4 Oct 2010

European Aviation Safety Agency

COMMENT RESPONSE DOCUMENT (CRD) TO NOTICE OF PROPOSED AMENDMENT (NPA) 2008-22C & 2009-02C

for an Agency Opinion on a Commission Regulation establishing the Implementing Rules for organisations in the field of air operations and personnel requirements

and

a draft Decision of the Executive Director of the European Aviation Safety Agency on Acceptable Means of Compliance and Guidance Material

related to the Implementing Rules for organisations in the field of air operations and personnel requirements

"Organisation Requirements"

CRD c.2 – Comment Response Summary Table Part-OR

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III. DRAFT OPINION PART-OR **ANNEX 1 TO IMPLEMENTING REGULATION** **Part Organisation requirements (OR)**	General comments raised (NAAs, Industry): 1. Rule structure – no added value, no safety dividend 2. Scope of PART.OR not defined 3. Performance based rulemaking – legal uncertainty, non-level playing field 4. Part 145/M/147 are not addressed 5. AFTTO missing 6. Single approval concept – should not be mandatory – organisations should be able to choose.	Regarding general comments: 1. The new rule structure is proposed to improve efficiency and to avoid inconsistencies, 2. The scope will be defined in the cover regulation). 3. These comments are specifically addressed in AR.GEN.120 and OR.GEN.120. 4. Regulation (EC) No. 2042/2003 will be aligned with the new rules structure as the result of rulemaking task MDM.047. 5. AFTTO requirements will be elaborated with rulemaking task MDM.003. 6. Accepted: Based on comments received on Appendix I to Part-AR, the EASA Standard organisation approval certificate has been removed. The recommendations of the CorA report can be implemented without imposing a single organisation certificate.		
SUBPART GEN - General requirements **SECTION I– GENERAL**				
OR.GEN.101 Scope		Paragraph on scope added for consistency with Part-AR. In the final version, this will be transferred to the cover regulation Part-OR.		
This Regulation establishes: (a) The common technical requirements for the organisation and management system of: (1) air operators of aircraft referred to in article 4(1)(b) and (c) of Regulation (EC) No 216/2008 , involved in the operation of complex motor-powered aircraft and/or commercial operations; (2) pilot training organisations and aero-medical centres involved in the qualification of the personnel referred to in				

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article 7 of Regulation (EC) No 216/2008; (b) The conditions for issuing, maintaining, amending, limiting, suspending or revoking the certificates for commercial air operators, training organisations and aero-medical centres; (c) The conditions in accordance with which non-commercial operators of complex motor-powered aircraft shall declare their capability and means to discharge their responsibilities associated with the operation of aircraft. (d) The certification of flight simulation training devices and common technical requirements for the organisation and management system of organisations operating and using those devices.				
OR.GEN.105Competent authority	Comments raised (NAAs) to claim that: 1. there is no definition of competent authority in PART.AR ; 2. it should be clarified in PART.OR that requirements are only applicable to OPS, ATO and FCL;. 3. the competent authority needs to be defined in PART.AR. This would avoid having to deal with FSTDs in PART.OR, as these are products and not organisations.	1. Partially accepted: further guidance on competent authority in the context of cooperative oversight will be included in PART.AR. 2. Noted: The scope of Part-OR will be defined in the cover regulation. Initially, it will apply to OPS and FCL only. 3. The determination of the competent authority is directly relevant to organisations. It is important to deal with FSTDs in this paragraph as to properly define the competent authority for all types of ATOs. Having this information included in PART-AR would make it more difficult to identify for organisations.	Regulation (EC) 216/2008: OPS: Article 8(b) FCL: Article 21	
(a) For the purpose of this Part, the competent authority certifying or receiving the declaration shall be:		Text amended to differentiate between the competent authority responsible for the certificate/declaration and the competent authority overseeing activities for which it does not issue the certificate/has not received the declaration. The text has been further amended to align with amended version of GM1-OR.GEN.101.		
(1) In the case of organisations:	Several comments raised (Industry): 1. For airlines: it should be where airlines have the majority of flights and must comply EC 1008/2008	1. Noted: For airlines, the definition contained in Regulation (EC) No. 1008/2008 takes precedence.		
(i) for organisations having their principal place of business in a Member State, the authority designated by that Member State;				

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(ii) for organisations having their principal place of business located in a third country, the Agency.	2. should be where the company is registered, otherwise it will be difficult for Competent Authorities to take enforcement measures 3. the head office of an organisation or, if any, its registered office must also be included in the definition (management personnel is not static) 4. non profit organisations: Replace business by activity: "business" is too near to the term "commercial".	2. Noted: The competent authority may take enforcement measures for all certificates it has issued, regardless of where the company is registered. 3. Not accepted: For safety oversight, the location of management personnel is more relevant than the location of the registered office. 4. Not accepted: The term "business" is to be understood as not excluding activities performed in a non-profit environment (business in the sense of activity).		
(2) In the case of FSTDs	Several comments raised (mainly Industry + a few NAA): 1. need to separately deal with FSTD users and operators 2. the authority competent for the ATO using the FSTD should be the competent authority for the FSTD 3. the Agency should have bilateral agreements in place for FSTDs located in third countries	1. Not accepted: The NPA text is in line with Basic Regulation Article 21.2. The NPA foresees already separate organisation requirements for Approved Training Organisations' (FSTD Users) and 'Additional requirements' for ATOs providing training in FSTDs' (FSTD Operators) 2. Not accepted. The competent authority for the FSTD will be the same as for the organisation which is operating the FSTD. If the FSTD is located outside the EU the competent authority is the Agency. 3. The conclusion of bilateral agreements is not within the remit of the Agency. The negotiation process could be supported by the Agency. A bilateral agreement for the acceptance of FSTD qualifications presumes as a basis a standardisation of requirements and rules which is not the case yet with third countries.		
(i) the Agency, for: - FSTDs located outside the EU; and - FSTDs located within the EU and operated by organisations having their principle place of business outside the EU;				
(ii) for FSTDs located within the EU and operated by organisations having their principal place of business within the EU, the authority designated by the Member State where the organisation operating it has its principle place of business, or the Agency, if so requested by the Member State concerned.				
		This definition has been transferred to OR.GEN.110 "Definitions" and will be included in the cover regulation.		

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OR.GEN.110Definitions	1. In general, comments raised (Industry and NAAs) indicated the need to add a series of additional definitions for terms such as organisation, hazard, compliance monitoring, risk management, etc… 2. Other comments requested the creation of a dedicated Part or regulation to contain a comprehensive and exhaustive list of terms and all definitions, for easy access and to avoid duplication. 3. A significant number of comments (mainly Industry + a few NAAs) requested the need for definitions for: a. small organisations in line with JAR OPS AMC 1.035, b. small operators c. small ATOs.	1. Noted: Only in cases where the literal meaning / usual dictionary definition does not apply, terms will be specifically defined. All definitions will be included in the cover regulation to Part-OR. A definition for "organisation" is now added; it is based on the one in Regulation (EC) 2042/2003 Article 2. 2. Not accepted: EU legal drafting principles mandate that definitions be part of the relevant cover regulation to each Part. 3. Noted: Criteria for determining when an organisation (operator, ATO) shall be considered as small (now: non-complex) will be defined as part of the AMCs to OR.GEN.200 "Management System". For specific types of organisations, the applicable subpart will then provide more specific criteria.		
Within the scope of this regulation, the following definitions shall apply:		When drafting the Opinion, this will be transferred to the cover regulation for Part-OR and will be completed with definitions used in the implementing rules of all subparts to Part-OR.		
	Some comments (Industry and NAA) were requesting the transfer of ATO/FSTD specific definitions to Subpart ATO or CS-FSTD.	Noted: All definitions will be included in the cover regulation to Part-OR, and OR.GEN.110 will be deleted from Section 1.		
(a) *FSTD User means* the organisation or person requesting training, checking or testing through the use of an FSTD to an ATO.	1. Several comments raised (Industry) to indicate that the FSTD definition does not allow adoption of future ICAO criteria for FSTDs (ICAO Doc 9625 Edition 3 only uses the term FSTD). 2. Specific comments raised (Industry) regarding BITD and QTG indicating that the definitions deviate from JAR-FSTD and Book 2	1. + 2. Noted: A new rulemaking task has been initiated to implement ICAO Doc. 9625 (cf. task FCL.007). The definition for QTG has been amended for		
(b) *FSTD Qualification means* the level of technical ability of an FSTD as defined in the compliance document.				
(c) *Qualification Test Guide (QTG) means* a document designed to demonstrate that the performance and handling qualities of an FSTD represent those of the aircraft, class of aeroplane or type of helicopter, simulated within prescribed limits and that all applicable requirements have been met. The QTG includes both the data of the aircraft, class of aeroplane or type of helicopter				

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and FSTD data used to support the validation.	Subpart C Aeroplane Flight Simulation Training Devices).	better clarity."Limits" includes tolerances and correct trend and magnitude (CT&M).		
(d) *Flight instructor means* an instructor with the privileges to provide training in an aircraft, in accordance with Part-FCL.				
(e) Flight simulation training device (FSTD) means a training device which is:				
(1) in the case of aeroplanes, a Full Flight Simulator (FFS), a Flight Training Device (FTD), a Flight Navigation Procedures Trainer (FNPT), or a Basic Instrument Training Device (BITD).				
(2) inthe case of helicopters, a Full Flight Simulator (FFS), a Flight Training Device (FTD) or a Flight Navigation Procedures Trainer (FNPT).		The definition for OTD has been amended for consistency with other changes made throughout Part-OR. Flight deck and cockpit are in principle interchangeable: • Flight deck is the more modern expression, related to (large) aeroplanes • Cockpit is specific to helicopters or small aeroplanes.		
(f) *Other Training Device (OTD) means* a training aid other than an FSTD which provides for training where a complete flight deck or cockpit environment is not necessary.				
(g) *Basic Instrument Training Device Model (BITD Model)* means a defined hardware and software combination, which has obtained a BITD qualification.		(d) new definition added following review of comments related to approved flight test training organisations.		
(h) *Organisation* means a natural or legal person, or part of a legal person, established at one or more than one location, whether or not within the territory of the Member States.		New definition added. It is based on the one already used in Regulation (EC) No 2042/2003.		

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(i) *Principal place of business* means the head office or registered office of the organisation within which the principal financial functions and operational control of the activities referred to in this Part are exercised.	1. One comment claimed (NAA) that organisations should indicate their principal place of business in the application for an organisation approval. 2. It was also claimed (1 NAA comment) that a freezing period should be established for not changing the principal place of business immediately after the approval. 3. Finally, it was commented that the definition of principal place of business should not be duplicated (comment raised by airlines and several NAAs).	1. Partially accepted: It is up to the competent authority to confirm the principal place of business based on the application package. It cannot just take the information provided by the applicant as granted. As competent authorities may have defined different application forms and different systems to process these, it may have an impact on their administrative systems to impose a common format for the application form. 2. Not accepted: It is not possible to mandate a freezing period of the principal place of business in an implementing rule. In case of change in the principal place of business, a new application has to be made. 3. Accepted: Having the definition in OR.GEN will allow deleting it from the relevant subparts, also in view of aligning airworthiness regulations with the new rule structure. The same definition will apply to all subparts. The definition has been replaced by the one adopted with the latest amendments to Regulations (EC) No. 1702/2003 and 2042/2003 (amending Reg. No. 1194/2009 and 127/2010) to ensure consistency throughout different regulations.		
OR.GEN.115 Application for an organisation certificate	1. One comment raised (NAA) to indicate that the title is not specific and should read "application for an organisation approval or certificate", with "certificate" being the preferred option, as only this term is defined in the basic Regulation. 2. One comment raised (NAA) to express disagreement with the single organisation approval concept and to request further clarification on how this paragraph fits with specific requirements in the applicable subparts (e.g. it is not clear whether for AOC, a separate application is required).	1. Accepted: Title changed by adding "for an organisation certificate". Only the term "certificate" will be used, in line with the definition contained in BR Article 3(e) that encompasses "approval". 2. Accepted: See also comments received on Appendix I "EASA Standard Organisation Certificate", which is now deleted. A reference to requirements in the applicable Subparts is added.	Regulation (EC) 216/2008: OPS: Article 8(b) FCL: Article 7.3	Annex 6 Part I § 4.2.1.3 Annex 6 Part III § 2.2.1.3
(a) An application for an organisation certificate or an amendment to an existing certificate shall be made in a form and manner established by the competent authority, taking into account the	1. A significant number of comments (NAAs) indicated the need for a standard organisation approval	1. Noted: as agreed with the Review Group, no standard application form is proposed, as such form may		

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applicable requirements of Regulation (EC) No 216/2008 and its implementing rules.	application form or at least for an AMC or GM to ensure harmonisation. 2. One comment (Industry) indicated that this paragraph is not consistent with the fact that the AMC to OR.ATO.015 contains the application form for approval of a training organisation.	conflict with more specific instructions defined in the applicable subparts. Moreover, imposing a standard application form may have an impact on competent authorities as they would need to adapt their procedures and systems. 2. Accepted: text changed to indicate that the application forms defined in a Subpart/AMC shall be used if applicable.		
(b) Applicants for an initial certificate shall provide the competent authority with documentation demonstrating how they will comply with the requirements established in Regulation (EC) No 216/2008 and its implementing rulesSuch documentationshall include a procedure describing how changes not requiring prior approval will be managed and notified to the competent authority.	1. Several commenters (NAAs) indicated that compliance with requirements was not limited to this Part alone. 2. A series of comments (NAAs) indicated that the reference to AMCs adopted by the Agency needed further clarification and proposed an additional paragraph to clarify the status of AMCs.	**1.** Accepted: The text is changed to indicate that compliance may need to be established with other Parts. "Approval" replaced by "certificate" to ensure consistency. **2.** Not accepted. The status of AMCs cannot be described in this paragraph. Further clarification is provided with OR.GEN.120. As agreed with the Review Group, the reference to acceptable means of compliance has been deleted. The last sentence is added for consistency with AR.GEN.330(c).		

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OR.GEN.120 Means of compliance (a) Alternative means of compliance to those adopted by theAgency may be used by an organisation to establish compliance withRegulation (EC) No 216/2008 and its implementing rules. (b) When an organisation subject to certificationwishes to use an alternative means of compliance to that adopted by the Agency to establish compliance with Regulation (EC) No 216/2008 and its implementing rules , it shall, prior to implementing it, provide the	This paragraph received a large number of comments, both from NAAs and from Industry, summarised below: **1.** The responsibility for reviewing and approving alternative AMCs should not be with the NAAs, but with EASA. **2.** Organisations shall only implement alternative AMCs following formal approval by EASA. **3.** Alternative AMCs shall be made available to all stakeholders. **4.** The one month delay for NAAs to "approve" the alternative AMCs is too short. **5.** The existence of different alternative AMCs will result in a non level playing field. **6.** Alternative AMCs may constitute intellectual property and need to be protected. A significant portion of comments relate to AR.GEN.120 and are considered in AR.GEN. Section 1. 1. Terminology: Some comments (NAAs) claimed that it should read "Alternative acceptable means of compliance".	**1.** + 2. Not accepted: Member States' competent authorities remain responsible for approving alternative means of compliance. The Agency will only approve those alternative means of compliance for which it is the competent authority. An alternative means of compliance does not require Agency approval before being approved by the competent authority. 3. Partially accepted: The competent authority shall make publicly available the basic information on the alternative means of compliance it has approved (cf. AR.GEN.120). 4. Accepted: the delay has been deleted (PART-AR). 5. Noted: This is already the case today. AMCs are non binding and even without the provisions proposed with Parts AR and OR, competent authorities can accept alternative means of compliance. The Agency proposal aims to define a standardised process to deal with these alternative means of compliance. 6. Noted: In most cases, the documents to be provided in support of alternative means of compliance proposed by applicants do not require a level of detail that could disclose intellectual property. Should this be the case, the general rules on protection of such property will apply. The title is changed to "Means of Compliance", for consistency. Following advice from the Review Group, some general provisions on AMCs have been added as an introduction. 1. Not accepted: At the time the alterative means is proposed, it is not known whether it will be acceptable. "of compliance" has been added to	Regulation (EC) 216/2008 Applicants: Articles 5.5; 7.6 and 8.5 Role of the Agency: Articles 10 and 24	Annex 6 Part I § 4.2.1 Annex 6 Part III § 2.2.1

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competent authority with a full description of the alternative means of compliance. The description shall include any revisions to manuals or procedures that may be relevant, as well as an assessment demonstrating that the implementing rules are met.	2. Safety assessment should be replaced by risk assessment.	ensure consistency (it should always be possible to substitute the term by its acronym "AMC"). 2. Partially accepted: To avoid misunderstandings, the term "safety" has been deleted. "subject to certification" added (organisation) to distinguish this case from the case of organisations subject to declaration only.		
The organisation may implement these alternative means of compliance subject to notification by the competent authority, as prescribed in AR.GEN.120(c).	It is seen as problematic by Industry that organisations implement alternative AMCs notified by the competent authority which may subsequently be challenged by EASA.	Not accepted: There is no double approval of alternative means of compliance. Only competent authorities can accept alternative means of compliance. The review of the alternative means of compliance by the Agency has a double purpose: • first, to standardise the competent authorities, and make sure that the rules and procedures are complied with; • second, to asses if the alternative means of compliance should be generally available and be given a presumption of compliance, as Agency AMCs. If the Agency considers that a certain alternative means of compliance that was approved by a competent authority is not correct, it can not revoke it directly – this falls under the competence of Member States. What the Agency will do is use the standardisation mechanisms given by the Basic Regulation and Commission Regulation (EC) No 736/2006.		
(c) An organisation required to declare its activity shall notify the competent authority when it uses alternative means of complianceto establish compliance with Regulation (EC) No 216/2008 and its implementing rules.		New subparagraph added to deal specifically with organisations subject to declaration. An additional change was made by merging previous subparagraphs (b) and (c), so as to group provisions applicable to certified organisations.		

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OR.GEN.125Terms of approval and privileges of an organisation	Only a few (7) comments were made for this paragraph (2/3 Industry, 1/3 NAAs): 1. it should be part of AR and not of OR, as it does not relate to organisations 2. a specific AMC needed to clarify terms of approval 3. approval not defined in Basic Regulation, should be replaced by certificate	1. Accepted: The text is transferred to Part-AR: "The privileges and scope of activities that an organisation is certified to conduct shall be specified in the terms of approval attached to the organisation's certificate." New text added to address the organisation perspective. 2. Not accepted, the amended text is self explanatory, it is mirroring the corresponding paragraph that will be added to Part-AR. AR.GEN.310 will be amended to explain the link between the terms of approval and the approval certificate. 3. Noted: Approval is used when referring to the process of approving, whereas certificate will be used to refer to the document attesting the approval.	Regulation (EC) 216/2008: OPS: Article 8(b) FCL: Article 7.3	
A certified organisation shall comply with the scope and privileges defined in the terms of approval attached to the organisation's certificate.				

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OR.GEN.130Changes to organisations subject to certification		General changes: • Title changed to clarify this does not apply to declared organisations. • Text changed to use "certificate"/"certification" instead of "approval" for consistency with changes made to the remaining paragraphs of OR.GEN. The first paragraph dealing with management of changes is removed following feedback from the OPS Review Groups; it overlaps with the related requirements in OR.GEN.200 (cf. AMC1 OR.GEN.200(a) 1-5 § 2 and AMC1 OR.GEN.200(a)(3) § 5). Paragraph (a) and the second sentence of paragraph (b) are now incorporated into GM1-OR.GEN.130(a). The text is further amended for consistency with OR.OPS.AOC.025.		
(a) Any change affecting**:** (1) the scope of the certificate or the terms of approval of an organisation; or (2) any of the elements of the organisation's management system as required in OR.GEN.200 shall require prior approval by the competent authority.	1. More than 50% of the comments (Industry) on OR.GEN.030 relate to the backdated suspension/ revocation of the approval, claiming that: • The use of the word "shall" makes this disposition too strong (also not appropriate for changes improving the level of safety) • The backdated action on the approval is not always feasible • Backdated action on the certificate creates liability issues • Limitation has been omitted as one possible action on the certificate. 2. A significant number of comments focussed on the reference to "any change" being too wide and insisted on the need to further clarify (GM) what type of changes to consider here. 3. Several commenters claimed that a link with the organisation's safety	1. Accepted: The reference to backdated action is deleted and "limitation" is added as one option to take action on the certificate. 2. Noted: These changes will be determined upon initial certification (cf.AR.GEN.310(c)); 3. Not accepted: change management is addressed in OR.GEN.200, the relevant provisions do not need to be repeated here. 4. Partially accepted: a specific AMC is added to address this issue (cf. AMC1-OR.GEN.130 Changes § 3). 5. Not accepted: the effects of failure to notify the competent authority must be stated in Part-OR to ensure legal certainty. 6. Noted: This depends on the competent authorities' internal procedures and charging schemes, it cannot be included in Part-OR. 7. Not accepted: The possibility to take immediate action is established as	Regulation (EC) 216/2008: OPS: Article 8(b) FCL: Article 7.3	Annex 6 Part I § 4.2.1.4 Annex 6 Part III § 2.2.1.4
(b) Changes requiring prior approval: For any changes requiring prior approval in accordance with Regulation (EC) No 216/2008 and its implementing rules a certified organisation shall apply for and obtain an approval issued by the competent authority. The application shall be submitted before any such change takes place, in order to enable the competent authority to determine continued compliance with Regulation (EC) No 216/2008 and its implementing rules and to amend, if necessary, the organisation certificate and related terms of approval attached to it. The organisation shall provide the competent authority with any relevant documentation. The change shall only be implemented upon receipt of formal approval by the competent authority. The organisation shall operate under the conditions prescribed by the competent authority during such changes, as applicable.				

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(c) Changes not requiring prior approval: All changes not requiring prior approval shall be managed and notified to the competent authority as defined in the procedure approved by the competent authority in accordance with AR.GEN.310 (c).	management system needed to be made in relation to changes. 4. Other commenters requested that the case of unforeseen changes in personnel be considered. 5. A few comments were raised to claim that these requirements, and in particular paragraph (c) should be transferred to PART.AR. 6. Some commenters proposed to foresee the possibility for competent authorities to approve a number of minor changes as one change, in order to save fees. 7. Two comments raised to request flexibility for organisations to take immediate action without notification to the competent authority in order to ensure continuous safety of operations.	part of the safety policy, any such action must be taken in line with the elements constituting the approval. In (a) a third paragraph is added to ensure consistency with changes made in AR.GEN.330.		
	Cf. item 5 above	This paragraph is transferred to AR.GEN.330. The corresponding requirement for the organisation is now included under (c).		
(d) Without prejudice to any additional enforcement measures, failure to comply with the requirements in (b) shall result in suspension, limitation or revocation of the organisation's certificate.	Cf. item 7 above	Cf. item 7 above Following advice of the Review Group, the text has been amended to limit action to failure to notify changes requiring prior approval. The reference to backdated action has been deleted.		

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OR.GEN.135 Continued validity	The majority of comments relate to two issues: 1. Approvals of unlimited duration (mainly commented by NAAs): 1.1. No legal basis to impose unlimited approvals; 1.2. need for limited approvals to ensure effective control. 2. The requirement to grant access (mainly commented by Industry): 2.1. Need for more guidance related to contracted activities; 2.2. Clarification required regarding personnel from competent authorities in whose territory the activity takes place; 2.3. It should be clearly specified that access be granted solely for the purpose of verifying compliance; 2.4. Access should be dealt with as a separate article (e.g. OR.GEN.040).	1. Not accepted: There is equally no legal basis to impose a limited duration. Safety is ensured through continuing oversight / action to be taken immediately and not shortly before the certificate comes to expiration. With Regulation 216/2008 Article 68, penalties are introduced as a means for competent authorities to exercise control. With approvals of limited duration there is a risk that an approval becomes invalid for purely administrative reasons. 2. Partially accepted: 2.1-3: Further clarification provided in the AMCs for contracted activities and on cooperative oversight. 2.4: accepted : new OR.GEN.140 created	Regulation (EC) 216/2008: OPS: Article 8(b) FCL: Article 7.3	Annex 6 Part I § 4.2.1.4 Annex 6 Part III § 2.2.1.4
	One commenter (Industry) proposed that continued validity be applicable also in the case of a change in competent authority.	Noted – no text change. Nothing in the rule prevents an approval from being transferred; however a new audit and the issue of a new certificate will be required. Mutual recognition also applies to audits performed by the competent authority having issued the certificate. Transfers need to be agreed by the competent authorities concerned on a case by case basis.		
(a) An organisation's certificate shall remain valid subject to: (1) the organisation remaining in compliance with the relevant requirements of Regulation (EC) No 216/2008 and its implementing rules, taking into account the provisions related to the handling of findings as specified under OR.GEN.150; (2) the competent authority being granted access to the organisation as defined in OR.GEN.140 to determine continued compliance with the relevant requirements of Regulation (EC) No 216/2008 and its implementing rules; and (3) the certificate not being surrendered or revoked.	1. Several comments (NAAs) raised on first sentence to indicate it should be moved to AR.GEN.310. 2. One commenter (NAA) proposed to align with corresponding requirements in Part 21, 145 and Part M, by listing conditions that invalidate the certificate.	1. Accepted: The first sentence is moved to AR.GEN.310(b). 2. Accepted: the text has been aligned with M.A.715; which is more generic than the text in 21.A.159.		

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	Cf. item 2(d) above	Deleted from OR.GEN.035 – now as OR.GEN. 140.		
(b) Upon revocation or surrender the certificate shall be returned to the competent authority without delay.	Two commenters (NAAs) requested indication that the original certificate must be surrendered.	Not accepted: Text is harmonised with existing provisions in Part 21, 145 and 147. Text amended for consistency .		
OR.GEN.140 Access	Cf. item 2(d) to OR.GEN.135	Deleted from OR.GEN.135 – now as OR.GEN.140	Regulation (EC) 216/2008: OPS: Article 8(b) FCL: Article 7.3	Annex 6 Part I Appendix V 1.2
For the purpose of determining compliance with the relevant requirements of Regulation (EC) No 216/2008 and its Implementing Rules, an organisation shall grant access to any facility, aircraft, document, records, data, procedures or any other material relevant to its activity subject to certification or declaration, whether it is contracted or not, to any person authorised by: (a) the competent authority certifying or receiving the declaration; or (b) the competent authority conducting oversight.	Cf. item 2(d) to OR.GEN.135 Specific comment (NAA) raised to add "access to aircraft".	New paragraph added to deal with access as a separate requirement. Accepted: aircraft added. Additional changes: • Further clarification provided in relation to cooperative oversight. • Declaration added for consistency. • Access to "records, data, procedures …." added for clarity (to align with Basic Regulation Article 55).		

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OR.GEN.145 Declaration	1. Commenters claimed (1 NAA / 4 Industry) that this should not be in PART.OR.GEN: • the requirement is not generic, e.g. not applicable to ATOs • relevant to OPS only 2. A significant number of comments (both NAA and Industry) indicate a need for • further clarification on the type of operations subject to declaration • a definition of the term "declaration".	1. Not accepted: this is the generic requirement, in the future it will be applicable to other areas than OPS (such as TCO, ATM etc…). 2. Not accepted: • Operations subject to declaration with regards to organisations are clearly defined in Basic Regulation Article 8.3. • Definitions: Only in cases where the literal meaning / usual dictionary definition does not apply terms will be specifically defined. All definitions will be included in the cover regulation to Part-OR.	Regulation (EC) 216/2008: Article 8.3, 8.4(e)	
(a) When required to declare its activity to the competent authority, an organisation shall:	Several commenters (2 NAAs/1 Industry) requested that only organisations, not persons, should be addressed in PART.OR.	Accepted: The reference to "person" has been deleted. In line with the definition of organisation that is proposed for inclusion in Part-OR (cover regulation), natural and legal persons are covered (cf. Regulation (EC) No. 2042/2003 Article 2(i)).		
(1) provide the competent authority with all relevant information, using the form established in the Appendix to this Part.	1. Many comments raised to indicate that the form is missing in the Appendix I to PART.OR. 2. One comment raised (NAAs) to indicate that in some member states national rules may require a formal application. 3. One comment raised (NAA) to claim that the information contained in the form should be defined in the implementing rule.	1. Accepted: The form is included with OR.OPS.041.DEC" The form will be included as an appendix to Part-OR. 2. Not accepted: National rules related to declarations subject to Basic Regulation Article 8 are superseded by community rules when the Implementing Rules will be in force. 3. Not accepted: The definition of a separate form instead of listing the information to be provided in the Implementing Rule will enhance standardisation. A form in the Appendix is part of the implementing rule.		
(2) provide the competent authority with a list of the alternative means of compliance used;		New § added following changes introduced in OR.GEN.120. This ensures that for		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
		organisations subject to declaration only, the competent authority gains insight in the alternative means of compliance being used and can consider these for the definition of the oversight programme.		
(3) maintain compliance with the applicable requirements and with the information given in the declaration;				
	One comment raised (NAA) to request further clarification on access rights.	Noted: Access rights are already defined under OR.GEN.140, the provision is therefore deleted.		
(4) notify the competent authority of any changes to its declaration or the means of compliance it uses through submission of an amended declaration.		Text amended to limit the notification to changes regarding activities subject to declaration only. Reference to means of compliance added to ensure consistency with changes made to OR.GEN.120. This includes acceptable, alternative and additional means of compliance.		
(b) When the organisation ceases the activity subject to declaration, it shall notify the competent authority.	1. Three comments raised (Industry) to ensure that only when the activity subject to declaration ceases, the competent authority must be informed. 2. One comment raised (NAA) to add requirements on record keeping.	1. Accepted: text amended. 2. Not accepted: record keeping requirements defined in OR.GEN.220 also apply to organisations subject to declaration.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
OR.GEN.150 Findings	1. Commenters (2/3 Industry; 1/3 NAA) claim that findings should be defined : • either in PART.AR; • or in a dedicated Part to contain all definitions for AR/OR; 2. One comment (Industry) proposes that OR.GEN.050 address the findings classification used for the organisation's compliance monitoring system.	1. Partially accepted: The description of findings is moved to AR.GEN.350. All definitions currently included in Part-AR and Part-OR at the level of the implementing rules will be transferred to the relevant cover regulations. 2. Not accepted. Defining this in an Implementing Rule would not allow flexibility and would be contrary to the principle of performance based rulemaking. Guidance on Compliance monitoring is provided in AMC1 OR.GEN.200(a)(6).	Regulation (EC) 216/2008: OPS: Article 8(b) FCL: Article 7.3	Annex 6 Part I 4.2.1.8 & Appendix 5 § 7.2 Annex 6 Part III 2.2.1.8 & Appendix 1 § 7.2
	The definition of level 1 findings raised a significant number of comments (mainly from Industry): 1. guidance required for definition of significant non compliance; 2. avoid use of the word "hazard"; has a specific meaning for SMS, should be replaced by: *"decreases safety standards and adversely affects flight safety";* 3. "lack of accountable manager or nominated post holder" should be deleted or level 2 finding (too incisive, could also happen by accident or unannounced); 4. use of "or" at the end of (2) misleading; 5. lack of a nominated person itself does not necessary constitute a flight safety hazard; 6. list of events constituting level 1 findings is misleading, there are other events that constitute a level 1 finding; 7. definition needs to be adjusted for ADR/ATM/ANS; 8. new condition should be added:	These comments are addressed in AR.GEN.350.It is understood that the items in (a) (1) and (2) are non exclusive.		
After receipt of notification of findings raised by the overseeing competent authority, the organisation shall: (a) identify the root cause of the non-compliance; (b) define a corrective action plan, including short-term remedial action; and (c) demonstrate remedial and corrective action implementation to the satisfaction of the competent authority certifying or receiving the declaration within a period agreed with that authority as defined in		Text amended to define more in detail the actions to be performed by the organisation, as requested by several commenters. Following advice of the Review Group, the text has been further amended: Satisfactory corrective action is to be demonstrated to		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
AR.GEN.350(d).	refusal to accept unannounced ramp inspection (in line with ICAO SARPS). The definition of level 2 findings was commented as being overly complex and not in line with Part.21 definitions. Several comments requested that a third level of findings be introduced, as it is the case with Part.21: 1. reference to recommendations already made in AMC2 to AR.GEN.305 (3); 2. competent authorities should provide good safety advice to the regulated persons. In general, comments claimed that terms used be consistent with OR.GEN.200 and related AMCs (discrepancies, non-compliance). An AMC was requested to: 1. provide indications on implementation periods for corrective actions (Industry) 2. provide clarification regarding which competent authorities may raise findings (NAA).	the competent authority responsible for the certificate / declaration. On implementation periods, AR.GEN.350 is amended to contain the minimum period for corrective action implementation. This is defined in the implementing rule in order to ensure standardisation. Moreover, AR.GEN.350 is amended to clarify that findings can also be raised by the competent authority on whose territory the activity is performed (cooperative oversight). A reference to AR.GEN.350(d) has been added following feedback from the OPS Review Groups.		
OR.GEN.155 Immediate reaction to a safety problem				
The organisation shall implement: (a) any safety measures mandated by the competent authority in accordance with AR.GEN.135; and(b) any relevant mandatory safety information issued by the Agency, including airworthiness directives and safety directives.		This new paragraph has been added to mirror AR.GEN.135. The obligation to comply with safety directives is added in line with work in progress related to rulemaking task 21.039 (transposition of JAR-26 - Operational Suitability).	Regulation (EC) 216/2008 Article 8.6.; Articles 5.5(d), 5.5(e)(vi) and 22.1.	Annex 6 Part I 4.2.1.8 &Appendix 5 § 8.2 Annex 6 Part III 2.2.1.8 & Appendix 1 § 8.2

