
pages 19, 20, part of 21

The requirement for a Compliance Manager in order to keep track of the multitude of



regulation is in our opinion the worst outcome of the European Aviation Regulation. Regulation must be so simple that anyone can obey to them without having staff assigned to the task. DAeC is of the strong opinion that the text is not adequate for the purpose. We ask for the deletion..

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

171 comment by: AOPA Finland

Non-commercial non-complex ATOs usually do not have capabilities and resources to improve and reach the highest safety standards but they are able to comply with all applicable legal requirements. All applicable standards and best practises could be met and considered.

According to EASA's European General Aviation Safety Strategy, GA must be treated as a sector in its own right and not as a watered-down "Commercial Air Transport (CAT) by-product."

The risk based approach - a proposed acceptable risk hierarchy presents that different stakeholders may demand and deserve a different approach to risk management. Some sort of hierarchy is proposed as follows, in descending order of "risk averseness":

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2. Fare-paying passengers in CAT
3. Involved third parties (e.g. air show spectators, airport ground workers)
4. Aerial work participants / Air crew involved in aviation as workers
5. Passengers ("participants") on non-commercial flights
6. Private pilots on non-commercial flight.

It is therefore highly desirable for GA regulation to consider first the simplest cases of aircraft design, production, licensing and operations etc, and setting the minimum requirements for these cases, then developing specific requirements for less simple cases (in terms of aircraft design, production or type of operations) to be progressively added to cover specific items.

The proposed changes do not simplify the requirements enough - laid down in this NPA 2014-28 for Part-ORA - for non-complex approved training organisations (ATOs). The proposed changes are expected to attenuate safety, increase regulatory burden on Member States and ATO applicants, diminish harmonisation, and decrease proportionality of the rules for General Aviation by ignoring the principles of the 'General Aviation Road Map'. See the attached file for reference how to simplify the requirements.

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.



comment	<p>200 comment by: <i>Head of Aeroclub</i></p> <p>"The compliance monitoring function should be structured according to the size of the organisation and the complexity of the activities to be monitored."</p> <p>So is it ok if the 'accountable manager' is just 'happy that everything complies' when the size of the organisation warrants that scale?</p> <p>Particularly when there are no signs of anything not 'complying'</p>
response	<p>Noted</p> <p>Please refer to the response to comment No 12 or to Chapter 2 of this CRD.</p>
comment	<p>204 ❖ comment by: <i>Head of Aeroclub</i></p> <p>The small training school is being destroyed by these regulations.</p> <p>On a day to day basis schools are being bullied into complying with ATO requirements that are known and accepted to be excessive and inappropriate.</p> <p><b>EASA must step in URGENTLY and prevent NAAs</b> with an unhealthy vested interest from forcing small flight training organisations to comply.</p> <p><b>THE Registered Facility needs to be re-opened as an EMERGENCY MEASURE, to save the lives, homes, and families being destroyed NOW.</b></p>
response	<p>Noted</p> <p>Please refer to the response to comment No 12 or to Chapter 2 of this CRD.</p> <p>Regarding your proposal to allow the Registered Facilities (RFs) to continue providing flight training, it should be highlighted that the Commission, the Member States and the Agency agreed, as already reflected in Regulation (EU) 2015/445, to allow former RFs to continue providing flight training for the LAPL and the PPL without complying with the provisions of Part-ORA until April 2018. The extension of privileges and timelines were proposed in order to provide sufficient time for the development of alternative rules for the training for private pilot licences, ratings and certificates. Said alternative rules will include a training route outside ATOs.</p>
comment	<p>218 comment by: <i>G Purchase</i></p> <p>This section is disproportionate for a small non-complex organisation. There should be separate versions for non-complex &amp; complex.</p>
response	<p>Noted</p> <p>Please refer to the response to comment No 12 or to Chapter 2 of this CRD.</p>



comment

219 comment by: *G Purchase*

(c)(6) and (d)(2)(ii) Non-complex small organisations do not need formal audits, and don't have any trained auditors. Inspection will suffice here, by a manager who understands the ATO Manuals and Procedures.

response

Noted

The Agency carefully assessed the comment. Whilst the Agency appreciates and would have considered the comment, it decided not to include this proposed amendment to this AMC for the reasons provided in the response to comment No 12 or in Chapter 2 of this CRD.

**3. Proposed amendments — 3.1. Draft EASA Decision — Subpart GEN — GM4 ORA.GEN.200(a)(6) p. 21**

comment

58 comment by: *DGAC France*
**GM4 ORA.GEN.200 (a) (6)**
**Subject:**
**Compliance monitoring profile**

The profile described for a CMM in this GM is too demanding. In some cases, small training organisations will not be in a position to find such profiles.

The three criteria are focussing on auditing experience and should be deleted (points (a), (b) and (d)). An experience in audits is clearly not the only criteria to be considered for a compliance monitoring manager.

In non complex ATOs it is possible to rely on the experience of others staff and dispatch the CMM function.

AMC1 ORA.GEN.200 (a) (6) §(c) (3) (ii) indicates that in the case of complex organisation the CMM cannot be one of the others persons referred in ORA.GEN.210 (b) (for example the Head of Training (HT)). On the contrary we consider that in non complex ATOs it is possible to make a combination of CMM function with others functions.

Besides it should be noted that articulation with AMC1 ORA.ATO.110 is not crystal clear (see comment on AMC1 ORA.ATO.110).

France proposes a new draft for the GM.

**Proposed new draft:**
**GM4 ORA.GEN.200 (a) (6)**

~~A typical way for~~ *The compliance monitoring manager to acquire should have a the relevant knowledge, background and appropriate experience related to the activities of the organisation. is by:*

~~(a) having conducted an audit under supervision;~~

~~(b) having participated in an audit as an observer; or~~



~~(c) having been focal point during competent authority audits.~~

response

Noted

The Agency carefully assessed the comment. Whilst the Agency appreciates and would have considered the comment, it decided not to include this proposed amendment to this GM (except for the AMC/GM related to organisational review) for the reasons provided in the response to comment No 12 or in Chapter 2 of this CRD.

comment

81 comment by: CAA-NL

**15 page 21**

AMC1 ORAGEN.200(c) should be regarded as Guidance material.

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

94 comment by: ENAC

The content of GM4 ORA.GEN.200 (a)(6), related to compliance manager knowledge, background and experience is less demanding than the equivalent applicable to the person responsible for the organisational review in AMC1 ORA.GEN.200(c) item (c). In particular for the first one, no reference is made to requirements and procedures knowledge

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

122 comment by: RAF Benson Flying Club Ltd

This paragraph applies to Non-complex organisations and defines to how the compliance manager may obtain relevant knowledge related to the **activities** of the organisation. However the 3 sub-paragraphs refer to knowledge and experience of **audits** rather than activities.

Cross referring back to AMC1 ORA.GEN.200(a)(6) Management system, this does not require a non-complex organisation to have a compliance monitoring manager with relevant knowledge and experience in compliance monitoring. That only applies only to complex organisations. Knowledge of the activities of an organisation, which is what is required here, is quite different.

Small non-complex organisations are most unlikely to have the services of a person who meets the requirements of GM4 ORA.GEN.(200(a)(6) and most would probably have to close down.

Suggest this paragraph 14 is removed or applied to complex organisations only.

response

Noted

The Agency carefully assessed the comment. Whilst the Agency appreciates and would have



considered the comment, it decided not to include this proposed amendment to this GM (except for the AMC/GM related to organisational review) for the reasons provided in the response to comment No 12 or in Chapter 2 of this CRD.

comment

125 comment by: *Light Aircraft Association*

This paragraph lists the ways in which a Compliance Monitoring Manager might acquire the relevant knowledge, background and appropriate experience; however, since AMC1.ORA.GEN.200(a)(6), paragraph (c)(3)(iv) states that the compliance monitoring manager should "in case of a complex organisation have relevant knowledge and experience in compliance monitoring" this would imply that for non-complex organisations no specific knowledge, background or experience is required other than appropriate training and experience. The paragraph at GM4.ORA.GEN.200(a)(6) for non-complex organisations should be removed.

response

Noted

The Agency carefully assessed the comment. Whilst the Agency appreciates and would have considered the comment, it decided not to include this proposed amendment to this GM (except for the AMC/GM related to organisational review) for the reasons provided in the response to comment No 12 or in Chapter 2 of this CRD.

comment

155 comment by: *EASA Consultants OÜ*

We wholeheartedly support the simplification of auditor training for non-complex organisations, however this AMC as it stands may be interpreted as being all encompassing and thus not addressing the requirements of the Compliance Manager to be familiar with the regulatory requirements and the complete management system documentation of the organization. We accept that the additional training requirements are mentioned elsewhere however we have little confidence that the non-complex organization will necessarily familiarize themselves with the requirements in all locations. This AMC when read in the context of also satisfying ORA.GEN.200(a)(4) requirements may thus be assumed by the non-complex organisation to additionally encompass the full set of training and competence requirements (a situation they undoubtedly would prefer). This we feel completely misses the purpose of ORA.GEN.200(a)(4) and therefore we propose removing the ambiguity by extending this AMC with sub-points having the intent of the following sub-points we propose:

".... and additionally:

- (d) having received a course of training in the requirements of the EU Aircrew Regulation, associated regulations and its AMC and GM; or
- (e) having reviewed the aforementioned documentation and documented this review including any implications held for the organisation; and
- (f) having reviewed the full set of company management system documentation concerned with the Approval.

response

Noted

The Agency carefully assessed the comment. Whilst the Agency appreciates and would have considered the comment, it decided not to include this proposed amendment to the AMC for





the reasons provided in the response to comment No 12 or in Chapter 2 of this CRD.

comment

172

comment by: *AOPA Finland*

Non-commercial non-complex ATOs usually do not have capabilities and resources to improve and reach the highest safety standards but they are able to comply with all applicable legal requirements. All applicable standards and best practises could be met and considered.

According to EASA's European General Aviation Safety Strategy, GA must be treated as a sector in its own right and not as a watered-down "Commercial Air Transport (CAT) by-product."

The risk based approach - a proposed acceptable risk hierarchy presents that different stakeholders may demand and deserve a different approach to risk management. Some sort of hierarchy is proposed as follows, in descending order of "risk averseness":

1. Uninvolved third parties
2. Fare-paying passengers in CAT
3. Involved third parties (e.g. air show spectators, airport ground workers)
4. Aerial work participants / Air crew involved in aviation as workers
5. Passengers ("participants") on non-commercial flights
6. Private pilots on non-commercial flight.

It is therefore highly desirable for GA regulation to consider first the simplest cases of aircraft design, production, licensing and operations etc, and setting the minimum requirements for these cases, then developing specific requirements for less simple cases (in terms of aircraft design, production or type of operations) to be progressively added to cover specific items.

