



Explanatory Note to Decision 2014/008/R

Certification Specifications for Flight Crew Data (CS-FCD)

RELATED NPA/CRD 2012-05 — OPINION No 07/2011 'Operational Suitability Data' — RMT.0105 (21.039(d)) — 31.01.2014

EXECUTIVE SUMMARY

This Decision addresses a safety issue related to Operational Suitability Data (OSD) – Flight Crew Data as required by an amendment to Commission Regulation (EU) No 748/2012.

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

This Decision proposes Certification Specifications for Flight Crew Data (CS-FCD) comprising information related to the type specific elements for flight crew data, as required by the OSD concept.

The Certification Specifications include the following:

- (a) a uniform process and criteria for the determination of a pilot type rating to establish if a candidate aircraft is recognised as a new type or as a variant to an existing aircraft or group of aircraft and to assign the pilot licence endorsement designation for a candidate aircraft;
- (b) requirements for pilot type rating training for a specific aircraft;
- (c) operational evaluations for the proposed operations.

Applicability		Process map	
Affected regulations and decisions:	Part-21; AMC/GM Part-21; Part-CAT; AMC/GM Part-CAT; Part-FCL; AMC/GM Part-FCL	Terms of Reference	13.09.2007
Affected stakeholders:	Manufacturers, TC/STC holders, Air Operators, Industry, CAAs	Concept Paper:	Yes
Driver/origin:	Regulation (EC) 216/2008	Rulemaking group:	None
Reference:		RIA type:	
		Technical consultation during NPA drafting:	No
		Publication date of the NPA:	2012/Q2
		Duration of NPA consultation:	3 months
		Review group:	No
		Focussed consultation:	No
		Publication date of the Opinion:	13.12.2011

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1. Procedural information

1.1. The rule development procedure

The European Aviation Safety Agency (hereinafter referred to as the 'Agency') developed ED Decision 2014/008/R in line with Regulation (EC) No 216/2008¹ (hereinafter referred to as the 'Basic Regulation') and the Rulemaking Procedure².

This rulemaking activity is included in the Agency's 4-year Rulemaking Programme under RMT.0105 (21.039(d)). The scope and timescale of the task were defined in the related RMT.0110 (21.039).

The draft text of this Decision has been developed by the Agency based on the input of the 21.039(f) subgroup, deriving from the 21.039 Rulemaking Group. All interested parties were consulted through NPA 2012-05³, which was published on 6 July 2012. 84 comments on 12 segments were received on this NPA from 13 different interested parties, including industry and national aviation authorities. Some comments contained several sub-comments.

When there were multiple sub-comments, the Agency responded to all the sub-comments indicating if the sub-comment was accepted, partially accepted, noted or not accepted. In the bold title of the respond, the Agency put partially accepted when there were different sub-responses.

The Agency has reviewed the comments received on the NPA. The comments received and the Agency's responses are presented in the Comment-Response Document (CRD) 2012-05⁴.

The final text of this Decision with the Certification Specifications (CSs) and Guidance Material (GM) for Flight Crew Data has been developed by the Agency. The text as compared to the CRD has not changed.

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

1.2. Structure of the related documents

Certifications Specifications – Flight Crew Data is structured as follows:

Book 1 contains Certifications Specifications – Flight Crew Data, divided into four subparts:

Subpart A – 'General' describes the scope and the applicability of the CS-FCD and contains specifications to be fulfilled by the applicant when applying for OSD approval.

This Subpart also includes definitions of guiding terminology within the CS-FCD.

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

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

³ <http://easa.europa.eu/rulemaking/docs/npa/2012/NPA%202012-05.pdf>.

⁴ <http://easa.europa.eu/rulemaking/comment-response-documents-CRDs-and-review-groups.php>.

Subpart B – ‘Determination of a pilot type rating’ specifies the process and criteria for determining whether a certain type of aircraft is subject to a pilot type rating.

Subpart C – ‘Pilot type rating training and operational training requirements’ establishes requirements to build the necessary theoretical and practical skills to fly a specific aircraft.

‘Subpart D – ‘Operational evaluation’ establishes specifications for the operational evaluation of the aircraft.

Appendix 1 gives guidelines for the compilation of ODR tables. The applicant conducts a detailed evaluation of the differences and similarities of the aircraft concerned and compiles this into ODR tables.

Appendix 2 shows a flowchart of the evaluation process.

Book 2 contains Guidance Material to the relevant Subparts of Book 1.