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
OR.GEN.160 Occurrence reporting				
(a) The organisation shall report any accident and serious incident to the competent authority and any other organisation required by the State of the operator to be informed. (b) The organisation shall report to the competent authority any incident, malfunction, technical defect or exceeding of technical limitations that endangered the safe operation of the aircraft. (c) Reports shall be made in a form and manner established by the competent authority and contain: (1) all pertinent information about the condition known to the organisation; and (2) details of actions the organisation intends to take to prevent similar occurrences in the future. (d) Reports shall be made as soon as practicable, but in any case within 72 hours of the organisation identifying the condition to which the report relates, unless exceptional circumstances prevent this.		This new paragraph has been added to cater for the implementation of the relevant EU-OPS provisions on Occurrence Reporting, while making them generally applicable.	EU-OPS 1.420 AMC 20-8 § 4	Annex 6 § 11.2 (l) Annex 8 § 4.2.4

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
SECTION II – MANAGEMENT	1. One commenter found the proposed rules too prescriptive for ATOs for non commercial licences. Another one requested clarified rules for non commercial organisations. 2. One commenter would like the title to be SMS and another one would like it to be Safety and Quality Management, since QMS are mentioned in the ER.	1. The rule is flexible enough to provide proportionate implementation. 2. The rule does not need to specify explicitly SMS or QMS, since the requirements allow flexible implementation.		
OR.GEN.200 Management system	3. It was commented that there should be another rule for small organisations, with a need for more guidance. 4. Comments wished the relationship between compliance monitoring and safety management to be further clarified. 5. One comment expressed satisfaction with the present system. 6. Stricter adherence to ICAO wording was requested. 7. Stricter adherence to ISO wording was requested. 8. Comments also suggested addressing interfaces between organisations.	3. As such, the text is applicable for all organisations. It allows different AMCs, taking into account small organisations in particular. 4. The rule allows organisation to comply the way they see fit, using the most appropriate structure for their management system, in which compliance monitoring and safety will be addressed. 6. The objective is to be ICAO compliant. This does not imply using the exact same wording as ICAO. 7. Adherence to ISO language was not felt necessary as this is not an ISO standard. 8. This issue is recognised and will be studied at a later stage. The input from the aerodrome drafting group will be sought, since aerodrome operators have significant experience in this area.		
(a) An organisation shall establish, implement and maintain a management system that includes:	1. Comments wished "organisations" to be further specified.	1. A definition of "organisations" will be included in the cover regulation. 2. "Establish and smaintain" replaced by "establish, implement and maintain" based on feedback from OPS RG: It should not be understood as a one-off exercise.		
(1) clearly defined lines of responsibility and accountability throughout the organisation, including a direct safety accountability of the accountable manager;		The wording was revised for better clarity.		
(2) a description of the overall philosophies and principles of the organisation with regard to safety, referred to as the safety policy;	1. A comment suggested the policy to address all management systems. 2. A comment suggested specifying policy	1. The rule does not prevent the policy to address all management systems. The wording was revised for better clarity.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	endorsement by the accountable manager. 3. It was commented that safety accountability should be clarified.	2. This is actually a means of compliance with this rule. 3. Responsibility and accountability have slightly different meaning in English. The safety accountability of the accountable manager is made clear.		
(3) the identification of aviation safety hazards entailed by the activities of the organisation, their evaluation and the management of associated risks, including taking effective actions to mitigate the risk;.		The text was clarified to synthesise all requirements related to safety risk management. To respond to comments made in the AMC that safety assurance is not properly addressed, the word "effective" is added before "actions". Specifying "effective" will give better grounds for establishing safety performance indicators or other safety assurance means (audits, e.g.).		
(4) maintaining personnel trained and competent to perform their tasks;	A comment mentioned that staff training is covered somewhere else.	The aim is actually to cover staff training under Organisation requirements.		
	1. Amended text proposed for better clarity. 2. It was suggested to add proactive hazard identification. 3. It was suggested adding provisions on protection of reporting from criminalisation. 4. It was suggested that the objective should be the investigation. 5. A comment wished reporting rules to be clarified; another one requested confidential reporting and FDM to be mentioned. 6. It was commented that this provision is covered by OR.GEN.200(a)(2).	1. Text was amended (see OR.GEN.200(a)(3). 2. Hazard identification is the requirement. The methods (proactive, reactive) are provided in AMC to allow for a differentiation between complex and non complex organisations. 3 Provisions for protection from criminalisation are in the BR. 4. Reporting and analysing hazard encompasses investigations. 5. Reporting procedures are described in AMCs. FDM is only one approach to the management of safety. 6. OR.GEN.200(a)(5) is deleted and merged with OR.GEN.200(a)(2) in new OR.GEN.200(a)(3).		
(5) documentation of all management system key processes, including a process for making personnel aware of their responsibilities, and its amendment procedure;	1. Several comments requested clarification of the relationships between the organisation manual and the other manuals. A comment wished the process not to be required in the manual. 2. A comment suggested the essential part of the manual to be approved. 3. It was suggested specifying the scope of processes concerned.	1. The text was reviewed to allow for the oranisations to document their processes the way they see fit. 2. When necessary, the specific subparts will specify the parts of the manual to be approved.3. The scope of processes to be considered encompasses the whole organisation, as every process may have an impact on safety.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
(6) a function to monitor compliance of the organisation with the relevant requirements. Compliance monitoring shall include a feedback system of findings to the accountable manager to ensure effective implementation of corrective actions as necessary; and	1. Detailed rules for compliance monitoring were proposed. 2. One comment suggested addition of quality control. 3. Instead of a function, a comment suggested requiring a quality manager; one suggested using QMS; two other ones suggested "organisation structure". 4. "Adequacy of the procedures" was commented as not appropriate as it would require the persons monitoring compliance to have the same competence as the corresponding manager.	1. The rule should not be too prescriptive; as such, it allows implementation of detailed rules. 2. Quality control is not necessary in the requirement. It may however be used for compliance monitoring. 3. Requiring a quality manager would make the rule too prescriptive, without even achieving the safety objective pursued in the proposed rule. Requiring QMS would also be too prescriptive. "Organisation structure" was also felt more prescriptive than "function". 4. "Adequacy of the procedures" was deleted from the text, as it was not felt necessary to specify competences which encompasses those of each line manager.		
(7) any additional requirements that are prescribed in the relevant subparts of this Part or other applicable Parts..	A comment suggested not limiting to requirements prescribed in this part.	The objective is to have the requirements for the organisation in this Part.		
(b) The management system shall correspond to the size of the organisation and the nature and complexity of its activities, taking into account the hazards and associated risks inherent in these activities.		The text was amended for better clarity.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
OR.GEN.205 Contracting and purchasing	1. One commenter suggested that subcontracting should be subject to approval. One commenter requested clarification on the applicability. Another one found that the provision left too much flexibility. Another one requested SMS to be mandated for subcontractors. Two commented that subcontracting should be limited to activities which do not affect safety. Another one would like it to be clear that non safety related activities are out of scope. Three comments raised concerns over possible contradicting requirements on subcontractors coming from different regulated organisations. 2. One commenter stated that the requirements are not realistic for small organisations.	1. The organisations which need to be approved are specified in the Basic Regulation. These provisions apply to the case when an approved organisation needs to subcontract part of its activity. It happens that this activity has to be contracted to non approved organisations. In that case, the approved organisation must ensure that the applicable requirements and the terms of approval are complied with (including the applicable SMS requirements). The contracted activities have to be performed in accordance with the approval. However, the text has been supplemented by a sentence defining the scope of activities addressed in this paragraph, to ensure clarity. 2. Small organisations must also ensure rule compliance.		
(a) Contracted activities include all activities within the organisation's scope of approval that are performed by another organisation either itself certified to carry out such activity or if not approved, working under the contracting organisation's certified. The organisation shall ensure that when contracting or purchasing any part of its activity, the contracted or purchased service or product conforms to the applicable requirements.				
(b) When a certified organisation contracts any part of its activity to an organisation that is not itself certified in accordance with this Part to carry out such activity, the contracted organisation shall work under the approval of the contracting organisation. The contracting organisation shall ensure that the competent authority is given access to the contracted organisation, to determine continued compliance with the applicable requirements.				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
OR.GEN.210 Personnel requirements	1. Two comments expressed a feeling that the rule is not proportionate, as small organisations would have difficulties to have separate post holders. Two others expressed the wish that duties could be combined. 2. A comment expressed the wish to have AMC or GM to supplement this rule.	1. The rule does not prevent combination of functions. 2. The Agency will consider adding GMs to this rule.		
(a) The organisation shall appoint an accountable manager, who has the authority for ensuring that all activities can be financed and carried out in accordance with the applicable requirements.	Three comments argued that non-profit organisations do not have accountable managers.	Even non profit organisations have a person who has the authority for ensuring that all activities can be financed and carried out in accordance with the applicable requirements. The word "corporate" has been deleted to make clear the requirement applies also to non profit organisations.		
(b) A person or group of persons shall be nominated by the organisation, with the responsibility of ensuring that the organisation remains in compliance with the applicable requirements. Such person(s) shall be ultimately responsible to the accountable manager.	1. A comment wished to specify that nominations are made by the organisation. Two comments wished the safety manager to be mentioned in the rule. One commenter thought that the number of post holders should be specified.	1. This paragraph should not be too prescriptive, as it applies to different types of organisations. It is not the regulator's role to detail the structure an organisation should have. The rule allows the organisation to implement this the way it sees fit. The safety manager is addressed in the AMCs to OR.GEN.200 and the necessary specific functions are detailed in the other subparts. 2. Relevant editorial comments were accepted.		
(c) The organisation shall have sufficient qualified personnel for the planned tasks and activities to be performed in accordance with the applicable requirements.	1. A comment expressed that "sufficient" and "appropriate" are not precise enough and should be avoided in the rules. 2. A comment expressed that "competent" should be specified.	1. "Sufficient" and "appropriate" allows some flexibility in the rule. This paragraph intends to give the organisation the ability to demonstrate that they have sufficient qualified personnel. 2. "Competent" is too subjective to be employed.		
(d) The organisation shall maintain appropriate experience, qualification and training records to show compliance with paragraph (c) above.	Several commenters thought that the concerned persons should be specified.	Those concerned persons are the one identified in paragraph (c).		
(e) The organisation shall ensure that all personnel are aware of the rules and procedures relevant to the exercise of their duties.	1. A comment wished "rules" to be replaced by "legal and regulatory requirements".	1. "Rules" is found satisfactory. 2. An editorial comment was accepted.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
OR.GEN.215 Facility requirements				
The organisation shall have facilities allowing the performance and management of all planned tasks and activities in accordance with the applicable requirements.	One comment argued that "adequate" should be avoided in the rule.	The rule was revised to simply focus on the objective pursued.		
	Two comments argued that accommodation is not necessary, especially in the case of a small organisation using a laptop.	Accepted: The reference to office accommodation is deleted.		
OR.GEN.220 Record-keeping	Two comments wished a same duration to be specified for all organisations.	The rule retains the possibility to have different durations, if needed.		
(a) The organisation shall establish a system of record–keeping that allows adequate storage and reliable traceability of all activities developed, covering in particular all the elements indicated in OR.GEN.200.	1. Two comments objected that the scope is too broad. 2. Several comments wondered whether an overall system for all the activities of the organisation could be possible.	1. The concerned activities are those that are regulated by the present rule. 2. The rule allows the organisation to implement this the way it sees fit.		
(b) The format of the records shall be specified in the organisation's procedures.	1. A comment wished to specify "procedures or manuals". 2. Another comment objected that not all record have a format (input to management review, e.g.).	1. The procedures may be assembled in the manuals. 2. The objective is to keep record of everything which ensures traceability.		
(c) Records shall be stored in a manner that ensures protection from damage, alteration and theft.				
	Several commenters wished the addition of "on request", since it can not be available on a permanent basis.	The sentence is deleted, since the authority is granted access to everything through AR.GEN.115.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
Subpart OPS – Air Operations	[MS:1 ; IND:0; INDIV:0] Comment on this segment refers to the relevant paragraphs on scope in the other Subparts, which contain a reference to the BR. The commenter suggests that referencing the BR in the different paragraphs on "scope" should be done consistently. The commenter also claimed that no reference be made to the BR, as compliance with a specific subpart alone did not provide for compliance with the BR.	Noted: No reference is made in this paragraph to the BR. Other "scope" paragraphs will be checked for consistency.		
SECTION I – GENERAL REQUIREMENTS				
OR.OPS.GEN.100Scope				
This subpart establishes additional requirements to be followed by an air operator:	One comment expressed concerns about the inability to allow dynamic references to ICAO technical instructions (Dangerous Goods). Two comments requested that specific operations be excluded from the scope of Subpart OPS: sailplanes/powered sailplanes (all operations), Balloons (COM) One comment requested to clarify in scope to whom (operators/persons) the provisions are applicable, it may be assumed due to the reference to individuals in certain paragraphs (OR.OPS.145 FC) that the provisions do not apply to operators only. Related to (a), one comment contested that the discriminator for non-commercial operations be solely based on aircraft complexity, without considering the type of operations (VFR/IFR), further claiming that no intermediate certificate was proposed (only DEC or AOC), as suggested with JAR-OPS 2. Related to (b), one comment requested to clearly distinguish between ICAO compliant CAT AOC and certificates for commercial operations other than CAT.	Accepted: the position with regards to dynamic references has changed; it will be possible to refer to ICAO Technical Instructions. No text change required in this segment. Not accepted: The operations specified fall under BR Article 4 and 8 and therefore OPS rules must be established also for these. Proportional rules are proposed for these operations. Noted: Part-OR applies to organisations and here to operators, which could also be a one man organisation/operator. Part-OR doesn't apply to individual flight crew members. The operator will have to ensure the appropriate training. Not accepted: There is no legal basis in the BR for creating an intermediate certificate in between DEC and AOC. The concept of "registration" stemming from JAR-OPS 2 was embedded by the legislator in the concept of declaration. Noted: The drafting group decided to have one certificate for all commercial operations. The distinction is made in the OPS SPECS and privileges granted.	BR Article 8.3. n/a 2. BR Article 4.1(b) and 4.3. 4. BR Article 8.3 & 8.5(d)	
(a) Conducting non-commercial operations with complex motor-powered aircraft; or				
(b) To qualify for the issue or continuation of an air operator				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
certificate to conduct commercial operations.				
	This segment received 28 comments (13 unique comments). [MS: 4; IA.: 2; IND: 21; INDIV:1]	The definitions will be moved to the Cover Regulation to Part-OR		
	1. One comment pointing to the ambiguity of the term operator as defined in the BR in relation to the determination of responsibility, taking the example of : Aircraft owned by a trust, where beneficiaries may not have any legal responsibilities within the trust. Fractionally owned aircraft also flown by friends not being the owners. 2. Two comments claimed that definitions were not complete (include also FC, CC, TC) and suggested creating a specific part with an exhaustive list of all definitions applicable to EASA regulations or at least to ensure that all definitions used in more than one part be available in one single document.	1. Noted: The definition of operator in relation to the IR on operator responsibility should clarify the issue and not be mixed with the ownership of aircraft. 2. Partially accepted: The definitions will be transferred to the Cover Regulation and will then group all definitions relevant for Part-OR. Due to legal drafting principles, the definitions must be included in the relevant Cover Regulation; therefore it is not possible to create a dedicated Part with all definitions.		
	1. Two comments opposed to applying OPS rules to code-share arrangements, being essentially marketing arrangements, and claiming that "an arrangement under which an operator places its designator on a flight operated by another operator" cannot reasonably be interpreted as a means by which the aircraft used on the flight is used by the first operator (not covered by BR 4.1(c).		BR Article 4.1(c)	
	1. Considering available technology and the role of FDM in enhancing flight safety and situational awareness. One comment from an individual claimed a more in-depth definition of FDM might be required. 2. One comment requests that "non-punitive use" be deleted from the definition, claiming there should be an exception in cases of deliberate or gross negligence. A new text is proposed.	Not accepted: OR.OPS.GEN.010 gives a general definition of FDM which does not preclude the usage of any particular application. As formulated here, it does not prevent the introduction of new technologies, and therefore there is no need to amend it. Not accepted: The non-punitive use of flight data is an essential condition for the acceptance and the success of an FDM program. When rightly implemented, an FDM program can significantly contribute to improve and maintain the level of safety of an operator. CAP 739 for instance recommends that representatives of the flight crew unions act as gatekeeper in an FDM program and are the only ones given	=EU-OPS 1.037 (a)(4)	~Annex 6 Part I

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
		the right to trace back to the crew involved in a case of gross negligence. This has proved to be a successful distribution of responsibilities, and should be maintained as such.		
	1. Comments from airlines suggest deleting "between undertakings".	1. Partially accepted: Text amended, to ensure consistency, also in relation with the definitions of code-share in subparagraph (a) and of dry-lease in subparagraph (e). The definition is aligned with Regulation (EC) No 1008/2008.	>EU-OPS 1.165(a)(1)	
	1. This definition triggered 7 comments from airlines claiming that requirements for TCO approval are not in line with the EU Third Package Legislation (Regulation (EC) No 1008/2008). Wet-lease is often required at short notice, approval should be by NAAs, not by EASA. The provisions would make wet-leasing from non-EU airlines de-facto impossible.	1. Noted: The definition should not introduce a requirement regarding prerequisites for operators entering into such agreement. Such requirements are separately defined in OPS.030.AOC "Leasing" and AR.OPS.236 "Leasing". Comments for this segment will be considered for these specific rules. The definition is aligned with Regulation (EC) No 1008/2008.	>EU-OPS 1.165(a)(2)	
	Comments from airlines suggest deleting this definition, to avoid confusion, stating also it is only valid for definitions under (d) and (e).	Accepted: In line with changes made to the definition under (d), this definition is deleted. Within NPA 2009-2c, "undertaking" as a noun is only used in this paragraph (definitions).		
OR.OPS.GEN.105 Operator responsibilities				
(a) The operator is responsible for the operation of the aircraft in accordance with Annex IV of Regulation (EC) No 216/2008, the relevant requirements of this Part and its declaration or certificate.	[IA: 1; IND: 6]: Amend to be more generic ie operator is responsible for operating aircraft in accordance with the applicable legislation 2. 1. IA x1 (606) and IND x6 (1482, 2039, 2337, 2510, 2870, 3673): Add definition of "Declaration" to OR.OPS.010.GEN Definitions to make it clear that it only applies to non-commercial operations with non-complex motor-powered aircraft	1. Amended text reflects the comment. 2. Definitions for terms used throughout each Part eg Part-OR will be moved to the Cover Regulation for the corresponding Part. The applicability of the declaration can be found in OR.OPS.DEC.	=EU-OPS 1.005(a) =JAR-OPS 3.005(a)	ICAO Annex 6: Part I - paragraph 3.1 Part II – paragraph 2.1.1 Part III – paragraph 1.1
(b) Every flight shall be conducted in accordance with the provisions of the operations manual.		This provision was moved from OR.OPS.015.AOC (c)(4)	=EU-OPS1.175 (l)	

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
(c) An operator shall establish and maintain a system for exercising operational control over any flight operated under the terms of its declaration or certificate.	1. IA: 1; IND: 7: Delete "supervision" to align with EU-OPS 2. INDIV: 1 Amend to include "constantly improve (QM)", "in-flight assistance and support" 3. IA: 1 Amend text: "The operator's system for exercising operational control and supervision shall include a pro-active flight watch and licensed Flight Operations Officers."	1. Text amended to align with EU-OPS 2. This suggestion is outside the scope of the NPA which is to transpose EU-OPS which does not contain such wording. In addition, QM aspects are covered in OR-GEN and the essential requirements. 3. The proposal goes against the flexibility offered by ICAO: "Responsibility for operational control shall be delegated only …..to a flight operations officer/flight dispatcher if an operator's approved method of control and supervision of flight operations requires the use of flight operations officer/flight dispatcher personnel." Neither ICAO, EU-OPS nor JAR-OPS 3 mandates the employment of operations officers/flight dispatch officers. However, it may be considered as a future rulemaking task	~ EU-OPS 1.195 TGL44	ICAO Annex 6 Part I paragraph 3.1.3 ICAO Annex 6 Part I paragraphs 3.1.3 and 10.1.
(d) An operator shall ensure that its aircraft are equipped and its crews are qualified as required for the area and type of operation.	1. MS: 1: Amend to include flight &ground crew responsibilities, which must be trained and tested.	1. Not accepted. The text is in line with EU-OPS 1.175(n). If not specified, the term "crew" is meant to designate both ground and flight crew.	= EU-OPS 1.175(n) JAR-OPS 3.175(n)	
(e) An operator shall ensure that all personnel assigned to, or directly involved in, ground and flight operations are properly instructed, have demonstrated their abilities in their particular duties and are aware of their responsibilities and the relationship of such duties to the operation as a whole.		Text transposed from EU-OPS	EU-OPS.1.205	
(f) An operator shall establish procedures and instructions for the safe operation of each aircraft type, containing ground staff and crew member duties and responsibilities for all types of operation on the ground and in flight. These procedures shall not require crew members to perform any activities during critical phases of flight other than those required for the safe operation of the aircraft.	1. IA: 2: Amend to include certifying staff duties to be included, to address cases where in-flight maintenance or post-maintenance monitoring is carried out by certifying staff 2. IA:1 and IND:6: Copy definition of "Critical phases of flight" in OPS.GEN.010 para 15 to OR.OPS.010.GEN Definitions as NPA states that definitions given are applicable to individual subpart only 3. IND: 1: Amend to enable crew members to perform activities during critical phases of flight which are required for the efficiency of the flight	1. This suggestion is outside the scope of the NPA which is to transpose EU-OPS which does not include certifying staff; Certifying staff is addressed by Regulation (EC) No 2042/2003. 2. Definitions for terms used throughout the Part eg Part-OR will be moved to the Cover Regulation for the corresponding Part 3. Not accepted. Text is transposed from EU-OPS The amendment is added for more clarity and is in line with Annex 6.	~ EU-OPS 1.210 (a) and (c) JAR-OPS 3.210	Annex 6 Part II 3.4.2.3.
(g) An operator shall ensure that all personnel are made aware that they shall comply with the laws, regulations and procedures of those States in which operations are conducted and which are pertinent to the performance of their duties.		This provision is added and comes from OPS 1.020 "personnel" replaces the term "employees" for consistency wording.	= EU-OPS 1.020	Annex 6 Part II 3.3.1.2.
(h) An operator shall establish a checklist system for each aircraft	1. MS :1: Expand text to ensure normal,	1. The new text amendment is proposed in	> EU-OPS 1.210(b)	ICAO Annex 6:

A: Rule		B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	type to be used by crew members in all phases of flight under normal, abnormal and emergency conditions to ensure that the operating procedures in the operations manual are followed. The design and utilisation of checklists shall observe human factor principles and take into account the latest relevant documentation from the aircraft manufacturer.	abnormal and emergency procedures are addressed in the operator's checklists using the aircraft flight manual 2. IND: 1: Amend to allow for test flights and ferry flights instead of checklists, use of manufacturers' ROPs as in the AFM for each aircraft	consultation wit the review group . See response n°1 above.	JAR-OPS 1.210(b)	Part I – paragraph 4.2.6 Part II – paragraph 3.4.2.5 Part III – paragraph 2.2.6
(i)	The operator shall ensure that the pilot-in-command has operating instructions and information on aeroplane climb performance that will enable the determination of the climb gradient that can be achieved during the departure phase for the existing take-off conditions and intended take-off technique.		New text. Source: ICAO Annex 6 Part I and II. In consultation with the review group, this paragraph is moved to CAT.POL.		Annex 6 Part I and II 3.4.2.3
(j)	An operator shall specify flight planning procedures to provide for the safe conduct of the flight based on considerations of aircraft performance, other operating limitations and relevant expected conditions on the route to be followed and at the aerodromes/operating sites concerned. These procedures shall be included in the operations manual.		Text added. Source: ICAO Annex 6 Part II.		Annex 6 Part II 3.4.3.3.
(k)	An operator shall establish and maintain personnel training programmes as required by the ICAO Technical Instructions (ICAO Doc 9284 - Technical Instructions for the Safe Transport of Dangerous Goods by Air). Training programmes shall be commensurate with the responsibilities of personnel.	1. MS: 5 and IA: 1: Amend to ensure all relevant categories of staff are trained in accordance with ICAO TI 2. MS: 1: Reconsider this paragraph, in light of OPS.GEN.030 (a) which indicates that all requirements in the ICAO TIs are an operator responsibility 3. IND: 1: The paragraph implies that operators are responsible for training subcontractors. Amend text.	1. and 2. Rather than add new text to OR.OPS.GEN.100 (f), AMC OR.OR.OPS.100. GEN(f) moved to replace existing text in OR.OPS.GEN.100(f) 3. An operator is responsible for ensuring staff are trained but not for training. Resultant text reflects this.	=EU-OPS 1.1220(a) and (b) JAR-OPS 3.1220	~Annex 6 Part I 12.4
		This segment received 4 unique comments. [MS: 2; IND: 1; INDIV: 1]	The new text (second para) of this provision is transferred to OR.OPS.AOC.125		
		One comment requesting an AMC explaining how the endorsement for non-COM should be implemented. One comment requesting that the endorsement be approved by the competent authority. One comment (Airline) suggesting possibility for operators to integrate non-commercial instructions and procedures into the structure of the OM whilst clearly indicating that those specific instructions are only applicable to non-commercial operations (additional supplement not "ergonomic") and proposing new text.	Not accepted: The operations specifications (Appendix I to Part-AR) foresee specific fields to enter non-commercial operations. Noted: The operations specifications are issued by the competent authority. The endorsement for non-commercial operations is therefore to be made by the competent authority (cf. AR.OPS.210). Accepted: Text amended to provide flexibility to operators for deciding on the best documentation structure to address non-commercial operations. Not accepted: The proposed text does not provide legal certainty.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	One comment claiming text is rather heavy and proposing a simplified version: "The operator shall ensure that the operations manual contains all instructions and information necessary for operations personnel to perform their duties."	New proposed text after consultation with RG01		
SECTION II – MANUALS, LOGS AND RECORDS				
OR.OPS.MLR.100 Operations manual - General	1. MS: 2: Re-align with EU-OPS 1.1040 (c). OM should be in English Language. 2. MS: 1: Request to change to IR; all OM text sourced from EU-OPS/JAR-OPS 3 Section1. 3. INDIV: 1: English language can be a safety issue for non-native-English-speaking crew; therefore the choice of the language shall be left to the authority (refer EU-OPS 1.025(b). 4. INDIV: 1: Proposal to harmonise the structure and contents of the OMs with IOSA standards.	1. JAA TGL 44 (guidance material) states "JAR-OPS 1.1040(c) requires the OM to be prepared in the English language. However, it is recognised that there may be circumstances where approval for the use of another language, for part or all of the OM, is justifiable". This guidance could not be transferred, as it is against the Community principle that gives all EU languages an equal status. Moreover, an English OM used by a non-native English speaking crew may pose a safety risk (as commented). This was one of the reasons why it had the status of an IEM in the past. OM in English language is not an ICAO standard. 2. The division of text between IR and AMC has been revisited during the comment review phase. Text based on EU-OPS/JAR-OPS 3 Section 1 has been moved to IR, except for the AMC text on OM contents, which is based on an Appendix in EU-OPS and JAR-OPS 3. This provides flexibility for all types of aircraft and operations, which is required due to the increased scope. 3. OR.OPS.MLR.100(k) text amended to reflect EU-OPS 1.025(b). 4. This suggestion is outside the scope of the NPA, which is to transpose EU-OPS; it may be considered in a future rulemaking task via an EASA proposal form. +1 OR.OPS.MLR.100 renumbered and sorted in EU-OPS 1.1040 order.	~EU-OPS 1.1040 ~JAR-OPS 3.1040	
(a) The operator shall establish an operations manual (OM) as specified under 8.b. of Annex IV to Regulation (EC) No 216/2008.	1. [MS: 1, IND: 15, INDIV: 11]: Text considered to be too heavy. Also, re-alignment with EU-OPS for more clarity is needed. 2. INDIV: 1: Proposal to include	1. Text amended to refer to 8.b of Annex IV to Regulation (EC) No 216/2008, in which "Such manual must contain all necessary instructions...for all aircraft…" exceeds EU-OPS 1.1040(a) and JAR-OPS 3.1040(a).	>EU-OPS 1.1040(a) >JAR-OPS 3.1040(a)	~Annex 6 Part I, 4.2.3.1 (part) ~Annex 6 Part II, 3.4.2.2

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	licensing requirements and recurrent training schedules for dispatchers and flight ops personnel here.	2. This suggestion is outside the scope of the NPA which is to transpose EU-OPS; it may be considered in a future rulemaking task via an EASA proposal form. Furthermore, OR.OPS.MLR is only intended to prescribe OM structure and content, whereas the technical parts prescribe the detail.		
(b) The content of the OM shall reflect the requirements set out in this Part and Part-CAT, Part-NCC, Part-SPO and Part-SPA, as applicable, and shall not contravene the conditions contained in the operations specifications to the air operator certificate (AOC) or the declaration.		+1. RG01 CAT input: Text changed for clarification.	~EU-OPS 1.1040(b) (part) ~JAR-OPS 3.1040(b) (part)	
(c) The OM may be issued in separate parts.		+1. RG01 CAT input: Text moved from NPA AMC1 OR.OPS.015.MLR.	~EU-OPS 1.1040(e) ~JAR-OPS 3.1040(e)	=Annex 6 Part I, Appx 2, 1.2 =Annex 6 Part II – Attachment 3.A, Supplementary to 3.4.2.2
(d) All operations personnel shall have easy access to the portions of the OM that are relevant to their duties.		+1. Text amended to reflect EU-OPS text more closely.	~EU-OPS 1.1040(f) (part) ~JAR-OPS 3.1040(f) (part)	~Annex 6 Part I, 6.1.4
(e) The OM shall be kept up-to-date. All personnel shall be made aware of the changes that are relevant to their duties.	1. MS: 2: the term "all personnel" is not clear, as it is not possible to know to whom this rule applies eg crew only or maintenance personnel as well.	1. Text not changed, as it is aligned with EU-OPS. Maintenance personnel are addressed in Reg No 2042. NPA AMC1 OR.OPS.015.MLR(4) amended to make it clear that each holder shall keep their copy up to date.	~EU-OPS 1.1040(g) ~JAR-OPS 3.1040(g)	~Annex 6 Part I, 4.2.3.1 ~Annex 6 Part II, 3.4.2.2
(f) Crew members shall be provided with a personal copy of the relevant sections of the OM pertaining to their duties. Each holder of an OM, or appropriate parts of it, shall be responsible for keeping their copy up to date with the amendments or revisions supplied by the operator.	1. INDIV: 1: Change "provided with a personal copy" to "have access to" as used elsewhere.	+1. RG01 CAT input: Text moved from NPA AMC1 OR.OPS.015.MLR. 1. Text not changed, as "personal copy" comes from EU-OPS.	~EU-OPS 1.1040(f) (part) and (h) ~JAR-OPS 3.1040(f) (part) and (h)	~Annex 6 Part I, 6.1.4 ~Annex 6 Part II, 3.4.2.2
(g) For AOC holders: (1) for amendments required to be notified in accordance with OR.GEN.115(b), OR.GEN.130(c) and AR.GEN.310(c), the operator shall supply the competent authority with intended amendments and revisions in advance of the effective date; and (2) for amendments to procedures associated with prior approval items in accordance with OR.GEN.**130**, approval shall be obtained before the amendment becomes effective.	1. [IND: 18; MS: 3]: Request to re-consider the elements which have to be approved and those which have to be accepted, to consider administrative burden for CAs and operators and re-align with EU-OPS. 2. IND: 11: Proposal to add "unless otherwise agreed with the CA" to "the OM and its amendments shall be provided in advance of the effective date …". 3. MS: 1: The reference to "air operator certificate holder" only addresses one kind of certificate. 4. MS: 1: Approving amendments is an	1, 2, 4 &6. Text changed to follow the principle in EU-OPS ie only prior approval of those sections of the OM which are related to those IR provisions which require approval. The list of the changes that require prior approval is contained in GM to OR.GEN.130. Text also changed to cater for those amendments for which the CA is required to be notified (previously "acceptable to the Authority" in EU-OPS). 3. The reference to CAT and non CAT in the operations specifications template has been moved to the AOC template. This	~EU-OPS 1.1040(i) (part) ~JAR-OPS 3.1040(i) (part)	>Annex 6 Part I, 4.2.3.2 (part) > as ICAO does not state "before the effective date"