The proposed changes do not simplify the requirements enough - laid down in this NPA 2014-28 for Part-ORA - for non-complex approved training organisations (ATOs). The proposed changes are expected to attenuate safety, increase regulatory burden on Member States and ATO applicants, diminish harmonisation, and decrease proportionality of the rules for General Aviation by ignoring the principles of the 'General Aviation Road Map'. See the attached file for reference how to simplify the requirements.

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

204 ❖

comment by: *Head of Aeroclub*

The small training school is being destroyed by these regulations.

On a day to day basis schools are being bullied into complying with ATO requirements that



are known and accepted to be excessive and inappropriate.

**EASA must step in URGENTLY and prevent NAAs** with an unhealthy vested interest from forcing small flight training organisations to comply.

**THE Registered Facility needs to be re-opened as an EMERGENCY MEASURE, to save the lives, homes, and families being destroyed NOW.**

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

Regarding your proposal to allow the Registered Facilities (RFs) to continue providing flight training, it should be highlighted that the Commission, the Member States and the Agency agreed, as already reflected in Regulation (EU) 2015/445, to allow former RFs to continue providing flight training for the LAPL and the PPL without complying with the provisions of Part-ORA until April 2018. The extension of privileges and timelines were proposed in order to provide sufficient time for the development of alternative rules for the training for private pilot licences, ratings and certificates. Said alternative rules will include a training route outside ATOs.

comment

220

comment by: *G Purchase*

GM4 is irrelevant and should be deleted for non-complex organisations. PPL/LAPL training is fundamentally a simple process, unlike eg the production of safety-critical software - a field which benefits from auditing!

response

Noted

The Agency carefully assessed the comment. Whilst the Agency appreciates and would have considered the comment, it decided not to include this proposed amendment to this GM (except for the AMC/GM related to organisational review) for the reasons provided in the response to comment No 12 or in Chapter 2 of this CRD.

**3. Proposed amendments — 3.1. Draft EASA Decision — Subpart GEN — AMC1 ORA.GEN.200(c)** p. 21-22

comment

34

comment by: *René Meier, Europe Air Sports*

AMC1 ORA.GEN.200(c) Management System  
ATO providing training only for...  
Organisational Review

The idea proposed is correct, the way how to obtain results is in our view not adequate.

Rationale:

It does not fit the benevolent activities of members of a group or a club, it does not fit the needs and possibilities of the pilot/owner, it is much too "organisations centric", leaving



response

besides individuals, their wills, skills, knowledge and capacities. The provisions proposed may be fitting some large ATO's but definitely thy group/club environment.

Noted

The Agency welcomes your feedback that EAS support the concept of the organisational review.

Regarding your comment that the way to obtain the results is not adequate, please note that this AMC1 has been drafted with a view to addressing the items exhaustively and assisting organisations in defining their own approach to the organisational review.

It should be highlighted that the Agency has, together with the Commission, proposed the extension of the opt-out period for certain non-complex ATOs until 2018 without requiring an approval. In addition, the Agency proposed the former registered facilities (RFs) to be given the right to continue to provide training for the PPL but also for the LAPL. This proposal was accepted by the EASA Committee and entered into force on 8 April 2015. In addition, the Agency has just initiated a rulemaking activity for training outside ATOs. This task is expected to bring further alleviations for non-complex ATOs or provisions to allow training outside an ATO structure.

comment

59

comment by: *DGAC France*

#### **AMC1 ORA.GEN.200 (c) §(a) to §(g)**

##### **Subject:**

##### **Annual organisational review**

In the title of the AMC1 ORA.GEN.200 (c) “associated ratings or certificates” should be clarified. Which ratings and certificates are addressed here? It should be clarified which ratings and certificates can be trained in a non complex ATO (see general comment).

Concerning the content of the annual organisational review described in the AMC:

- France agrees with the objectives of the annual organisational review defined in **§(a)**.
- The description of the process in **§(b)** has to be more pragmatic and should be defined taking into account the size and scope of activities of the training organisation. The description is too detailed and all point mentions ((1) to (6) under b)) should be removed. The objectives defined in **§(a)** are sufficient by themselves and there is no need to be more prescriptive.
- The profile of the person in charge of the organisational review described in **§(c)** is too demanding. Small training organisations will not be in a position to find such profiles. The criteria shall be deleted. It should be mentioned here that the annual review could be contracted to an appropriate organisation (ref. AMC1 ORA.ATO.110 (b)).
- For clarity requirement described in **§(d)** should be moved in §(f) of the present AMC.



- In **§(e)** it should be clear that the person in charge of the annual organisational review has only to check the efficiency of the process of the safety risk management. Its task is not to approve the corrective and risk mitigation actions but only to check if they have been identified and to follow their status (opened, closed, in progress...).

France proposes an alternative wording for the AMC.

**Proposed new draft:**

**AMC1 ORA.GEN.200 (c)**

*(a) The primary objective of the organisational review is to enable the organisation to ensure that its management system remains effective by verifying that it:*

*(1) has continually identified its aviation safety hazards;*

*(2) has mitigated the associated risks; and*

*(3) monitors compliance with the applicable requirements.*

*(b) The organisation should define, as part of its management system documentation required by ORA.GEN.200(a)(5).*

~~*(b) The organisation should define, as part of its management system documentation required by*~~

~~*ORA.GEN.200(a)(5):*~~

~~*(1) the person responsible for the organisational review programme;*~~

~~*(2) qualification criteria for the person(s) responsible for performing the organisational reviews;*~~

~~*(3) the organisational review programme;*~~

~~*(4) the procedure(s) for performing the organisational reviews and managing the related records;*~~

~~*(5) the procedure(s) for ensuring that risk mitigation actions initiated following the hazard identification and the risk assessment process, and corrective actions initiated as a result of compliance monitoring are carried out in the appropriate time frame; and*~~

~~*(6) the procedure for communicating the results of the organisational review to the competent authority.*~~

*(c) Persons responsible for the organisational review should have a thorough knowledge of the applicable requirements and of the organisation's procedures. ~~They should also have knowledge of audits, acquired through training or through experience (preferably as an auditor, but also possibly because they have actively participated in several audits conducted by the competent authority).~~*

~~*(d) All level 1 findings in the sense of ARA.GEN.350 should be immediately notified to the competent authority and all necessary actions immediately taken.*~~

~~*(e)*~~ *(d) Status of all corrective and additional risk mitigation actions should be **approved monitored** by the person responsible for the organisational review programme and implemented within a specified time frame. ~~Once~~ **Action closure should be recorded** by the person responsible for the organisational review programme ~~is satisfied that the action is effective~~, along with a summary of the action taken.*



~~(f)~~ (e) The results of the organisational review, including all non-compliance findings and new risks identified, should be presented to the accountable manager and the person or group of persons nominated in accordance with ORA.GEN.210 (b) prior to notification to the competent authority. **All level 1 findings in the sense of ARA.GEN.350 should be immediately notified to the competent authority and all necessary actions immediately taken.**

~~(g)~~ (f) Based on the results of the organisational review, the accountable manager should determine the need for and initiate, as appropriate, further actions to address deficiencies in or further improve the organisation's management system.

response

Partially accepted

The Agency notes your comment.

Regarding your comment on the term 'Associated ratings or certificates', please note that this is a standard term used in the FCL regulation, for example in Article 4 of Regulation (EU) No 1178/2011 (the Aircrew Regulation) and in a great number of paragraphs therein. To clarify the issue raised in your comment, the Agency confirms that a non-complex ATO is allowed (if approved for these courses) to provide instruction for all ratings and certificates which can be held by a PPL, BPL, SPL or LAPL holder.

Regarding your proposal for the description of the processes in points (b) to (f) to be more pragmatic and to be defined taking into account the size and scope of activities of the training originations, the Agency agrees that the current text is too detailed and will amend the AMC in accordance with to your proposal.

comment

92 comment by: ENAC

It seems that the reference to "compliance monitoring" in item (b) (5) needs to be modified to "organisational review".

response

Noted

Please refer to the response to comment No 59. The sub-points under point (b) are deleted.

comment

126 comment by: Light Aircraft Association

It is entirely appropriate for training organisations conducting training for the LAPL, PPL, and associated ratings and certificates to meet a reduced set of requirements in terms of management structure and documentation.

response

Noted

The Agency notes your comment.

comment

134 comment by: HQ Aviation

1. Is there to be a fee when a non-complex ATO submits their annual Organisational



Review report to the competent authority? If so why?

The organisational review appears to be given as a more manageable alternative as to having to have an extensive management/ compliance monitoring systems? Unfortunately reading through the long list of requirements of AMC1 ORA.GEN.200(C) the burden of extensive procedures and emphasis of post holders having previous experience required in certain areas such as auditing/ compliance monitoring are still not proportionate for small operators. For a small non-complex operator they may need help to fully comply with the procedures of a organisational review and there for the organisation may find that they have to outsource which would most likely incur extra cost.

response

Noted

Please refer to the response to comment No 59. AMC1 is amended in such a way that it is less detailed.

Regarding your question if there is a fee, please refer to the rule text itself under (c) where it is stated that the competent authority shall be notified about the results of this review by the organisation without undue delay. This means the organisation only has to send a notification with the results of this review.

There should not necessarily be a fee when organisations submit notifications to the competent authority.

comment

146

comment by: *Deutscher Aero Club (DAeC)*

AMC1 ORA.GEN.200(c) Management System  
ATOs providing training only for...  
Organisational Review

Local Aero Clubs are in action for very many years and have excellent safety records. The proposed AMC seems to suggest that auditing and paperwork make a good ATO, on the contrary a good ATO trains skilful pilots.

The volunteer organization does have self-regulating rules in place. The aircraft, the equipment, the buildings and the members are a unit, built on the will to create a safe environment for the leisure activity of their members. The members keep extremely good care of their assets as they have personally to refinance everything they break or destroy. The proposal of management systems to structures as given in air sport are a great misunderstanding or missing knowledge to these structures by the agency or EC because the factor of personal commitment and self responsibility in air sport are not considered and recognized.

response

Noted

The Agency notes your comment and agrees that a good ATO trains skilful pilots, but next to that an ATO has to comply with ORA.GEN.220.

Please refer to the response to comment No 59. AMC1 is amended in such a way that it is less detailed. The sub-points under point (b) are deleted.



comment

156

comment by: *EASA Consultants OÜ*

In point (c), we feel the reference to “thorough knowledge of the applicable requirements” is open to a wide range of interpretation as it stands. We feel this point could be better defined in the AMC to ensure a "level playing field" throughout the EU, because as this wording stands, the application of the requirement could be vastly different between similar organizations under different CAs.

In point (d) we feel the point is ambiguous when read in the context of point (b)(6). Point (b)(6) implies that the full results of the organisational review should be communicated to the CA however the use of "immediately" herein undermines the requirement of (b)(6). Better would be to state in (b)(6) "the procedure for communicating the results of the organisational review to the CA, including a procedure for ensuring that all level 1 findings in the sense of ARA.GEN.350 are immediately communicated and all necessary actions immediately taken.

response

Partially accepted

Please see the response to comment No 59. AMC1 is amended in such a way that it is less detailed. The sub-points under point (b) are deleted.

comment

173

comment by: *AOPA Finland*

Non-commercial non-complex ATOs usually do not have capabilities and resources to improve and reach the highest safety standards but they are able to comply with all applicable legal requirements. All applicable standards and best practises could be met and considered.

