

## Executive Director Decision

2020/005/R

of 18 March 2020

**amending Acceptable Means of Compliance and Guidance Material to Annex I (Part-FCL), Annex VI (Part-ARA), Annex VII (Part-ORA), and Annex VIII (Part-DTO) to Commission Regulation (EU) No 1178/2011**

**‘AMC & GM to Part-FCL — Issue 1, Amendment 9  
AMC & GM to Part-ARA — Issue 1, Amendment 9  
AMC & GM to Part-ORA — Issue 1, Amendment 7  
AMC & GM to Part-DTO — Issue 1, Amendment 1’**

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

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

Having regard to Commission Regulation (EU) No 1178/2011, and in particular point ARA.GEN.120 of Annex VI (Part-ARA) thereto,

Whereas:

- (1) EASA shall, pursuant to Article 76(3) of Regulation (EU) 2018/1139, issue certification specifications and acceptable means of compliance, as well as guidance material, for the application of Regulation (EU) 2018/1139 and of the delegated and implementing acts adopted on the basis thereof.
- (2) Acceptable means of compliance are non-binding standards issued by EASA which may be used by persons and organisations to demonstrate compliance with Regulation (EU) 2018/1139 and the delegated and implementing acts adopted on the basis thereof.

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

- (3) Guidance material is non-binding material issued by EASA which helps to illustrate the meaning of a requirement or specification and is used to support the interpretation of Regulation (EU) 2018/1139, the delegated and implementing acts adopted on the basis thereof, certification specifications and acceptable means of compliance.
- (4) With Decision 2011/016/R of 15 December 2011, the Executive Director issued Acceptable Means of Compliance and Guidance Material to Part-FCL of Commission Regulation (EU) No 1178/2011.
- (5) With Decision 2012/006/R of 19 April 2012, the Executive Director issued Acceptable Means of Compliance and Guidance Material to Part-ARA of Commission Regulation (EU) No 1178/2011.
- (6) With Decision 2012/007/R of 19 April 2012, the Executive Director issued Acceptable Means of Compliance and Guidance Material to Part-ORA of Commission Regulation (EU) No 1178/2011.
- (7) With Decision 2018/009/R of 14 September 2018, the Executive Director issued Acceptable Means of Compliance and Guidance Material to Part-DTO of Commission Regulation (EU) No 1178/2011.
- (8) EASA shall, pursuant to Article 4(1)(a) of Regulation (EU) 2018/1139, reflect the state of the art and the best practices in the field of aviation and update its decisions taking into account worldwide aviation experience and scientific and technical progress in the respective fields.

In the context of the activities of rulemaking task (RMT).0188 and RMT.0189, EASA published in 2014 Notice of Proposed Amendment (NPA) 2014-29(B) and, subsequently, on 29 June 2017, Opinion No 05/2017 that contained the proposed amendments to Regulation (EU) No 1178/2011. Based on that Opinion, the European Commission prepared and published on 15 October 2019 Commission Regulation (EU) 2019/1747, amending Commission Regulation (EU) No 1178/2011.

An update of the AMC & GM to Commission Regulation (EU) No 1178/2011 (Aircrew rules) was necessary to resolve any inconsistencies with the last amendment to the flight crew licensing (FCL) implementing rules, and to harmonise implementation by providing a clear interpretation of the EU Aircrew rules, taking into account the principle of proportionality of the rules for General Aviation.

- (9) EASA, pursuant to Article 115(1)(c) of Regulation (EU) 2018/1139 and Articles 6(3), 7 and 8 of the EASA Rulemaking Procedure<sup>2</sup>, has widely consulted the interested parties on the matters that are the subject of this Decision, and has provided thereafter a written response to the comments received<sup>3</sup>,

<sup>2</sup> EASA Management Board (MB) Decision No 18-2015 of 15 December 2015 replacing Decision 01/2012 concerning the procedure to be applied by the Agency for the issuing of opinions, certification specifications, acceptable means of compliance and guidance material ('Rulemaking Procedure') (<http://www.easa.europa.eu/system/files/dfu/EASA%20MB%20Decision%2018-2015%20on%20Rulemaking%20Procedure.pdf>).

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



HAS DECIDED:

**Article 1**

The Annex to Decision 2011/016/R of the Executive Director of the Agency of 15 December 2011 is amended as laid down in Annex I to this Decision.

**Article 2**

The Annex to Decision 2012/006/R of the Executive Director of the Agency of 19 April 2012 is amended as laid down in Annex II to this Decision.

**Article 3**

The Annex to Decision 2012/007/R of the Executive Director of the Agency of 19 April 2012 is amended as laid down in Annex III to this Decision.

**Article 4**

The Annex to Decision 2018/009/R of the Executive Director of the Agency of 14 September 2018 is amended as laid down in Annex IV to this Decision.

**Article 5**

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

Cologne, 18 March 2020

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

Patrick KY