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	administrative burden for the CA. Only the operators' amendment system shall be approved and checked during oversight activities. Unless implicitly authorised by NPA OR.OPS.015.MLR(h), clear regulation related to "indirect MEL approval process" to be provided, based on JAR-MMEL/MEL.050(a). 5. INDIV: 1: Proposed wording to provide legal certainty; "For air operator certificate holders, the OM and its amendments shall be approved by the competent authority after application**"**. 6. MS: 1: Proposed wording; "For air operator certificate holders, the OM and its amendments shall be approved/accepted by the competent authority."	means that the AOC will indicate whether or not the operations carried out under the AOC are CAT. Therefore, no change to the "air operator certificate holder" here. 5. OR.GEN.130 addresses applications for approvals for changes. +1. RG01 CAT input: Text amended and moved from NPA AMC OR.OPS.015.MLR(g).		
(h) Notwithstanding (g), amendments or revisions which are required immediately in the interest of safety, may be published and applied immediately, provided that the operator has also applied for approval from the competent authority, where applicable.		+1. RG01 CAT input: Text amended for clarification and moved from NPA AMC OR.OPS.015.MLR(g).	~EU-OPS 1.1040(i) (part) ~JAR-OPS 3.1040(i)(part)	
	1. MS:1: Propose, for major changes, use approval/acceptance list based on JAR-OPS1/EU-OPS. 2. INDIV: 1: Minor changes in OM should be possible without approval of the authority. 3. INDIV: 1: NPA text proposal supported.	1&3. This paragraph is deleted. IEM OPS 1/3 1.1040, as well as the related JIPs, are taken into account and the related provisions in OR.GEN.130 are amended to identify those changes that need prior approval. Text also changed to cater for those amendments for which the CA is required to be notified (previously "acceptable to the Authority" in EU-OPS). 2. Text changed to accommodate this.		
(i) The operator shall incorporate all amendments and revisions required by the competent authority.	1. MS: 1: Delete this sub-paragraph, as the OM is the responsibility of the operator and the CA assesses all revisions. 2. IND: 1: Clarification of "competent authority" required. 3. IND: 1: Request to delete this IR, since the bindingness of the IR is different to EU-OPS.	1&3.Text not changed, as it is aligned with EU-OPS. In addition, ICAO 6 Part I 4.2.3.2 states "The operator shall incorporate in the OM such mandatory material as the State of the Operator may require". 2. Text not changed as "Competent Authority" is defined in Part-OPS Cover Regulation.	~EU-OPS 1.1040(j) ~JAR-OPS 3.1040(j)	~Annex 6 Part I, 4.2.3.2 (part)
(j) The operatorshall ensure that information taken from approved documents, and any amendment thereof, is correctly reflected in the OM. This does not prevent the operator from publishing more conservative data and procedures in the OM.		+1. RG01 CAT input: Text moved from NPA AMC1 OR.OPS.015.MLR. +2. Text amended for clarification, as "using" was ambiguous.	=EU-OPS 1.1040(k) ~JAR-OPS 3.1040(k) ~8.b of Annex IV to Regulation (EC) No	

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
			216/2008 (part)	
(k) The operatorshall ensure that all personnel are able to understand the language in which those parts of the OM, which pertain to their duties and responsibilities, are written.The content of the OM shall be presented in a form which can be used without difficulty and observes human factors principles.	1. MS: 1: For CAT operations, the OM should be in English. 2. IND: 1: The responsibility should be the responsibility of the operator not the individual. Re-align with EU-OPS 1.025(b). 3. INDIV: 13, IND: 11: English language can be a safety issue for non-native-English-speaking crew, therefore the choice of the language shall be left to the authority (refer EU-OPS 1.025(b). 4. IND: 1: Restrict OM to English to permit freedom of movement of labour and for safety, excluding small operators of simple types with simple operations who may apply for permission to publish in another acceptable language. 5. IND: 2: The OM shall be prepared and available in the English language. English is internationally recognised as the language of aviation. Single operators employ individuals from many Member States. OM in multiple languages has no basis in safety and could adversely affect safety.	1. JAA TGL 44 (guidance material) states "JAR-OPS 1.1040(c) requires the OM to be prepared in the English language. However, it is recognised that there may be circumstances where approval for the use of another language, for part or all of the OM, is justifiable". This guidance could not be transferred, as it is against the Community principle that gives all EU languages an equal status. Moreover, an English OM used by a non-native English speaking crew may pose a safety risk (as commented). This was one of the reasons why it had the status of an IEM in the past. OM in English language is not an ICAO standard. 2. Text from EU-OPS 1.025(b) added to the paragraph to make it clear that the operator is responsible for ensuring that personnel are able to understand the language of the OM. 3. Text amended to reflect EU-OPS 1.025(b). 4&5. Text amended to reflect EU-OPS 1.025(b) to ensure personnel are able to understand the OM. The majority of comments received were not in favour of requiring the OM to be in English language (refer comment/response no. 3 here). Note: EU-OPS 1.1040(c) In addition, an operator may translate and use that manual, or parts thereof, into another language – this gave flexibility anyway. Additionally, providing the OM in the English language is not an ICAO SARP.	=EU-OPS 1.025(b) =JAR-OPS 3.025(b) ~EU-OPS 1.1040(l) ~JAR-OPS 3.1040(l)	~Annex 6 Part I, 6.1.4

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
OR.OPS.MLR.101 Operations manual– Structure for commercial operations and non-commercial specialised operations with complex motor-powered aircraft	1. MS x1: Re-align with EU-OPS as an IR and not an AMC. 2. IND: 7: Clarification requested on the intent of the text; that it does not imply any given structure.	1. RG01 CAT input: Text moved from NPA AMC4 OR.OPS.015.MLR and title changed to include non-commercial SPO with complex motor-powered aircraft. 2. The intent is that the parts structure shall be respected, to ensure uniform presentation for the 4 main topics, as required by ICAO. The detailed contents list is presented as AMC, implying that the order should be kept, unless an alternative AMC is used. Operators may record items as 'not applicable'. Operators may refer to external documentation. The OM may be presented in a form other than paper. OMs which are compliant with JAR-OPS 3 Amt 5 will be deemed compliant with the IR and AMC.	~EU-OPS 1.1045(a) ~JAR-OPS 3.1045(a)	~Annex 6 Part I – Appendix 2
The main structure of the OM shall be as follows:		+1. Text changed to align with EU-OPS.		
(a) Part A: General/Basic, comprising all non-type-related operational policies, instructions and procedures;				
(b) Part B: Aircraft operating matters, comprising all type-related instructions and procedures, taking into account differences between types/classes, variants or individual aircraft used by the operator;				
(c) Part C, as applicable:				
(1) Commercial air transport operations, comprising route/role/area and aerodrome/operating site instructions and information;				
(2) Non-commercial specialised operationswith complex motor-powered aircraftand commercial specialised operations, comprising tasks and operating area instructions and information;		+1. The former part "COM" changed to "commercial specialised operations and non-commercial specialised operations with complex motor-powered aircraft".		
(d) Part D: Training, comprising all training instructions for personnel required for a safe operation.	1. IND: 7: Specify that the training is for "operational" personnel.	1. Text changed to re-align with EU-OPS.		=Annex 6 Part II – Attachment 3.A, Supplementary to 3.4.2.2

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
OR.OPS.MLR.105 Minimum equipment list (MEL)	1. IND: 1: What about E-MEL? 2. IND: 2: Use of MEL to be addressed elsewhere. Material goes well beyond the scope of MLR, e.g. "effective rectification programme" (maintenance management). 3. IND: 1: Regarding point 11 of the EN; Flexibility provision approach from the BR article 14.4 to be transposed at MEL level. Proposal: JAR-MMEL/MEL.090, to be inserted as GM OR.OPS.020.MLR(d)(3).	1. No change - E-MEL considered as a platform hosting the MEL content. IR = performance-based regulation. 2. No change - NPA proposal's extent regarding RIE consistent w/ JAR-MMEL/MEL. 3. No change – For consistency w/ other Implementing Rules.		~Annex 6, Part I: 6.1.3 ~Annex 6, Part II: 3.6.1.1 ~Annex 6, Part III: 4.1.3
(a) A minimum equipment list (MEL) shall be established as specified under 8.a.3. of Annex IV to Regulation (EC) No 216/2008, based on the relevant Master Minimum Equipment List (MMEL) as defined in the operational suitability data established in accordance with Commission Regulation (EC) No 1702/2003.	1. IND: 3 and MS: 1: Missing information compared w/ EU-OPS 1.130(a): ⇒ MEL shall be no less restrictive than MMEL ⇒ MMEL, if available. 2. MS :1: To be removed: Partial duplication of Regulation 216 Annex IV: 8.a.3. 3. MS: 1: What about types not approved by EASA? 4. MS:1: Text unclear: infers that the operator must obtain EASA approval to operate each type. 5. IND:1: Direct use of the EASA MMEL should be an AMC to the MEL for operators only performing ferry flights or flight tests. 6. IND:1: MMEL approval requirements already established in EASA NPA 2009-01 (OSC). No need to duplicate.	1. No change - covered by Regulation 216 Annex IV: 8.a.3. However partial duplication is misleading, ref. answer to comment #2. 2. Changed - Relevant comment apart from "for the type approved by the Agency in accordance with Commission Reg (EC) No 1702/2003", which connects the MEL with THE MMEL (i.e. the one from the OSD). 3. Covered by reference to the operational suitability data established in accordance with Commission Reg (EC) No 1702/2003. 4. Text clarified. 5. No change - Ferry flights and flight tests may be conducted outside the scope of the Certificate of Airworthiness (CoA), whereas MEL flights are conducted under the CoA. Should the flight be not conducted under the CoA, such an AMC is to be addressed within the frame of Permit to Fly, ref. Part-21. Should the flight be conducted under the CoA, the operator's MEL applies. 6. Changed - Direct reference to the operational suitability data established in accordance w/ Commission Reg (EC) No 1702/2003.	~8.a.3 of Annex IV to Regulation (EC) No 216/2008 >8.a.3. (iii) of Annex IV to Regulation (EC) No 216/2008 >EU-OPS 1.030(a) >JAR-OPS 3.030(a) >JAR-MMEL/MEL.060(a)	>Annex 6, Part I: Att. G - Paragraph 3 >Annex 6, Part II: Att. 3.B - Paragraph 3 >Annex 6, Part III: Att. E - Paragraph 3
(b) The MEL and any amendment thereto shall be approved by the competent authority.For non-commercial operations with complex motor-powered aircraft registered in a third country, the operator shall obtain an approval for the MEL from the State of Registry of the aircraft.	1. IND: 2, MS: 2: Approving amendments is an administrative burden for the authorities. Only the operators' amendment system shall be approved and checked during the oversight. Unless implicitly authorised by NPA OR.OPS.015(h), clear	1. Changed to follow the principle in EU-OPS ie only prior approval of those sections of the OM which are related to those IR provisions which require approval. The list of the changes that require prior approval is contained in OR.GEN.130. This includes changes to	~EU-OPS 1.030(a) ~JAR-OPS 3.030(a) ~EU-OPS 1.1045, Appendix 1: B.9 ~IEM OPS 1.1040(b): b.3	<Annex 6 Part I: 6.1.3 <Annex 6, Part II: 3.6.1.1 <Annex 6, Part III: 4.1.3

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	regulation related to "indirect MEL approval process" to be provided based on JAR-MMEL/MEL.050(a). 2. MS: 1: "after application" to be added. National rules require an application before starting to act and charge the activities. 3. IND: s1: MEL should not be required to be approved by the authority for non-commercial operations.	MEL and procedures to use the MEL. "Indirect MEL approval process" is not compliant with JAR-MMEL/MEL.050(a) (interpretation from the national authorities which might result from a definition provided in EU-OPS - ref. EU-OPS 1.003). NPA proposal compliant w/ EU-OPS 1.1040(b), EU-OPS 1.1045(b), Appendix 1 to EU-OPS 1.1045 -i.e. MEL part of the OM- and IEM EU-OPS 1.1040(b) -i.e. Elements of the OM subject to specific approval by the Authority. 2. No change - Covered by AR.OPS.205(a) "Upon receiving an application for the issue of a MEL approval for an operator, […]". 3. No change - As per Regulation 216 Annex IV: 8, MEL -or equivalent document- is required for operation for commercial purposes and operation of complex motor-powered A/C. This comment is then considered deviating from the Regulation (EC) No 216/2008. +1. Editorial change in consultation with RG01 CAT. +2. Changed to address Basic Regulation 4.1.c aircraft, based on input from RG03 NCC.	>JAA A&GM Section 4: Operations, Part 2: Procedures, Appendix 6	Ref. associated footnote.
(c) The operator shall amend the MEL after any applicable change to the MMEL within acceptable timescales.	1. IND x1: Wording to be clarified so as not to prevent inclusion of the M&O procedures in a document other than the MEL, as authorised by NPA OR.OPS.020.MLR(g).	1. Changed - The fully developed M&O procedures are not part of the MEL. However, as part of the compensating conditions, changes to M&O procedures referenced in the MMEL require changes to M&O procedures referenced in the MEL. OR.OPS.MLR.105(h) and associated AMC added. +1. Additional change in consultation with RG01 CAT.	~JAR-MMEL/MEL.060(c) ~JAA A&GM Section 4: Operations, Part 3: TGL26: 2.7.2(a)	
(d) In addition to the list of items, the MEL shall contain:			~JAR-MMEL/MEL.065	
(1) a preamble, including guidance and definitions for flight crews and maintenance personnel using the MEL;	1. IND x3: "Maintenance personnel" wording not specific enough. To be replaced by "Certifying staff", as MEL maintenance procedures should only be performed by certifying staff and carried out by means of CRS. Only certifying staff B1 and B2 should be	1. It is agreed that as per 145.A.50 (a) and (b) of Part 145, a certificate of release to service shall be issued before flight at the completion of any maintenance. The certificate of release is issued by the appropriately authorised certifying staff once it has been verified that all	~JAR-MMEL/MEL.065(a) ~JAR-MMEL/MEL.065(c)	

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	allowed to use the MEL and dispatch the A/C.	maintenance ordered has been properly carried out. NPA proposed wording is however compliant with the wording provided in ICAO Annex 6, Part I: Att. G - Paragraph 8 and in JAR-MMEL/MEL.065(c) (both referring to flight crews and maintenance personnel). In addition, it is here a question of guidance for reading / understanding MEL, not only performing procedures or releasing.		
(2) the revision status of the MMEL upon which the MEL is based and the revision status of the MEL; and			=JAR-MMEL/MEL.065(b)	
(3) the scope, extent and purpose of the MEL.			~JAR-MMEL/MEL.065(a) ~JAR-MMEL/MEL.065(c)	
(e) The operator shall:			=JAR-MMEL/MEL.080	>Annex 6, Part I: Att. G - Paragraph 5 >Annex 6, Part II: Att. 3.B - Paragraph 5 >Annex 6, Part III: Att. E - Paragraph 5
(1) establish rectification intervals for each instrument, item of equipment or function inoperative listed in the MEL. The rectification interval in the MEL shall not be less restrictive than the corresponding rectification interval in the MMEL;		+1. Editorial change in consultation with RG01 CAT. Although the sentence on "not less restrictive" is also in 8.a.3 of Annex IV to Regulation (EC) 216/2008, it is duplicated in the IR to re-enforce the requirement due to its importance. The previous paragraph (e)(1) was already covered by the Regulation 216 Annex IV: 8.a.3., i.e. requiring the MEL to not be less restrictive than the MMEL.	=JAR-MMEL/MEL.080(a) + Regulation 216 Annex IV: 8.a.3.	>Annex 6, Part I: Att. G - Paragraph 5 >Annex 6, Part II: Att. 3.B - Paragraph 5 >Annex 6, Part III: Att. E - Paragraph 5
(2) establish an effective rectification programme; and	1. MS: 1: Normally established through Part-M and Part-145. To be clarified in AMC or GM.	1. Changed - It is agreed that M.A.301(2) and associated AMC M.A.301 -2- of Part M are providing such requirements. NPA proposed wording was compliant with the wording provided in JAR-MMEL/MEL.080(b). The proposal is however changed so as to avoid any overlap between OR.OPS.MLR.105 and Part-M.	~JAR-MMEL/MEL.080(b)	>Annex 6, Part I: Att. G - Paragraph 5 >Annex 6, Part II: Att. 3.B - Paragraph 5 >Annex 6, Part III: Att. E - Paragraph 5
(3) only operate the aircraft after expiry of the rectification interval specified in the MEL, when:	1. IND: 1: Wording change request: "dispatch the A/C" or "operate the A/C".	1. Editorial change.	=JAR-MMEL/MEL.080(c)	>Annex 6, Part I: Att. G - Paragraph 5 >Annex 6, Part II: Att. 3.B - Paragraph

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
				5 >Annex 6, Part III: Att. E - Paragraph 5
(i) the defect has been rectified; or			=JAR-MMEL/MEL.080(c)(i)	>Annex 6, Part I: Att. G - Paragraph 5 >Annex 6, Part II: Att. 3.B - Paragraph 5 >Annex 6, Part III: Att. E - Paragraph 5
(ii) the rectification interval has been extended in accordance with (f).		+1. Editorial change in consultation with RG01 CAT.	=JAR-MMEL/MEL.080(c)(ii)	>Annex 6, Part I: Att. G - Paragraph 5 >Annex 6, Part II: Att. 3.B - Paragraph 5 >Annex 6, Part III: Att. E - Paragraph 5
(f) Subject to approval of the competent authority, the operator may use a procedure for the onetime extension of the categories B, C and D rectification intervals, provided that:	1. IND: 1: Competent authority must approve any extension notified by the operator. 2. IND: 1: For consistency, since referenced in the IR, categories to be defined at the IR level. 3. IND: 1: Wording change request.	1. No change - NPA proposal compliant with JAR MMEL/MEL.081. 2. Changed - The GM1 OR.OPS.MLR.105(f) is added. Reference to CS-MMEL. 3. No change - Wording identical to the current JAR-MMEL/MEL.081. +1. Editorial change in consultation with RG01 CAT.	~JAR-MMEL/MEL.081	
(1) the extension of the rectification interval is within the scope of the MMEL for the aircraft type;	1. MS: 1, IND: 1: Meaning of "within the scope of the MMEL" to be clarified. 2. IND: 9: Mandatory catch-up to be introduced to ensure RIE statement is provided in the MMEL preamble.	1. No change - Means the MMEL preamble clearly states the one-time RIE is covered. 2. No change - Flight Standards are currently using the OEB catch-up processes (JOEB - EASA transition) to request the MMEL preambles to be amended.	>JAR-MMEL/MEL.081 ~ EU-OPS 1.130(b)	
(2) the extension of the rectification interval is, as a maximum, of the same duration as the rectification interval specified in the MEL;	1. IND: 1: Reconsider this additional limitation; not necessary as long as the operation is within the MMEL constraints.	1. This could be considered through a future rulemaking task via an EASA proposal form. As long as the duration of the granted extension is within the MMEL constraints, there is actually no safety issue. So a one-time RIE with a maximum duration as the RI specified in the MMEL, could be granted. The position for the time being is however to stick to JAR-MMEL/MEL alleviation, i.e. a one-time extension of the same duration as the RI specified in the MEL. Current	=JAR-MMEL/MEL.081(b)	

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
		NPA Proposal less protective than JAR-MMEL/MEL.081(b). Does not prevent the operator from granting successive extensions of the MEL RI. +1. Editorial change in consultation with RG01 CAT.		
(3) the rectification interval extension is not used as a normal meansof conducting MEL item rectification andis used only when events beyond the control of the operator have precluded rectification;		+1. This provision is added in line with AR.OPS. +2. Editorial change in consultation with RG01 CAT.	~JAA A&GM Section 4: Operations, Part 3: TGL26: 2.10.2	
(4) a description of specific duties and responsibilities for controlling extensions is established by the operator;	1. IND: 1: Redundant with introductory sentence (f). To be transferred in AMC. Rule: procedure approved by the competent authority. AMC: description of the elements for approval.	1. Wording identical to the current JAR-MMEL/MEL.081. "Subject to the approval of the competent authority [...]" at the beginning of paragraph (f) is deemed sufficient. It applies to the sub-paragraphs.	=JAR-MMEL/MEL.081(a)	
(5) the competent authority is notified of any extension of the applicable rectification interval; and			<JAR-MMEL/MEL.081(c) - Acceptable notification delay transferred in AMC2 OR.OPS.020.MLR(f)	
(6) a plan to accomplish the rectification at the earliest opportunity is established.			=JAR-MMEL/MEL.081(d)	
(g) The operator shall establish the operational and maintenance procedures referenced in the MEL taking into account the operational and maintenance procedures referenced in the MMEL. These procedures shall be part of the operator's manuals or the MEL.	1. IND: 1: To be added: "(4) **The operator may specify for certain simple maintenance procedures associated with the MEL to be accomplished by the flight crew if these maintenance procedures are approved by the competent authority and the flight crew are appropriately trained** to **perform the maintenance procedure."** 2. IND x2: Wording change: "publish" (make available to the public) not appropriate. "establish" is proposed. 3. IND x1: Wording change: as part of the MEL or other Operator's manuals (not limited to MEL or operations manual only).	1. NPA proposal OR.OPS.MLR.105(g) in combination with the associated GM provides an equivalent level of information compared to the current JAR-MMEL/MEL.075. 2. Editorial change. 3. Editorial change in accordance w/ JAR-MMEL/MEL.075(b) and (c); and in consistency w/ GM1-OR.OPS.MLR.105(g). +1. Editorial change in consultation with RG01 CAT. +2. Changes made in line with AR.OPS.	~JAR-MMEL/MEL.075(b) ~JAR-MMEL/MEL.075(c)	
	1. IND: 1: GM requested to make it clear that operators are not prevented from developing customised M&O procedures. 2. IND: 1: Wording change: the operational and maintenance	1. Text added toAMC1-OR.OPS.MLR.105(g) in accordance with JAA A&GM Section 4: Operations, Part 3: TGL26. 2. Changed - in line with JAR-MMEL/MEL.075(a). +1. Editorial change in consultation with	=JAR-MMEL/MEL.075(a)	

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	procedures referenced in the MMEL.	RG01 CAT.		
		+1. This provision is deleted due to AR.OPS.	=JAR-MMEL/MEL.075(b)	
		+1. This provision is deleted due to AR.OPS.	=JAR-MMEL/MEL.075(c)	
(h) The operator shall amend the operational and maintenance procedures referenced in the MEL after any applicable change to the operational and maintenance procedures referenced in the MMEL.		+1. The fully developed M&O procedures are not part of the MEL. However, as part of the compensating conditions, significant changes to M&O procedures referenced in the MMEL have to require changes to M&O procedures referenced in the MEL. OR.OPS.MLR.105(e) and associated AMC added. +2. Editorial change in consultation with RG01 CAT.	~JAR-MMEL/MEL.075(e)	
(i) Unless otherwise specified in the MEL, the operator shall accomplish: (1) the operational procedures referenced in the MEL,when planning for and/or operating with the listed item inoperative; and (2) the maintenance procedures referenced in the MEL, prior to operating with the listed item inoperative.		+1. This provision is added in line with AR.OPS. +2. Changed in consultation with RG01 CAT.		
		+1. This provision is added in line with AR.OPS. +2. Changed in consultation with RG01 CAT. +3. Text merged with (i) for clarification.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	1. IND: 1: This is an operational instruction and should be contained in OPS.CAT; also ICAO Annex 6 should be checked as it implies an OFP is required for all operations with complex aircraft. 2. IND: 1: Suggest move to GEN. 3. INDIV: 1: Request to add that also procedures for in-flight assistance, communications and connectivity to ground-based resources, shall be considered. 4. IND: 1, INDIV: 1: Clarification needed regarding the use of electronic media eg EFB.	1&2. Text amended and moved to CAT.OP. Resultant text based on EU-OPS/JAR-OPS 3. 3. This suggestion is outside the scope of the NPA which is to transpose EU-OPS; it may be considered in a future rulemaking task via an EASA proposal form. 4. Nothing prevents the use of electronic media (refer to AMC1-OR.OPS.MLR.100).		~Annex 6 Part I, 4.3.3.1
	1. IND: 1: "operating site" should be added to take into account HEMS operations. 2. IND. 2: An additional exemption should be added to consider HEMS for day and night ops local area and the fact that these operations are monitored by operational control centres. 3. INDIV. 1: Proposal to provide definitions for A to A operations, non-complex operations, local operations. This would result in non-complex ops with non-complex aircraft, local non-complex ops with non-complex aircraft and local non-complex ops with complex aircraft. Local ops could be split into local ops with non-complex aircraft and local ops with complex aircraft. 4. MS x1: Clarify the meaning of "local area".	1-4. Text amended and moved to CAT.OP. Resultant text based on EU-OPS/JAR-OPS 3.	EU-OPS 1.290(a) JAR-OPS 3.290(a) Appx 1 to EU-OPS 1.005(a) Appx 1 to JAR-OPS 3.005(f)	
	1. MS: 1: The text should distinguish between sailplanes and powered sailplanes, for clarification.	1. Text amended and moved to CAT.OP. Resultant text based on EU-OPS/JAR-OPS 3.		
	1. MS: 1, INDIV: 1: Text should be consistent with NPA OR.OPS.130.MLR Information retained on ground and state "by day and over routes…".	1. Text on OFP and Information on ground and Docs to be carried now aligned. 2. Text amended and moved to CAT.OP. Resultant text based on EU-OPS/JAR-		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	2. MS x1: Long-distance VFR flights and their complexity make them subject to an operational flight plan.	OPS 3.		
	1. IND: 1: This is an operational instruction and should be contained in OPS.CAT. 2. IND: 1: Suggest move to GEN. 3. IND: 1: Text in NPA OR.OPS.130.MLR is supported. 4. MS: 1: To be moved to IR; it should not be possible to deviate, as this will facilitate accident investigations.	1,2&4. Text amended and moved to CAT.GEN. 3. Support for the text is acknowledged.		
	1. IND: 15, INDIV: 11: Proposal to provide definitions for A to A operations, non-complex operations, local operations. This would result in non-complex ops with non-complex aircraft, local non-complex ops with non-complex aircraft and local non-complex ops with complex aircraft. Local ops could be split into local ops with non-complex aircraft and local ops with complex aircraft. 2. MS: 1: Suggestion to stick to complex motor-powered helicopters only for (a) and (b). 3. INDIV: 1: "as compiled and made available to the flight crew before and during the flight…" needs to be clarified 4. IND: 2: HEMS-flights should be treated the same as (b), see comment to NPA OR.OPS.025.MLR.	1,2&4. Text amended and moved to CAT.GEN. Resultant text based on EU-OPS/JAR-OPS 3. 3. Text amended and moved to CAT.GEN. Resultant text based on EU-OPS/JAR-OPS 3 which takes into consideration cases when the flight crew has to collect the information itself.	EU-OPS 1.140 JAR-OPS 3.140	
	1. MS: 1: Amend to other than complex motor-powered aeroplanes, to include alleviation for aeroplanes. Alleviation for helicopters is already covered in the (a) of the NPA.	1. Text amended and moved to CAT.GEN. Resultant text based on EU-OPS/JAR-OPS 3.		
	1. MS: 1: The text should distinguish between sailplanes and powered sailplanes, for clarification.	1. Text amended and moved to CAT.GEN. Resultant text based on EU-OPS/JAR-OPS 3.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
OR.OPS.MLR.110Journey log				
Particulars of the aircraft, its crew and each journey shall be retained for each flight, or series of flights, in the form of a journey log, or equivalent.		+1. This provision comes from NPA OPS.GEN.610.	~EU-OPS 1.1055(a) ~JAR-OPS 3.1055(a)	>Article 34 Chicago Convention >due to each flight rather than just international flights as per Art 34. ~Annex 6 Part II, 2.8.2.1
OR.OPS.MLR.115 Record-keeping	1. MS: 1: There are 3 different interpretations of the meaning of records. Does the text mean only the score of a test or the whole test? 2. IND: 1: Text in NPA OR.OPS.220.MLR is supported.	1. Clarification is provided by AMC1-OR.OPS.MLR.115, which is based on IEM OPS 1.985 in TGL 44. 2. Support for the text is acknowledged.	~Appx 1 to EU-OPS 1.1065 ~Appx 1 to JAR-OPS 3.1065 1.e and 6.e of Annex IV to Regulation (EC) No 216/2008	
(a) The following records shall be stored for at least 5 years: (1) Records of the activities referred to in OR.GEN.200; and (2) For non-commercial operations with complex motor-powered aircraft, records of the activities referred to in the operator's declaration.		+1. Text amended for clarification of "declaration".	~Appx 1 to EU-OPS 1.1065, Table 6 ~Appx 1 to JAR-OPS 3.1065, Table 6	
(b) The following information used for the preparation and execution of a flight, and associated reports, shall be stored for 3 months:	1. IND: 2, MS: 1: Add missing requirement from EU-OPS 1.140 (b)(2): "Copies of the relevant part(s) of the aeroplane technical log". 2. INDIV: 1: Suggestion to store it in paper for 3 months and additionally electronically for one year; in addition records to be kept should include information about automated messages between the aircraft and ground and any in-flight assistance given by operations personnel during flight.	1. The technical log is addressed by Part-M. 2. This suggestion is outside the scope of the NPA which is to transpose EU-OPS; it may be considered in a future rulemaking task via an EASA proposal form. +1. The EU-OPS text on reports on exceedances of duty and/or resting periods to be addressed in separate rulemaking task OPS.055.	~Appx 1 to EU-OPS 1.1065, Table 1 and 2 ~Appx 1 to JAR-OPS 3.1065, Table 1 and 2	
(1) For commercial air transport operations, operational flight plan;		+1. RG03 NCC suggested to add "if applicable": Text changed for clarification.		
(2) Route-specific notice to airmen (NOTAM)/aeronautical information services (AIS) briefing documentation if edited by the operator;				
(3) Mass and balance documentation;				