According to EASA's European General Aviation Safety Strategy, GA must be treated as a sector in its own right and not as a watered-down “Commercial Air Transport (CAT) by-product.”

The risk based approach - a proposed acceptable risk hierarchy presents that different stakeholders may demand and deserve a different approach to risk management. Some sort of hierarchy is proposed as follows, in descending order of “risk averseness”:

1. Uninvolved third parties
2. Fare-paying passengers in CAT
3. Involved third parties (e.g. air show spectators, airport ground workers)
4. Aerial work participants / Air crew involved in aviation as workers
5. Passengers (“participants”) on non-commercial flights
6. Private pilots on non-commercial flight.

It is therefore highly desirable for GA regulation to consider first the simplest cases of aircraft design, production, licensing and operations etc, and setting the minimum requirements for



these cases, then developing specific requirements for less simple cases (in terms of aircraft design, production or type of operations) to be progressively added to cover specific items.

The proposed changes do not simplify the requirements enough - laid down in this NPA 2014-28 for Part-ORA - for non-complex approved training organisations (ATOs). The proposed changes are expected to attenuate safety, increase regulatory burden on Member States and ATO applicants, diminish harmonisation, and decrease proportionality of the rules for General Aviation by ignoring the principles of the 'General Aviation Road Map'. See the attached file for reference how to simplify the requirements.

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

204 ❖ comment by: *Head of Aeroclub*

The small training school is being destroyed by these regulations.

On a day to day basis schools are being bullied into complying with ATO requirements that are known and accepted to be excessive and inappropriate.

**EASA must step in URGENTLY and prevent NAAs** with an unhealthy vested interest from forcing small flight training organisations to comply.

**THE Registered Facility needs to be re-opened as an EMERGENCY MEASURE, to save the lives, homes, and families being destroyed NOW.**

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

Regarding your proposal to allow the Registered Facilities (RFs) to continue providing flight training, it should be highlighted that the Commission, the Member States and the Agency agreed, as already reflected in Regulation (EU) 2015/445, to allow former RFs to continue providing flight training for the LAPL and the PPL without complying with the provisions of Part-ORA until April 2018. The extension of privileges and timelines were proposed in order to provide sufficient time for the development of alternative rules for the training for private pilot licences, ratings and certificates. Said alternative rules will include a training route outside ATOs.

comment

221 comment by: *G Purchase*

AMC1 (c) Delete 2nd sentence about audits - this is completely over-the-top.

(b)(6) and (d) and (f) Remove references to sending information to the competent authority. What would the CAA do with all these reports, apart from charge a fee for each submission?

response

Accepted

Please refer to the response to comment No 59. AMC1 is amended in such a way that it is





less detailed. The sub-points under point (b) are deleted.

**3. Proposed amendments — 3.1. Draft EASA Decision — Subpart GEN — GM1 ORA.GEN.200(c)** p. 22-23

comment

35 comment by: *René Meier, Europe Air Sports*

GM1 ORA.GEN.200(c) Management System  
ATOs providing training only for...  
Organisational Review

The proposed text is proportionate.

Rationale:

We think it goes well with what our groups/clubs regularly do to maintain safety at an acceptable level.

response

Noted

The Agency notes your positive comment.

comment

60 comment by: *DGAC France*

**GM1 and GM2 ORA.GEN.200 (c)**

**Subject:**

**Content of annual organisational review**

The GM1 and GM2 do not meet the objective of simplification. France proposes to replace those two GM by a new draft proposed GM. This draft focuses on the essential points to be considered during an annual organisational review and of interest for the training organisation and the Authority.

**Proposed new draft:**

***New GM ORA.GEN.200 (c) replacing GM1 and GM2 ORA.GEN.200 (c)***

*The content of the annual organisational review should be the following:*

- *Terms of approval, manuals, logs and records (to check that the documentation is covering all the training activities as listed on the organisation certificate and is adequate and updated);*
- *Monitoring of training standards (to check that training practice is in compliance with the documentation in place within the organisation, for instance further to check of course standards, flight instructors standardisation actions, check of facilities as defined in training manual, check of aircraft and simulation devices);*
- *Review of contracted activities;*
- *Safety risk management: analysis of in service events and review of application and adequacy of improvement/mitigations measures retained;*



- *Identification of necessary amendments to the organisation.*

response

Not accepted

The Agency notes your comment and your proposal to replace GM1 and GM2 by one new GM1.

Regarding your comment that GM1 and GM2 do not meet the objective of simplification, the Agency is of a different opinion. The detailed and focussed guidance, as mentioned in the Explanatory Note, means more explanation on the rule text and AMC. Please note that this is only guidance material and as such it is non-binding.

Both GMs has been drafted with a view to addressing the items exhaustively and assisting organisations in defining their own format for the organisational review.

The Agency prefers to keep the two GM separate, as GM1 is dealing mainly with the process whereas GM2 lists items to be checked for compliance to fulfil the 'internal audit' part of the organisational review.

comment

67 comment by: *Eisten Nilsson*

I hope EASA make NAA aware of that the review program is an example so that the small organisation with one or two instructors can use only the relevant items.

The review program in the proposal seems still to be for a "large" organisation.

response

Noted

The Agency can confirm that the review program contained in the GM is only guidance and shall be used as an example. It is as such non-binding.

The Agency is confident that NAAs are aware of the legal value of GM, meaning providing merely guidance to the rule text.

comment

88 comment by: *Fédération Française d'Aérostation, ATO task force*

For organisations training for the LAPL(B) and the BPL, where the organisation is often geographically distributed, this text is too complicated: documents concerning individual training programmes for students may be found physically distributed at the home addresses of instructors attached to a national ballooning ATO - distributed over an entire country or region - and the national ATO probably will have no or very little permanent salaried staff. Thus monitoring an avalanche of paperwork is practically impossible.

Also note that while this document is open in the CRT system, balloon federations through the European Balloon Federation (EBF) are working with EASA in a workgroup to write/rewrite regulations specifically for ballooning, at the invitation of EASA management (Mr. Patrick KY).

For now, while waiting for entirely new specific regulations concerning balloons, we (the Federation Française de l'Aérostation, ATO workgroup) suggest to add a section (d) for



balloons, with a simplified text.

In all paragraphs under AM1 ORA.GEN.200(c) the reference to the BPL should then be deleted.

Suggested addition:

AMC1 ORA.GEN.200(d) Management system

ATOs PROVIDING TRAINING ONLY FOR THE LAPL(B), BPL AND THE ASSOCIATED RATINGS OR CERTIFICATES — ORGANISATIONAL REVIEW

(a) The primary objective of the organisational review is to enable the organisation to ensure that it:

- (1) has continually identified its aviation safety hazards;
- (2) has mitigated the associated risks; and
- (3) monitors compliance with the applicable requirements.

(b) Persons responsible for the organisational review should have a thorough knowledge of the applicable requirements and of the organisation's procedures.

GM1 ORA.GEN.200(d) Management system

ATOs PROVIDING TRAINING ONLY FOR THE LAPL(B), BPL AND THE ASSOCIATED RATINGS OR CERTIFICATES — ORGANISATIONAL REVIEW PROGRAMME

(a) The organisational review programme may consist of a checklist covering all items necessary to be addressed in order to ensure that the organisation identified its aviation safety hazards, mitigates the associated risks and ensures effective compliance with the applicable requirements.

(2) Each item should be checked at least once within any 12-month period. The organisation may choose to conduct one full review annually or to conduct several partial reviews.

GM2 ORA.GEN.200(d) Management system

ATOs PROVIDING TRAINING ONLY FOR THE LAPL(B), BPL AND THE ASSOCIATED RATINGS OR CERTIFICATES — ORGANISATIONAL REVIEW FOR COMPLIANCE

The following provides a list of typical check items for an organisational review checklist focussing on

compliance, to be adapted as necessary to cover all relevant procedures described in the management

system documentation and training manual:

(a) Terms of approval

Check that:

- (1) no training has been performed outside the terms of approval;
- (2) changes not requiring prior approval have been properly managed.

(b) Training syllabi and course material

Check:

- (1) that the training course syllabi and material are in compliance with the applicable requirements, as last amended;
- (2) that the training practice is in compliance with the documentation.

(c) Training and communication on safety

Check:

- (1) that all personnel are aware of safety management policies, processes and tasks;
- (2) availability of safety-related documentation and publications; and



(3) that safety-critical information derived from occurrence reporting and the hazard identification have been timely communicated to all persons concerned.

(d) Management system documentation

Check:

(1) that the documentation is adequate and updated.

(e) Record keeping

Check:

(1) that the records cover all the training activities; and

(2) compliance with minimum record keeping periods (random checks).

response

Not accepted

The Agency notes your statement that the text of this GM is too complicated. Please note that this is only guidance material and as such it is non-binding.

Regarding your proposal to add additional AMC and GM to ORA.GEN.200(d), this is legally not possible because in the current implementing rule ORA.GEN.200 there are only points (a) and (b) and after 8 April 2015, when Regulation (EU) 2015/455 comes into force, also point (c). A specific requirement for ATOs providing training only for the BPL or the LAPL(B) cannot be introduced at this stage via additional AMC or GM.

In Section 1.1 'The rule development procedure' of the NPA, it is explained that the Commission launched a second aircrew amendment package which includes significant changes for non-complex ATOs providing training only for the PPL, LAPL, SPL and BPL as well as for the associated ratings or certificates. The related proposals for additional AMC and GM related to the amended requirement ORA.GEN.200, (AMC1, GM1 and GM2 ORA.GEN.200(c)) which will introduce the possibility to perform an organisational review, are included in this NPA.

The text from the amended requirement ORA.GEN.200 in the amendment package is:

"In Annex VII, in ORA.GEN.200, the following point (c) is added:

'(c) Notwithstanding point (a), in an organisation providing training only for the LAPL, PPL, SPL or BPL and the associated ratings or certificates, safety risk management and compliance monitoring defined in points (a)(3) and (a)(6) may be accomplished by an organisational review, to be performed at least once every calendar year. The competent authority shall be notified about the results of this review by the organisation without undue delay."

There are indeed new rulemaking projects foreseen regarding new specific regulation for ballooning.

In addition, please note that, in parallel with this NPA, there is the ongoing project on GA. One of the objectives regarding training is that by the end of 2018 a simple system for pilot training outside an ATO shall be developed. This is also applicable to the balloon organisations.

For the latest information on the GA Road Map, please consult the following website:

<http://easa.europa.eu/easa-and-you/aviation-domain/general-aviation/general-aviation->



[road-map](#)

comment 174 comment by: *AOPA Finland*

Non-commercial non-complex ATOs usually do not have capabilities and resources to improve and reach the highest safety standards but they are able to comply with all applicable legal requirements. All applicable standards and best practises could be met and considered.