2. Explanatory Note

This Decision is related to Commission Regulation (EU) No 748/2012⁵. This Decision comprises information related to aircraft type specific elements for flight crew (RMT.0105, (21.039(d))).

2.1. Overview of the issues to be addressed

The Certification Specifications for Flight Crew Data (CS-FCD) contain a uniform process and criteria for determination of a pilot type rating to establish if a candidate aircraft is recognised as a new type or as a variant to an existing aircraft or group of aircraft and to assign the pilot licence endorsement designation for a candidate aircraft.

The CS-FCD are applicable to aircraft for which a pilot type rating is determined, except for paragraph CS FCD.200(a), which is applicable to all aircraft. The applicability of the different paragraphs of this CS-FCD is structured according to the OSD box concept:

- Data required from the Type Certificate (TC) applicant and mandatory for the end users (Box 1);
- Data required from the TC applicant and non-mandatory (recommendations) for the end users (Box 2);
- Data at the request of TC applicant and mandatory for the end users (Box 3);
- Data at the request of TC applicant and non-mandatory (recommendations) for the end users (Box 4).

The determination of a pilot training is made during the operational evaluation of the aircraft.

The development of the specific training requirement to build the necessary theoretical and practical skills to fly a specific aircraft is based on the assumption that the pilot undergoing training has met the described prerequisites for the training to be evaluated. The specific training requirements result from the evaluation process and evaluation descriptions.

The specific training requirements will depend on the aircraft type and contain training areas of special emphasis related to the particular aircraft type, including identification of all type specific knowledge and skills. The requirements also contain the prerequisite for the minimum entry-level requirement to be fulfilled by the pilot and the training footprint.

The operational evaluation establishes specifications for the operational evaluation of the aircraft performed by a team of pilots and operations specialists drawn from the Agency. The size of the team depends on the magnitude of the evaluation requested by the applicant. ODR tables are provided for any evaluation of differences and similarities between a base and a candidate aircraft for type rating assessment and for the concert of the type rating training syllabus. MDR tables are specified by the Agency for any evaluation between base and candidate aircraft in accordance with the process contained in the CS-FCD. MDR tables are specified in terms of the minimum difference levels.

⁵ Commission Regulation (EU) No 748/2012 of 03 August 2012 laying down implementing rules for the airworthiness and environmental certification of aircraft and related products, parts and appliances, as well as for the certification of design and production organisations and repealing Commission Regulation (EC) No 1702/2003 (OJ L 243, 27.9.2003, p.6-79). Regulation as last amended by Commission Regulation (EU) 69/2014 of 27 January 2014 (OJ L 23, 28.1.2014, p. 12).

2.2. Objectives

The overall objectives of the EASA system are defined in Article 2 of the Basic Regulation. This proposal will contribute to the achievement of the overall objectives by addressing the issues outlined in Chapter 2.

The specific objective of this CS-FCD is, therefore, to increase safety and to improve harmonisation by establishing:

1. a uniform process and criteria for determination of a pilot type rating to establish if a candidate aircraft is recognised as a new type or as a variant to an existing aircraft or group of aircraft and to assign the pilot licence endorsement designation for a candidate aircraft;
2. requirements for pilot type rating training for a specific aircraft; and
3. operational evaluations for the proposed operations.

2.3. Outcome of the consultation

Some stakeholders commented on the applicability and transition of existing OEB recommendations, consistency with FAA regulations and the role of the International Operational Evaluation Policy Board (IOEPB).

The Agency noted these comments and stated that already existing joint evaluations will not be impacted. The applicability and transition of existing OEB recommendations is addressed in EASA Opinion 07/2011. Following termination of the OEB process, provisions associated to the OEB process will no longer be applied. Applicability of OSD implementing rules and of corresponding CSs will be specified in their adopted provisions.

The processes and criteria contained within CS-FCD are fully harmonised with the corresponding FAA guidance material in AC 120-53A. The IOEPB facilitates the cooperation between Authorities conducting OEB evaluations in support of a coordinated and efficient use of global resources. The IOEPB has no direct impact on the application of EASA OSD requirements.

2.4. Overview of the amendments

The main concerns of this CS-FCD have already been addressed in CRD 2012-05⁶.

⁶ <http://easa.europa.eu/rulemaking/comment-response-documents-CRDs-and-review-groups.php>.

3. References

Opinion 07/2011, NPA 2012-05 and CRD 2012-05.

3.1. Related regulations

Commission Regulation (EU) No 69/2014 on Operational suitability data.