<table>
<tr><th>A: Rule</th><th>B: Summary of comments</th><th>C: Response</th><th>D: Source ref. and compliance</th><th>E: ICAO ref. and compliance</th></tr>
<tr><td>(4) Notification of special loads including written information to the commander/pilot-in-command about dangerous goods;</td><td>1. MS: 6: Technical Instructions Part 7, 4.10 requirement is missing (DG transport documents to be retained for a period of 3 months).</td><td>1. This is covered in SPA.DG.105(f).
+1. RG01 CAT input: PIC changed to commander/PIC for CAT/other respectively.</td><td></td><td></td></tr>
<tr><td>(5) Journey log, or equivalent; and</td><td>1. IND: 7: Add “…or equivalent data” to consider the fact that operators can use computerised data.</td><td>1. Text amended for clarification.</td><td></td><td><Annex 6 Part I, 11.4.3
< due to this ICAO recommendation stating retain to provide a continuous record of the last 6 m ops.</td></tr>
<tr><td>(6) Flight report(s) for recording details of any occurrence, or any event which the commander/pilot-in-command deems necessary to report/record;</td><td></td><td>+1. RG01 CAT input: PIC changed to commander/PIC for CAT/other respectively.</td><td></td><td></td></tr>
<tr><td>(c) Personnel records shall be stored for the periods indicated below:</td><td>1. MS: 2: Change 3 years to 4 or 5 years, since the training is conducted in a 3 year cycle.
2. IND: 1: Clarification required for crew members working for multiple organisations concurrently.
3. MS: 1: Replicate tables in EU-OPS and JAR-OPS 3; easier to read.</td><td>1. Text not changed, as it is aligned with EU-OPS. May be considered in a future rulemaking task via an EASA proposal form.
2. The text specifies that every operator has to keep the relevant records.
3. To avoid duplication, tables from EU-OPS have been merged.</td><td>~Appx 1 to EU-OPS 1.1065, Table 3, 4 & 5
~Appx 1 to JAR-OPS 3.1065, Table 3, 4 & 5</td><td></td></tr>
<tr><td><table><tr><td>Flight crew licence and cabin crew attestation</td><td>As long as the crew member is exercising the privileges of the licence or attestation for the aircraft operator</td></tr><tr><td>Crew member training and checking</td><td>3 years</td></tr><tr><td>Records on crew member recent experience</td><td>15 months</td></tr><tr><td>Crew member route and aerodrome / task and area competence, as appropriate</td><td>3 years</td></tr><tr><td>Dangerous Goods training, as appropriate</td><td>3 years</td></tr></table>Training / qualification records of other personnel for whom a training programme is required.last 2 training records</td><td>1. IND: 2: Suggestion to store documents 24 months instead of 15 month, so that the fatigue risk data can be evaluated.
2. IND: 8: Table row 6: amend the text to read “…up to the last two training records”.
3. IND: 1: Clarify whether “crew member” is applicable to both flight crew and cabin crew. Provide a definition or example for “recent experience". Clarify whether the time periods are from the date of training.</td><td>1. Fatigue risk management will be developed under RM task OPS.055 – specific record-keeping recommendations may be identified.
2. Text not changed as it is aligned with EU-OPS.
3. No change to the text, as the requirements are the same for flight crew and cabin crew in this list, as in EU-OPS. Recent experience is prescribed in OR.OPS.FC. Time periods are expressed in the same way as in EU-OPS.</td><td></td><td>~Annex 6 Part I, 9.4.3.4
~Annex 6 Part I, 4.2.11.3</td></tr>
<tr><td>(d) The operator shall:</td><td>1. IND:2: This section should be moved to OR.OPS.065.FC.</td><td>1. No text change, as this rule refers to the operator’s responsibility to keep the</td><td></td><td></td></tr>
</table>

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
		records, not to the conduct of the training.		
(1) maintain records of all training, checking and qualifications undertaken by a crew member, as prescribed in OR.OPS; and	1. IND:1: It is unclear if this only applies to training undertaken during operations for one operator, or for all operators where the crew member performs duties.	1. No text change, as this is aligned with EU-OPS. The wording "An operator shall" implies that each operator shall be responsible for maintaining records relevant to the crew member training with that operator.	~EU-OPS 1.1035(1) (CC) ~EU-OPS 1.985(a)(1) (FC) ~JAR-OPS 3.1035(a)(1) (CC) >JAR-OPS 3.985(a)(1) (FC)	
(2) make such records available, on request, to the crew member concerned.	1. MS: 1, IND: 2, INDIV: 1: Clarification required to confirm that this is only applicable to flight crew training and not cabin crew.	1. The amended text covers the record for the training, checking and qualification of the relevant crew members.	>EU-OPS 1.985(a)(2) >JAR-OPS 3.985(a)(2) > due to change from flight crew member to crew member.	
(e) The operator shall preserve the information used for the preparation and execution of a flight and personnel training records, even if the operator ceases to be the operator of that aircraft or the employer of that crew member, provided this is within the timescales prescribed in (c).	1. IND: 9: Text to be clarified to confirm that the files should only be kept for a limited amount of time.	1. Text amended for clarification. +1. RG01 CAT input: Changed to "crew member".	>EU-OPS 1.155(1) >JAR-OPS 3.155(a)(1) >due to addition of "even if the operator ceases to be the employer of that crew member"	
(f) If a crew member becomes a crew member for another operator, the operator shall make the crew member's records available to the new operator, provided this is within the timescales prescribed in (c).		+1. Text amended to more closely reflect the EU-OPS rule source text, and moved from NPA AMC.OR.OPS.220.MLR.	>EU-OPS 1.155(2) >JAR-OPS 3.155(a)(2) >due to records referred to not limited to flight duty, duty and rest period records as in rule source.	
SECTION III – AIR OPERATOR DECLARATION	1/ MS: Increases work load without a safety benefit. 2/ MS: Section should be removed due to legal uncertainties. 3/ MS: A declaration will not provide a sufficient level of safety oversight for all operators of complex motor-powered aircraft used in non-commercial operations, specifically managed aircraft operations where an aircraft is operated by a specialised management company on behalf of a single, or several, owners.	1/ Not accepted. DEC is a method to enable the competent authority to fulfil its oversight responsibilities in accordance with AR.GEN.305. 2/ Not accepted. The declaration is required by Article 8.3 of the Basic Regulation. GM1 AR.GEN.345 provides further clarity. 3/ Not accepted. AR.GEN provides appropriate means and responsibilities for oversight of NCC operations. Moreover, there is for the moment no evidence available that the existing oversight instruments would be insufficient for such NCC operations.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
OR.OPS.DEC.100 Declaration			No ICAO SARPS.	
(a) Prior to commencing operations, an operator shall declare its capability and means to discharge the responsibilities associated with the non-commercial operation of complex motor-powered aircraft to the competent authority. (b) The operator shall inform the competent authority of any changes to the content of the declaration through submission of an amended declaration.	1/ MS: Add certain COM operators to the applicability of the DEC. 2/ IND: Add commercial balloon operators to the applicability. 3/ AS: Clarification requested that this section should only apply to non-commercial operators with complex motor power aircraft but not to non-commercial operations conducted by commercial operators. Editorial improvement suggested. 4/ MS: Clarify the status of fractional ownership operations.	1,2/Not accepted. All commercial operations require an AOC. 3/ The DEC does not concern non-commercial operations by certified operators. GM1-OR.OPS.DEC.100 provides further clarification. 4/ Dependent on the contractual arrangements, fractional ownership operations are usually considered to be a non-commercial operation and require a declaration if a complex motor-powered aircraft is used. New (b) added to clarify that changes need to be notified to the competent authority by using the declaration form.		
	MS: if such a third party is the operator, than this party is already covered in (a).	Accepted. Further clarification provided in GM1-OR.OPS.DEC.100.		
	1/ AS: this limitation should be deleted. 2/ IND: if the receipt is not acknowledged within 4-5 weeks, the operator can commence its operation. 3/ MS: be a mechanism whereby a declaration has to be deemed to be acceptable to the competent authority and an endorsement to that fact included on the acknowledgement of the declaration.	1/2/ The text has been deleted for legal certainty. It should be avoided that a national court may interpret an acknowledgment of receipt as a form of prior approval 3/ Not accepted. This would change the intent of the declaration. The declaration is not an approval.		
OR.OPS.DEC.105 Content of the declaration			No ICAO SARPS.	
The declaration and any change to the declaration shall be made on the form contained in Appendix I to this Part.	1/ Use of industry standards is not supported, when these standards are not accepted following rulemaking procedures according Article 52 of the Basic Regulation.	AR.GEN.305 and GM1 AR.GEN.305 provide further information on the use of industry standards.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
SECTION IV – AIR OPERATOR CERTIFICATION	[MS] When can the certificate be replaced by a declaration of capability, as mentioned in recital (7) and article 8.2 of Reg 216/2008?	It has been decided not to develop conditions for such a replacement.		
OR.OPS.AOC.100 Application for an air operator certificate				
(a) Without prejudice to Regulation (EC) No 1008/2008, prior to commencing commercial air operations, the operator shall apply for and obtain an air operator certificate (AOC) issued by the competent authority.	1. [MS] No EASA AOC for local flights, reciprocating engine, max. 4 seats; placing it under local authority responsibility. 2. [INDIV] Only a declaration for commercial balloon operations 3. [MS] Issuing AOC for commercial operations other-than CAT could create confusion in third countries. ICAO Annex 6 requires it only for CAT. 4. [MS] There is an imbalance between what was required in Reg. (EC) No 1008/2008 (AOC only for commercial air transport) and what is required now (AOC for commercial air operations).	1. Only Annex II aircraft, with the exemption of Article 4.5. of the Basic Regulation, and services as mentioned in Article 1.2. are subject to national rules. 2. The Agency considers that safety of commercial operations is better ensured when the operator is subject to a certification process. 3. This follows the advice of the drafting group OPS.001. The AOC has been modified and will indicate whether or not the operations carried out under the AOC are CAT. 4. The scope of the Basic Regulation is wider; the definition of "commercial operation" includes CAT. All commercial operations will be subject to a certification process. In the drafting group (OPS.001) it was decided to include "aerial work" as well.	EU.OPS.1.175, EU.OPS.1.180	Annex 6 Part 1 4.2.1.1 4.2.1.3 1.1.1. Annex 6 Part III Section II 2.2.1.1 2.2.1.3
(b) Applicants shall provide the following information to the competent authority:	[MS] Allow the competent authority full access to examine all safety aspects of an AOC operation.	Access covered in OR.GEN.040 and related AMC		
(1) the official name and business name, address, and mailing address of the applicant;	[MS] Include an e-mail address.	This is covered in "mailing address".		
(2) adescription of the proposed operation, including the type(s), and number of aircraft to be operated	[IND] One company involved in a wide variety of different aircraft types has difficulties to describe the type of operations performed.	The proposed text is in line with EU.OPS 1.185, (a) and Appendix 1 to 1.175(b).	EU.OPS 1.185, (a) Appendix 1 to 1.175(b)	
(3) a description of the management system, including organisational structure;				
(4) the name of the accountable manager;	[MS] Include acceptance of the accountable manager by the competent authority.	The acceptance of an accountable manager is part of the organisation approval. The change of the accountable manager is considered as a change that may affect the organisation's certificate and must be	EU.OPS 1.175, (h)	

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
		notified to the competent authority. OR.GEN.130 General – prior approval of changes Items requiring an "approval by the competent authority" are considered as "a major change" to the operator's organisation and operation, which possibly also requires a change in the operations manual. The operator has to notify a major change to the competent authority, and any changes can only be implemented after having received the approval of the competent authority and modification of the OPS SPECS, where applicable. The items subject to prior approval are included in GM1-OR.GEN.130(b). Items requiring the "acceptance of the competent authority" are considered as a "minor change" to the operator's organisation and operation. The operator has to notify the competent authority about the change and adapt the procedures in the operations manual accordingly. The change can be implemented without any prior response from the competent authority. The rule text has been modified to clarify that the operator has the obligation to inform its competent authority.		
(5) the names of the nominated persons required by OR.OPS.135.AOC(a) together with their qualifications and experience; and				
(6) a copy of the Operations manual required by OR.OPS.MLR.100.	1. [IIndiv] Is there a new requirement for an approved departmental management manual? 2. [MS] Include operations manual as one of the documents to be provided by the applicant of an AOC. 3. [IA] Define minor change, to guarantee the basic approval of the OM.	1. This had been changed. OR.GEN.200(a)(5) refers to documentation instead of manual, because specific subparts will specify the parts of the manual to be approved. 2. Agreed. Operations manual is included. 3. See previous comment. Changes not requiring prior approval are covered in OR.GEN.130(c).		
(c) Applicants shall demonstrate to the competent authority that:				
(1) they comply with all the applicable requirements of Annex IV to Regulation (EC) No 216/2008, this Part and Part –CAT, Part-SPO and Part-SPA, as applicable;	[MS] Include Annex IV to the Basic Regulation as part of the requirements to be complied with.	Accepted		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
(2) all aircraft operatedhave a certificate of airworthiness in accordance with Part-21;and	1. [MS] Cover aircraft of third countries (unlikely to have a CofA issued in accordance with Part-21); the vast majority of dry lease-in arrangements from outside the community. 2. [Indiv] Proposal to include permit to fly i.a.w. Part-21 for applicants of an AOC. 3. [IND] Test flight or ferry flight with a (complex motor-powered) aircraft which is registered in a third country and owned or operated by a non-Community operator. (MRO providers and leasing companies). 4. [MS] It is not possible to issue aCofA i.a.w. Part-21 for Annex II aircraft. 5. [MS] The majority of the existing derogations (Annex II aircraft) are not covered by the new proposal, and that grandfathering must be assured.	1. The text is in line with 1.180 of EU-OPS. The only difference is that the notion "standard" has been removed so aircraft with a restricted Part-21 CofA are allowed (subject to certain limitations) to conduct commercial operations. 2. Permits to Fly cannot be put on one line with certificates of airworthiness. Permits to fly will be issued to aircraft that do not meet the applicable airworthiness requirements, but are capable of safe flights under certain conditions and only for purposes that are listed exhaustively in Part-21, Subpart P. 3. Test or ferry flight of TCO aircraft operated by TCOs need to comply with the future Part-TCO (NPA not published yet). Part-TCO refers to Part-21, Subpart P for aircraft that do not hold a standard ICAO CofA. Test and ferry flights are examples of operations of aircraft that do not hold a standard ICAO CofA. Therefore these aircraft need to apply for a permit to fly. For the reasons mentioned above, a permit to fly will not be considered as a CofA issued in accordance with Part-21 or ICAO Annex 8. 4. Annex II aircraft will be addressed in a separate RM task 5. Annex II aircraft fall outside the scope of the Basic Regulation. This means that national rules will apply.		
(3) its organisation and management are suitable and properly matched to the scale and scope of the operation.				
	[Indiv] Text proposal: "flights will be conducted in accordance with the provisions of the operations manual"	Paragraph has been transferred to OR.OPS.GEN.110(b)	OPS.1.175, (a)	
OR.OPS.AOC.105 Operation specifications and privileges of an air operator certificate (AOC) holder				
The privileges of the operator, including those granted in accordance with Part-SPA shall be specified in the operations specifications of the certificate.	[MS] Include the registration number of each aircraft operated by an operator on the OPS SPECS (and not only in the OM).	Accepted. Appendix I to Annex I AR.OPS will include such an operations specification		Annex 6 Part 1 1.1.2. 4.2.1.2 Annex 6 Part III Section II 2.2.1.2

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	[MS] Delete (b). The use of "may" makes that provision more a guidance material than a requirement.	Text deleted and merged with (a).		
	[IND] What if the competent authority wishes to change the certificate?	OR.OPS.025.AOC. has been transferred to OR.GEN.130. A list with prior approvals will be addressed in a GM to OR.GEN.130. Assuming that the commenter means that a competent authority should be allowed to limit the scope of the AOC. As this is enforcement it is regulated, in AR.GEN Section 3.		
OR.OPS.AOC.110 Leasing agreement				
ANY LEASE-IN	1. [IA and IND]Short-term wet leasing is not covered. Proposal (634): "This does not imply a need for the lessor to comply with the EASA requirements". [IND] short-notice wet lease is not covered/ Align it with JAA TGL 44, AMC 1.165, with exception of criteria for FTL. 2. [IA] Can TCO comply with IR by complying with AMC?	1. The flexibility provision in Article 14.4 of the Basic Regulation provides a legal basis to grant an exemption in the event of unforeseen urgent operational circumstances or operational needs of a limited duration. ACJ OPS 1.165 will be addressed in a separate rulemaking task. 2. The correct implementation of an AMC shall provide for presumption of compliance with the related Implementing Rules only, since not all IRs are supported by AMC.		
(a) Without prejudice to Regulation (EC) No 1008/2008, any lease agreement concerning aircraft used by an operator certified in accordance with this Part shall be subject to prior approval of the competent authority.	1. [MS] Proposal to change "registered in a third country" into "for aircraft used by an operator for which any Member State ensures oversight". Justification: Art.13(1) Reg. (EC) No 1008/2008. (AMC OR.OPS.030 should include more detailed provisions regarding wetleased aircraft registered within the Community to mitigate "endangering safety" as meant in CR 1008/2008 Article 13(1)and (2) and, more specifically, expelling lease-in of Community operators with EC SAFA warnings.) Wetlease-in from a Community operator is not taken into account and	1. Accepted; prior approval is required for all lease agreements. Brought in line with EU.OPS.1.165, (b). However, only wet lease-in of TCO aircraft and dry lease-out to a TCO will be subject to conditions, which is also in line with EU.OPS 1.165, (c)(2). In case of wet lease-in between community operators, the responsibilities don't change, because the lessor remains the operator of the aircraft and applies the same set of Implementing Rules as the lessee. In case there is a safety concern on the lessor or lessee, this should be addressed by the	EU.OPS.1.165, (b) and (c). Article 13(2) Regulation (EC) No 1008/2008	

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	there is no equivalent to EU.OPS 1.165, (b)(2). (a) to (d) dry lease-in of Community-registered aircraft not covered. Art. 13(2) Reg. 1008 covers dry lease in and EU.OPS 1.165, (b)(2)(i) requires prior approval. Proposal: OR.OPS.030.AOC (a) - ".....registered in a third country or a Member State and used by an operator..... 2. [MS]Clarify that only "operational lease-in is considered not financial lease (ICAO doc 295) 3. [MS] Reg. (EC) No 1008/2008 uses the term "approval". Change authorisation into approval. 4. [Indiv add "shall apply for and be ...." 5. [MS] What is the difference between "used by an operator for which any MS ensures oversight of operations" and "used into, within or out of the Community by an operator certified in accordance with this section" (Community operator) [MS] proposal: include a requirement for Community operators to inform their NAA about the lease.	competent authority concerned and by the Agency through standardisation inspections. In case the non-compliance continues, the Commission shall, on request of the Agency or on its own initiative, require the certifying competent authority to take appropriate corrective action and safeguarding measures. In addition mutual recognition of the certificate concerned shall cease to exist. So the safety aspects as mentioned in Article 13(2) of Regulation (EC) No1008/2008 will be addressed through the EASA regulatory framework. It is not necessary to impose conditions on dry lease-in arrangements between Community operators, because the general rules for variation of the AOC will apply. 2. This is clarified in the definitions, which do not mention "undertaking" as is the case in the definition of "dry lease" in Regulation (EC) No 1008/2008. 3. Accepted The term "authorisation" has been changed into "approval" 4. Subject to prior approval implies that the operator needs to apply for such an approval. 5. Accepted: "...for which any Member State ensures oversight of operations" is deleted. 6. Covered in (a)-(c) and (e); prior approval is needed for any lease-in and any dry lease-out. In case of wet lease-out the competent authority needs to be informed only.		
WET LEASE-IN				
(b) An operator certified in accordance with this Part shall only wet lease-in aircraft from a third country operator that is not subject to an operating ban pursuant to Regulation (EC) No 2111/2005 and, in the case of the third country operator holding an authorisation issued in accordance with Part-TCO, if that authorisation has not been suspended or revoked. (c) An applicant for the approval of the wet lease-in of an aircraft shall demonstrate to the competent authority that: (1) the third country operator: (i) holds a valid air operator certificate (AOC) issued in accordance with ICAO Annex 6;	[MS]What are the time limits for such an authorisation? EASA should develop provisions for duration, suspension, etc.	The duration of a wet lease-in agreement with a TCO is limited in time in Art.13.3(b) of Regulation (EC) No 1008/2008. Regarding the other lease agreements, it is the operator who decides on the duration. However, the validity is subject to the conditions in AR.OPS.110 (b).		

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(ii) complies with the applicable EU safety requirements for air operations and organisations or equivalent standards; (iii) complies with Regulation (EC) No 2042/2003; (2) the aircraft has a standard certificate of airworthiness issued in accordance with ICAO Annex 8; (3) the pilots hold a Part-FCL licence or a licence that was accepted in accordance with the provisions of Annex III to *[Regulation on personnel requirements]*.				
	[IA and IND] TCO authorisation is not in line with Reg. (EC) No 1008/2008 which refers to approval by NAA. [MS]What is the added value of a TCO authorisation when it is already required to comply with Part-OPS? [IA and IND] NPA on TCO is not yet published.	Deleted. A third country operator operating into, within or out of the EU needs to hold a TCO authorisation in accordance with Part-TCO.		
	1. [MS]Proposal: (2) "to comply with safety standards equivalent to Part–OPS.GEN" (…).Justification: Art.13(3) Reg. (EC) No 1008/2008. (IA) Similar comment. 2. [IND] proposal: "an equivalent level of safety is shown for the following requirements" 3. [MS]Proposal: "All safety standards equivalent to following requirements are met" and in (b)(3) to replace the word "compliance" with "the required safety standards equivalence". The current wording is not in line with Regulation (EC) NO 1008/2008. Reg. 1008 also requires prior approval for wetlease-in and dry lease-out/in for Community and TCO aircraft. 4. [IA] Imposing Part-OPS on wetlease will make wet lease impossible. Also in contradiction with Re. 1008 because it refers to equivalent level of safety. Proposal to realign wet lease with Reg. 1008. 5. [MS] The requirements to be met would limit wet leasing TCO aircraft. Align with Art. 13(3) of Reg. 1008. 6. [IND] proposal: "an equivalent level of safety is shown for the following requirements" 7. [MS] EASA should develop means for	(1-6) Accepted: "equivalent safety standards" are introduced in (b). (b)(3) is brought in line with (b)(1). See comments under (b)(1) It is not necessary to impose conditions for dry lease-in of aircraft registered in a third country, because OR.GEN.130 in conjunction with OR.OPS.AOC.100 will apply. 7. AMC1 OR.OPS.AOC.100(c) in conjunction with AR.GEN.Section 3 provides the necessary means to assess conformity		

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	the NAA to assess conformity.			
	[IA, IND and MS] OPS.CAT.220 doesn't exist.	Should be OPS.CAT.225. Transferred to AMC1OR.OPS.AOC.110(c)		
	1. [IA]Identify the OR.OPS.CC requirements concerned by this Section. The medical and training requirements are not clearly listed. OR.OPS.020.MLR – just: any operator must have an approved MEL. 2. [MS] Guidance is needed for the implementation of the Fatigue Risk Management System (FRMS) for community operators.	1. A third country operator is not required to hold an operations manual in accordance with OR.OPS.MLR. An operations manual issued in accordance with the third country national aviation authority is considered sufficient. 2. This will be addressed in RM task 0.55		
	[IA]Not every operator is Part-145 approved (see Part-M). [I- and IND]Delete Part 145. How can EASA request a TCO to comply with Part-145 when it is not required for a European operator?	Reference to Part-145 has been deleted.		
	[MS]The word "applying" is inappropriate. Proposal: "…may be demonstrated by confirmation that the appropriate procedures are contained in the operations manual…"	(3) has been deleted.		
DRY LEASE-OUT	[IND] In the case of dry lease it is not clear which competent authority has oversight responsibilities. The Agency should reintroduce Art.8 of Reg. (EC) No 2407/92 (exemption for registration of the aircraft under certain conditions) which disappeared in Reg.1008.	The Agency cannot contradict Regulation (EC) No 1008/2008 and reintroduce Art.8.		
	1. [MS]Proposal: "Any dry lease-out". Justification: EU-OPS 1.165, (b)(c) (wet-lease-out is not covered). The competent authority has to verify if the lease-out is covered by the AOC (training of damp cc, outstation handling, use of lessee procedures EU needs to be informed when wet lease-out to a blacklisted carrier is revealed). 2. [MS]Add paragraph on dry lease-in of	1. See comment in (a) for wet lease-out arrangements between community operators. With regard to wet lease-out to a TCO, the Community operator retains control over the operation. So the responsibilities for the operator or the competent authority don't change. This is also in line with Regulation (EC) No 1008/2008 and EU-OPS since no prior approval of the competent authority is		

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	a/c registered in a third country plus conditions.	required. 2. See previous response on dry lease-in.		
	[IA] Add new paragraph (e) on wet lease-out. See proposal(#233): "(e) Any Community Operator wet-leasing out an aircraft registered in the Community to a third country operator shall remain the operator of the aircraft and retain all functions and responsibility prescribed in section IV". Justification: requirements for wetlease-out are missing.	A new requirement is introduced to inform the competent authority of any wet lease-out. The definition of wet lease already makes it clear that the aircraft is operated under the AOC of the lessor.		
	[MS]In the case of dry lease-out between operators of the same certifying authority there is no need to transfer oversight responsibilities of operations and maintenance. The MS's normal methodology for accepting an aircraft on an AOC should apply. Proposal: "except in the case of a dry lease between operators overseen by the same Member State, the competent authority has reached agreement with the competent authority of the lessee on which responsibilities are to be transferred for the oversight of operations and maintenance" [MS] Proposal: "(1) the competent authority has transferred its responsibilities for oversight of operations and maintenance to the competent authority of the lessee and an arrangement has been concluded that establishes the share of responsibility for the maintenance" Justification: when no Art.83bis then responsibility for maintenance remains with the SoR.	In the case of dry lease-out between Community operators of different competent authorities, safety oversight is covered through cooperative oversight. Therefore competent authorities are exempted from transferring responsibilities when the dry lease-out agreement is between Community operators. Article 1.2 of Regulation (EC) No 2042/2003 sufficiently address the dry lease-out of aircraft registered in the EU, including the transfer of responsibilities.		
(d) An operator certified in accordance with this Part intending to dry lease-out one of its aircraft shall apply for prior approval of the competent authority. The application shall be accompanied by copies of the intended lease agreement and all other relevant documentation. WET LEASE-OUT		(3) has been deleted – see previous comments.		
(e) Prior to the wet lease-out of an aircraft, an operator certified in accordance with this Part shall notify the competent authority.		A new requirement is introduced to inform the competent authority of any wet lease-out.		

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OR.OPS.AOC.115 Code-share arrangements	[MS]An arrangement under which an operator places its designator on a flight operated by a TCO cannot be interpreted as "used" by the Community operator. TCOs are in the scope of Art. 4(1)(d) of the Basic Regulation. Proposal: delete OR.OPS.035.AOC [IA and IND] EU-OPS doesn't cover code-share. There is no legal basis for imposing requirements on code-share. Proposal: realign with EU-OPS. [Indiv]The Agency has no legal basis for regulating code-share. [IA]Wrong interpretation of Art. 4(1)(c). Realign with EU-OPS. [IA] NPA Part-TCO has not been published.	Code-sharing is within the scope of Article 4.1(c) of the Regulation (EC) No 216/2008 and therefore Implementing Rules need to address code-share as well.		
(a) A code-share agreement between an operator certified in accordance with this Part and a third country operator shall be subject to prior –approval of the competent authority. (b) An operator certified in accordance with this Part shall only enter into a code-share agreement with a third country operator that is not subject to an operating ban pursuant to Regulation (EC) No 2111/2005.	[IA]This should only apply when a Community operator puts its code on a TCO but not in the opposite way	Accepted.New (b) introduced		
(c) To obtain an approval the operator shall demonstrate to the competent authority that the third country operator holds:	[IA] Part-TCO should not be applied since most code-share partners never fly into Europe. The IOSA system should be sufficient to authorise code-share arrangements and operators should have the possibility to rely on IOSA audits (see FAA). Proposal: delete (b)(1) and refer in (b)(2) to IOSA audits. [IND]Proposal: "(a) Any code-share arrangement between an operator certified in accordance with this Section (Community operator) and a third country operator shall be subject to prior authorisation of the competent authority. (b) To obtain an authorisation to enter into a code-share arrangement with a third country operator, the Community operator shall demonstrate to the competent authority that: (1) The third country operator holds an authorisation in accordance with Part-TCO."	A third country operator conducting commercial operations into, within or out of the EU will need to hold an authorisation issued by the Agency. So in case of a code-share such an operator will already hold a TCO authorisation. This means that the oversight is carried out by the Agency. If the code-share partner doesn't operate in the EU then the new proposal has created the possibility to either apply for a TCO authorisation or the Community operator establishes a code-share audit programme ensuring that the third country operator complies with the Essential Requirements. The audit could be carried out by IOSA using the ICAO SARPs provided that the IOSA programme is EN approved. However the Community operator will be responsible for establishing and implement the code-share audit program. The competent authority shall be responsible for verifying that the code-share audit programme ensures adequate oversight of the code-share partner and all level 1 findings are closed.		
(1) a valid AOC issued in accordance with ICAO Annex 6; and (2) an authorisation in accordance with Part-TCO or ithas	1. [IND] Conformity with the Essential Requirements will mean for TCOs that FTL	1-9 New proposal requires TCO authorisation or an audit programme ensuring compliance		

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established a code-share audit programme providing a system for auditing and continuous compliance monitoring.	and CC attestation are included. Affected states like the USA would require this in return. The IOSA system should be recognised. An audit seems to be reasonable but then it needs to be clear whether "any code-share" includes alliances and franchise. If that's the case then TCO need to audited by each airline. 2. [IND] TCO authorisation requirement plus to be subject to audits is beyond EASA control and is above ICAO standards. 3. [MS] Code-share is not in the scope of Article 4(1)(c) but in 4.1(d) of the BR. Proposal: the TCO holds an authorisation in accordance with Part-TCO if it operates services into the Community. 4. [IA] No TCO authorisation for TCOs never flying into Europe. 5. [MS] IOSA system should be used for checking compliance with Part-TCO and the ERs. NPA TCO has not been published. 6. [IA] NPA TCO has not been published. Furthermore the proposal has extraterritorial implications because it also applies to TCO that never fly into Europe. Proposal: delete (b)(1) and add in (b)(2) that IOSA audits are acceptable. 7. [IND] NPA TCO has not been published. IOSA and ICAO standards, which substitute TCO authorisation, should be sufficient. 8. [IA] NPA TCO has not been published. 9. [FAA] NPA TCO has not been published so it is not possible to comment	with the Essential Requirements of the Basic Regulation.		
(d) When implementing the code-share audit programme in (c)(2) the operator shall conduct an initial onsite audit and regular audits of the third country operator for the duration of the code-share agreement to ensure compliance of the third country operator with the Annex IV to Regulation (EC) No 216/2008.On-site audits shall be conducted once every 24 months.	1. [IA]Time frame (24 months) requirement should be put in AMC. IOSA audits should be accepted. 2. [IA]Transfer audit pooling system from AMC (OR.OPS.035.AOC (b)(2)) to IR and allow it as an alternative to individual airline on-site audits. 3. [IA]Requiring TCO to comply with the ERs makes code-share with TCO de facto impossible. ICAO standards or equivalent should be sufficient to authorise code-share. 4. [IND]Recognise IOSA registry as AMC. 5. [MS]This requirement is	1. An audit every 24 months is also what the FAA requires for insuring that the TCO continues to comply with the applicable safety standards. It has been proven to be an adequate timeframe to conduct a follow-up on-site audit. 2. We consider that the AMC provides an adequate basis. 3. Part-TCO requires that a TCO complies with the applicable ICAO standards. In addition and only when no ICAO standards exist the TCO is required to comply with the Essential Requirements contained in Annex I, III and IV to the Basic Regulation.		