According to EASA's European General Aviation Safety Strategy, GA must be treated as a sector in its own right and not as a watered-down "Commercial Air Transport (CAT) by-product."

The risk based approach - a proposed acceptable risk hierarchy presents that different stakeholders may demand and deserve a different approach to risk management. Some sort of hierarchy is proposed as follows, in descending order of "risk averseness":

1. Uninvolved third parties
2. Fare-paying passengers in CAT
3. Involved third parties (e.g. air show spectators, airport ground workers)
4. Aerial work participants / Air crew involved in aviation as workers
5. Passengers ("participants") on non-commercial flights
6. Private pilots on non-commercial flight.

It is therefore highly desirable for GA regulation to consider first the simplest cases of aircraft design, production, licensing and operations etc, and setting the minimum requirements for these cases, then developing specific requirements for less simple cases (in terms of aircraft design, production or type of operations) to be progressively added to cover specific items.

The proposed changes do not simplify the requirements enough - laid down in this NPA 2014-28 for Part-ORA - for non-complex approved training organisations (ATOs). The proposed changes are expected to attenuate safety, increase regulatory burden on Member States and ATO applicants, diminish harmonisation, and decrease proportionality of the rules for General Aviation by ignoring the principles of the 'General Aviation Road Map'. See the attached file for reference how to simplify the requirements.

response Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment 204 ❖ comment by: *Head of Aeroclub*

The small training school is being destroyed by these regulations.



response

On a day to day basis schools are being bullied into complying with ATO requirements that are known and accepted to be excessive and inappropriate.

**EASA must step in URGENTLY and prevent NAAs** with an unhealthy vested interest from forcing small flight training organisations to comply.

**THE Registered Facility needs to be re-opened as an EMERGENCY MEASURE, to save the lives, homes, and families being destroyed NOW.**

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

Regarding your proposal to allow the Registered Facilities (RFs) to continue providing flight training, it should be highlighted that the Commission, the Member States and the Agency agreed, as already reflected in Regulation (EU) 2015/445, to allow former RFs to continue providing flight training for the LAPL and the PPL without complying with the provisions of Part-ORA until April 2018. The extension of privileges and timelines were proposed in order to provide sufficient time for the development of alternative rules for the training for private pilot licences, ratings and certificates. Said alternative rules will include a training route outside ATOs.

**3. Proposed amendments — 3.1. Draft EASA Decision — Subpart GEN — GM2 ORA.GEN.200(c)** p. 23-25

comment

60 ❖

comment by: DGAC France

**GM1 and GM2 ORA.GEN.200 (c)**

**Subject:**

**Content of annual organisational review**

The GM1 and GM2 do not meet the objective of simplification. France proposes to replace those two GM by a new draft proposed GM. This draft focuses on the essential points to be considered during an annual organisational review and of interest for the training organisation and the Authority.

**Proposed new draft:**

***New GM ORA.GEN.200 (c) replacing GM1 and GM2 ORA.GEN.200 (c)***

*The content of the annual organisational review should be the following:*

- *Terms of approval, manuals, logs and records (to check that the documentation is covering all the training activities as listed on the organisation certificate and is adequate and updated);*
- *Monitoring of training standards (to check that training practice is in compliance with the documentation in place within the organisation, for instance further to check of course standards, flight instructors standardisation actions, check of facilities as defined in training manual, check of aircraft and simulation devices);*
- *Review of contracted activities;*



	<ul style="list-style-type: none"> <li>▪ <i>Safety risk management: analysis of in service events and review of application and adequacy of improvement/mitigations measures retained;</i></li> <li>▪ <i>Identification of necessary amendments to the organisation.</i></li> </ul>
response	<p>Not accepted</p> <p>Please refer to the response to comment No 60.</p>
comment	<p>68                      comment by: <i>Eisten Nilsson</i></p> <p>I hope EASA make NAA aware of that the review check list is an example so that the small organisation with one or two instructors can use only the relevant items.</p> <p>The review checklist in the proposal seems to be for a large organisation.</p>
response	<p>Noted</p> <p>The Agency can confirm that the review check list contained in this GM is only guidance and shall be used as an example. It is as such non-binding.</p> <p>The Agency is confident that NAAs are aware of the legal value of GM, meaning providing merely guidance to the rule text.</p>
comment	<p>93                      comment by: <i>ENAC</i></p> <p>Interpretation issues will arise during the implementation by the organisations that choose the simplified option offered by ORA.GEN.200(c) as consequence of the fact that the means of compliance and guidance material related to the safety management processes/tasks/elements that are in the scope of the organisational review (hazard identification, risk assessment and mitigation processes, ERP, risk register, etc.) are provided only in AMCs and GMs to ORA.GEN.200 (a)(3), that are not applicable to these organisations. This could counteract the aim of providing a more proportionate way for these organisations to implement risk management.</p>
response	<p>Accepted</p> <p>The Agency notes your comment and the AMC and GM are amended to better clarify that the organisational review, while replacing the SRM and CM functions as defined in ORA.GEN(a)(3) and (a)(6), will not remove the need for hazard identification and related SRM, in particular in relation to:</p> <ul style="list-style-type: none"> <li>— Internal safety reports and occurrence reports;</li> <li>— Hazards entailed by any change to the organisation; and</li> <li>— Emergency response preparedness (in order not to generate new hazards in an emergency).</li> </ul>
comment	<p>157                      comment by: <i>EASA Consultants OÜ</i></p>



In Point (g), for a non-complex organisation the reference to ORA.GEN.205 may be misinterpreted when being handled by inexperienced Compliance Managers. In particular, because of the wording in ORA.GEN.205(a), inexperience may lead to overlooking of the requirements of ORA.GEN.205(b). Added to this, the reference to conformance to applicable requirements and ORA.GEN.205 may still give rise to interpretation that all contracted activities must be audited. We propose splitting sub-point (g) to read as follows:  
 "...(1) the contracted organisation holds approval to conduct the contracted activity; and  
 (i) the performance of the contracted organisation, in relation to compliance of the contracted activities has been considered; and  
 (ii) where the results of (i) have given rise to indicators of non-compliance, further investigation has been performed which may include an audit.; or  
 (2) Where the contracted organisation does not hold the required approval and/or the contracted activities have failed to show compliance as indicated in (1)(ii), the management system of the organisation shall take responsibility for performance of the contracted activities; and ...."

response

Partially accepted

The Agency is of the opinion that your proposal is rather prescriptive and assumes the notion of a separate compliance monitoring manager.

However, the Agency sees the need to reword point (g) regarding ‘contracted activities’ and will amend this point and will make a distinction between new providers and existing providers approved and existing providers not approved for such activities.

comment

175 comment by: *AOPA Finland*

Non-commercial non-complex ATOs usually do not have capabilities and resources to improve and reach the highest safety standards but they are able to comply with all applicable legal requirements. All applicable standards and best practises could be met and considered.

According to EASA's European General Aviation Safety Strategy, GA must be treated as a sector in its own right and not as a watered-down “Commercial Air Transport (CAT) by-product.”

The risk based approach - a proposed acceptable risk hierarchy presents that different stakeholders may demand and deserve a different approach to risk management. Some sort of hierarchy is proposed as follows, in descending order of “risk averseness”:

1. Uninvolved third parties
2. Fare-paying passengers in CAT
3. Involved third parties (e.g. air show spectators, airport ground workers)
4. Aerial work participants / Air crew involved in aviation as workers
5. Passengers (“participants”) on non-commercial flights





6. Private pilots on non-commercial flight.

It is therefore highly desirable for GA regulation to consider first the simplest cases of aircraft design, production, licensing and operations etc, and setting the minimum requirements for these cases, then developing specific requirements for less simple cases (in terms of aircraft design, production or type of operations) to be progressively added to cover specific items.

The proposed changes do not simplify the requirements enough - laid down in this NPA 2014-28 for Part-ORA - for non-complex approved training organisations (ATOs). The proposed changes are expected to attenuate safety, increase regulatory burden on Member States and ATO applicants, diminish harmonisation, and decrease proportionality of the rules for General Aviation by ignoring the principles of the 'General Aviation Road Map'. See the attached file for reference how to simplify the requirements.

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

204 ❖ comment by: *Head of Aeroclub*

The small training school is being destroyed by these regulations.

On a day to day basis schools are being bullied into complying with ATO requirements that are known and accepted to be excessive and inappropriate.

**EASA must step in URGENTLY and prevent NAAs** with an unhealthy vested interest from forcing small flight training organisations to comply.

**THE Registered Facility needs to be re-opened as an EMERGENCY MEASURE, to save the lives, homes, and families being destroyed NOW.**

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

Regarding your proposal to allow the Registered Facilities (RFs) to continue providing flight training, it should be highlighted that the Commission, the Member States and the Agency agreed, as already reflected in Regulation (EU) 2015/445, to allow former RFs to continue providing flight training for the LAPL and the PPL without complying with the provisions of Part-ORA until April 2018. The extension of privileges and timelines were proposed in order to provide sufficient time for the development of alternative rules for the training for private pilot licences, ratings and certificates. Said alternative rules will include a training route outside ATOs.

comment

222 comment by: *G Purchase*

(a) This section is not needed. An organisation authorised to teach PPL is only going to teach PPL - what else if there to say!



(b) (3) this should be removed. There are not teams of standardizers in small flying clubs. All the instructors know the PPL syllabus and are checked by the CAA every 3 years by flight test or attending a training seminar. The syllabus isn't complex or subject to change. The CFI knows his instructors and monitors student progress, dealing with any issues as they arise.

response

Partially accepted

The Agency notes your comment. Considering the second part of your comment, (b)(3) has been amended.

Please also note that the GM provides only guidance. The concerned ATO may decide to do it differently.

### 3. Proposed amendments — 3.1. Draft EASA Decision — Subpart ATO — AMC1 ORA.ATO.105

p. 26-27

comment

36 comment by: *René Meier, Europe Air Sports*

AMC1 ORA.ATO.105 Application  
Application Form

General remark: We understand that this simple application form will be submitted together with plans and lists as required by 7. Aerodromes/operating sites, 8. Flight Operations accomodation, 9. Theoretical instruction facilities, 11. Description of aircraft.

Question to Block 7: Is it accepted to simply write "none", e.g. behind (c) air traffic control?

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

37 comment by: *René Meier, Europe Air Sports*

AMC1 ORA.ATO.105 Application  
Application Form

Field 13 with the asterisk: We fully accept the content of Note 3, but a question arises: How is it connected with all the proposed texts about Compliance Monitoring in this NPA?

response

Noted

The Agency carefully assessed the comment. Whilst the Agency appreciates and would have considered the comment, it decided not to include this proposed amendment to the AMC to ORA.ATO.105 for the reasons provided in the response to comment No 12 or in Chapter 2 of this CRD.

comment

90 comment by: *Fédération Française d'Aérostation, ATO task force*

**AMC1 ORA.ATO.105 Application**



On the application for for ATOs: several items are not practical or applicable to balloons. as mentioned, new regulations specific for balloons (parts ATO, FCL and part-M) are under discussion

in a designated EASA workgroup with the European Balloon Federation (EBF) representing several

national ballooning federations.