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	disproportionate. This will lead to excessive auditing with no safety benefits. AMC does not match with the rule. Proposal: "The Community operator shall ensure that an appropriate audit of the third country operator is conducted before the commencement of the code-share arrangement and regularly thereafter for the duration of the arrangement. The purpose of the audit is to ensure compliance ……"	4. The Agency is assessing this possibility.		
	6. [IND] 24 months is too rigid. Compliance of TCO with the Essential Requirements is too heavy. Use the IOSA audit system.	5. See response in point 1		
	7. [IA]The Agency should not go beyond ICAO and should allow operators to use other organisation or audit systems for audits	6. See response in points 1 and 4.		
	8. [IA]The Agency shall recognise the IOSA audit programme as an AMC.	7-8 See response in point 4		
	9. [IND]Proposal: "(2) The Community operator conducts an initial safety audit and for the duration of the code-share arrangement conducts safety oversight of the third country operator to ensure the safety standards maintained by that operator in conducting its operations are equivalent to those required by IOSA standards. Safety oversight shall be conducted at least once every 12 months".	9. See response in point 1		
(e) The audits, including any findings, shall be recorded in an audit report. Level 1 findings shall be closed before entering into or continuing a code-share agreement; level 2 findings shall be closed withinsix~~12~~ monthsafter the audit. The operator shall submit the audit report including findings and their closure, to the competent authority. All audit reports, shall be kept for at least five years.	1. [MS] there should be a definition on level 1 and 2.	1. Clarification is provided in AR.GEN.350.		
	2. [IND] In case a level 1 finding is raised against a Community operator then no consequences. In the case of a level 1 finding against TCO then the code-share must be ceased. This could lead to auditors downgrading level 1 findings to level 2. What about a level 1 finding by operator X on a TCO which is engaged in different code-share arrangements with Community operators? A level 2 finding should not be open for 12 months.	2. In the case of a level 1 finding on a Community operator the competent authority has to take appropriate measures in accordance with AR.GEN.350. This could include a suspension or revocation of the AOC. In that case the code-share arrangement will be suspended or revoked. So a level 1 finding will have consequences.		
	[IND]Proposal:"(b)The Community operator shall submit details of their safety oversight policies to the competent authority. The safety oversight activity or any safety audits conducted, including any findings shall be recorded. Level 1 findings shall be closed before entering in a code-	The same principle will be applied to TCO. In the case of a level 1 finding the TCO authorisation can be suspended or revoked (by the Agency). In case the operator doesn't hold a TCO authorisation the code-share approval will be suspended or revoked. If the TCO is also engaged in other code-share arrangements, the audit report should be shared with all identifiable sharing operators who on their turn should inform their competent authorities enabling them to		

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	share agreement, level 2 findings within 2 months of any audit. The Community operator shall at the request of the competent authority submit the details of the safety oversight conducted and any audit reports, including findings and their closure to the competent authority. All audit reports shall be kept for at least 5 years.″	take appropriate measures. The closure of level 2 findings has been brought in line with the timeframes as established in AR.GEN.350.		
OR.OPS.AOC.120 AOC approvals to provide Part-CC training and to issue cabin crew attestations		This new IR has been developed to transpose EU-OPS requirements that were not fully covered in the NPA, namely OPS 1.1005 (b) to (e), OPS 1.1025 (a) and Appendix 1 to OPS 1.175 (h). It also aims at ensuring consistency with BR Article 8(4), OR.OPS.AOC.100, Application for an AOC and Appendix I to Annex 1 Part-AR (AR.OPS.200 Specific operations approval procedure). The related Authority Requirements can be found in Part-AR (AR.CC).		
(a) When intending to provide the training courses required in Part-CC**,** an operator shall apply for and obtain an approval issued by the competent authority. For this purpose, operators shall demonstrate to the competent authority that they comply with Subpart TRA of Part-CC and shall provide:				
(1) the date of intended commencement of activity;				
(2) the personal details and qualifications of the instructors as relevant to the training elements to be covered;				
(3) the name(s) and address(es) of the training sites at which the training is to be conducted; (4) a description of the facilities, training methods, manuals and devices to be used; and				
(5) the syllabi and associated programmes for the training courses.				
(b) Holders of, or applicants for, the approval referred to in (a) may apply for extending their privileges to issue cabin crew attestations on behalf of the competent authority. In this case, operators shall:				
(1) demonstrate to the competent authority that they comply with AR.CC.200, AR.CC.205 and Subpart CCA of Part-CC; and				
(2) provide the procedures and a description of the conditions for:				
(i) conducting the examination and checking required by Part-CC;				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
(ii) issuing cabin crew attestations; and				
(iii) providing the competent authority with all relevant documentation necessary to comply with AR.GEN.220.				
(c) The approvals referred to in (a) and (b) shall be specified in the air operator certificate as required by OR.OPS.AOC.105.				
OR.OPS.AOC.125 Non-commercial operations of aircraft subject to an AOC		This text is moved from OR.OPS.GEN.105 to this section		
The holder of an AOC may conduct non-commercial operations with an aircraft subject to its AOC without being required to submit a declaration in accordance with this Part, provided that the operator:		For more details on the changes made to this provision you are kindly referred to the explanatory note to Part-OR you		
(a) describes such operations in detail in the operations manual, including:				
(1) identification of the applicable requirements;				
(2) a clear identification of any differences between operating procedures used when conducting commercial and non-commercial operations; and				
(3) a means of ensuring that all personnel involved in the operation are fully familiar with the associated procedures;				
(b) submits the procedures referred to in (a)(2) to the competent authority for prior approval;				
OR.OPS.AOC.130 Flight data monitoring – aeroplanes				
(a) An operator shall establish and maintain a flight data monitoring system, which shall be integrated in itsmanagement system, for aeroplanes with a maximum certificated take-off mass of more than 27 000 kg, unless they are operated temporarily and only for ferry flights or test flights.	[IND:1] For operators only performing occasional ferry flights or test flights for MRO providers and leasing companies, maintaining a flight data monitoring system, which shall be integrated in the management system, is not practicable and would be extremely difficult taking into consideration the short period of time for which those aircraft are operated (occasionally only one flight).	Regulatory justification An FDM programme cannot be easily be implemented by a company delivering a non-revenue flight service. In addition, it would not bring a significant safety benefit for the time and effort spent.	EU-OPS 1.037	ICAO Annex 6,Part 1 3.3.7 and 3.3.8 Annex 6 Part III Section II 1.3.6
(b) The flight data monitoring system shall be non-punitive and contain adequate safeguards to protect the source(s) of the data.				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
OR.OPS.AOC.135 Personnel requirements	1. [MS] "Personnel requirements" is rather weak for heading. 2. [IA] there is mention of 'small organisations' however, no definition of a small organisation, but there is mention (definition) of the one-man organisations.	1. The same title is used in other Subparts. 2. Definition of non-complex organisation is given in AMC1-OR.GEN.200(b)		
(a) In accordance with OR.GEN.210(b),an operator shallnominate persons responsible for the management and supervision of the following areas:	1. [IND] the most achievable goal concerning safety seems to be, when the quality management system (compliance monitoring management system) is fully independent from the safety management system, the same way as it is independent from the nominated post holder's line management. New (a) proposal. 2. [IA, IND and MS] A maintenance post-holder missing. 3. [MS] require nominated post-holders to be accepted by the competent authority. 4. [IND] The requirement of the post holder system is not adequate. The coverage of the responsibilities must be ensured. Proposal: OR.OPS.210.AOC (a) Add the following: "the responsibility for implementation of each applicable requirement must be covered by the post holder system; by one of the post holders."	1. This is already covered in OR.GEN.200, (a)(6). The function of the compliance monitoring manager is addressed in the related AMC. The term "post holders" is deleted to bring it in line with the text of OR.GEN.210. 2. A reference to "the maintenance system" is not necessary since this is covered in Part M. 3. See response on the acceptance of accountable manager. OR.GEN.130. 4. This text is transferred from EU-OPS and could be subject to a future RM task.	EU-OPS1.175, (i) EU-OPS 1.175, (i) and 1.185, (a)(5)	
(1) flight operations;				
(2) crew training; and				
(3) ground operations.				
	1. [MS andIndiv] the management area of compliance monitoring does not match with the implementation requirements for SMS according Annex 6,see proposed new text. 2. [IND and IA] compliance monitoring is only one aspect for the postholder for safety monitoring and in line with SMS philosophies.	1. "compliance monitoring is deleted because it is already covered in OR.GEN.200(a)(6). 2. Already covered in AMC OR.GEN.200(a)(6).		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	3. [IA] It is not clear if the "compliance monitoring" post holder is the same as the "safety manager" 4. [IA] A safety manager is missing. 5. [IND]NPH system: a difference is made between the responsibilities of the accountable manager and the nominated postholders on one hand and the duty of the quality managers on the other. The difference between post holders and quality manager is mandatory. It has to be made clear that the function of postholder and QM cannot be combined 6. [IND] Disagree according to AMC 1 to OR.GEN.200(a)(7) management system, tasks (ii) because it reads: "not be one of the nominated post holders;" 7. [MS] Add a new paragraph containing the maintenance system. Proposal to regulate the requirements of the person responsible for compliance monitoring in a separate article because he/she is not a nominated post holder. 8. [Indiv] Existence of a quality management system could be compromised by the new concept of "compliance monitoring system". Full integration of all management systems. A combined post-holder for safety and quality.	3. See previous response 4. Covered in AMC1-OR.GEN.200(a)(1). 5. This is covered in Section 2 OR.GEN Management systems. It is a prerogative of the organisation to organise itself the way it finds appropriate. The only legal requirement is to monitor compliance with the applicable rules. 6. See response to (1). 7. See previous response on maintenance and response to (4). 8. See response to (5).		
	1. [IA] Add a new paragraph which requiresnominated post holders to have managerial competency together with appropriate technical/operational qualifications in aviation. Proposal: nominated post holders must have managerial competency together with appropriate technical/operational qualifications in aviation. 2. [IA and IND] Reintroduce the EU-OPS terminology of quality manager. The quality manager should not be one of the postholders and therefore the term postholder should be avoided for this function.	1. This should not be put in hard law and it should be left to the organisation. Lastly it is sufficiently covered in OR.GEN.210(b),(c). 2. See the previous response	EU-OPS 1.035	

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
(b) Adequacy and competency of personnel.				
(1) The operator shall employ sufficient personnel for the planned ground and flight operations.				
(2) All personnel assigned to, or directly involved in, ground and flight operations shall:	[Indiv] include experienced flight dispatch personnel. Proposal of new text.OR.OPS.210.AOC (b)(2) change as follows: "(i) All personnel assigned to flight operation, flight dispatch and ground handling (especially mass and balance) should have state issued licences, which need to be renewed through refresher training on a regular schedule. (ii) routinely be the subject of proficiency checks. (iii) should be assigned to training and familiarisation with relevant work process close to their own responsibility."	Flight dispatch personnel are not covered in EU-OPS. The system applied in the EU does not foresee an official position for flight dispatchers.		
(i) be properly trained;				
(ii) demonstrate their capabilities in the performance of their assigned duties; and				
(iii) be aware of their responsibilities and the relationship of their duties to the operation as a whole.				
(c) Supervision of personnel				
(1) The operator shall appoint a sufficient number of personnel supervisors, taking into account the structure of the operator's organisation and the number of personnel employed.				
(2) The duties and responsibilities of these supervisors shall be defined, and any other necessary arrangements shall be made to ensure that they can discharge their supervisory responsibilities.				
(3) The supervision of crew members and personnel involved in the operation shall be exercised by individuals with adequate experience and the skills to ensure the attainment of the standards specified in the operations manual.	[Indiv] Regarding experienced and trained personnel. Proposal:OR.OPS.210.AOC (c)(3) change as follows: "(i)Supervision of staff requires personnel having shown an above standard responsibility. (ii) Supervision staff has to be prepared through human factors, team building and additional training."	Text is in line with Appendix 2 to EU-OPS 1.175(c)(3)	Appendix 2 to EU-OPS 1.175, (c)(3)	

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
OR.OPS.AOC.140Facility requirements				
In accordance with OR.GEN.215, the operator shall:			Appendix 2 to EU-OPS 1.175, (d)	
(a) have appropriate ground handling facilities to ensure the safe handling of its flights;	1. [MS] The wording is weak. Ref to (a) " handling of its flights". New proposed text 2. [IND] Facilities in the context of ground handling have no impact on the safe handling of flights. Operators subcontract ground handling services and therefore would have no control. Proposal: OR.OPS.215.AOC (a) "arrange suitable ground handling facilities services to ensure the safe handling of its flights". 3. [IND] Does contracting handling (world-wide) need to be certified?	1. This is in line with the EU-OPS text. 2. This is in line with the text in EU-OPS. 3. No this is not necessary	EU-OPS1.175, (m)	
(b) arrange operational support facilities at the main operating base, appropriate for the area and type of operation;	1. [Indiv] Head office off-site cannot contain the company overall operational management facilities. 2. [IND] facilities in the context of operational support has no impact on flight safety. Proposed new text. Main operating base further definition. Proposal: OR.OPS.215.AOC (b) "maintain operational support facilities at the main operating base (where the operator has its principle place of business), appropriate for the area and type of operation."3. [IND] Decentralised operators do not have one main operating base. These operators should be allowed to provide equivalent support facilities at a different location or divided over multiple different locations. 4. [MS] Include the possibility of utilising external operational support centres, as long as the operator remains responsible for the control and supervision of the flights performed by that operator.	1 and 2. This is in line with EU-OPS. 3. In case of more than one main operating base, the operator will maintain more than one operational support facility. 4.EU-OPS doesn't prevent it.	EU-OPS 1.175, (q)	

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
(c) ensure that the available working space at each operating base is sufficient for personnel whose actions may affect the safety of flight operations. Consideration shall be given to the needs of ground crew, personnel concerned with operational control, the storage and display of essential records and flight planning by crews.	1. [IND] The allocation of office space has no impact on flight safety, suggesting to remove the paragraph. 2. [Indiv] Define in detail the facility requirements.	Editorial change after consulting Review Group 001. 1. We consider that it has an impact on flight safety. 2. This provision is already clear enough.	Appendix 2 to EU-OPS 1.175, (d)	
OR.OPS.AOC.150Documentation requirements				
(a) The operator shall make arrangements for the production of manuals and any other documentation required and associated amendments.	[MS] The word "produce" has a number of different meanings, clarification of the intent is needed.	Editorial change after consulting Review Group 001.	1.1.3. Appendix 2 to EU-OPS 1.175, (e)	
(b) The operator shall be capable of distributing operational instructions and other information without delay.	[MS] The term "without delay" will raise discussions about specifications of time. New text proposed. Proposal: OR.OPS.300.AOC (b) "The operator shall be capable of distributing operational instructions and other information as appropriate to the operation"	In line with Appendix 2 to EU-OPS 1.175, (d)(2).		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
SECTION V – FLIGHT CREW	1. 1 IND (duplicated): Request to re-establish ATQP from EU-OPS 1.978 2. 1 IND: It is not clear why the provision on training records is transferred to MLR. Whilst it is a record of training, it is an instruction to the operator about the recording and availability of these records rather than instruction for the storage. It should be part of the FC section.	1. The ATQP has been inserted as paragraph OR.OPS.FC.245.A. 2. The related provisions are maintained in MLR. They concern all personnel training records. The intent of the rules compared to EU-OPS/JAR-OPS 3 has not changed. MLR contains also the OM which goes beyond the intent of "storing" information.		Annex 6 Part I 9.3.1 Annex 6 Part III Section II 7.3.1 compliant, together with ER 8.a.2 of Annex IV to Regulation (EC) No 216/2008 Annex 6 Part I 9.3.1 a) Annex 6 Part III Section II 7.3.1 a) compliant, together with ER 8.a.1 of Annex IV to Regulation (EC) No 216/2008 Annex 6 Part I 9.3.1 b), c), d), e) Annex 6 Part III Section II 7.3.1 b), c), d), e) compliant, together with CAT.GEN.180 and SPA.DG
OR.OPS.FC.005Scope (a) This section establishes requirements to be met by an operator related to flight crew training, experience and qualification and comprises: (1) Chapter 1 specifying common requirements applicable to both non-commercial operations with complex motor-powered aircraft and any commercial operation; (2) Chapter 2 specifying additional requirements applicable to commercial air transport operations, with the exception of those referred to in (b); and (3) Chapter 3 specifying additional requirements applicable to commercial operations other than commercial air transport. (b) Operators carrying out the following commercial air transport operations shall comply with the requirements referred to in (a)(1) and (3): (1) commercial air transport operations with sailplanes or balloons; or (2) commercial air transport operations of passengers conducted under visual flight rule(VFR) day, starting and		Text inserted to clearly describe the different requirements applicable to the three types of operations covered by this Section. In addition, taking into account various comments made against individual paragraphs and in consultation with the review groups, it is proposed to subject non-complex commercial air transport operators to the flight crew training and checking requirements applicable to commercial operations other than CAT. When establishing the threshold, consideration was given to the level of safety expected from CAT operations as well as (former) Member State legislation. Regarding helicopters, the figure of six persons is seen as a compromise between small and medium-sized helicopters and covers most of the sightseeing activities today. The engine criteria is more suitable than a weight limit of 3175kg as the latter would include some more complex multi-engine helicopters (while for example this type of sightseeing activity with a Bell 205 or		Annex 6,Part I CAT C 9.4.4.1 OPC Annex 6, Part III,Section II CAT C 7.4.3.1 OPC

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
ending at the same aerodrome/operating site and with a maximum duration of 30 minutes, or within a distance specified by the competent authority, with: (i) single-engine propeller-driven aeroplanes having a maximum certified take-off mass of 5700 kg or less and carrying a maximum of six persons including the pilot; or (ii) single-engine helicopters and carrying a maximum of six persons including the pilot.		214 is highly unlikely). Overall, this is considered being a proportionate solution without unduly lowering the safety level.		
Chapter 1 **Common requirements**		To clarify scope		Annex 6, Part I, 9.1.2 Radio operator and 9.1.4 Flight navigator CAT C not implemented; MS competence Annex 6, Part II, 3.9.3 compliant Annex 6, Part II, 3.9.4.1.1 compliant, together with 8.a.2 of Annex IV to Regulation (EC) No 216/2008 and OR.OPS.GEN.100
OR.OPS.FC.100Composition of flight crew	1 IND: clarify who is responsible for compliance, crew or operator. Text needs to be expanded to clarify that this is an operator's obligation.	Part-OR is applicable to operators as stated in the Cover Regulation.		Annex 6, Part I, 9.1.1 Annex 6, Part II, 2.7.1 Annex 6, Part III,Section II ,7.1.1, Section III, 7.2 compliant, together with 7.a of Annex IV to Regulation (EC) No 216/2008
(a) The composition of the flight crew and the number of flight crew members at designated crew stations shall be not less than the minimum specified in the aircraft flight manual or operating limitations prescribed for the aircraft.			EU-OPS/JAR-OPS 1/3.940,(a)(1)	

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
(b) The flight crew shall include additional flight crew members when required by the type of operation, and shall not be reduced below the number specified in the operations manual.			EU-OPS/JAR-OPS 1/3.940, (a)(2)	
(c) All flight crew members shall hold a licence and ratings issued or accepted in accordance with Commission Regulation (EC) No xxx/ and appropriate to the duties assigned to them.		Change made to refer to the future Regulation encompassing Part-FCL as well as the Annexes addressing the validation or conversion of licenses.	EU OPS/JAR-OPS 1/3.940 (a)(3); editorial changes to align with Part-FCL and not to duplicate 8.a.2 of Annex IV to Regulation (EC) No 216/2008	
(d) A flight crew member may be relieved in flight of his/her duties at the controls by another suitably qualified flight crew member.	1. 1 MS: The following should be added: '…and are suitably qualified and competent to conduct the duties assigned to them.' Being qualified is not the same as competent. Competence depends on recent experience. 2. 1 IND (duplicated): In case of augmented crew the commander is necessary. The notion of pilot-in-command and commander and their roles are not the same and not explained sufficiently. Re-align with EU-OPS. 3. 1 IND (duplicated): Realign the in-flight relief requirements for flight crew with the provisions of EU-OPS (Appendix 1 to EU-OPS.1.940). 4. 1 MS: It should be added that in multi-crew operations the designated PiC may be referred to as commander. While the principle of the NPA is agreed 'commander' is more easy to use than 'designated PiC'.	1.'Qualified' is an objective training/checking requirement while 'competent' includes the notion of subjective assessment. While the operator may still decide on the competence of an individual, the law should specify objective criteria that have to be met. Text not changed. 2. These are the common requirements for all commercial operators and non-commercial operators with complex motor-powered aircraft. For CAT, refer to OR.OPS.FC.200. The commander is re-introduced for CAT. Refer also to OR.OPS.FC.105. 3. Text aligned with EU-OPS. Refer to OR.OPS.FC.205.A. 4. Text aligned with EU-OPS/JAR-OPS 3.	EU-OPS Appendix 1 to 1.940, (a)	
(e) When engaging the services of flight crew members who are working on a freelance or part-time basis, an operator shall verify that all applicable requirements of this Section and the relevant elements of Part-FCL, such as recent experience requirements, are complied with, taking into account all services rendered by the flight crew member to other operator(s) to determine in particular: (1) the total number of aircraft types or variants operated; and (2) the applicable flight and duty time limitations and rest requirements.		Former GM OR.OPS.015.FC upgraded to IR in accordance with EU-OPS/JAR-OPS 3. Wording changed for clarity and consistency with TC and CC. Self-employed is not different from working freelance. The specification regarding FTL is added taking into account a mandate of the Air Safety Committee to clarify responsibilities as regards compliance with FTL requirements when pilots are working for more than one operator.	EU OPS/JAR-OPS 1/3.940, (a)(7)	

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
OR.OPS.FC.105Designation as pilot-in-command/commander				
(a) In accordance with 8.e of Annex IV to Regulation (EC) No 216/2008, one pilot amongst the flight crew, qualified as pilot-in-command in accordance with Part-FCL, shall be designated by the operator as pilot-in-command, or, for commercial air transport operations, as commander.			EU OPS/JAR-OPS 1/3.940, (a)(5)	
(b) The operator shall only designate a flight crew member to act as pilot-in-command/commander if he/she has:				
(1) the minimum level of experience specified in the operations manual;			EU-OPS 1.955(a)(1); JAR-OPS 3.955(b); wording changes; 'acceptable to the authority' in EU-OPS but not in JAR-OPS 3 – finally not transposed as it is considered to be covered through the general oversight	
(2) except in the case of balloons, adequate knowledge of the route or area to be flown and of the aerodromes, including alternate aerodromes, facilities and procedures to be used; and	1. 1 IND: The existing OR.OPS.020.FC could be split into two parts: one which deals with the designation as pilot-in-command, and a second for CAT which deals with "Route/Role/Area – Competence Qualification". 2. 1 IND: add alternate aerodromes	1. As explained in the NPA, "the expression 'qualification' disappears; the reason for this is that EU/JAR-OPS do not explain or determine anywhere what such a qualification is; who issues it; or whether it is related to the licence or not. Consequently, to avoid confusion in terminology that could generate confusion in regime, it was considered that it was better to remove the mention of 'qualification' while maintaining the requirements related to training and experience as conditions for the nomination as pilot-in-command." Paragraph slightly re-arranged. 2. Accepted. Text changed.	EU-OPS 1.975, (a) / JAR-OPS 3.975, (a)	Annex 6, Part I, 9.4.3.1, 9.4.3.2, 9.4.3.3 Annex 6, Part III,Section II, 7.4.2.1, 7.4.2.2, 7.4.2.3 compliant, together with AMC1-OR.OPS.105.FC (b)(2) and (c)
(3) in the case of multi-crew operations, completed an operator's command course if upgrading from co-pilot to pilot-in-command/commander.	1. 1 IND: For operators performing ferry flights or test flights for MRO providers and leasing companies, it should be possible to hire a crew or crew member for a specific task. In such cases it should be acceptable if the pilot-in-command has completed an approved command course at any operator (which may be his/her current employer). Also, for operators temporarily hiring TRI/TREs (for example for the purpose of introducing a new aircraft type or in case of fleet expansion)	1. The text is changed in line with the second comment below and now reflects the intent of JAR-OPS 3. 2. The text is changed in consultation with the review group.	EU-OPS 1.955, (a)(2)/ JAR-OPS 3.955(a), aligned with JAR-OPS 3 and taking into account comments received	

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	it should be acceptable if the TRI/TRE has completed an approved command course in the past. Otherwise these TRI/TREs would have to repeat a command course for each new assignment. Text proposal made. 2. 1 MS: The way it has been written indicates that a pilot who joins the operator when previously already qualified as PiC with the previous operator must complete another command course with the new operator before being able to be designated as PiC by the new operator. It is a direct copy of EU-OPS but it is not logical. JAR-OPS 3 is clearer in this regard. Text proposal made.			
(c) In the case of commercial operations with aeroplanes and helicopters, the pilot-in-command/commander or the pilot to whom the conduct of the flight may be delegated, shall have had initial familiarisation training of the route or area to be flown and of the aerodromes, facilities and procedures to be used. This route/area and aerodrome knowledge should be maintained by operating at least once on the route or area or to the aerodrome within a 12 month period. (d) Paragraph (c) shall not applyto performance class B aeroplanes involved in visual flight rules (VFR) day commercial air transport operations.	1. 1 MS, 4IND: As worded the competence is valid 11 months after the end of the month of last training or flight experience, instead of 12. Change validity period to be in line with EU-OPS. 2. 1 MS: Add suitably qualified to the experience. Experience means actual flight exposure. 3. 1 IND: Due to the wide variety of aircraft operated by our company, the extremely short period of time for which those aircraft are operated, and worldwide operating area, requiring experience within the last 12 months of the route or area to be flown in, and of the aerodrome, facilities and procedures to be used is impracticable. For commercial operations other than CAT a briefing or self-briefing (Category A and B aerodromes) or flight simulator instruction (Category C aerodromes, if applicable) should be sufficient flight preparation.	1. Text changed. 2.+3. Familiarisation training is added in addition to experience. Different means of compliance are addressed in the related AMC.	EU-OPS 1.975, (b)+(c) / JAR-OPS 3.975, (b)-(d); wording change to harmonise	Annex 6, Part I, 9.4.3.5, 9.4.3.6 Annex 6, Part III,Section II, 7.4.2.5 compliant, together with AMC1 and AMC2-OR.OPS.105.FC (c); CAT C for VFR day operations with performance class B aeroplanes

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
OR.OPS.FC.110.AFlight engineer				Annex 6, Part I, 9.1.3 Annex 6, Part II, 3.9.1.2 CAT C partially implemented; MS competence
When a separate flight engineer station is incorporated in the design of an aeroplane, the flight crew shall include one crew member who is suitably qualified in accordance with applicable national rules.			EU-OPS 1.940, (a)(6); taking into account the different scope of the BR	
OR.OPS.FC.115 Crew resource management (CRM) training				
	1 IND: delete as there is anyway no multi-crew operation with balloons	Deleted taking into account further comments and changes made below.		
(a) Before operating , a flight crew member shall have received CRM training, appropriate to their role, as specified in the operations manual.	1. 1 MS: CRM training should also apply to a single crew environment. Text proposal made. 2. 1 IND: include reference to approved CRM Training Manual.	1. Accepted and agreed by review group. CRM is not only a matter of multi-crew operation. 2. In accordance with EU-OPS and JAR-OPS 3 this should be specified in the OM. A reference in the OM to another document might be made.		
(b) Elements of CRM training shall be included in the aircraft type or class training and recurrent training as well as in the command course.				

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OR.OPS.FC.120Operator conversion training	1 IND: insert as new (a) the text from EU-OPS 1.945, (a). In the EU/JAR context, in commercial operations the operator was obliged to ensure that a crew member had completed a Type Rating Course when changing types. In the EASA system this responsibility is now transferred implicitly to FCL and the individual pilot. There are social implications with this change, as an operator could force a pilot to fly on one type until the day the pilot shall commence flying the new type. Without any duty days allocated for the completion of the type rating, which could be in line with social contracts and laws, this will lead to a double burden for pilots, reducing safety.	Refer to OR.OPS.FC.100 (c).		
(a) In the case of operations with aeroplanes or helicopters, a flight crew member shall complete the operator conversion training course before commencing unsupervised line flying:	1. 1 IND: Change wording to reintroduce OPS 1.945, (a)2.There is no reason to exempt balloons. Furthermore, all the training must be performed before being allowed to fly unsupervised, and this is not valid for CAT only, but for all commercial operations. 2. 1 IND: Due to the type of operations of our company (test and ferry flights) and taking into consideration the wide variety of aircraft operated by our company, the extreme short period of time those aircraft are operated, and the fact that the majority of our crews are employed on a contract per flight basis, requiring an operator conversion training course is not practicable and would be cost-prohibitive.	1. Applicability specified. Text changed in line with EU-OPS. 2. Not accepted. The operator remains responsible. The principles of EU-OPS are kept. Refer also to OR.OPS.FC.100(e).	EU-OPS/JAR-OPS 1/3.945, (a)(2); wording changes to take account of larger scope	
(1) when changing to an aircraft for which a new type or class rating is required; or	1 MS: Part-FCL requires a FTO/TRTO otherwise no licence endorsement will be possible. Add to (a)(1) 'in accordance with Part-FCL'.	This will not only be determined through Part-FCL but mainly through the operational evaluation during type design (OSD). The issue will be sufficiently addressed in Part-21 and Part-FCL and a reference isnot considered necessary.		
(2) when joining an operator.	1 IND: What is the difference in: - when changing operator (according to EU-OPS), and - when commencing at an operator… as in the proposed text?	Change can be understood in a broader sense, e.g. merger of 2 companies. The intent of EU-OPS is however to be understood as when starting at an operator.		
(b) The operator conversion training course shall include training on the equipment installed on the aircraft as relevant to flight crew	1. 1 IND (duplicated): It should be made clear that the paragraph applies to	1. Accepted. Text changed in accordance		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
members' roles.	equipment installed for operational purposes. 2. 1 IND (duplicated): delete as the content of the conversion course is contained in OR.OPS.135.FC. 3. 1 MS: Training on all equipment, e.g. galley, is not necessary. It is only required for equipment relevant to their role. 4. 1 IND: "all" is too wide. Change to relevant equipment.	with proposal 3. below. 2. These are common requirements. More details are specified for CAT later on and as prescribed in the comment. Text not changed. 3. Accepted. Text changed. 4. Rule clarified in accordance with comment 3. above.		
OR.OPS.FC.125Differences training and familiarisation training				
(a) Flight crew members shall complete differences or familiarisation training when required by Part-FCL and when changing equipment or procedures requiring additional knowledge on types or variants currently operated.	1. 1 IND (duplicated), 1 MS: Changing equipment or procedures is very general. For example, minor changes to procedures do not necessarily imply the need for differences or familiarisation training. EU-OPS 1.950 only referred to 'difference training which requires additional knowledge'. Re-align with EU-OPS. 2. 1 NAA: What is intended by adding the reference to Part-FCL?	1. Accepted. Text changed. 2. The intention is to take account of any issues stemming from the operational evaluation that, related for the type could be part of FCL. FCL will determine type and class differences training.	EU-OPS/JAR-OPS 1/3.950, (a)(1)&(2)	
(b) The operations manual shall specify when such differences training or familiarisation is required.			EU-OPS/JAR-OPS 1/3.950, (b)	
OR.OPS.FC.130Recurrent training				
(a) Each flight crew member shall complete annual recurrent flight and ground training relevant to the type or variant of aircraft on which he/she operates, including training on the location and use of all emergency and safety equipment carried. (b) Each flight crew member shall be periodically checked to demonstrate competence in carrying out normal, abnormal and emergency procedures.	1. 1 IND (duplicated): Helicopter operators claim that the number of tests/checks is too high and ask for the possibility to combine some. 2. 1 IND (duplicated): This proposal is more demanding than EU-OPS, which distinguishes between safety equipment to be trained every year (such as for example actual handling of fire extinguishers, etc.) and safety equipment to be trained every three years (such as for example the actual operation of all types of exits, etc.). Realign with EU-OPS Appendix 1 to OPS 1.965, (a)(3). Also, it should be made more general here as	1. The rules are not preventing the combination of tests/checks under certain circumstances. A justification and proposal should be provided to be taken into account in a future rulemaking task. 2. 'Relevant' specifies that the training should encompass the items linked to the operation. These are the common requirements and more details are specified for CAT, including the difference between annual and three-yearly training items. 3. The rule states that the training should be relevant to the aircraft operated. For balloons, this could be in the form of	EU-OPS/JAR-OPS 1/3.965, (a); changes taking into account the larger scope	Annex 6, Part II, 3.9.2 compliant, together with OR.OPS.GEN.100 Annex 6, Part II, 3.9.4.4 compliant, together with OR.OPS.FC.145 (a)(2)

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	further details are included in the CAT-specific provisions. 3. 1 IND: Balloon operations are very simple and the necessary flight training is guaranteed through FCL.	familiarisation training. 'aircraft' deleted following a comment from the review group (b) added for Annex 6, Part II compliance		
OR.OPS.FC.135Pilot qualification to operate in either pilot's seat				
Flight crew members who may be assigned to operate in either pilot's seat shall complete appropriate training and checking as specified in the operations manual.	1. 1 IND (duplicated): There should not be a requirement for specific training and checking in case of in-flight relief (above FL200). Amend the paragraph to read as 'Flight crew members who may be assigned in either pilot's seat below FL200 shall complete appropriate training and checking as specified in the operations manual.' 2. 1 IND: The text from the appendix to EU-OPS 1.968 should remain hard law. The combination of different EU-OPS sentences makes this text ambiguous. This could be understood in a way that the training content will be specified by each operator individually on AMC level, while the intention is that the content is according App 1 EU-OPS 1.968, which is then repeated in the OM. Ambiguities like these are not allowed in EU law. Downgrading of these requirements to AMC is not acceptable.	1. The text is a transposition of EU-OPS. A safety justification should be provided. 2. Accepted. The related AMC is elevated to IR for CAT. Nevertheless, it is assumed that operators do not just copy/paste the law into their OM but develop the appropriate programmes and procedures adapted to their operations.	EU-OPS/JAR-OPS 1/3.968	
OR.OPS.FC.140 Operation on more than one type or variant			JAR-OPS 3.980 text not transposed to take into account OSD and more specific EU-OPS text	
(a) Flight crew members operating more than one type or variant of aircraft shall comply with the requirements prescribed in this Section for each type or variant, unless credits related to the training, checking, and recent experience requirements are defined in the operational suitability data establishedin accordance with Part-21for the relevant types or variants.	1. 1 IND (duplicated): Change text to establish link with Operational Suitability Certificate and the possibility to get credit from the OSC. 2. 1 manufacturer: the link with the OSC is required to be clearer.	The reference is amended.	EU-OPS 1.980, (a)&(c) and JAR-OPS 3.980, (a)(1); changes taking into account the OSD	
(b) Appropriate procedures and/or operational restrictions shall be specified in the operations manual for any operation on more			EU-OPS 1.980, (d)	

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
than one type or variant.				
OR.OPS.FC.145 Provision of training				
(a) All the training required in this section shall be conducted:				
(1) in accordance with the training programmes and syllabi established by the operator in the operations manual;	1. 1 NAA: EU-OPS described '…and approved by the authority'. Does it still apply? 2. 1 IND: Due to the type of operations of our company (test and ferry flights) and taking into consideration the wide variety of aircraft operated by our company, the different equipment fits for each of those aircraft, the extreme short period of time those aircraft are operated, and the fact that the majority of our crews are employed on a contract per flight basis, requiring an operator training program is not practicable as these crew members will be compliant with the training programme established by their regular employer for the subject type of aircraft. 3. 1 IND: should make reference to approved training manual.	1. Text amended to clarify the prior approval for commercial operators. Non-commercial operators need no prior approval of their training programme. 2. Not accepted. The operator remains responsible. The principles of EU-OPS are kept. Refer also to OR.OPS.FC.100(e). 3. See response no. 1. The OM could reference a training manual.	EU-OPS/JAR-OPS 1/3.965, (a)(2); 1.955(b)/Appendix 1 to JAR-OPS 3.955, (a)(1); EU-OPS 1.943, (d)/JAR-OPS 3.943, (c); EU-OPS/JAR-OPS 1/3.945, (a)(3)	
(2) by appropriately qualified personnel. In the case of flight and flight simulation training, the personnel providing the training and conducting the checks shall be qualified in accordance with Part-FCL.	1 MS: clarify the meaning of 'flight training'. It should be clarified that this is only applicable to proficiency checks. If it includes line checks, there is a problem, as EU-OPS and section 2 of JAR-OPS 1 allows for a PIC who is not an instructor to conduct line-checks. Part-FCL requires that it is a TRI/CRI/SFI.	This is further clarified in AMC1-OR.OPS.FC.230 point4.	EU-OPS/JAR-OPS 1/3.965, (a)(3); taking into account FCL	
(b) When establishing the training programmes and syllabi, the operator shall take into account the standards of the operational suitability data established in accordance with Part-21 for the relevant types.		Added to create the appropriate link with the OSD.		
(c) In the case of commercial operations, training and checking programmes, including syllabi and use of individual flight simulation training devices (FSTD), shall be approved by the competent authority.		To take into account changes in OR.OPS.MLR. The OM doesn't require full approval.	EU-OPS/JAR-OPS 1/3.965, (a)(2), 1/3.105, (d); EU-OPS 1.945, (d)(2)	
(d) The FSTD shall replicate the aircraft used by the operator, as far as practicable. Differences between the FSTD and the aircraft		This paragraph reflects the former user	EU-OPS/JAR-OPS 1/3.105, (d), taking into account	

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
shall be described and addressed through a briefing or training, as appropriate.		approval. An AMC on best-practice is added.	changes in AOR.ATO and comments from review group; EU-OPS 1.945, (d)(2)	
(e) The operator shall establish a system to adequately monitor changes to the FSTD and to ensure that those changes do not affect the adequacy of the training programmes.		This paragraph is added to ensure continued compliance and proper management of changes to an FSTD that may affect the operator training programmes. A similar provision is introduced for ATO.		
Chapter 2 **Additional requirements for commercial air transport operations**	1 IND: Commercial operations with balloons are not CAT. The following is not applicable to balloons: 130(b), 135 (b) and (c) since balloons are all very similar, 145 (b)(3) as the check could be conducted every 24 months, 145(f) is not necessary	Any passenger transport against remuneration or hire is commercial air transport. However, this is not the issue. The question is whether the rules are proportionate. In consultation with the review group it is proposed to subject CAT balloon operators to the applicable rules of commercial operations other than CAT in section 3. Please refer also to the changes made in the scope paragraph at the beginning of the document.		
OR.OPS.FC.200 Composition of Flight Crew	1 IND: Reintroduce EU-OPS 1.970 from FCL.060 into this paragraph. The transfer from operator to crew member responsibility is desirable.	This is why the paragraph was transferred into FCL. Text not changed.		
(a). There shall not be more than one inexperienced flight crew member in any flight crew.	2 MS: Requirement is not clear. Suggest different wording.	Accepted. Text changed.	EU-OPS/JAR-OPS 1/3.940, (a)(4)	
(b) The commander may delegate the conduct of the flight to another pilot suitably qualified in accordance with Part-FCL providing the requirements of OR.OPS.FC.105(b)(1), (b)(2) and (c) are complied with.	1 IND (duplicated), 1 MS: The PiC cannot delegate all responsibilities. Restore EU-OPS. 1 IND, 1 MS: Incorrect reference. 1 MS: improve wording	Accepted. Text changed.	EU-OPS/JAR-OPS 1/3.940, (a)(5)	
(c) Specific requirements for aeroplane operations under instrument flight rules (IFR) or at night.	1. 1 MS is against single-pilot operations under IFR or at night and suggests to delete paragraph (c) and (d). 2. 1 IND: Text from EU-OPS 1.940 Appendix 2 is missing.	1. The requirements are adopted under EU-OPS and JAR-OPS 3. A safety justification for their deletion cannot be provided. Text not deleted. 2. The text of the appendix is incorporated below.		
(1) The minimum flight crew shall be two pilots for all turbo-propeller aeroplanes with a maximum passenger seating configuration of more than nine and all turbojet aeroplanes.	1. 1 manufacturer, 1 MS: suggest rewording to clarify applicability of the seating configuration of more than nine to turbo-propeller aeroplanes 2. 1 manufacturer: It should be	1. Accepted. Text changed. 2. Taking into account the comment review on RM task 21.039 that is conducted in parallel it is presently not foreseen that the minimum crew would be part of the OSD. It	EU-OPS 1.940, (b)(1)	

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	incorporated that the minimum flight crew is demonstrated through the OSC. The OPS implementing rules should incorporate this future concept to allow possible future design evolutions. 3. 1 Individual: The reference to seating capacity should be deleted as it is an arbitrary figure. If at all, it may be replaced by Performance Classes. However, any turbo-propeller aeroplane in CAT should be flown by two pilots. Furthermore, training should be considered as well which is less compared to multi-pilot aircraft. This might be unsafe. It is suggested that a dual pilot operation is conducted first before receiving an extra single-pilot course.	could however be demonstrated by the manufacturer on a voluntary basis. Nevertheless, to take account of the expected safety level, CAT rules may specify a minimum number of crew to ensure the adequate protection of passengers. 3. The requirement of passenger seating configuration is widely used in EU-OPS and is linked to the level of protection that should be achieved for passengers. The requirement stems from EU-OPS and is retained in its present form. Regarding the training it may be necessary to review the issue in a future RM task. An appropriate proposal should be brought forward to EASA.		
(2) Aeroplanes other than those covered by (c)(1) shall be operated with a minimum crew of two pilots, unless the requirements of OR.OPS.FC.202 are complied with, in which case they may be operated by a single pilot.	1 IND, 1 MS: The wording suggests that the minimum crew may be reduced. This is not the case. Single-pilot operations may be conducted under certain conditions.	Text clarified.	EU-OPS 1.940, (b)(2) Appendix 2 to EU-OPS 1.940	
(d) Specific requirements for helicopter operations.				
(1) For all operations using helicopters with a maximum passenger seating configuration (MPSC) of more than 19 and for IFR operations using helicopters with a MPSC of more than 9:			JAR-OPS 3.940, (b)(2)&(3)	
(i) The minimum flight crew shall be two pilots; and				
(ii) The commander shall be the holder of an Airline Transport Pilot Licence (Helicopter) with an instrument rating issued in accordance with Part-FCL.		Clarification provided in accordance with Part-FCL.		
(2) Operations not covered by paragraph (d)(1) may be operated by a single pilot under IFR or at night provided that the requirements of OR.OPS.FC.202 are complied with.			JAR-OPS 3.940, (c) Appendix 1 to JAR-OPS 3.940(c)	
OR.OPS.FC.201.AIn-flight relief of flight crew members		Upgraded from AMC	Appendix 1 to EU-OPS 1.940, (b)-(f) JAA NPA OPS 65	

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
(a) The commander may delegate the conduct of the flight to: (1) another qualified commander; or (2) for operations only above flight level (FL) 200, a pilot that complies with the following minimum qualifications:				
(i) airline transport pilot licence;				
(ii) conversion training and checking, including type rating training, in accordance with OR.OPS.FC.220;				
(iii) all recurrent training and checking in accordance with OR.OPS.FC.230 and OR.OPS.FC.240; and				
(iv) route/area and aerodrome competence in accordance with OR.OPS.FC.105.				
(b) The co-pilot may be relieved by:				
(1) another suitably qualified pilot;				
(2) for operations only above FL200, a cruise relief co-pilot that complies with the following minimum qualifications:				
(i) valid commercial pilot licence with an instrument rating;				
(ii) conversion training and checking, including type rating training, in accordance with OR.OPS.FC.220except the requirement for take-off and landing training; and				
(iii) recurrent training and checking in accordance with OR.OPS.FC.230 except the requirement for take-off and landing training.				
(c) A flight engineer may be relieved in flight by a crew member suitably qualified in accordance with applicable national rules.				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
OR.OPS.FC.202Single-pilot operations under instrument flight rules (IFR) or at night In order to be able to fly under IFR or at night with a minimum flight crew of one pilot, as foreseen in OR.OPS.FC.200(c)(2) and (d)(2), the following shall be complied with: (a) The operator shall include in the operations manual a pilot's conversion and recurrent training programme which includes the additional requirements for a single-pilot operation. The pilot shall have undertaken training on the operator's procedures, in particular regarding: (1) engine management and emergency handling; (2) use of normal, abnormal and emergency checklist; (3) air traffic control (ATC) communication; (4) departure and approach procedures; (5) autopilot management, if applicable; (6) use of simplified in-flight documentation; and (7) single-pilot crew resource management.	1. 1 IND: Replace with Appendix 2 to EU-OPS 1.940(a) to restore comprehensive specific single-pilot training programme. 2. 1 MS: Single-pilot CRM should be included. Single-pilot CRM has several distinct factors that don't apply to multi-crew operations.	1+2. Accepted. Text changed. Paragraph separated following a comment from the review group.		Annex 6, Part I, 9.4.5.1 compliant Annex 6, Part I, 9.4.5.2. f) compliant, together with AMC1-OR.OPS.FC.220point 8 and AMC1-OR.OPS.FC.230 points 1.a and 1.b on passenger briefing detailing 'operator's procedures'
(b) The recurrent checks required by OR.OPS.FC.230shall be performed in the single-pilot role on the relevant type or class of aircraft in an environment representative of the operation.				Annex 6, Part I, 9.4.5.3 CAT B compliant; 'initial' not specifically mentioned
(c) For aeroplane operations under IFR the pilot shall have:	1 IND, 1 MS: Restore EU-OPS text for IFR and night. The night recency experience may be overly burdensome for some northern MS.	This stems from JAA NPA OPS 65 which was endorsed by the OST for inclusion in the NPA. This is an alignment with amendment 29 of ICAO Annex 6 Part I.		Annex 6, Part I, 9.4.5.2.a), b), d) compliant
(1) a minimum of 50 hours' flight time under IFR on the relevant type or class of aeroplane, of which 10 hours are as commander; and				
(2) completed during the preceding 90 days on the relevant type or class of aeroplane: (i) fiveIFRflights, including threeinstrument approaches, in a single-pilot role; or (ii) an IFR instrument approach check.				
(d) For aeroplane operations at night the pilot shall have:			JAA NPA OPS 65	Annex 6, Part I, 9.4.5.2.c), e) compliant
(1) a minimum of 15 hours flight time at night which may be included in the 50 hours flight time under IFR in paragraph				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
(c)(1) above; and				
(2) completed during the preceding 90 days on the relevant type or class of aeroplane: (i) three take-offs and landings at night in the singlepilot role; or (ii) a night take-off and landing check.				
		Text included in paragraph (a) above.		
	1 MS: The exact meaning of the rule is not clear. 'Environment representative of the operation' is too broad. If it means IFR/night than this term should be used. Proposal: '…helicopter type under IFR and/or night as applicable to the operation'	An 'environment representative of the operation' is chosen on purpose. It should also cover elements such as prevailing weather conditions, offshore operations, mountain flights, etc. Text not changed. Text included in paragraph (b) above.		
(e) For helicopter operations under IFR the pilot shall have:				
(1) 25 hours total IFR flight experience in the relevant operating environment; and				
(2) 25 hours flight experience as a single pilot on the specific type of helicopter, approved for single-pilot IFR, of which 10 hours may be flown under supervision, including five sectors of IFR line flying under supervision using the single-pilot procedures; and		Text changed as the pilot will always act as commander in a single pilot operation.		
(3) completed during the preceding 90 days: (i) five IFR flights as a single pilot, including three instrument approaches, carried out on a helicopter approved for this purpose; or (ii) an IFR instrument approach check as a single pilot on the relevant type of helicopter, Flight Training Device(FTD) or Full Flight Simulator (FFS).	1. 1 MS: The difference between aeroplanes and helicopters stemming from JAR-OPS 3 and EU-OPS regarding single-pilot IFR and night operations and use of FSTD is supported. 2. 1 MS: It seems to be a mistake that an FSTD can be used for helicopters but not for aeroplanes. Moreover, the definition of FSTD includes BITD. Such basic instrument device should however not be used. Suggest clarifying with 'FTD or FFS'.	1. The difference is retained. 2. Accepted. Text changed.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
OR.OPS.FC.205 Command course		Appendix 1 to 1.005(a) of EU-OPS, (b)33 and Appendix 3.005(f) of JAR-OPS 3, point 18 could not be accommodated as they in fact foresee a deviation to the number of flight hours/sectors. EU-OPS/JAR-OPS 3 gave no criteria under which conditions an abbreviated course may be accepted. They may be treated as Art. 14 derogation.		
(a) For operations with aeroplanes and helicopters, the command course shall include at least the following elements:			EU-OPS 1.955 (b); Appendix 1 to JAR-OPS 3.955, (a)(1); editorial changes to harmonise	
(1) training in a Flight Simulation Training Device(FSTD), which includes line oriented flight training (LOFT);and/or flight training;		Clarification from review group		
(2) the operator proficiency check, operating as commander;				
(3) command responsibilities training;				
(4) line training as commander under supervision, for a minimum of:	1 MS, 1 IND: add to (d) '…for pilots already qualified on the aeroplane type' .During upgrade to commander, line training is now always "minimum 10 sectors" compared to EU-OPS where this was a minimum for "already type-qualified pilots". This is a reduction that cannot be accepted. Furthermore, reference to OR.OPS.020 should be included.	FCL is different from operator training. These 10 sectors are independent from FCL to get a type rating. Text not changed.		
(i) 10 flight sectors, in the case of aeroplanes; and	1 IND: The requirement of 10 sectors LIFUS doesn't take into account operators exchanging flight crew and having implemented common SOP and training. There must be a possibility to reduce the numbers of sectors taking into account the level of similarity for operators utilizing common SOP. In some cases the LIFUS may be reduced to zero.	The SOPs are only one element of the training. The review group was also not in favour of accepting the comment.		
(ii) 10 hours, including at least 10 flight sectors, in the case of helicopters;	1 IND: This is too heavy and not justified. There are already many flight controls before the pilot can leave as a captain. All these controls are enough.	Not accepted. Requirement transposed from JAR-OPS 3.		
(5) completion of a line check as commander and demonstration of adequate knowledge of the route or area	1 MS: route/role/area competency is	Accepted. Text changed.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
to be flown and of the aerodromes, including alternate aerodromes, facilities and procedures to be used; and	missing			
(6) crew resource management training.		Editorial change		
(7) The holder of a CPL(A) shall only act as commander in multi-pilot operations if he/she has completed a command course .		Moved from OR.OPS.FC.250.A		
OR.OPS.FC.215 Initial operator's crew resource management (CRM) training				
	1 INDIV: This should be moved before (a) as all of it does not apply to balloons. There is no ATPL for balloons.	Accepted. Changes in the scope are made.		
(a) A flight crew member shall have completed an initial CRM training course before commencing unsupervised line flying.	1 MS, 1 IND (duplicated): add within their first year of joining the operator. 1 IND: change to 'within one year after'. New crew members build on their knowledge on HPL theory. They adapt within their first year to actual operational practices. With this experience they should undertake CRM training as it would otherwise have no effect.	CRM is already part of conversion training. There seems to be a conflict in EU-OPS. This is considered being a transition requirement when CRM was introduced in EU-OPS. The review group concurs with this view.		
(b) Initial CRM training shall be conducted by at least one suitably qualified CRM trainer who may be assisted by experts in order to address specific areas.		The trainer is required to be 'acceptable to the authority' under EU-OPS but not JAR-OPS 3. It was opted to transpose JAR-OPS 3. The NAA should have the ability to determine the appropriate level of oversight for CRM training compliance.	EU-OPS 1.943, (c) / JAR.OPS 3.943, (b)	
(c) If the flight crew member has not previously received theoretical training in human factors to the airline transport pilot licence (ATPL) level, he/she shall complete, before or combined with the initial CRM training, a theoretical course provided by the operator and based on the human performance and limitations syllabus for the ATPL as established in Part-FCL.	1 IND: delete 'before, or combined with, the initial CRM training' and complement the last sentence by 'before commencing line training'. Theoretical training is required before commencing line training. Knowledge acquisition is different from methods used in CRM training. Therefore, a combination of HPL theory instruction and CRM training is not effective.	This is a transposition of EU-OPS. The review group advised not to change the requirement.	EU-OPS 1.943, (b)	

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
OR.OPS.FC.220 Operator conversion training and checking	1 INDIV: These requirements are excessive for balloon pilots. A yearly check with a suitable instructor should be sufficient.	Accepted. This is not anymore applicable to balloons.		
		Applicability specified in accordance with the amended scope.		
(a) CRM training shall be integrated into the operator conversion training course.			EU-OPS/JAR-OPS 1/3.945(a)(9); Appendix 1 to EU-OPS 1.945(c)	
(b) Once an operator conversion course has been commenced, a flight crew member shall not be assigned toflying duties on another type or class of aircraft until the course is completed or terminated.Crew members operating only performance class B aeroplanes may be assigned to flights on other types of performance class B aeroplanes during conversion courses to the extent necessary to maintain the operation.	1. 2 IND: This rule and the associated GM is reliant upon a nuance of the word 'during'; will it be clear to operators that if a conversion course is not completed and the pilot reverts to another type, the course has been terminated and the pilot is no longer within (or in the terminology of the rule - 'during') a conversion course? Text proposal made. 2. 1 IND (duplicated): 'class' should be deleted to allow pilots to continue to fly in aero clubs on single-engine piston aircraft, for example, during a type rating course.	1. Accepted. Text changed. 2. The text is changed in consultation with the review group. Changes made to accommodate for Appendix1 to 1.005(a) of EU-OPS, (b)32.(ii).	EU-OPS/JAR-OPS 1/3.945, (a)(8) EU-OPS Appendix 1 to 1.005(a), point 32 (ii)	
(c) The amount of training required by the flight crew member for the operator's conversion course shall be determined in accordance with the standards of qualification and experience specified in the operations manual, taking into account his/her previous training and experience.	1 IND: Delete paragraph and replace with original wording from EU-OPS 1.945 (a)(5). EU-OPS required minimum experience standards (before a crew member could start conversion training) to be specified in the OM-A. The new text is ambiguous as to whether this still applies. The text can be interpreted that these minimum standards need not be established, but only general training standards are sufficient.	Not accepted. The new text is considered to be clear.	EU-OPS/JAR-OPS 1/3.945, (a)(4)&(5)	
(d) The flight crew member shall complete:			EU-OPS/JAR-OPS 1/3.945, (a)(6)&(7)	
(1) the operator proficiency check and the emergency and safety equipment training and checking before commencing line flying under supervision (LIFUS); and				
(2) the line check upon completion of line flying under supervision. For performance class B aeroplanes, LIFUS may be performed on any aeroplane within the applicable class.		Changes made to accommodate for Appendix 1 to 1.005(a) of EU-OPS, (b)32.(i).	EU-OPS Appendix 1 to 1.005(a), (b)32.(i)	

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
(d) In the case of aeroplanes, pilots that have been issued a type rating based on a zero flight time training (ZFTT) course shall:			EU-OPS 1.945, (d); taking into account Part-FCL and OSD	
(1) commence line flying under supervision not later than 21 days after the completion of the skill test or after appropriate training provided by the operator. The content of such training shall be described in the operations manual.	1. 1 IND: Refresher training should be replaced by approved training. These requirements have been assessed as crucial parts of the ZFTT by the JAA experts of the ZFTT WG. Deleting them is to the detriment of flight safety, with no pertinent reason. 1. 1 MS asks why the 'acceptable to the authority' is removed.	1.+2. Accepted. Text changed. The additional sentence is added to reflect the notion of 'acceptable to the authority'. It is found to be more appropriate to require a description in the OM. Moreover, in accordance with OR.OPS.FC.145, all training and checking programmes require prior approval.	EU-OPS 1.945, (d)(1)	
(2) complete six take-offs and landings in a FSTD not later than 21 days after the completion of the skill test under the supervision of a type rating instructor for aeroplanes (TRI(A)) occupying the other pilot seat. If these take-offs and landings have not been performed within 21 days, the operator shall provide refresher training. The content of such training shall be described in the operations manual. (3) conduct the first four take-offs and landings of the LIFUS in the aeroplane under the supervision of a TRI(A) occupying the other pilot seat.	1. 1 IND, 1 MS: Reintroduce requirement for six take-offs and landings and timeframe of EU-OPS 1.945(d)(2). 2. 1 IND (duplicated), 1 manufacturer: The reference to Part-21 should be amended to refer to credits from the Operational Suitability Certificate. Whether or not the TRI(A) should occupy the other pilot seat should not be part of implementing rules (hard-law) but could be part of guidance material to allow different approaches. Delete 'occupying the other pilot seat and amend, 'unless otherwise specified in accordance with Part-21'' to read as 'unless credits are established in the Operational Suitability Certificate established in accordance with Part-21'. Moreover, allow restricted TRI.	1. Accepted. Text changed. 2. Not accepted. The reference to the OSD is taken out as the OSD most likely will not include proposals on the reduction of take-off and landings when ZFTT was conducted only. The TRI is required on a pilot seat in accordance with EU-OPS. In addition, a full type rating instructor is mandatory. A safety justification should be provided for the request.	EU-OPS 1.945, (d)(2) EU-OPS 1.945, (d)(3)	

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
OR.OPS.FC.230Recurrent training and checking	1. 1 INDIV: every six months is too frequent for balloons. The prof check should be every 12 months and include a line check. There is little flying during the winter season. 2. 1 IND: The period of validity of OR.OPS.FC.145 (6 months) seems to be in contradiction with OR.OPS.FC.240 (12 months). Moreover, all checks shall be within a period of 12 months. 3. 1 IND (duplicated) and INDIV: It is claimed that the number of tests/checks is too high, and requested to combine some. 4. 1 IND (duplicated): The paragraph is more demanding than EU-OPS. Text should be re-aligned. 5. 1 IND (duplicated): The paragraph sufficiently transposes EU-OPS but there is no specific recognition of ATQP. 6. 1 MS: a paragraph should be added as hook for the AMC to say that personnel delivering the training shall be suitably qualified and certified, as appropriate.	1. Accepted. This is not anymore applicable to balloons. 2. Paragraph OR.OPS.FC.145 (now 230) applies in principle to CAT while OR.OPS.FC.240 (now 330) applies to other commercial operators, e.g. aerial work. Some changes to the scope are made for smaller CAT operations. The period for CAT is transposed from EU-OPS/JAR-OPS 3. A safety justification for extending the period is not provided. 3. The period for CAT is transposed from EU-OPS/JAR-OPS 3. A safety justification for extending the period is not provided. The regulations are not preventing the combination of tests/checks when feasible. 4. Text aligned with EU-OPS/JAR-OPS 3. 5. ATQP is now included in a separate paragraph. 6. OR.OPS.FC.145 addresses the issue in more detail.		Annex 6, Part I, 9.3.1 f) Annex 6, Part III,Section II, 7.3.1 g) compliant Annex 6, Part I, 9.3.2 Annex 6, Part III,Section II, 7.3.2 compliant
(a) Each flight crew member shall complete recurrent training and checking relevant to the type or variant of aircraft on which they operate.			EU-OPS/JAR-OPS 1/3.965, (a)(1)	
(b) Operator proficiency check:	1. 1 MS, 4 INDIV: An OPC every 6 months for balloons is excessive. An annual line check should be sufficient. 2. 1 MS: For pilots qualified on simple aircraft (SE helicopters) the number and type of checks could be rationalised with perhaps one check to cover several types. Pilots often fly several types and it is a heavy burden to have one OPC on each type every 6 months. Text proposal made in accordance with JAR-OPS 3.005(f) Appendix item 19.	1. Accepted. This is not anymore applicable to balloons. 2. A new paragraph (b)(4) is added. The related JAR-OPS3 AMC is already included as AMC No 1 to FCL.060(b)(4).		Annex 6, Part I, 9.4.4.1 Annex 6, Part III,Section II, 7.4.3.1 compliant
(1) Each flight crew member shall complete operator proficiency checks as part of the normal crew complement to demonstrate competence in carrying out normal, abnormal and emergency procedures.	1. 1 IND: Regarding the 'normal flight crew complement', the combination of different paragraphs makes the text ambiguous. It could be understood in a way that the crew member is able to perform duties as part of normal crew complement while the intention is that the	1. Accepted. Text changed. 2. This is included in the related AMC. 3. Text amended.	EU-OPS 1.965, (b)(1)(i)&(iii) / JAR-OPS 3.965, (b)(1)(i)&(a)(5)	

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	check is conducted in a normal crew complement. 2. 1 MS, 1 manufacturer: Add that the OPC can be combined with the licence proficiency check. 3. 1 MS: The "part of the normal flight crew complement" causes difficulties for operators who employ more co-pilots than PiCs. Occasionally 2 co-pilots are put in the simulator together for the OPC. This offers nothing to the co-pilot who is not sitting in the correct seat and his OPC. Text proposal made.			
(2) When the flight crew member will be required to operate under instrument flight rules (IFR), the operator proficiency check shall be conducted without external visual reference.			EU-OPS/JAR-OPS 1/3.965, (b)(1)(ii)	
(3) The period of validity of the operator proficiency check shall be six calendar months. For visual flight rules (VFR) day operations with performance class B aeroplanes conducted during seasons not longer than eight consecutive months, one operator proficiency check shall be sufficient. The proficiency check shall be undertaken before commencing commercial air transport operations. (4) A flight crew member involved in operations by day and over routes navigated by reference to visual landmarks with an other-than-complex motor-powered helicopter may complete the operator proficiency check in only one of the relevant types held. The operator proficiency check shall be performed each time on the type least recently used for the proficiency check. The relevant helicopter types that may be grouped for the purpose of the operator proficiency check shall be contained in the operations manual.	1. 1 MS: The period of validity for non-complex helicopters shall be 12 months. 2. 1 MS:OPC should be adapted to LPC depending on the type of helicopter.	1.+2. Following an earlier comment from another MS, a new paragraph is inserted as (b)(4). Text changes made in (3) to accommodate for Appendix 1 to 1.005(a) of EU-OPS, (b)35.(iv).	EU-OPS/JAR-OPS 1/3.965, (b)(2) EU-OPS Appendix 1 to 1.005(a), (b)35(iv)	Annex 6, Part I, 9.4.4.1 CAT C for VFR day operations with performance class B aeroplanes Annex 6, Part III,Section II, 7.4.3.1 CAT C for VFR day operations with reference to visual landmarks with other than complex motor-powered helicopters
(c) Line Check. Each flight crew member shall complete a line check on the aircraft to demonstrate competence in carrying out normal line operations described in the operations manual. The period of validity of a line check shall be 12 calendar months.			EU-OPS/JAR-OPS 1/3.965, (c)	
(d) Emergency and Safety Equipment training and checking. Each flight crew member shall complete training and checking on the location and use of all emergency and safety equipment carried. The period of validity of an emergency and safety equipment check shall be 12 calendar months.			EU-OPS/JAR-OPS 1/3.965, (d)	Annex 6, Part I, 9.2 Annex 6, Part III,Section II, 7.2 compliant, together with OR.OPS.GEN.100

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
(e) CRM training.		Applicability changed	EU-OPS/JAR-OPS 1/3.965(e); EU-OPS 1.965, (a)(3)(iv)(B)	
(1) Elements of CRM shall be integrated into all appropriate phases of the recurrent training.	1 IND: Add that all personnel conducting recurrent training shall be suitably qualified to integrate CRM into the training.	This is generally included in OR.OPS.FC.145 and in more detail in the AMC to this paragraph.		
(2) Each flight crew member shall undergo specific modular CRM training. All major topics of CRM training shall be covered by distributing modular training sessions as evenly as possible overeach three year period.	1. 1 IND: Add a reference to CRM trainer similar to the requirement in initial CRM training. Text proposal made. 2. 1 MS: The use of the expression "over a period not exceeding 3 years" is open to misunderstanding. Some operators conduct their specific CRM training once every three years and thus comply with this requirement. However, this means that some pilots are only getting refresher CRM training every third year. That is not what was intended by this OPS requirement when it was written originally. In order to require operators to conduct this training regularly, the wording should be changed.	1. This is generally included in OR.OPS.FC.145 and in more detail in the AMC to this paragraph.. 2. This is included under point 4 of the AMC.		
(f) Each flight crew member shall undergo ground training and flight training in anFSTD or an aircraft, or a combination of FSTD and aircraft training at least every 12 calendar months.	1 IND: The interpretation of "aircraft/FSTD training" is not clear. Does this mean that training may take place on either aircraft or FSTD, or both aircraft and FSTD must be used. This needs to be clear if the intention is to promote the use of FSTD within commercial operators' training programmes. However, the rule must also accommodate the limited availability of suitable FSTDs for helicopters, and in some cases there may be no FSTD at all, especially during the initial period of operation of a new type or variant. Include text in AMC1 OR.OPS.145.FC to promote the use of FSTDs where these are available. Text proposal made.	Accepted. Text changed.	EU-OPS/JAR-OPS 1/3.965, (f)&(g)	
(g) The validity periods mentioned in (b)(3), (c) and (d) shall be counted from the end of the month when the check was taken.	1. 1 IND (duplicated): replace (g) and (h) by a general statement for all validity periods of the section. 2. 1 MS, 1 IND: It appears that the OPC and Line Check validity periods do not extend to the end of the month. This appears to be an omission. Amend accordingly.	1. This is the only requirement addressing the counting of validity periods, apart from the ATQP. 2. This is intended to be covered with the text.	EU-OPS/JAR-OPS 1/3.965, (b)(2), (c), (d), (f), (g)	

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
(h) When the training or checks required above are undertaken within the last three months of the validity period, the new validity period shall be counted from the original expiry date.			EU-OPS/JAR-OPS 1/3.965, (b)(2), (c), (d), (f), (g)	
OR.OPS.FC.235 Pilot qualification to operate in either pilot's seat				
(a) Commanders whose duties require them to operate in either pilot seat and carry out the duties of a co-pilot, or commanders required to conduct training or checking duties, shall complete additional training and checking as specified in the operations manual. The check may be conducted together with the operator proficiency check prescribed in OR.OPS.FC.230(b). (b) The additional training and checking shall include at least the following:		Text changed after proposal from review group.	Appendix 1 to EU-OPS/JAR-OPS 1/3.968, (a) Appendix 1 to EU-OPS 1.968, (a)	
(1) an engine failure during take-off;				
(2) a one engine-inoperative approach and go-around; and				
(3) a one-engine-inoperative landing.				
(c) In the case of helicopters, commanders shall also complete their proficiency checks from left- and right-hand seats, on alternate proficiency checks, provided that when the type rating proficiency check is combined with the operator proficiency check the commander completes his/her training or checking from the normally occupied seat.			Appendix 1 to JAR-OPS 3.968, (a)	
(d) When engine-out manoeuvres are carried out in an aircraft, the engine failure shall be simulated.			Appendix 1 to EU-OPS/JAR-OPS 1/3.968, (b)	
		Stays in AMC		
(e) When operating in the co-pilot's seat, the checks required by OR.OPS.FC.230 shall be carried out for each seat..		Legal text clarification	Appendix 1 to EU-OPS/JAR-OPS 1/3.968, (c)	
(f) A pilot relieving the commander shall have demonstrated, concurrent with the operator proficiency checks prescribed in OR.OPS.FC.230(b), practice of drills and procedures which would not, normally, be his/her responsibility. Where the differences between left- and right-hand seats are not significant ,then		Editorial amendments	Appendix 1 to EU-OPS/JAR-OPS 1/3.968, (d)	