Meanwhile the ATO workgroup of the FFAe (French ballooning federation) suggests some modifications to this application form.

\*\*\*\*

- One of these is to introduce a additional note below the application form:

**Note 4: In case of balloons, the items with a double asterisk \*\* are not applicable.**

\*\*\*\*

**7: Aerodromes/operating sites to be used  
- Add an asterisk \***

In this case the balloon ATO can just use a simple description like 'Any suitable field, provided that

launch permission is obtained in accordance with local regulations.' And will not supply any supplementary information.

*Motivation:*

*Balloons do not usually take off from aerodromes, nor are they usually based at aerodromes.*

*A*

*balloon pilot needs to change his launch site depending on the wind direction in order to arrive at*

*an adequate landing area with a choice of potential landing sites. Thus, balloon pilots need to be*

*as free as possible in the choice of launch sites. National regulations usually cater for this (i.e. they define the conditions under which a balloon pilot may obtain permission to take off from a*

*rural field or public terrain, like a park, football pitch etc.)*

*As a result, asking for a limited list of 'operating sites' is detrimental for ballooning safety. A balloon pilot/PI must feel free to determine the launch site/take-off point according to actual conditions.*

*A student balloon pilot also needs to learn how to choose a proper launch site depending on the*

*weather. If he/she can not be taught this due to a limited choice in 'operating sites', this will be*

*detrimental to the future safety of freshly trained balloon pilots.*

*Note also that typical balloon launch sites are not 'operating sites' or 'aerodromes' in the usual*

*sense, as there are usually no facilities like hangars, control towers, classrooms or similar buildings. Nor are these terrains specially prepared, like airstrips. As a result, none of the typical*

*supplementary information like ATC can be supplied.*

\*\*\*

**8. Flight operations accommodation**

**We suggest a double asterisk (\*\*) to indicate this is not applicable for balloons.**

*Motivation:*



*As balloons are particularly dependent on actual weather conditions, the choice of take-off site and the decision to take off and which strategy to follow (altitudes etc.) take place at the very last moment, often at the launch site itself. GSM mobile connections allow balloon pilots to obtain the necessary information (weather reports, radar images etc.) at rural locations far away from home or an airport. Thus, defining fixed 'flight operations accommodation' with a number or rooms at a fixed address is impossible for balloon pilots as their 'flight operations' in the few hours just before take-off do not take place in a building at a fixed address.*

**11. Description of aircraft registration of aircraft (b) Add \*\* (not applicable for balloons). No specific registrations.**

*Motivation: many individual instructors fly their own balloons while attached to a national/federal ATO, or do instruction flights in balloons owned by their student pilots. The list of aircraft registrations will thus become impossibly long. A general reference could be made under (a) such as: Hot-air balloons flown and maintained in accordance with the manufacturer's flight and maintenance manuals.*

**13. Details of proposed compliance monitoring function or organisation review**

*We approve of the asterisk, and assume that balloon ATOs will always choose to insert a general statement.*

response

Noted

The Agency carefully assessed the comment. Whilst the Agency appreciates and would have considered the comment, it decided not to include this proposed amendment to the AMC to ORA.ATO.105 for the reasons provided in the response to comment No 12 or in Chapter 2 of this CRD.

comment

91 comment by: CAA of Poland representative

Comment added by the CAA of Poland:

*1. On page 26 of NPA 2014-28 (ATO Subpart 1. AMC1 ORA.ATO 105 Application Form) in points 3-6 there is a new proposal to address the issue related to the legal form of employment at ATO, namely changing from: "full/part-time" at: "full-time, part-time or freelance". In the Polish CAAs FCL's sections opinion the above change clearly indicates that in the near future (as the AMC will apply) the current approach will be redefined in such a way to extend opportunities of the "employment" for forms of the so called "nominated personnel" in ATO. In our understanding also other forms such as contract (self-employment) or even volunteering (in terms of the smallest ATOs such as: LAPL/SPL/BPL/PPL) will be possible. The above in our assessment suggests the NPA by using the term "freelance". Is that a correct understanding? Please for EASA clarification.*



2. In addition to the above mentioned, in our opinion, employment of the key function personnel of the ATO (non-complex) through other forms of employment, other than a contract of employment, may raise a potential threat to the safety of the system in the organization.

response

Noted

The Agency carefully assessed the comment. Whilst the Agency appreciates and would have considered the comment, it decided not to include this proposed amendment to the AMC to ORA.ATO.105 for the reasons provided in the response to comment No 12 or in Chapter 2 of this CRD.

comment

121 comment by: ANPI

In "free lance" organisations (Aeroclubs) hierarchy relations doesn't exist, endorsing responsibilities is impossible. This is particularly true for the head of training. It is proposed to add an \*asterisk to item 3 "head of training".(the items with the asterisk \* may be satisfied by a general statement). Part of possibilities is to give delegation to flight instructors on individual basis for items 3. 4. 5. Organisational Reviews for compliance will stay in charge of auditing compliance to regulations.

response

Noted

The Agency carefully assessed the comment. Whilst the Agency appreciates and would have considered the comment, it decided not to include this proposed amendment to the AMC to ORA.ATO.105 for the reasons provided in the response to comment No 12 or in Chapter 2 of this CRD.

comment

147 comment by: Deutscher Aero Club (DAeC)

AMC1 ORA.ATO.105 Application Application Form

This Form suggests that the ATO is meant to be a self-sufficient organization. An ATO within the air sports world is used to train members of the clubs to become new pilots and stay with the club to perform the air sports. Clubs are intrinsic interested to train their members well and avoid unsafe behaviour due to the fact that all accidents affects the whole community in sport.

AMC1 ORA.ATO.105 Application

Field 13 with the asterisk: We fully accept and highly appreciate the content of Note 3, but a question arises: How is it related to all the proposed texts about Compliance Monitoring in this NPA? Application Form

response

Noted

The Agency carefully assessed the comment. Whilst the Agency appreciates and would have considered the comment, it decided not to include this proposed amendment to the AMC to



ORA.ATO.105 for the reasons provided in the response to comment No 12 or in Chapter 2 of this CRD.

comment

176 comment by: *AOPA Finland*

The proposed changes are expected to attenuate safety, increase regulatory burden on Member States and ATO applicants, diminish harmonisation, and decrease proportionality of the rules for General Aviation by ignoring the principles of the 'General Aviation Road Map'. In addition to application form for an ATO certificate, EASA should provide the MASTER ATO TEMPLATE according to the attached sample, MASTER\_ATO\_TEMPLATE\_AOPA\_FINLAND.pdf.

response

Noted

The Agency carefully assessed the comment received. Whilst the Agency appreciates and would have considered the comment provided, it decided not to include this proposed amendment to the AMC ORA.ATO.105 based on the fact that a majority of comments proposed not to include additional AMC and GM except for the organisational review.

Please also refer to the response to comment No 127.

comment

201 comment by: *Head of Aeroclub*

Too much detail required, too rigid, may vary at short notice and frequently. No flexibility nor self determination permitted.

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

204 ❖ comment by: *Head of Aeroclub*

The small training school is being destroyed by these regulations.

On a day to day basis schools are being bullied into complying with ATO requirements that are known and accepted to be excessive and inappropriate.

**EASA must step in URGENTLY and prevent NAAs** with an unhealthy vested interest from forcing small flight training organisations to comply.

**THE Registered Facility needs to be re-opened as an EMERGENCY MEASURE, to save the lives, homes, and families being destroyed NOW.**

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

Regarding your proposal to allow the Registered Facilities (RFs) to continue providing flight training, it should be highlighted that the Commission, the Member States and the Agency agreed, as already reflected in Regulation (EU) 2015/445, to allow former RFs to continue



providing flight training for the LAPL and the PPL without complying with the provisions of Part-ORA until April 2018. The extension of privileges and timelines were proposed in order to provide sufficient time for the development of alternative rules for the training for private pilot licences, ratings and certificates. Said alternative rules will include a training route outside ATOs.

comment

223

comment by: *G Purchase*

The form is overly complex and asks for unnecessary detail, in common with most forms!  
7. - add the asterix, as this level of detail isn't needed here; its going to be in the airfield published data.

8. and 9. - Add the asterix - who cares how many rooms there are or how big, as long as there- is a separate briefing and flight planning rooms.

12. Add the asterix. There is no need to send teh CAA these details. They would have to extend their building just to house all the paperwork and would never have time to read it all!

response

Noted

The Agency carefully assessed the comment received. Whilst the Agency appreciates and would have considered the comment provided, it decided not to include this proposed amendment to the AMC ORA.ATO.105.

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

### 3. Proposed amendments — 3.1. Draft EASA Decision — Subpart ATO — AMC1 ORA.ATO.110

p. 28

comment

10

comment by: *PBN-Abbenes*

AMC1 ORA.ATO.110.

The writer of this paper, works on the assumption that a large organisation is involved in the ATO. With only 3 max 5 pilots under training and staff being volunteers only, with no paid staff available nor could we afford paid staff puts these papers in a different perspective, I suggest. We need to keep things simple and safe. We need to administer items that are relevant. We need to establish who is responsible for what. We have a system that has produced safe pilots for over 40 years and the system has worked fine so far. Why make becoming a pilot unaffordable..??

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

19

comment by: *Niklas Larsson - Member of GA Task Force, representing AOPA Sweden*

The NAA is auditing the training organisation. That should be sufficient to allow a one man operation. It is very important that it is possible to conduct non-complex flight training



totally independent. Many small organisations only have 1-5 students each year and to have another person or organisation involved is not necessary due to the very low risk of these operations.

The Agency must allow these non-complex ATOs to be totally independent and run by a single person.

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

61 comment by: *DGAC France*

### **AMC1 ORA.ATO.110**

#### **Subject:**

#### **Combination of tasks in small ATOs**

AMC1 ORA.ATO.110 allows combination of tasks in the case of non complex organisation. We consider that this AMC allows a full combination of all tasks in non complex organisations if needed and if sufficient resources are allocated.

The articulation with AMC1 ORA.GEN.200 (a) (6) (in particular the combination envisaged in § (c)) is not clear enough.

In addition in (b) of AMC1 ORA.ATO.110, the reference to the sole training organisation with one person is too restrictive.

The possibility offered in point (b) should be a flexibility offered to all non complex ATOs if justified by the size and scope of activities.

France proposes a new draft for §(b) of the AMC.

#### **Proposed new draft:**

### **AMC1 ORA.ATO.110**

[...]