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
practice may be conducted in either seat.				
(g) A pilot other than the commander occupying the commander's seat shall demonstrate practice of drills and procedures, concurrent with the operator proficiency checks prescribed in OR.OPS.FC.230(b), which are the commander's responsibility acting as pilot monitoring. Where the differences between left- and right-hand seats are not significant, then practice may be conducted in either seat.		Editorial amendments	Appendix 1 to EU-OPS/JAR-OPS 1/3.968, (e)	
OR.OPS.FC.240Operation on more than one type or variant	1. 1 IND (duplicated), 1 manufacturer: add a new (c) to refer to the OSC to take account of credits 2. 1 IND: Rewrite in a logical way. There are different requirements for operation of different aircraft and operation of aircraft and helicopter. Also, the AMC should be part of IR.	1. The appropriate reference is contained in OR.OPS.FC.140. 2. RG item: Order of paragraph reversed. Level of IR vs. AMC was discussed with the review group which recommended not to change the level of text.		
(a) The procedures or operational restrictions for operation on more than one type or variant established in the operations manual and approved by the competent authority shall cover: (1) the flight crew members' minimum experience level; (2) the minimum experience level on one type or variant before beginning training for and operation of another type or variant; (3) the process whereby flight crew qualified on one type or variant will be trained and qualified on another type or variant; and (4) all applicable recent experience requirements for each type or variant.		Change made to reflect EU-OPS/JAR-OPS 3 and changes to OR.OPS.MLR.	EU-OPS 1.980, (d)/ JAR-OPS 3.980, (a)(2)/1.981, (a)(2) AMC 3.980, point 1	Annex 6, Part I, 9.4.1.2, 9.4.2.2, 9.4.4.2 Annex 6, Part III,Section II, 7.4.1.2, 7.4.3.2
(b) When a flight crew member operates both helicopters and aeroplanes, that flight crew member shall be limited to operationson only one type of aeroplane and one type of helicopter.	1. 1 IND: Add that appropriate procedures and operational restrictions need to be included in the OM. 2. 1 MS: Non-complex helicopters should be excluded from the restriction. 3. 1 IND: the authority should determine based on the complexity of the aircraft whether the limitation could be waived.	1. This is part of the text. 2.+3. No safety justification provided. This could possibly be the subject for a future RM task if more elements are provided.	EU-OPS 1.981, (a)(1)	
(c) Paragraph (a) shall not apply to performance class B aeroplanes if operations are limited to single-pilot classes of reciprocating engine aeroplanes under VFR by day. Paragraph (b) shall not apply to performance class B aeroplanes if operations are limited		(c) inserted to accommodate for Appendix 1 to 1.005(a) of EU-OPS, (b)38.(i) and (b)39.	EU-OPS Appendix 1 to 1.005(a), (b)38.(i) & (b)39	compliant, together with OR.OPS.FC.140 and Part-FCL

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
to single-pilot classes of reciprocating engine aeroplanes.				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
OR.OPS.FC.245.A Alternative training and qualification programme (a) An aeroplane operatorhaving appropriate experience may substitute the followingtraining and checking requirements for flight crew by an alternative training and qualification programme (ATQP), approved by the competent authority: (1) SPA.LVO.120 flight crew training and qualifications; (2) conversion training and checking; (3) differences training and familiarisation training; (4) command course; (5) recurrent training and checking; and/or (6) operation on more than one type or variant. (b) The ATQP shall contain training and checking which establishes and maintains at least an equivalent level of proficiency achieved by complying with the provisions of OR.OPS.FC.220 and OR.OPS.FC.230. The level of flight crew training and qualification proficiency shall be demonstrated prior to being granted the ATQP approval by the competent authority. (c) An operator applying for an ATQP approval shall provide the competent authority with an implementation plan, including a description of the level of flight crew training and qualification proficiency to be achieved. (d) In addition to the checks required by OR.OPS.FC.230 and FCL.060, each flight crew membershall complete a line oriented evaluation (LOE) conducted in a flight simulation training device (FSTD).The period of validity of anLOE shall be 12 calendar months. The validity period shall be counted from the end of the month when the check was taken.When the LOE is undertaken within the last three months of the validity period, the new validity period shall be counted from the original expiry date. (e) After two years of operating with an approved ATQP an operator may, with the approval of the competent authority, extend the periods of validity of the checks in OR.OPS.FC.230 as follows: (1) Operator proficiency check to 12 calendar months. The validity period shall be counted from the end of the month when the check was taken.When the check is undertaken within the last three months of the validity period, the new validity period shall be counted from the original expiry date. (2) Line check to 24 calendar months. The validity period shall be counted from the end of the month when the check was taken.When the check is undertaken within the last six months of the validity period, the new validity period shall		Helicopter experts assisting the Agency in the comment review made a general remark that the ATQP should also be made available to helicopter operators. As this would require appropriate stakeholder consultation, no changes to the present scope of ATQP are made. Provided the Agency receives further views from stakeholders on this issue, it would be ready to consider this as an additional rulemaking task. Point (a): Before being allowed to substitute the normal flight crew training and checking requirements by an ATQP, EU-OPS requires from an operator two years' continuous operation. These two years may be reduced at the discretion of the authority. EU-OPS gave no criteria on which basis the authority would exercise its discretion and it probably depends on the individual case. Since no specific conditions are provided, the element of two years is transferred to AMC.An alternative means of compliance may be proposed including the conditions for reducing the two-year period. The rule only refers to having 'appropriate experience'. Points(b) and (e): The reference to FCL.060 (former EU-OPS 1.970) is not included as the ATQP cannot extend requirements of FCL. The extension for recency is already contained in FCL.060. Moreover, it is nowhere specified how this could be extended. EU-OPS 1.978 (f) on the responsibility of a nominated postholder for the ATQP is, in consultation with the review group, not transposed as itis considered being redundant with the general and AOC-specific organisation requirements. Since the ATQP including its implementation requires prior approval of the authority, any mentioning of 'acceptable to the authority' is not transposed. It is assumed that everything is required to be 'acceptable to the authority' as otherwise an approval could not be granted.	EU-OPS 1.978 / Appendix 1 to EU-OPS 1.978, (a) EU-OPS 1.978, (b) EU-OPS 1.978, (c) EU-OPS 1.978, (d) EU-OPS 1.978, (e)(1)-(3)	

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
be counted from the original expiry date. (3) Emergency and safety equipment checking to 24 calendar months.The validity period shall be counted from the end of the month when the check was taken.When the check is undertaken within the last six months of the validity period, the new validity period shall be counted from the original expiry date.				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
OR.OPS.FC.250.A Commanders holding a Commercial Pilot Licence (Aeroplane) (CPL(A)) (a) The holder of a CPL(A) shall only act as commander in commercial air transport on a single-pilot aeroplane if: (1) when carrying passengers under visual flight rules(VFR) outside a radius of 50 NM (90 km) from an aerodrome of departure, he/she has a minimum of 500 hours of flight time on aeroplanes or holds a valid instrument rating; or (2) when operating on a multi-engine type under insturment flight rules (IFR), he/she has a minimum of 700 hours of flight time on aeroplanes, including 400 hours as pilot-in-command. These hours shall include 100 hours under IFR and 40hours in multi-engine operations. The 400 hours as pilot-in-command may be substituted by hours operating as co-pilot within an established multi-pilot crew system prescribed in the operations manual, on the basis of two hours of flight time as co-pilot for one hour of flight time as pilot-in command. (3) paragraph (1) shall not apply to VFR day operations with performance class B aeroplanes.		Transferred from Part-FCL To accommodate for Appendix 1 to 1.005(a) of EU-OPS, (b)34. The cross reference is not needed since the requirements are now in one Part and self-explanatory. Moved to OR.OPS.FC.205	EU-OPS 1.960 EU-OPS Appendix1 tp1.005(a), (b)34	
OR.OPS.FC.250.HCommanders holding a Commercial Pilot Licence (Helicopter) (CPL(H)) (a) The holder of a CPL(H) shall only act as commander in commercial air transport on a single-pilot helicopterif: (1) when operating under instrument flight rules (IFR), he/she has a minimum of 700 hours'total flight time on helicopters, including 300 hours as pilot-in-command. These hours shall include 100 hours under IFR. The 300 hours as pilot-in-command may be substituted by hours operating as co-pilot within an established multi-pilot crew system prescribed in the operations manual on the basis of two hours of flight time as co-pilot for one hour flight time as pilot-in command. (2) When operating under visual meteorological conditions (VMC) at night, he/she has: (i) a valid instrument rating; or (ii) 300 hoursof flight time on helicopters, including 100 hours as pilot-in-command and 10 hours as pilot flying		Transferred from Part-FCL The cross reference is not needed since the requirements are now in one Part and self-explanatory.	JAR-OPS 3.960	

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
at night.				
Chapter 3- Additional requirements for commercial operations other than commercial air transport and commercial air transport operations in accordance with OR.OPS.FC.005(b)				
OR.OPS.FC.330Recurrent training and checking - operator proficiency check	1. 1 IND (duplicated) and INDIV: It is claimed that the number of tests/checks is too high, and requested to combine some. 2. 1 IND: Due to the type of operations of our company (test and ferry flights) and taking into consideration the wide variety of aircraft operated by our company, the different equipment fits for each of those aircraft, the extreme short period of time those aircraft are operated, and the fact that the majority of our crews are employed on a contract per flight basis, requiring an operator training program is not practicable as these crew members will be compliant with the training programme established by their regular employer for the subject type of aircraft. 3. 2 INDIV: Annual proficiency checks on non-CAT operations are unnecessary considering the excellent safety record of balloons. Balloons do not require the same treatment as more complicated aircraft. There should be a separate category for hot air balloons encompassing all kinds of commercial activity. 4. 1 MS: The paragraph misses the intent of JAR-OPS 4, initial training for specialised tasks, recency/recurrent checking.The validity provisions should be written as in OR.OPS.145.FC.	1. A safety justification for extending the period is not provided. The regulations are not preventing the combination of tests/checks when feasible. 2. Not accepted. The operator remains responsible. Refer also to OR.OPS.FC.100(e). 3. The one year period is considered sufficient. 4. In addition to this requirement, the provisions of the common chapter 1 apply. Text regarding validity period changed.		
(a) Each flight crew member shall complete annual operator proficiency checks to demonstrate his/her competence in carrying out normal, abnormal and emergency procedures, covering the relevant aspects associated with the specialised tasks described in the operations manual.	1. 2 MS, 1 IND: add that a combination with the LPC is possible 2. 1 MS: confirm that 'annual' means 12 months.	1. This is included in the AMC. 2. Please refer also to (c).		
(b) Appropriate consideration shall be given when operations are undertaken under instrument flight rules (IFR) or at night.				
(c) The period of validity of the operator proficiency check shall be 12 calendar months.The validity period shall be counted from the end of the month when the check was taken. When the operator				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
proficiency check is undertaken within the last threemonths of the validity period, the new validity period shall be counted from the original expiry date.				
SECTION VI – CABIN CREW	IA: (comment confirmed by indiv. members): establish one definition of CC iaw EU-OPS MS: disagree with attestation & medical requirements	The definition of cabin crew(NPA in Part CC) will be in the Cover Regulation of Part-OR and Part-CC This comment conflictswith BR		X
OR.OPS.CC.005 Scope			OPS 1.988	x
This sectionestablishes the requirements to be met by an operator when operating an aircraft with cabin crew and includes: (a) Chapter 1 specifying common requirements applicable to both non-commercial operations with complex motor-powered aircraft and commercial air transport operations, and (b) Chapter 2 specifying additional requirements only applicable to commercial air transport operations.	MS: clarify extend of scope	The text has been clarified as requested to describe the different requirements applicable to the two types of operations covered by this Section	BR Article 8 (4)	Annex 6 Part II Para 3.12.1
Chapter 1 **Common requirements**			x	x
OR.OPS.CC.100Number and composition of cabin crew	IA: (comment confirmed by indiv. members): simplify the text IA: current regulations worked well throughout years	The text has been amended and clarified: please refer to new (b)(1)	BR Annex IV (7)(a) OPS 1.990 IEM OPS 1.990	Annex 6, Part-I, Para 12.1 Annex 6, Part-II, Para 3.12.1 ICAO Doc 7192-AN/857, Part E-1, Para 1.1.1
(a) The number and composition of cabin crew shall be determined in accordance with 7.a. of Annex IV to Regulation (EC) No 216/2008, taking into account operational factors or circumstances of the particular flight to be operated. At least one cabin crew member shall be assigned for the operation of any aircraft with a maximum passenger seating configuration of more than 19 when carrying one or more passenger(s).	IA: add requirement to define "safety relevant duties of CCM in OPS manual" MS: consider alleviation for non-revenue flights (carrying operator's staff only)	Cabin crew duties must be specified in the procedures in the ops manual. This requirement is covered under Section II – MLR. Non-revenue flights are an issue that will be addressed as a whole to cover all aspects in rulemaking task OPS.075.	BR Annex IV (7)(a)(i)(ii) OPS 1.1990(a)	Refer to the above box

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
(b) The minimum number of cabin crew shall be the greater of: (1) the number of cabin crew identified by the evacuation demonstration, or analysis, carried out for the cabin configuration of the aircraft to be operated, to show compliance with the applicable airworthiness code; or (2) one cabin crew member for every 50, or fraction of 50, passenger seats installed on the same deck of the aircraft to be operated.	MS: amend txt "..of an a/c, *or one CCM per pair of floor level emergency exits, whichever number is the greater."*	The comment should be partly addressed by the new wording as including a reference to applicable certification rules with regard to evacuation requirements. See also revised proposal under OR.OPS.CC.205(a)(2)	BR Annex IV (7)(a)(i)(ii) OPS 1.1990(b)(1)	Refer to the above box
(c) For operations where more than one cabin crew member is assigned the operator shall nominate one cabin crew member to be responsible to the pilot-in-command/commander.	IA: use term *"Senior CCM"*	SCCM is required by EU-OPS, and only when more than one CCM is required. Please refer also to OR.OPS.CC 200 applicable to CAT only	OPS 1.1000(a)	Refer to the above box
OR.OPS.CC.110Conditions for assignment to duties	MS: include iaw JAR-OPS 1.990	OPS 1.990 is transposed in the revised OR.OPS.CC.100 and 205	OPS 1.995	ICAO Doc 7192-AN/857, Part E-1, Para 1.2.2
(a) Cabin crew members shall only be assigned to duties on an aircraft if they:	IA: (comment confirmed by indiv. members): amend txt "..assigned to *safety duties* on an a/c.." IA: create new paragraph (4): *"holds a CCA"* – it will document a successful fulfilment of ER 7.b. of BR	This is a safety regulation only dealing with safety, not with any other (non safety related) duties which are outside its scope and not regulated. BR does not require a CCA for CC in non-commercial ops. The requirement for holding a CCA is in Part-CC and in Chapter 2 of this Section for CAT only.	Refer to the above box (OR.OPS.CC.110)	Refer to the above box (OR.OPS.CC.110)
(1) are at least 18 years of age;			OPS 1.995(a)	ICAO Doc 7192-AN/857, Part E-1, Para 1.2.2.3 "Age"
(2) have been assessed in accordance with Subpart E of Part-MED as physically and mentally fit to perform their duties and discharge their responsibilities safely ;	IA: agree MS: standardize medical requirements for CC & TC IA: (comment confirmed by indiv. members): delete reference to Part-MED & realign with EU-OPS	Noted CC fitness is covered by BR. See TC outcome under the related proposals and CRD. Cabin crew must be aware of the medical requirements they must comply with, reason why the requirements are defined in Part-MED.	OPS 1.995(b) AMC OPS 1.995(a)(2) BR Annex IV (7)(b)(ii)	ICAO Doc 7192-AN/857, Part E-1, Para 1.2.2.3 "Medical"

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	IA: (comment confirmed by indiv. members): – specify exact location in Part-MED MS: re-phrase txt *"have been assessed fit to perform all assigned duties and responsibilities safely"*	More precise reference has been added. The text has been maintained to complement the related ER in Annex vi 7.b.(ii).		
(3) have successfully completed all applicable training and checking required by this Section and are competent to perform the assigned duties in accordance with the procedures specified in the operations manual.	MS: re-phrase txt *"have completed the IST and hold an adequate attestation and have completed all additional training required."* – CCA limited to initial training; all additional required training is the operator's responsibility	The requirements for CCA holders are specified in Chapter 2 of this Section and in Part-CC. As required by BR Art 8 (5)(e), the scope and validity of CCA cannot be limited to the IST.	BR Annex IV (7)(b)(i) OPS 1.995(c)(d)(e)	ICAO Doc 7192-AN/857, Part E-1, Para 1.1.4
	IND: clarify frequency & means IND: clarify "have been checked" IA: (comment confirmed by indiv. members): re-phrase as per EU-OPS 1.995(f) MS: re-phrase txt "have been checked *after each training in the subjects covered to ensure that the CCM is competent to perform* all assigned duties"	These requirements correspond to the minimum specified under EU-OPS 1.995 and 1.1025. Frequency and means are specified under each type of training and in related AMCs. The text has been realigned as much as possible to OPS 1.995(f). This is the general objective to be achieved, details are provided under each training and related AMCs	BR Annex IV (7)(b)(i) OPS 1. 995(f) OPS 1. 1025(a)	ICAO Doc 7192-AN/857, Part E-1, Para 1.2.4 + Para 2.1.4
(b) Before assigning to duties cabin crew memberswho are working on a freelance or part-time basis, an operator shall verify that all applicable requirements of this Section are complied with,taking into account allservices rendered by the cabin crew member toany other operator(s) to determine in particular: (1) the total number of aircraft types and variants operated; and (2) the applicable flight and duty time limitations and rest requirements.	IA: re-phrase "should" with *"shall"* (TBD: this should be IR material; operator has to take into account CCM's activities with other operators, otherwise all req. in this section are invalidated) MS: amend txt A."..rest requirements *including those when his/her services are engaged by another operator."* B."..with special regard to *the fact that the required training is completed, compliance with other parts of the regulation is shown and the* flight and duty time limitations and rest requirements *are complied with."*	The text has been moved from GM to the rule as for FC and TC iaw EU-OPS Comments are partially accepted: the segment has been moved to IR as for FC and TC and clarified to be in line with the objective of the related EU-OPS requirements.	OPS 1.990 (e)	Annex 6 - Part I – Para 12.5
(c) Operating, cabin crew members as well as their rolewith regard to the safety of passengersand flight shall be clearly identified to the passengers.	IA: – clarify "clearly identified to pax" – txt too vague MS + IND: clarify "functions" & how these should be identified to pax MS + IA: amend txt "..to passengers *by wearing the operator's cc uniform."* IA: (comment confirmed by indiv.	Comments are partially accepted and the text has been clarified accordingly. It is the responsibility of each operator to find the most appropriate way to inform passengers as also required by the rule on 'passenger briefing'. The requirement to wear a uniform is specified in Chapter 2 for CAT under	OPS 1.989(a)	**x**

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	members): realign with EU-OPS	OR.OPS.CC.210(c)		
OR.OPS.CC.115 Conduct of training courses and associated checking (a) A detailed programme and syllabus shall be established by an operator for each training course in accordance with the applicable requirements of this Section,and of Part-CC where applicable, to cover the duties and responsibilities to be discharged by the cabin crew members.	IA: (comment confirmed by indiv. members): amend txt " A detailed programme *acceptable to the competent authority* shall be.." MS: amend txt "..by the operator *or ATO*.." – paragraph does not take into consideration that training can be provided by ATO	Training programmes are required to be part of the Ops Manual which must be approved as a whole. This subpart is OR.OPS. TO for CC are covered under national law. Approval by the Authority is also subject to compliance with all required training programmes (see AR.CC 100)	BR Annex IV (8)(a)(2)	Annex 6, Part-I, Para 12.4 + Part-II, Para 3.12.4 ICAO Doc 7192-AN/857, Part E-1, Para 1.2.3 + 1.2.4 + 2.1.4
(b) Each training course shall include theoretical and practical instruction together with individual or collective practice as relevant to each training subject in order that the cabin crew member achieves and maintains the adequate level of proficiency in accordance with this Section;			IEM to Appendix to JAR-OPS 1.1005/1.1010/1.1015/1.1020 Training methods	ICAO Doc 7192-AN/857, Part E-1, Para 2.1.1 + Para 2.1.2 + Para 2.1.3
(c) Each training course shall be: (1) conducted in a structured and realistic manner; and (2) performed by personnel suitably qualified and experienced for the subject to be covered.	IA: (comment confirmed by indiv. members): – re-phrase "..shall be conducted by *authorised instructors* experienced for the subject covered;" IND: re-phrase txt "..by personnel *who have been assessed and determined competent by the operator/authority to impart knowledge, train practical skills and carry out checking in order to ensure CCM's proficiency."* IA: establish qualification standards for CC Instructors MS + IND: – clarify "suitably qualified and experienced" and/or delete IND: proposal for definition of "suitably qualified & experienced": "*Suitably qualified & experienced personnel in this respect means personnel approved by competent authority to conduct this training. A TRI is considered suitably qualified and experienced to conduct the training according to OR.OPS.125.CC (b) and (c) in aircraft with less than 19 MAPSC."*	The text has been realigned as much as possible with EU-OPS The numerous requests to develop material for qualifications of trainers/instructors are noted to be addressed in a future rulemaking task. As the Agency is not tasked by the BR to act in the field of TO for cabin crew, the requests to develop criteria for training organisations will be mentioned as an open item in the Explanatory Note to the Opinion.	OPS 1.1005(c) & 1.1010 (d) BR Annex IV (8)(a)(2) OPS 1.1025	ICAO Doc 7192-AN/857, Part E-1, Para 1.2.4 + Para 2.1.4
(d) During or following completion of all training required by this Section, each cabin crew member shall undergo a checkcovering all trainingelements of therelevant training programme, except for crew resource management (CRM) training.Checks shall be performed by personnel suitably qualified to verify that the cabin crew member has attainedand/or maintains the required level of proficiency.	MS + IND: clarify intervals of proficiency checks and whether intention is to include proficiency check of SCCM IND: amend txt "..all training received *except SCCM* and CRM.." IA: (comment confirmed by indiv. members): amend txt "..shall be	Intervals are specified under each required training. The text has been realigned with EU-OPS and clarified as requested by comments and as a result of the consultation of the Review group on the basis that checking must be	OPS 1.1025 + ACJ OPS 1.1005/1.1010/1.015 (2.9)	ICAO Doc 7192-AN/857, Part E-1, Para 1.2.4 + Para 2.1.4

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	conducted for all *flight safety related* training received.." IND: amend txt "..shall be conducted for all *initial, recurrent, a/c type specific, refresher and SCCM* training *with the exception of CRM training."*	completed for all training required by this Section including Senior CCM, but excluding CRM as it is an issue that requires coordinated action on CRM principles and CRM for FC		
(e) CRM training courses, and CRM modules where applicable, shall be conducted by a cabin crew CRM instructor. When CRM elements are integrated in other training, a cabin crew CRM instructor shall manage the definition and implementation of the syllabus..		This new (e) has been added to make clear as in EU-OPS that particular requirements apply to CRM and to qualifications of CRM instructors		
OR.OPS.CC.120 Initial training course Each new entrant who does not already hold a valid cabin crew attestationissued in accordance with Part-CC: (a) shall be provided with aninitial training course as specified in CC.TRA.120; and (b) shall successfully undergo the associated check, or examination in the case of applicants for a cabin crew attestation, before being provided with any other training required by this Section. (c) Elements of the initial training programme may be combined with the first aircraft type-specific training or operator conversion training, provided that the requirements of CC.TRA.120 are met and any such element(s) are recorded as elements of the initial training course in the training records of the cabin crew members concerned.	IND: existence of central body approving all training providers would ensure training is compliant IA: (comment confirmed by indiv. members): – there should be a possibility to use ATO; amend txt "The operator shall *ensure that the CCM is provided with an IST course* iaw.." MS: CC with previous experience – clarify whether operator has to provide full IST or only parts that are not documented by new entrant CC; amend txt "..IST iaw *current* applicable requirements…issued iaw *current* Part-CC." IND: maintain requirement for the operator to provide IST (standards of the attestation issuing organization may not be of a similar level to those of the operator – it could have a safety impact); delete txt *"unless the CCM holds a CCA issued in accordance with Part-CC"*	BR Chapter III does not foresee approval by EASA (as a central body), Approvals of organisations are the responsibility of the competent national authority. TO may be used under the responsibility of the operator: the text has been revised for clarity purposes. Title and text have been amended to reflect the comments received on this segment inc. those relating to the scope of initial training (comments on Part-CC) This comment conflicts with BR and cannot be accepted as the CC attestation is entitled to mutual recognition across EU: the text has been amended for clarity purposes	x OPS 1.1005	ICAO Doc 7192-AN/857, Part E-1, Para 1.2.3.2 Annex 6, Part-I, Para 12.4 + Annex 6, Part-II, Para 3.12.4 + ICAO Doc 7192-AN/857, Part E-1, Para 1.1.2 + Para 1.1.4 + Para 1.2.3.2 + Para 1.2.4 + Para 2.1.4
OR.OPS.CC.125 Aircraft type-specific training and Operatorconversion training	IND: EU-OPS allows tailoring differences training to operation (will it be necessary to cover all elements listed if they are identical to SOPs?)	No change compared to EU-OPS: in consultation with the Review group, 'Differences training' has been moved under a separate rule New OR.OPS.CC.130 for clarity purposes. In all cases, it is the responsibility of the operator to identify any differences with the training completed iaw OR.OPS.CC.125 and to (re)train the cabin crew as necessary.	OPS 1.1010	Annex 6, Part-I, Para 12.4 Annex 6, Part-II, Para 3.12.4 ICAO Doc 7192-AN/857, Part E-1, Para 1.1.2; 1.2.3.1 + 1.2.3.5
(a) Each cabin crew member shall have completed appropriate aircraft type-specific training and operator conversion training, as well as the associated checks, before being:	No comments	The text has been amended for clarity and to reflect the transfer of the training programmes from Part-CC to this section of part-OR made in consultation with the	OPS 1.1010(a)	Refer to the above box (OR.OPS.125.CC)

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
		Review group.		
(1) first assigned by the operator to operate as a cabin crew member; or	IA (comment confirmed by indiv. members): amend txt "assigned *to safety duties*.." (only)	To specify/repeat under each segment would be redundant as this is a safety regulation regulating only safety aspects, and not any other (non safety related duties). Also, the definition of 'Cabin crew' which will be in the Cover regulation makes clear that CC are crew members qualified to perform duties related to the safety of passengers and flight during operations'. Editorial change for consistency with (2) below (= EU-OPS)	OPS 1.1010(a)(1)(i)	Refer to the above box (OR.OPS.125.CC)
(2) assigned by that operator to operate on another aircraft type.	IA (comment confirmed by indiv. members): amend txt "assigned *to safety duties*.." (only)	See response to the same comment to the above segments	OPS 1.1010(a)(1)(ii)	Refer to the above box (OR.OPS.125.CC)
	No comments	'Differences training' has been moved to a separate rule New OR.OPS.CC.130, for clarity purposes as highlighted by comments under other segments and in consultation with the review group,	OPS 1.1010(a)(2)	Refer to the above box (OR.OPS.125.CC)
	No comments		OPS 1.1010(a)(2)(i)	
	No comments		OPS 1.1010(a)(2)(ii)	
(b) The aircraft type-specific training programme shall: (1) involve training and practice on a representative training device or on the actual aircraft; and (2) cover at least the aircraft type-specific training elementsspecified in (i) to (vii), unless otherwise determined in the Operational suitability data established in accordance with Part-21 for the aircraft type: (i) aircraft general description; (ii) all safety equipment and systems installed relevant to cabin crew duties; (iii) operation and actual opening by each cabin crew member of each type or variant of normal and emergency doors and exits in the normal and emergency modes, (iv) demonstration of the operation of the other exits including flight crew compartment windows; (v) fire and smoke protection equipment where installed; (vi) evacuation slide training, where fitted; and	IA (comment confirmed by indiv. members): re-phrase as in EU-OPS; operator has no influence on Part 21 MS: F & S training to be included in operator's a/c type training	Type-specific elements will be defined by manufacturers iaw the final outcome of the NPA on Operational Suitability Data. The text has been clarified taking also into account feedback from the Review groups Following the comments received on Part-CC and feedback from the Review group, the aircraft type-specific training programme has been transferred from Part-CC into this section and the distribution between 'a/c type-specific' and 'operator conversion training' has been revised also according to comments, and to be consistent with the other training elements specified in all the next sub-paragraphs.	Detailed references are listed in Drafting Document Part-CC	Detailed references are listed in Drafting Document Part-CC

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
(vii) operation of the seat and harness mechanism and oxygen system equipment relevant to pilot incapacitation.				
(c) The operator conversion training programme for each aircraft type to be operated shall:	No comments		Appendix 1 to OPS 1.1010	x
(1) involve training and practice on a representative training device or on the actual aircraft;	IND: re-phrase txt "Involve training and practice *by means of the appropriate training tools and support representative of the complexity of the cabin and its associated emergency features."* – level of sophistication of a training tool must be moved to AMC, so that manufacturers & operators have the max. flexibility in designing effective training tool	The current text does allow flexibility, whilst highlighting the importance of 'involving' (for relevant training elements) a representative' device i.a.w. accident investigations safety recommendations (e.g. emergency exit doors). The requirement to be 'representative' is to reflect the actual level of complexity.	OPS 1.1010(d)(3)	ICAO Doc 7192-AN/857, Part E-1, Para 2.1.2.7 + Para 2.1.2.8 + Para 2.1.2.9
(2) include training in the operator's standard operating procedures for cabin crew members to be first assigned to duties by the operator; and	No comments		OPS 1.1010(a)(1)(i)	Annex 6, Part-I, Para 12.4 + Part-II, Para 3.12.4.ICAO Doc 7192-AN/857, Part E-1, Para 1.1.2
(3) cover at least the following operator-specific training elements as relevant to the aircraft type to be operated:	No comments		Appendix 1 to OPS 1.1010	ICAO Doc 7192-AN/857, Part E-1, Table 1-1
(i) description of the cabin configuration; (ii) location, removal and use of all portable safety and emergency equipment carried on-board; (iii) all normal and emergency procedures;	No comments	Different wording used in EU-OPS for 'safety and/or emergency' equipment', and for 'normal and/or emergency or safety procedures' have been reconsidered in consultation with the Review group. As a result, it has been decided to standardise the terminology used for consistency of the whole Section, as described in new GM1-OR.OPS.CC.115(a).	Appendix 1 to OPS 1.1010(a)(2)	**x** ICAO Doc 7192-AN/857, Part E-1, Para 5.3
(iv) passenger handling and crowd control;	No comments	Editorial change as more consistent for a heading that introduces the related AMC for more details	Appendix 1 to OPS 1.1010(f) & (i)	ICAO Doc 7192-AN/857, Part E-1, Para 4.2.2(7)(8)(9)(12) + 4.2.2(11) + 5.8.2(9)
(v) fire and smoke training including the use of all related fire-fighting and protective equipment representative of that carried on-board;;	No comments	The text has been realigned with EU-OPS as requested for fire fighting under other segments	Appendix 1 to OPS 1.1010(b)	ICAO Doc 7192-AN/857, Part E-1, Para 5.4 + Para 5.5
(vi) evacuation procedures;	No comments	Editorial change	Appendix 1 to OPS 1.1010(e)	ICAO Doc 7192-AN/857, Part E-1,