*(b) If necessary and taking into account the size of the organization and the nature and complexity of its activities, the compliance monitoring function or organisational review, as applicable, ~~should~~ could be contracted to an appropriate organisation or to a person who is able to demonstrate relevant knowledge, background and appropriate experience related to the activities of the organisation, including knowledge of and experience in compliance monitoring, with the agreement of the competent authority.*

response

Noted

The Agency carefully assessed the comment. Whilst the Agency appreciates and would have considered the comment, it decided not to include this proposed amendment to the AMC to ORA.ATO.110 for the reasons provided in the response to comment No 12 or in Chapter 2 of





this CRD.

comment

82 comment by: *CAA-NL*

**2 page 28**

AMC1 ORA.ATO.110 (b) introduces a 'contracted person agreed by the competent authority'. An example of prescriptive rulemaking. Leaving the 'agreement of the CA' would make it much more performance like.

response

Noted

The Agency carefully assessed the comment. Whilst the Agency appreciates and would have considered the comment, it decided not to include this proposed amendment to the AMC to ORA.ATO.110 for the reasons provided in the response to comment No 12 or in Chapter 2 of this CRD.

comment

149 comment by: *Deutscher Aero Club (DAeC)*

AMC1 ORA.ATO.110 (b)

This requirement is not proportionate for club based organisations as these organisations are not able to comply with the relevant requirements concerning contracting of tasks. In addition it is questionable, whether such organisations are able to finance persons or companies which offers the required qualifications.

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

158 comment by: *EASA Consultants OÜ*

Use of "agreement" in point (b) herein is ambiguous. "Approval" or "Acceptance" would remove all ambiguity. We propose in the light of the intent of this NPA that "agreement" should be changed to "acceptance" to retain commonality with commonly accepted nomenclature used within the Regulation and industry as a whole.

response

Noted

The Agency carefully assessed the comment received. Whilst the Agency appreciates and would have considered the comment provided, it decided not to include this proposed amendment to the AMC based on the following reasoning.

comment

177 comment by: *AOPA Finland*

Non-commercial non-complex ATOs usually do not have capabilities and resources to reach this kind of personnel for organisational purposes but they are able to comply with all applicable legal requirements. All reasonable personnel requirements could be met and considered if the number of personnel do not exceed two (2) persons.



According to EASA's European General Aviation Safety Strategy, GA must be treated as a sector in its own right and not as a watered-down "Commercial Air Transport (CAT) by-product."

The risk based approach - a proposed acceptable risk hierarchy presents that different stakeholders may demand and deserve a different approach to risk management. Some sort of hierarchy is proposed as follows, in descending order of "risk averseness":

1. Uninvolved third parties
2. Fare-paying passengers in CAT
3. Involved third parties (e.g. air show spectators, airport ground workers)
4. Aerial work participants / Air crew involved in aviation as workers
5. Passengers ("participants") on non-commercial flights
6. Private pilots on non-commercial flight.

It is therefore highly desirable for GA regulation to consider first the simplest cases of aircraft design, production, licensing and operations etc, and setting the minimum requirements for these cases, then developing specific requirements for less simple cases (in terms of aircraft design, production or type of operations) to be progressively added to cover specific items.

The proposed changes do not simplify the requirements enough - laid down in this NPA 2014-28 for Part-ORA - for non-complex approved training organisations (ATOs). The proposed changes are expected to attenuate safety, increase regulatory burden on Member States and ATO applicants, diminish harmonisation, and decrease proportionality of the rules for General Aviation by ignoring the principles of the 'General Aviation Road Map'. See the attached file for reference how to simplify the requirements.

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

202 comment by: *Head of Aeroclub*

What a load of nonsense. The combination of tasks is an attempt to accommodate the structures that regulators living in a detached environment are beginning to realise are inappropriate.

Which hat shall I wear now while I talk to myself with another hat on?

Who can I find that is acceptable to the authority to come and fill out the Compliance paperwork again? How much will it cost ? Will it have any relevance - no.

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.



comment

204 ❖

comment by: *Head of Aeroclub*

The small training school is being destroyed by these regulations.

On a day to day basis schools are being bullied into complying with ATO requirements that are known and accepted to be excessive and inappropriate.

**EASA must step in URGENTLY and prevent NAAs** with an unhealthy vested interest from forcing small flight training organisations to comply.

**THE Registered Facility needs to be re-opened as an EMERGENCY MEASURE, to save the lives, homes, and families being destroyed NOW.**

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

Regarding your proposal to allow the Registered Facilities (RFs) to continue providing flight training, it should be highlighted that the Commission, the Member States and the Agency agreed, as already reflected in Regulation (EU) 2015/445, to allow former RFs to continue providing flight training for the LAPL and the PPL without complying with the provisions of Part-ORA until April 2018. The extension of privileges and timelines were proposed in order to provide sufficient time for the development of alternative rules for the training for private pilot licences, ratings and certificates. Said alternative rules will include a training route outside ATOs.

comment

224

comment by: *G Purchase*

Over-the-top again. In (b) the last 2 clauses about knowledge and experience and with the agreement of the authority should be deleted. No-one at a small flying school will be able to claim to meet this, and why should the regulator get involved in this detail.

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

### 3. Proposed amendments — 3.1. Draft EASA Decision — Subpart ATO — AMC1 ORA.ATO.110(b) p. 28

comment

74

comment by: *CAA-NL*

We suggest to add 'as appropriate' at the end of the paragraph in AMC1 ORA.ATO.110.

AMC1 ORA.ATO.110(b) Personnel requirements

HEAD OF TRAINING

The nominated head of training (HT) should have the overall responsibility to ensure that the training is

in compliance with the appropriate requirements. In an ATO providing training courses for different

aircraft categories, or for a variety of class and type ratings within one aircraft category, the



	<p>HT shall should be assisted by one or more nominated deputy HT(s) for certain flight training courses or aircraft categories <b>AS APPROPRIATE</b>.</p>
response	<p>Noted</p> <p>The Agency carefully assessed the comment. Whilst the Agency appreciates and would have considered the comment, it decided not to include this proposed amendment to the AMC to ORA.ATO.110 for the reasons provided in the response to comment No 12 or in Chapter 2 of this CRD.</p>
comment	<p>75                      comment by: <i>CAA-NL</i></p> <p>In AMC5 ORA.ATO.125 Training Programme the terminology 'a more appropriate training programme' is used. What is the meaning of such a training and is it the intention of EASA to produce any Guidance Material (GM)?</p>
response	<p>Noted</p> <p>Please refer to the response to comment No 12 or to Chapter 2 of this CRD. The Agency had in mind that competent authorities would for example accept the reference to an existing AMC containing the training syllabus for the LAPL or PPL as an appropriate element for the training programme. However, based on the comments received, the Agency decided not to include this proposed amendment or additional GM in the Decision as explained in the response to comment No 12.</p>
comment	<p>159                      comment by: <i>EASA Consultants OÜ</i></p> <p>We feel use of the word "should" is inadequate to remove the ambiguity and potential burden on non-complex organisations when interpreted by over-zealous competent authorities. We are aware of at least one ATO where the HT is a TRI on the relevant types in the ATO while at the same time maintaining qualification and skills as an FI in all GA types used by the ATO. We propose adding the following to the end of this AMC in order to clarify this situation: "... in circumstances whereby the incumbent HT does not hold and has not held the privileges to instruct on those aircraft categories or varieties within those class or type ratings."</p>
response	<p>Noted</p> <p>The Agency carefully assessed the comment received. Whilst the Agency appreciates and would have considered the comment, it decided not to include this proposed amendment to the AMC to ORA.ATO.110 for the reasons provided in the response to comment No 12 or in Chapter 2 of this CRD.</p>
comment	<p>178                      comment by: <i>AOPA Finland</i></p> <p>Non-commercial non-complex ATOs usually do not have capabilities and resources to reach this kind of personnel for organisational purposes but they are able to comply with all</p>



applicable legal requirements. All reasonable personnel requirements could be met and considered if the number of personnel do not exceed two (2) persons.

According to EASA's European General Aviation Safety Strategy, GA must be treated as a sector in its own right and not as a watered-down "Commercial Air Transport (CAT) by-product."

The risk based approach - a proposed acceptable risk hierarchy presents that different stakeholders may demand and deserve a different approach to risk management. Some sort of hierarchy is proposed as follows, in descending order of "risk averseness":

1. Uninvolved third parties
2. Fare-paying passengers in CAT
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It is therefore highly desirable for GA regulation to consider first the simplest cases of aircraft design, production, licensing and operations etc, and setting the minimum requirements for these cases, then developing specific requirements for less simple cases (in terms of aircraft design, production or type of operations) to be progressively added to cover specific items.

The proposed changes do not simplify the requirements enough - laid down in this NPA 2014-28 for Part-ORA - for non-complex approved training organisations (ATOs). The proposed changes are expected to attenuate safety, increase regulatory burden on Member States and ATO applicants, diminish harmonisation, and decrease proportionality of the rules for General Aviation by ignoring the principles of the 'General Aviation Road Map'. See the attached file for reference how to simplify the requirements.

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

204 ❖ comment by: *Head of Aeroclub*

The small training school is being destroyed by these regulations.

On a day to day basis schools are being bullied into complying with ATO requirements that are known and accepted to be excessive and inappropriate.

**EASA must step in URGENTLY and prevent NAAs** with an unhealthy vested interest from forcing small flight training organisations to comply.

**THE Registered Facility needs to be re-opened as an EMERGENCY MEASURE, to save the**



**lives, homes, and families being destroyed NOW.**

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

Regarding your proposal to allow the Registered Facilities (RFs) to continue providing flight training, it should be highlighted that the Commission, the Member States and the Agency agreed, as already reflected in Regulation (EU) 2015/445, to allow former RFs to continue providing flight training for the LAPL and the PPL without complying with the provisions of Part-ORA until April 2018. The extension of privileges and timelines were proposed in order to provide sufficient time for the development of alternative rules for the training for private pilot licences, ratings and certificates. Said alternative rules will include a training route outside ATOs.

comment

211 comment by: *Finnish Transport Safety Agency*

Trafi welcomes the possibility to nominate additional deputy HTs (head of training).

response

Noted

Whilst the Agency appreciates the positive feedback provided on the possibility to nominate additional deputy HTs, it finally decided not to include this proposed amendment to the AMC to ORA.ATO.110. Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

### 3. Proposed amendments — 3.1. Draft EASA Decision — Subpart ATO — AMC5 ORA.ATO.125

p. 28

comment

62 comment by: *DGAC France*

#### **AMC5 ORA.ATO.125**

##### **Subject:**

##### **Privileges of non complex ATOs**

In the proposed AMC5 ORA.ATO.125, there seems to be no limitations in terms of class or type rating courses for aeroplanes and type rating courses for helicopters that could be developed and proposed in a non complex ATOs.

Does that mean that for example a non-complex ATO may provide training to a candidate for a complex HPA type rating aeroplane? And additionally does that mean that AMC5 ORA.ATO.125 is fully applicable in this case?

How the wording “*these training programs may be satisfied by a more proportionate training programme*” should be understood? Does it mean that the content of the training program may be alleviated for example on the basis of the analysis of the head of training (HT)? Or does it mean that that the “*more proportionate*” applies only on the documentation.

response

Noted



Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

77 comment by: *Luftfahrt-Bundesamt*

It is not reasonable that training programmes developed by non-complex ATOs do not have to be as explicit as those developed by other ATOs. Due to a standardised training it is recommended that non-complex ATOs have to fulfill the same requirements related to training programmes as other ATOs.

response

Noted

The Agency carefully assessed the comment received and understands that the LBA is of the opinion that training programmes developed by non-complex ATOs must be the same as the ones developed by complex ATOs. Whilst the Agency would have considered the comment provided, it decided not to include this proposed new AMC based on the reasons provided in the response to comment No 12 or in Chapter 2 of this CRD.

comment

162 comment by: *EASA Consultants OÜ*

We are not satisfied that this text can exist in isolation without an equivalent guidance to CAs in Part ARA. We have evidence of at least one competent authority requiring ATOs to maintain an update service for a full set of FCOM/AFM for the aircraft concerned regardless that most manufacturers will support such a service only for specific "tail numbers" and as such will not provide the service to ATOs that do not operate the aircraft (FSTD only ATOs). The wording of this AMC does nothing to alleviate such disproportionate demands on such organisations unless there is a companion requirement in Part ARA that gives the Authorities guidance on how to interpret "more proportionate programme".

We feel this is essential in the absence of an EASA Complaints department where undertakings may request clarification of such issues directly from EASA to then be fed back to the competent authorities, because experience shows the competent authorities are unwilling to request such clarifications from rulemaking themselves when so requested by organisations.

response

Noted

The Agency carefully assessed the comment received. Whilst the Agency appreciates and would have considered the comment provided, it decided not to include this proposed amendment to the AMC to ORA.ATO.125.

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

180 comment by: *AOPA Finland*

The content of training programmes for each certificates or ratings are described in particular chapter of PART-FCL. There is no reasonable justification to develop the training programmes containing double standards or creating additional regulation for the extension type of training.



Non-commercial non-complex ATOs usually do not have capabilities and resources to improve and reach the highest safety standards but they are able to comply with all applicable legal requirements. All applicable standards and best practises could be met and considered.

According to EASA's European General Aviation Safety Strategy, GA must be treated as a sector in its own right and not as a watered-down "Commercial Air Transport (CAT) by-product."

The risk based approach - a proposed acceptable risk hierarchy presents that different stakeholders may demand and deserve a different approach to risk management. Some sort of hierarchy is proposed as follows, in descending order of "risk averseness":

1. Uninvolved third parties
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It is therefore highly desirable for GA regulation to consider first the simplest cases of aircraft design, production, licensing and operations etc, and setting the minimum requirements for these cases, then developing specific requirements for less simple cases (in terms of aircraft design, production or type of operations) to be progressively added to cover specific items.

The proposed changes do not simplify the requirements enough - laid down in this NPA 2014-28 for Part-ORA - for non-complex approved training organisations (ATOs). The proposed changes are expected to attenuate safety, increase regulatory burden on Member States and ATO applicants, diminish harmonisation, and decrease proportionality of the rules for General Aviation by ignoring the principles of the 'General Aviation Road Map'. See the attached file for reference how to simplify the requirements.

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

204 ❖ comment by: *Head of Aeroclub*

The small training school is being destroyed by these regulations.

On a day to day basis schools are being bullied into complying with ATO requirements that are known and accepted to be excessive and inappropriate.

**EASA must step in URGENTLY and prevent NAAs** with an unhealthy vested interest from forcing small flight training organisations to comply.





**THE Registered Facility needs to be re-opened as an EMERGENCY MEASURE, to save the lives, homes, and families being destroyed NOW.**

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

Regarding your proposal to allow the Registered Facilities (RFs) to continue providing flight training, it should be highlighted that the Commission, the Member States and the Agency agreed, as already reflected in Regulation (EU) 2015/445, to allow former RFs to continue providing flight training for the LAPL and the PPL without complying with the provisions of Part-ORA until April 2018. The extension of privileges and timelines were proposed in order to provide sufficient time for the development of alternative rules for the training for private pilot licences, ratings and certificates. Said alternative rules will include a training route outside ATOs.

### 3. Proposed amendments — 3.1. Draft EASA Decision — Subpart ATO — AMC1 ORA.ATO.130

p. 28-31

comment

38 comment by: *René Meier, Europe Air Sports*

AMC1 ORA.ATO.130  
Content of training and Operations Manual  
page 29

So far a good compilation of what is needed. One remark, however: Why do you ask for (4) Student discipline and disciplinary action? Please delete this.

Rationale:

We are free European citizens, no such records are required, at least not such a wording, this is unacceptable in the context of totally voluntary trainings paid by individuals from their personal income.

response

Noted

The Agency carefully assessed the comment received. Whilst the Agency appreciates and would have considered the comment provided, it decided not to include this proposed new AMC1 ORA.ATO.130.

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

63 comment by: *DGAC France*

**AMC1 ORA.ATO.130**

**Subject:**

**Training and operations manuals content**

France agrees on the proposal for training and operations manual content and considers that



response	<p>it meets the objective of simplification.</p> <p>Noted</p> <p>Whilst the Agency appreciates the positive feedback, it decided not to include this proposed additional AMC to ORA.ATO.130. Please refer to the response to comment No 12 or to Chapter 2 of this CRD.</p>
comment	<p>150 comment by: <i>Deutscher Aero Club (DAeC)</i></p> <p>AMC1 ORA.ATO.130 Content of training and Operations Manual page 29 If the required points can be seen in a flexible manner and adapted to activities with less requirements, as appropriate, such listing might be acceptable. However, several points are not proportionate. One example, however: Why do you ask for (4) Student discipline and disciplinary action? Please delete this.</p> <p>Rationale: We are free European citizens, no such records are required, at least not such a wording, this is unacceptable in the context of totally voluntary trainings paid by individuals from their personal income. Major revision is necessary, also in the light of the proposed GA Roadmap of EASA and the accepted opt-out to ATO and the wish to adapt the regulatory framework for small aviation and air sport following the GA Roadmap of EASA. This is countered by the AMC published in this NPA.</p>
response	<p>Noted</p> <p>The Agency carefully assessed the comment received. Whilst the Agency appreciates and would have considered the comment provided, it decided not to include this new additional AMC to ORA.ATO.130.</p> <p>Please refer to the response to comment No 12 or to Chapter 2 of this CRD.</p>
comment	<p>182 comment by: <i>AOPA Finland</i></p> <p>Most of the operational elements are described in relevant EASA regulation within the requirements currently valid; see applicable chapter of PART-FCL, PART-M, PART-MED and etc.</p> <p>Most of the technical elements are described in EASA regulation within the requirements currently valid; see applicable chapter of PART-FCL, PART-M, PART-MED and etc.</p> <p>Most of the route elements are described in relevant EASA or MSs national regulation within the requirements currently valid; see applicable chapter of PART-FCL, PART-M, PART-MED and etc. national regulation.</p> <p>Most of the training elements are described in relevant EASA regulation and/or MSs national</p>



regulation within the requirements currently valid; see applicable chapter of PART-FCL, PART-M, PART-MED and etc. national regulation.

Non-commercial non-complex ATOs usually do not have capabilities and resources to improve and reach the highest safety standards but they are able to comply with all applicable legal requirements. All applicable standards and best practises could be met and considered.

According to EASA's European General Aviation Safety Strategy, GA must be treated as a sector in its own right and not as a watered-down "Commercial Air Transport (CAT) by-product."

The risk based approach - a proposed acceptable risk hierarchy presents that different stakeholders may demand and deserve a different approach to risk management. Some sort of hierarchy is proposed as follows, in descending order of "risk averseness":

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It is therefore highly desirable for GA regulation to consider first the simplest cases of aircraft design, production, licensing and operations etc, and setting the minimum requirements for these cases, then developing specific requirements for less simple cases (in terms of aircraft design, production or type of operations) to be progressively added to cover specific items.

The proposed changes do not simplify the requirements enough - laid down in this NPA 2014-28 for Part-ORA - for non-complex approved training organisations (ATOs). The proposed changes are expected to attenuate safety, increase regulatory burden on Member States and ATO applicants, diminish harmonisation, and decrease proportionality of the rules for General Aviation by ignoring the principles of the 'General Aviation Road Map'. See the attached file for reference how to simplify the requirements.

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

203 comment by: *Head of Aeroclub*

TRAINING MANUAL

**AND**



OPERATIONS MANUAL

JUST WAY WAY WAY OUT OF WHACK.

NO WHERE NEAR ANYTHING APPROACHING APPROPRIATE LEVELS OF REGULATION.  
GO AWAY START AGAIN - PLEASE.

PEOPLE ARE LEARNING TO FLY AS A PRIVATE LEISURE ACTIVITY.

PEOPLE ARE TEACHING FLYING AS A PRIVATE LEISURE ACTIVITY

NOWHERE IN THE WORLD IS THIS LEVEL OF STATE INTERFERENCE ACCEPTABLE.

WHAT IS GOING ON?

OUT OF CONTROL, SELF SERVING, 'CORRUPT' (CONFLICT OF INTEREST), OVERBEARING,  
HUMILIATING, COUNTERPRODUCTIVE NONSENSE.

WILL/IS DESTROYING OUR PRIVATE TRAINING SECTOR WITHOUT A MANDATE AND WITH  
DUBIOUS MOTIVATIONS.

THREE DAYS ON THIS , NOT ENOUGH TIME TO SCRUTINISE IT PROPERLY BECAUSE IT IS TO  
BIG, RUNNING OUT OF TIME ON THE CONSULTATION.

DEPRESSED, DEFLATED, PESSIMISTIC, CHEATED.

An instructor in the USA can just teach anyone anything he is entitled to do. It works.  
The Regulatory body should lay down a specification of the standard required, and the free  
market should deliver it as it sees fit. It'll almost certainly out perform a systematised  
uniform rigid structure.

This is an employment scheme, which is in danger of killing a sector and requiring more  
administrative resource than can be justified for an activity of this scale. This is an  
infringment of the basic civil liberties of the 'free individual'.

These are the sort of requirements that might accompany a prison sentence, parole  
conditions. Not appropriate for 'free citizens'.

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

204 ❖ comment by: *Head of Aeroclub*

The small training school is being destroyed by these regulations.

On a day to day basis schools are being bullied into complying with ATO requirements that  
are known and accepted to be excessive and inappropriate.

**EASA must step in URGENTLY and prevent NAAs** with an unhealthy vested interest from  
forcing small flight training organisations to comply.



response

**THE Registered Facility needs to be re-opened as an EMERGENCY MEASURE, to save the lives, homes, and families being destroyed NOW.**

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

Regarding your proposal to allow the Registered Facilities (RFs) to continue providing flight training, it should be highlighted that the Commission, the Member States and the Agency agreed, as already reflected in Regulation (EU) 2015/445, to allow former RFs to continue providing flight training for the LAPL and the PPL without complying with the provisions of Part-ORA until April 2018. The extension of privileges and timelines were proposed in order to provide sufficient time for the development of alternative rules for the training for private pilot licences, ratings and certificates. Said alternative rules will include a training route outside ATOs.

comment

212 comment by: *Finnish Transport Safety Agency*

Trafi welcomes the additional material for training and operations manual. However, according to the explanatory note the template for integrated manual should be GM, and in the text it is AMC.

In Trafi's opinion it would be better to have the template as a guidance material instead of an AMC. This would allow easier and more flexible fulfilment of the provisions for the non-complex organisations.

response

Noted

The Agency carefully assessed the comment received. Whilst the Agency appreciates and would have considered the comment provided, it decided not to include this proposed additional AMC to ORA.ATO.130 based on the fact that the majority of stakeholders proposed the developed AMC and GM, except for the ones related to the organisational review, not to be included.

comment

225 comment by: *G Purchase*

Some unnecessary detail here:

Operational Elements:

Delete the following items:

(a)(6), (a)(12), (b)(3), (c)(1) legislation and route, (d) all,

Training Elements:

Delete the following items:

(b)(2) The answer is in the title of each exercise!



	Amend the following: (d)(2) Precede with: "The manual should include the following statement:"
response	Noted  The Agency carefully assessed the comment received. Whilst the Agency appreciates and would have considered the comment provided, it decided not to include this proposed additional AMC to ORA.ATO.130. Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

<b>3. Proposed amendments — 3.1. Draft EASA Decision — Subpart ATO — GM1 ORA.ATO.130</b>
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p. 32

comment	<p>11 comment by: <i>PBN-Abbenes</i></p> <p>GM1 ORA.ATO.130</p> <p>Any Operation directive that makes using different balloons for training difficult will make training more burdensome. At this moment we decide to take a balloon that is airworthy with ARC and is properly insured for training pilots. Why would we need a register for that? We would like to have incorporated that any insured and airworthy balloon is suitable for training..!</p>
response	<p>Noted</p> <p>Please refer to the response to comment No 12 or to Chapter 2 of this CRD.</p>
comment	<p>40 comment by: <i>Stephan Kablitz</i></p> <p>This is exactly where I would like EASA to supply the FCL compliant training programmes.</p> <p>I would expect to use the template for the management handbook, check some applicable items, fill in names and append the respective training course templates and that would be it.</p> <p>Please understand, that safety is not going to be propagated if thousands of clubs are forced to come up with individual documents that will be assessed by hundreds of individuals in the respective competent authorities.</p>
response	<p>Noted</p> <p>The Agency carefully assessed the comment received. Whilst the Agency appreciates and would have considered the comment provided, it decided not to include this proposed new GM to ORA.ATO.130.</p> <p>Please refer to the response to comment No 12 or to Chapter 2 of this CRD.</p>
comment	<p>64 comment by: <i>DGAC France</i></p> <p><b>GM1 ORA.ATO.130</b></p>



**Subject:****Training and operations manual**

It should be clear that the syllabus and material described in this GM could be existing material already validated by the Authority and shared among the general aviation community.

France proposes a new wording for clarification.

**Proposed new draft:****GM1 ORA.ATO.130**

*The reference to the training syllabi to be used as indicated under the training elements of the training and operations manual may be a reference to an external, commercially available **or on the shelf materials validated by the Authority**, compliance syllabus or material available in AMC format.*

response

Noted

The Agency carefully assessed the comment. Whilst the Agency appreciates and would have considered the comment, it decided not to include this proposed amendment to GM1 to ORA.ATO.130 for the reasons provided in the response to comment No 12 or in Chapter 2 of this CRD.

comment

69 comment by: *Eisten Nilsson*

The possibility to make reference to external documents are welcome. Thank you for that.

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD. The Agency appreciates your positive feedback but highlights that this change (possibility to make references to external documents) will not be included in the Decision based on the comments received and the final decision not to include these amendments. However, an organisation might propose this with an alternative means of compliance.

comment

89 comment by: *Fédération Française d'Aérostation, ATO task force*

GM1 ORA.ATO.130 Training manual and operations manual  
NON-COMPLEX ORGANISATIONS  
(...)

The FFAe ATO workgroup is in favour of this amendment. Reference to external manuals (ex: standardized balloon pilot manual, balloon manufacturer's flight manuals) and training materials will probably be part of any balloon ATO application.

response

Noted



Please refer to the response to comment No 12 or to Chapter 2 of this CRD. The Agency appreciates your positive feedback but highlights that this change (possibility to make references to external documents) will not be included in the Decision based on the comments received and the final decision not to include these amendments. However, an organisation might propose this with an alternative means of compliance.

comment

135

comment by: *HQ Aviation*

1. Why must it be necessary for non-complex organisation's to have such an exhaustive list of items included on the training and operations manual?
2. Operational Elements

(a) General

(7)/(8) Command of aircraft/ Responsibilities of the PIC: *is this already not sufficiently laid out with in the ANO 2009 section 1 part 10 duties of a commander? OR not covered with in the syllabus of Air Law/Operational procedures?*

(c)Route

(2) Flight planning and minima relevant to the operation: *National minima? Common sense?*

*These are just two examples from a long list which seems to repeat other documentation, requirements, rules and legislation which is all covered adequately. Non-complex ATO'S and RTF'S are successfully engaged in training within this existing frame work. So why is there a need to repeat such material in a company training manual? Or make the requirements, rules and legislation more restrictive without being base on any real justification? To make it safer? I feel that this is just another example of taking away a person's sound initiative to make decisions and become too reliant upon checklists and procedures which are made with the correct intentions but are often too ridged for the dynamic nature of aviation.*

The training and operations manual still contains excessive amounts of processes and procedures for the type of operations undertaken by a non-complex training organisation and must still be reviewed in order to allow non-complex organisation's to continue without excessive and unnecessary regulation.

response

Noted

The Agency carefully assessed the comment. Whilst the Agency appreciates and would have considered the comment, it decided not to include this proposed amendment to this AMC for the reasons provided in the response to comment No 12 or in Chapter 2 of this CRD.

comment

166

comment by: *EASA Consultants OÜ*

This wording is ambiguous and additionally may be open to misinterpretation.

It is unclear exactly what "external, commercially available, compliance syllabus..." means. We would suggest that "compliance" be changed to "compliant", however therein it becomes necessary for the ATO to ensure compliance with ORA.GEN.205 (b) where the provider of the syllabus and/or material is not in itself an ATO. This then creates the issue of





this GM being read in isolation and commercially available but non-compliant materials and syllabi being used. It may also create issues when an ATO decides to structure a course using a number of external sources rather than a single syllabus provider.

We therefore would suggest a rewording of this GM as follows:".... may be by reference to an external, commercially available, compliant syllabus where such a syllabus is issued by another certificated ATO or has been demonstrated to be compliant by other means, or otherwise is compliant with material available in AMC format."

response

Noted

The Agency carefully assessed the comment. Whilst the Agency appreciates and would have considered the comment, it decided not to include this proposed amendment to the GM1 to ORA.ATO.130 for the reasons provided in the response to comment No 12 or in Chapter 2 of this CRD.

comment

185 comment by: *AOPA Finland*

EU/EASA should develop it's own compliance syllabus to reach the desired level of pan-european unified level in flight training.

Non-commercial non-complex ATOs usually do not have capabilities and resources to improve and reach the highest safety standards but they are able to comply with all applicable, reasonable legal requirements. All applicable standards and best practises could be met and considered.

According to EASA's European General Aviation Safety Strategy, GA must be treated as a sector in its own right and not as a watered-down "Commercial Air Transport (CAT) by-product."

The risk based approach - a proposed acceptable risk hierarchy presents that different stakeholders may demand and deserve a different approach to risk management. Some sort of hierarchy is proposed as follows, in descending order of "risk averseness":

1. Uninvolved third parties
2. Fare-paying passengers in CAT
3. Involved third parties (e.g. air show spectators, airport ground workers)
4. Aerial work participants / Air crew involved in aviation as workers
5. Passengers ("participants") on non-commercial flights
6. Private pilots on non-commercial flight.

It is therefore highly desirable for GA regulation to consider first the simplest cases of aircraft design, production, licensing and operations etc, and setting the minimum requirements for these cases, then developing specific requirements for less simple cases (in terms of aircraft design, production or type of operations) to be progressively added to cover specific items.



The proposed changes do not simplify the requirements enough - laid down in this NPA 2014-28 for Part-ORA - for non-complex approved training organisations (ATOs). The proposed changes are expected to attenuate safety, increase regulatory burden on Member States and ATO applicants, diminish harmonisation, and decrease proportionality of the rules for General Aviation by ignoring the principles of the 'General Aviation Road Map'. See the attached file for reference how to simplify the requirements.

As a conclusion, the current EU/EASA ATO related crisis of flight training in Finland can easily produce a situation that all privately owned flight training organisations, organised by companies and flying clubs, might shut down their operations as soon as their RTF registrations expires. In that situation, there will be left only state owned organisations, Finnish Aviation Academy and Patria Pilot Training, because CAA/NAA, Trafi is blocking the competition with it's tariffs of 180,- €/hour for reviewing this kind of proposed documentation of 50 pages or more spending 30 to 100 hours just to check the details for more than six (6) months. During that time ARC's, insurances, radio permits etc. limited time valid documentation will expire preventing approval of ATO certificate. Companies and flying clubs need new students around the year but if they do not have ATO certificate, they will close down their operations along the Helsinki-Malmi, EFHF airport.

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

comment

204 ❖

comment by: *Head of Aeroclub*

The small training school is being destroyed by these regulations.

On a day to day basis schools are being bullied into complying with ATO requirements that are known and accepted to be excessive and inappropriate.

**EASA must step in URGENTLY and prevent NAAs** with an unhealthy vested interest from forcing small flight training organisations to comply.

**THE Registered Facility needs to be re-opened as an EMERGENCY MEASURE, to save the lives, homes, and families being destroyed NOW.**

response

Noted

Please refer to the response to comment No 12 or to Chapter 2 of this CRD.

Regarding your proposal to allow the Registered Facilities (RFs) to continue providing flight training, it should be highlighted that the Commission, the Member States and the Agency agreed, as already reflected in Regulation (EU) 2015/445, to allow former RFs to continue providing flight training for the LAPL and the PPL without complying with the provisions of Part-ORA until April 2018. The extension of privileges and timelines were proposed in order to provide sufficient time for the development of alternative rules for the training for private pilot licences, ratings and certificates. Said alternative rules will include a training route outside ATOs.



## 4. References — 4.1. Affected AMC and GM

p. 33

comment

186

comment by: *AOPA Finland*

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#### 4. Appendix — Attachments

 [MASTER ATO TEMPLATE AOPA FINLAND.pdf](#)  
Attachment #1 to comment [#127](#)