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
				Para 5.8
(vii) pilot incapacitation procedures; and	No comments	Editorial change for consistency	Appendix 1 to OPS 1.1010(g)	**x**
(viii) crew resource management.	IND: clarify the value of CRM in differences training when already covered annually – EU-OPS allows omitting this subject if operator's CRM has been completed	Please refer to response in box below.	Appendix 1 to OPS 1.1010(k)	ICAO Doc 7192-AN/857, Part E-1, Chapter 7
OR.OPS.CC.130 Differences training (a) In addition to the training required in OR.OPS.CC.125, a cabin crew member shall complete appropriate training and checking covering any differences before being assigned on: (1) a variant of an aircraft type currently operated; or (2) a currently operated aircraft type or variant with different: (i) safety equipment; (ii) safety and emergency equipment location; or (iii) normal and emergency procedures. (b) The differences training programme shall: (1) be determined as necessary on the basis of the training programmes specified in OR.OPS.CC.125(b) and (c); and (2) involve training and practice in a representative training device or the actual aircraft		The CRM training table does not include 'Differences training', the content of which must be defined 'as relevant' by the operator to cover existing differences. Also, for clarity purposes, and in consultation with the review group, differences training has been moved as a separate rule New OR.OPS.CC.130		
OR.OPS.CC.135 Familiarisation			OPS 1.1012	ICAO Doc 7192-AN/857 Part E-1, Para 1.2.3.3
After completion of operator conversion training on an aircraft type , each cabin crew member shall complete appropriate supervised familiarisation on the type before being assigned to operate as one of the required cabin crew.	MS: re-phrase "..CCM with comparable experience.." with "..*each* CCM.." IA (comment confirmed by indiv. members): define "previous comparable experience" IA: define "appropriate" IA: amend txt "..under supervision *by an authorised CC Instructor* before.."	Requests are noted for future rulemaking action subject to task prioritisation and RIA. Supervision is detailed in related AMC1-OR.OPS.CC.135(point 3)	Refer to the above box (title OR.OPS.130.CC)	Refer to the above box (title OR.OPS.130.CC)

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
OR.OPS.CC.140 Recurrent training	IND: – create new paragraphs & include 'validity' in rule material (rather than AMC) *"(b)(10)Validity of annual recurrent training – EU-OPS txt"* *"(c)(5) Validity of triennial recurrent training..- EU-OPS txt"*	Comments accepted: the validity provisions have been moved to the rule as point (d) with wording consistent with that used for FC iaw with EU-OPS	BR Annex IV (7)(b)(i) OPS 1.1015	Annex 6, Part-I, Para 12.4 Annex 6, Part-II, Para 3.12.4 + ICAO Doc 7192-AN/857, Part E-1, Para 1.1.2 Para 1.1.4; 1.2.3.4 + Chapter 9
(a) Each cabin crew member shall complete annually recurrent training and checking covering at least the training elements specified in (b) and (c). The recurrent training programme shall cover all actions assigned to each member of the cabin crew in normal and emergency procedures and drills relevant to each aircraft type or variant to be operated.	No comments	Editorial changes for clarity and consistency purposes.	OPS 1.1015(a)	ICAO Doc 7192-AN/857, Part E-1, Chapter 9 + Table 1-1
	IA (comment confirmed by indiv. members): realign validity periods with EU-OPS IA (comment confirmed by indiv. members): keep NPA txt, it gives opportunities for other training methods (e.g. e-learning)	Comments accepted: the validity provisions have been moved to the rule as point (d) with wording amended for clarity and consistency with that used for FC For training methods, operator shall in all cases comply with OR.OPS.CC.115 + related AMC	Appendix 1 to OPS 1.1015(b)	Annex 6, Part-I, Para 12.4 ICAO Doc 7192-AN/857, Part E-1, Para 1.1.2; 1.2.3.1; 1.2.3.4 (12m); 9.1.2 + Para 1.1.4
(b) *Aircraft type-specific training elements* (1) Training shall include annually touch-drills by each cabin crew member for simulating the operation of each type or variant of normal and emergency doors and exits for passenger evacuation; (2) Training shall also include at intervals not exceeding three years: (i) operation and actual opening by each cabin crew member, in a representative training device or in the actual aircraft, of each type or variant of normal and emergency exits in the normal and emergency modes; (ii) operation of the flight crew compartment security door in both normal and emergency modes, and of the seat and harness mechanism and oxygen system equipment relevant to pilot incapacitation; demonstration of the operation of all other exits including flight crew compartment windows; and (iv) demonstration of the use of the slide-raft, or life-raft, where fitted.	IA (comment confirmed by indiv. members): delete (not in EU-OPS) IS + IN: fire / smoke / safety equip. incl. donning missing IA (comment confirmed by indiv. members): to be completed every 12 months, 03-years interval is insufficient; move section (2) to (b)(1) IND: clarify; contradiction to AMC OR.OPS.135.CC where door operation falls	A/C type-specific training programme has been moved from Part-CC into this section as requested by many comments; and realigned to EU-OPS, taking into account other changes and avoiding duplications Omission has been corrected in (c) (1) (i) below. The text is maintained as aligned with EU-OPS Wording on 'touch-drills' has been clarified for clarity purposes in consultation with the Review group. Point (2) new (ii) on 'operation of the flight deck security door in both normal and emergency modes', has been included as proposed by comments in box below and in consultation with the Review group. The text is in line with EU-OPS: touch-drills annually + actual operation every 3 years. AMC has been clarified and realigned with EU-OPS, inc. additions deriving from the redistribution of training elements from Part-CC and between type-specific and operator-	Appendix 1 to OPS 1.1015(b) (b)(10) & (b)(8) & (b)(9) OPS 1.1015(a) & (b3) Appendix 1 to OPS 1.1015(c)(1) & (c)(6)	Annex 6, Part-I, Para 12.4 + ICAO Doc 7192-AN/857, Part E-1, Para 1.1.2 + Para 9.1.2 + Para 9.3 + Table 1-1

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	into annual requirement	related		
(c) Operator-specific training elements (1) Training shall include annually: (i) by each cabin crew member: - location and handling of all safety and emergency equipment installed or carried on board; and - the donning of lifejackets, portable oxygen and protective breathing equipment (PBE); (ii) stowage of articles in the cabin; (iii) procedures related to aircraft surface contamination; (iv) emergency procedures; (v) evacuation procedures; (vi) incident and accident review; (vii) crew resource management; (viii) aero-medical aspects and first aid including related equipment; and (ix) security procedures.	MS: touch drill missing IA (comment confirmed by indiv. members): point (b)(1): define / explain "safety equipment" and delete word "all" IA (comment confirmed by indiv. members): point (b)(3): be more specific about a/c related contamination and amend txt "..in case of *airplane* surface.." MS: point (b)(8): divide subjects into annual and triennial requirement IA (comment confirmed by indiv. members): triennial cycle only MS: point (9): re-phrase *"operator security procedures training"*	Touch-drills are specified in (b)(1) above (moved from Part-CC) Text realigned with EU-OPS and clarified. Please see also new GM1-OR.OPS.CC.110 on 'Equipment and procedures' The text has been clarified accordingly. The text has been clarified accordingly. Part OR.OPS in its entirety is directed, and relate, to operators.	Appendix 1 to OPS 1.1015(b) (b)(4) (b)(6) (b)(9) (b)(1) (b)(2) (b)(8) (b)(10) (b)(5) (b)(7)	Annex 6, Part-I, Para 12.4 + ICAO Doc 7192-AN/857, Part E-1, Para 1.1.2 + Para 9.1.2 + Para 9.3 + Table 1-1
(2) Training shall also include at intervals not exceeding three years: (i) use of pyrotechnics (actual or representative devices); (ii) practical demonstration of the use of flight crew check lists; (iii) realistic and practical training in the use of all fire-fighting equipment, including protective clothing, representative of that carried in the aircraft; and (iv) by each cabin crew member: - extinguishing a fire characteristic of an aircraft interior fire; and - donning and use protective breathing equipment in an enclosed simulated smoke-filled environment.	MS: extend text ".. years. *The period of validity and associated checking should be 36 months in addition to the remainder of the month of completion."* IND: create new paragraph *"(5) donning by each CCM of lifejackets, portable oxygen and PBE"*	Suggestion is different from EU-OPS which specifies that the training may be completed within the final 3 calendar months of validity of the previous check and in such cases the validity will extend until 12 months after the expiry date of the previous check. Validity provisions have been moved to OR.OPS.CC.110(d). The text has been added under (c) (1)(i) as requested by comment and in line with EU-OPs	Appendix 1 to OPS 1.1015(c)	**x**
(c) Validity period (1) The validity period shall be 12 calendar months counted from the end of the month when the check was taken. (2) When recurrent training and checking required in (a) are undertaken within the last three calendar months of the validity period, the new validity period shall be counted from the original expiry date. (3) When the validity period of the last recurrent training and		Validity provisions under former point 2. of (NPA) AMC.OR.OPS.135.CC have been moved back to the rule as requested by many comments and to realign with EU-OPS		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
checking has expired, cabin crew members shall complete aircraft type-specific training and operator conversion training in accordance with OR.OPS.CC.125(b) and (c) for the aircraft to be operated before being reassigned to flying duties.				
	(c)(1)(i) IND: re-phrase txt – there is no reference to the use of protective breathing equipment in an enclosed simulated smoke filled environment *(i)"Each CCM extinguishing a fire characteristic of an a/c interior fire using the operators equipment"* *(ii) "The donning and use of protective breathing equipment by each CCM in an enclosed simulated smoke-filled environment"* MS: include smoke training in a triennial requirement; NPA refers to fire fighting only MS: the use of operator's equipment in practical fire fighting is unreasonable **(c)(1)(ii)** MS: agree IA (comment confirmed by indiv. members): define "if applicable" IA: amend txt "..applicable *and practical operation of the flight deck security door in both normal and emergency modes"*	Comments accepted taking also into account that detailed elements should be AMC ⇨ text realigned with EU-OPS accordingly: please refer to revised text in (c) (2) (iii) and (iv) above Comments accepted: the text has been clarified taking also into account that detailed elements should be AMC ⇨ text (inc. AMC) realigned with EU-OPS accordingly: please refer to revised text in (b)(2)(ii) and (c)(2)(ii) above	Appendix 1 to OPS 1.1015(c)(3) & (c)(3)(i) (c)(6)	Annex 6, Part-I, Para 12.4 + ICAO Doc 7192-AN/857, Part E-1, Para 9.3(3)
	No comments		Appendix 1 to OPS 1.1015(c)(4)	ICAO Doc 7192-AN/857, Part E-1, Para 9.3(8)
	No comments		Appendix 1 to OPS 1.1015(c)(5)	ICAO Doc 7192-AN/857, Part E-1, Para 9.3(7)(9)
	IA (comment confirmed by indiv. members): re-phrase txt *"be informed about the* operation of all other exits including.."	The text has been maintained as in line with EU-OPS. It is now under (b)(2)(iv) above.	Appendix 1 to OPS 1.1015(c)(2)	ICAO Doc 7192-AN/857, Part E-1, Para 9.3(6)

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
OR.OPS.CC.145 Refresher training	MS: amend txt "refresher training *on type*"	The title reflects that of EU-OPS	OPS 1.1020 AMC OPS 1.1020 BR Annex IV (7)(b)(i)	Annex 6, Part-I, Para 12.4 + Part-II, Para 3.12.4 ICAO Doc 7192-AN/857, Part E-1, Para 1.1.2; 1.1.4; 1.2.3.1
(a) When within the validity period of the last relevant recurrent training and checking, (1) a cabin crew member who has not performed any flying duties for more than six months shall, before being reassigned to such duties, complete for each aircraft type to be operated either: (i) refresher training and checking; or (ii) recurrent training and checking.	IND: amend txt "..for more than *a predetermined period of time, as determined by the operator and dependent from the complexity of the cabin and associated features,* shall undergo .." – the need for refresher depends on the complexity of the cabin; timeframe for completion of refresher to be moved to AMC, allowing operators to select different timeframes - proving equal or better safety	The text has been maintained as in line with EU-OPS. Related ACJ transposed from Section 2 of Jar-OPS into GM indicates that when cabin and features are complex, refresher training should be considered by the operator for periods shorter than 6 months	OPS 1.1020(a) OPS 1.1020(b)(1) OPS 1.1020(b)(2)	Annex 6, Part-I, Para 12.4 Annex 6, Part-II, Para 3.12.4.1 ICAO Doc 7192-AN/857, Part E-1, Para 1.2.3.1
(2) a cabin crew member who has not performed flying duties on one particular aircraft type during the preceding six months shall, before being assigned on that type, complete either: (i) refresher training and checking; or (ii) two familiarisation flights on the aircraft type in accordance with OR.OPS.CC.135.	IA (comment confirmed by indiv. members): point (b)(2): define and/or delete 'appropriate supervision' IA (comment confirmed by indiv. members): point (b)(2): information reg. 2 sectors is not given and when read in conjunction with OR.OPS.210.CC it leads to conclusion that CCM shall not wear a uniform; create AMC to OR.OPS.140.CC stating that 2 refresher sectors should be operated iaw AMC OR.OPS.130.CC/3	The text has been clarified and realigned with EU-OPS. Familiarisation flights are described in AMC1-OR.OPS.CC.135	OPS 1.1020(b) (b)(1) (b)(2)	Annex 6, Part-I, Para 12.4 + Annex 6, Part-II, Para 3.12.4.1 + ICAO Doc 7192-AN/857, Part E-1, Para 1.2.3.1
(b) The refresher training programme for each aircraft type shall at least cover÷ (1) emergency procedures; (2) evacuation procedures; (3) operation and actual opening, by each cabin crew member, of each type or variant of normal and emergency exits in the normal and emergency modes; (4) demonstration of the operation of the flight crew compartment security door and of all other exits including the flight crew compartment windows; and(5) location and handling of all relevant safety and emergency equipment installed or carried on-board.	MS: point (c)(1): include 'pilot incapacitation training' MS: point (c)(2): include 'crowd control training' IA (comment confirmed by indiv. members): point (c)(4): re-phrase 'demonstration' with *"be informed about* the operation.." or realign with EU-OPS MS + IND: point (c)(5): extend txt or create a new paragraph with the proposed extended txt "..equipment carried *including oxygen systems and the donning of lifejackets, portable oxygen and protective breathing equipment."*	Both elements are covered in AMC ⇨ pilot incapacitation and crowd control are part of training on 'emergency procedures' The text is already in line with EU-OPS. Flight crew compartment security door has been added as requested by comments and in consultation with the review group and FC compartment windows have been added to be consistent with the revised aircraft type-specific training Editorial change for clarity. The detailed elements are specified in AMC. Comment accepted in consultation with the Review group: please refer to GM1-	Appendix 1 to OPS 1.1020(1)(2)(3)(4)(5)	No specific reference to refresher training, references for recommended training programme of recurrent can only be referred to: ICAO Doc 7192-AN/857, Part E-1, Para 9.3 + Table 1-1

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	IA (comment confirmed by indiv. members): point (c)(5): define 'safety equipment' MS + IND: create a new paragraph (realign with EU-OPS) *"(d) Operator may substitute recurrent training for refresher training if the re-instatement of the CCM's flying duties commences within the period of validity of the last recurrent training and checking. If the period of validity of the last recurrent training and checking has expired, a/c specific type and operator a/c type training is required."*	OR.OPS.CC.115(a) Comments accepted: please refer to new OR.OPS.CC.145 (a) above and OR.OPS.CC.140 new (d)(3)		
Chapter 2 **Additional requirements for commercial air transport**			x	x
OR.OPS.CC.200 Number and composition of cabin crew	IA (comment confirmed by indiv. members): reduce and simplify txt	The text has been revised and moved to OR.OPS.CC.100, except as regards the nomination of a Senior CCM	BR Annex IV (7)(a)	Annex 6, Part-I, Para 12.1 + Annex 6, Part-II, Para 3.12.1 + ICAO Doc 7192-AN/857, Part E-1, Para 1.1.1
	IA: re-phrase txt: *"The minimum number of cabin crew members shall be the greater of:* *(1) that specified by the certification requirement of Part 21; or* *(2) that specified in OR.OPS.105.CC."* IA (comment confirmed by indiv. members): realign txt with EU-OPS; operator has no influence on Part 21, there's a link via OM MS: according to text it will not be possible to operate an a/c with less CC than determined by the number of seats in the type certificate; reducing seats / CC should be allowed to continue MS + IND: no procedure indicated if operator has less than the same number of seats; realign with EU-OPS IA (comment confirmed by indiv. members): re-phrase txt "..type or variant *shall apply when the cabin configuration to be operated has the same number of pax seats installed as the certification configuration but should never be less*	Proposal partially accepted: the text has been amended and moved to OR.OPS.CC.100. The text cannot be fully realigned with EU-OPS as risk of mismatch with the applicable certification requirements [see also BR Annex IV 7.a (i)] should be avoided A seating capacity different by 50 seats or more (from that of the type certificate or supplemental type certificate of another cabin configuration/seating capacity) is a 'major change and, as such should also comply with the relevant certification process relating to the evacuation demonstration test or analysis required by CS.25.803 [see also BR Annex IV 7.a (i)]. In case the process to show compliance of a specific seating capacity would not have been completed yet, the one CCM per 50 Pax seats	BR Annex IV (7)(a)(i)(ii) IEM OPS 1.990(1)	Annex 6, Part-I, Para 12.1 + Annex 6, Part-II, Para 3.12.1 + ICAO Doc 7192-AN/857, Part E-1, Para 1.1.1

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	than OR.OPS.105.CC. If the a/c is operated with less pax seats installed than the certification configuration then the provisions of OR.OPS.105.CC shall apply."	rule would apply. The text has been revised and further explained with a new GM		
	IA (comment confirmed by indiv. members): delete or realign with EU-OPS IA: create AMC to this paragraph *"Determination of the number and composition of CC: Factors to be taken into account should include: the type and duration of the flight to be operated."*	This point has been moved to OR.OPS.CC.100(a) which now includes a reference to ER 7.(a) of Annex IV	BR Annex IV (7)(a)(iii)	X
When more than one cabin crew member is required, the composition of the cabin crew shall include a senior cabin crew member nominated by the operator and qualified in accordance with OR.OPS.CC.260	No comments		OPS 1.1000(a)	x
OR.OPS.CC.205 Minimum number of cabin crew in unforeseen circumstances and during ground operations (a) Whenever any passengers are on board an aircraft, the applicable minimum required number of cabin crew shall be present in the passenger cabin, except that this number may be reduced either: (1) in unforeseen circumstances provided that: (i) the number of passengers to be carried on the flight has been reduced; and (ii) a report is submitted to the competent authority after completion of the flight; or (2) during ground operations when the aircraft is at its parking station provided that no refuelling/defuelling is taking place. In these cases, the conditions specified in (b) shall be met,	MS + IND: create a requirement – procedures for evacuation with reduced CC on board to be included in OM IA: re-position paragraphs – move (3) before (2) ((3) is connected to (2ii) by the word 'and'. If (2i) applies, there is no connection to (3)). IND: – delete (it cannot apply for a 50-seater or less certified with 1 CC; not justified, not introduced in explanatory notes) & re-phrase *"there is at least 1 CCM for every 50 or fraction of 50 pax carried on the same deck of the a/c;*	Comments on former segment (d) have been accepted in principle: Please refer to new separate rule OR.OPS.CC.205. The text has been realigned with EU-OPS as much as possible but wording and order have been revised for clarity purposes and avoidance of repetitions. Comment partially accepted: please refer to the revised text in new OR.OPS.CC.205 point (a)(2)	OPS 1.1990(d)	Annex 6, Part-I, Para 12.1 + Annex 6, Part-II, Para 3.12.1 + ICAO Doc 7192-AN/857, Part E-1, Para 1.1.1
(b) The conditions to be met as required in (a) are the following: (1) procedures providing equivalent safety with the reduced number of cabin crew, in particular for evacuation of passengers, are established in the operations manual;	MS + IND – re-phrase txt *"the number of pax has been reduced iaw procedures specified in OM"* MS: reduction of pax (special categories) vs. reduction of CC conflicts with EC 1107/2006	Reduction of number of PAX must be determined iaw procedures specified in the OM (please refer to revised point (a)(1) and AMC1-OR.OPS.CC.205 (b). Reduction in this case does not conflict with EC 1107/2006 as safety rules relating to minimum cabin crew versus number of PAX must be complied with, for the safety of all occupants. In consultation of the Review group, reference to SCPs has however been deleted as not considered necessary in this segment.	OPS 1.1990(d)(1)	
	No comments			

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	IA (comment confirmed by indiv. members): – see below		OPS 1.1990(b)(1)	Annex 6, Part-I, Para 12.1 + Part-II, Para 3.12.1 +
(2) the reduced cabin crew includes a senior cabin crew member as specified inOR.OPS.CC.260. (3) there is at least one cabin crew member for every 50, or fraction of 50, passengers present on the same deck of the aircraft; (4) the number determined in accordance with (3) shall be increased to include one cabin crew member per pair of floor level emergency exits in the case of ground operations with the aircraft requiring more than one cabin crew member.	IA (comment confirmed by indiv. members): – delete (it cannot apply for a 50-seater or less certified with 1 CC; not justified, not introduced in explanatory notes) & re-phrase *"there is at least 1 CCM for every 50 or fraction of 50 pax carried on the same deck of the a/c; and"* IND: realign with EU-OPS 1.1990(b)(2) IND: delete 'whichever number is the greater'	Comments partially accepted: please refer to the revised text in new OR.OPS.CC.205 point (b) Please refer to response under box on OR.OPS.CC.200 'Number and composition of cabin crew' 'Whichever is the greater' is transposed fromEU-OPS. However, a different wording is used to fit with the text whilst ensuring the same circumstances as in EU-OPS are covered.	OPS 1.311(a)	Annex 6, Part-I, Para 12.1 + Annex 6, Part-II, Para 3.12.1 + ICAO Doc 7192-AN/857, Part E-1, Para 1.1.1
	No comments		OPS 1.1990(d)(2)	x
	IA (comment confirmed by indiv. members): + IA + IND: operator should establish an evacuation procedure; proposals: **A.**create a new paragraph *"(f) During disembarkation when the number of pax remaining on board is less than 20, the minimum number of CC present in the pax cabin may be reduced below the minimum number of CC required iaw paragraph (d) above, provided that* *1)the operator has established a procedure for the evacuation of pax with this reduced number of CC that has been accepted by the authority as providing equivalent safety; and* *2)the SCCM is present in the pax cabin"* **B.**create a new paragraph *"(4) the operator has an evacuation procedure acceptable to the competent authority for operation with reduced CC"* **C.**add paragraph EU-OPS 1.311 b) **D.**realign with EU-OPS	Comments accepted in principle: Please refer to new separate rule OR.OPS.CC.205. The text has been realigned with EU-OPS as much as possible but wording and order have been revised for clarity purposes and avoidance of repetitions.	OPS 1.311(a)	Refer to the above box (ii)

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	IA (comment confirmed by indiv. members): delete		OPS 1.311(a)	Refer to the above box (ii)
	IND: prohibit defueling with pax on board / embarking / disembarking IND: correct txt *"no refuelling is taking place"* ; defueling with pax on board prohibited by ICAO	The proposed change deviates from EU-OPS. For this reason an in consultation with the Review group, the text is maintained until all possible side aspects can be assessed.	OPS 1.311(a)(2)	ICAO Doc 9137-AN/898, Part I, Para 16.3.3
	No comments		OPS 1.311(a)(1) + Appendix 1 to OPS 1.311(3)	Refer to the above box (ii)
OR.OPS.CC.210 Conditions for assignment to duties	IND: realign with EU-OPS		OPS 1.995	ICAO Doc 7192-AN/857, Part E-1, Para 1.2.2
Cabin crew members shall only be assigned to duties, and operate,on a particular aircraft type or variant if they: (a) hold a valid attestation issued in accordance with Part-CC;	IA (comment confirmed by indiv. members) + IA+ MS: 01:amend txt **A.** "..assign *to duty..*" **B.** "..assign *for safety duties only* CCM.." (assigning 'service crew' should be possible) **C**. ".. holding a CCA iaw Part-CC *and have completed the additional training according to Part-CC"* (CCA to be limited to initial training only) IND: delete requirement for CCA IA: create a new paragraph: *"(a)(2) having undergone a/c type training in accordance to OR.OPS.125.CC for the a/c assigned to"*	Most comments on this segment have been accepted in principle: text has been revised and realigned with EU-OPS but wording and order amended for clarity purposes and avoidance of repetitions. CCA is not limited to initial training only: please refer to BR – Art.8 (5)(e) CC.CCA.100 is directed to cabin crew whilst OR.OPS.CC.110 and 210 are directed to operators. The requirement for a CCA must be known by both. Please refer to new (b) in revised text	BR Article 8(4) OPS 1.995(c)	Annex 6, Part-I, Para 12.1 + ICAO Doc 7192-AN/857, Part E-1, Para 1.1.1
(b) comply with all applicable requirements of this Section; and (c) wear the operator's cabin crew uniform.	IA: supported IA (comment confirmed by indiv. members): realign with EU-OPS MS: reinstate paragraph from EU-OPS: *"(b)(3) other personnel who undertake non-safety related tasks in the cabin shall not wear a uniform which might identify them to passengers as a CCM"* MS + IND: point (b)(1): re-consider and/or create GM to this rule: *"1.CCM who becomes incapacitated in-flight may continue to wear operator's uniform for the flight.* *2.CC may position in operator's uniform if*	Noted The text has been revised and simplified to be realigned with EU-OPS. Further details are described in new GM1-OR.OPS.CC.210(c) Requirements applicable to personnel or crew members other than cabin crew are not relevant to this Section and are specified where relevant (as in EU-OPS) in various segments of Part-OPS.	OPS 1. 989(a)	X

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	type-qualified on the operator's a/c." IND: clarification required 'only CCM assigned to duties on a flight wear the operator's uniform' (are positioning crew excluded?) IND: not to be applicable for operations with a/c of MAPSC 19 or less; flexibility to these operators should be provided IA (comment confirmed by indiv. members): delete "and only" IND + IA + US IND delete or realign with EU-OPS MS + IA: point (b)(2): clarify: A. "compatible" B. "clearly identifiable to passengers" C. "compatible with safety functions of CC"	Comments on this segment have been partially accepted: please refer to response above and to the revised text Comments on this segment have been partially accepted: please refer to response above and to the revised text		
OR.OPS.CC.215 Conduct of training courses and associated checking			x	X
(a) Training programmes and syllabi required by this Section shall be approved by the competent authority and specified in the operations manual. (b) Following the successful completion by cabin crew members of a training course and the associated check required to maintain the validity of their cabin crew attestations, an operator shall: (1) update the training records of each cabin crew attestation holder in accordance with OR.OPS.MLR.115; and (2) provide the holder with an updated list showing the validity period of the relevant training and checking for each aircraft type and variant which the cabin crew member is qualified to operate on.	MS + IA (comment confirmed by indiv. members): + IND: delete and/or realign with EU-OPS (no template available, operators will have different formats causing non-standardisation)	The requirement for approval of training programmes has been moved back to this Section to be realigned with EU-OPS. CCA must be maintained valid and compliance with the rules must be shown, particularly in case of ramp inspections. A list of a/c provided by the operator and used as an annex to the CCA is still proposed as considered easier than the process of re-issuing or revalidating the CC attestation itself A template could be proposed as AMC or GM to facilitate standardisation and mutual understanding.	OPS 1. 1035(4)	X
OR.OPS.CC.250 Operation on more than one aircraft type or variant			OPS 1.1030	
(a) Unless otherwise determined by the relevant operational suitability data established in accordance with Part-21 for therelevantaircraft type, variants of that aircraft type shall be considered as different types for the purpose of cabin crew training and qualifications when they are not similar in all the following aspects:	**(a)(1)** IA (comments confirmed by indiv. members) delete reference to Part 21 and realign with EU-OPS IA (comments confirmed by indiv. members) delete (operator has no	The text has been realigned with EU-OPS as much as possible. However, it also needs to be consistent with the applicable certification requirements, as required by BR Annex IV 7.a (i), taking into account the NPA on operational suitability data. Operators may have no influence on Part-21. They may	OPS 1.1030	

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
(1) emergency exit operation; (2) location and type of portable safety and emergency equipment; and (3) type-specific emergency procedures.	influence on Part 21) MS + IA – clarify applicability – type/variant for CC has not been established in all a/c types A/C manufacturer – re-phrase txt "..variants *as defined in the relevant Operational Suitability Certificate issued iaw Part 21"* **(a)(2)** IND: define "similar" IND: simplify txt (wording confusing, txt difficult to understand) MS + IA: amend txt "..portable safety equipment, *emergency exit operation* and in the emergency procedures"	however, operate aircraft only if in compliance with the applicable airworthiness code. Comment accepted in principle: the text has been clarified accordingly in point (a) Comment accepted in principle and reflected in the revised (a)(1) 'Similarities' are defined in AMC OR.OPS.CC.250 (copied from ACJ OPS 1.1030 (2)) Comments accepted: text simplified and realigned with EU-OPS		
(b) Cabin crew members shall not be assigned to operateon more than three aircraft types determined in accordance with (a), except that, with the approval of the competent authority,cabin crew members may be assigned to operate on four aircraft types provided that for at least two of the types: (1) safety and emergency equipment and type-specific normal and emergency procedures are similar; and (2) non-type-specific normal and emergency procedures are identical.	No comments	The text has been realigned as much as possible with EU-OPS as generally requested. 'emergency' has been added for consistency purposes as explained above and described in GM1-OR.OPS.CC.110	OPS 1.1030(a)(1) & (2)	X
OR.OPS.CC.255Single cabin crew member operations			OPS 1.1002	Annex 6, Part-I, Para 12.1 +ICAO Doc 7192-AN/857, Part E-1, Para 1.1.1
(a) An operator shall select, recruit, train and check the proficiency of cabin crew members to be assigned to single cabin crew member operations according to criteria appropriate to this type of operation.	No comments		OPS 1.1002(b)	
(b) Cabin crew members who have noprevious operating experience as single cabin crew member shall only be assigned to such type of operation after they have:	MS: re-phrase txt "CCM *who do not have previous comparable experience shall only be assigned to single CCM operations after they : »*	Comment accepted in principle: the text has been realigned as much as possible with EU-OPS	OPS 1.1002	
(1) completed training as required in (c)in addition to other applicable training and checking required by this Section;	No comments	Text has been revised for clarity purposes	OPS 1.1002(a)(1)	ICAO Doc 7192-AN/857, Part E-1, Para 1.2.3.1
(2) successfully passed the checks verifying their proficiency in discharging their duties and responsibilities in accordance with the procedures specified in the operations manual; and	No comments	The text has been realigned as much as possible with EU-OPS as generally requested.	OPS 1.1025	ICAO Doc 7192-AN/857, Part E-1, Para 1.2.4; 2.1.4

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
(3) undertaken familiarisation flying of at least 20 hours and 15 sectors on the aircraft type under the supervision of a suitably experienced cabin crew member.	IND: – re-consider 20 hours / 15 sectors (change for 10 sectors) and/or amend txt ".familiarisation flying *for which the flying time and number of sectors is representative of the complexity of the cabin and its associated equipment and the complexity of the operations,* on the a/c type.."	The deleted words have been moved under (b) above. NPA text is in line with EU-OPS. In consultation with the Review group, it was considered that there was no sufficient justification or data to change the current text.	OPS 1.1002(a)(2)	ICAO Doc 7192-AN/857, Part E-1, Para 1.2.3.3
(c) The following additional training elements shall be covered to reflect single cabin crew operations: (1) responsibility to the commander for the conduct of normal and emergency procedures; (2) importance of coordination and communication with the flight crew, in particular when managing unruly or disruptive passengers; (3) review of operator requirements and legal requirements; (4) documentation; (5) accident and incident reporting; and (6) flight and duty time limitations and rest requirements.	MS + IA: create a new paragraph: *"(c)(6) documentation"* (as per Subpart-O, 1.1002)	Editorial changes for clarity Comment accepted: omission corrected	OPS 1.1002(a)(1) (i)(ii)(iii)(v)(vi) IEM OPS 1.1000(c) Senior Cabin Crew Training (b)(3)(5)(6)	Annex 6, Part-I, Para 12.4 + ICAO Doc 7192-AN/857, Part E-1, Para 1.1.2 + Para 1.1.4 + Para 1.2.3.1
OR.OPS.CC.260 Senior cabin crew member			OPS 1.1000	x
(a) An operator shall nominate cabin crew members to the position of senior cabin crew member only if they: (1) have at least one year of experience as operating cabin crew member; and(2) have successfully completed a senior cabin crew training course and associated checking in accordance with (b).	IND: point (a)(1): re-consider 01 year experience and/or replace with *"number of sectors or flight hours"* MS: point (a)(2): amend txt "..completed a senior cabin crew training course *including a check of proficiency"* IND: point (a)(2): delete "successfully" (is checking required?)	The text has been maintained following consultation of the Review group. It was considered that such a change would need to be discussed in a separate rulemaking task. Comment accepted in principle: the text has been amended accordingly in consultation with the Review group. All training (except CRM) require proficiency checking.	OPS 1.1000(c)	**x** Annex 6, Part-II, Para 3.12.4.2 + ICAO Doc 7192-AN/857, Part E-12, Para 2.1.4
(b) The senior cabin crew training course and associated checking shall cover all duties and responsibilities of senior cabin crew members including at least the following elements: (1) pre-flight briefing; (2) co-operation with the crew; (3) review of operator requirements and legal requirements; (4) accident and incident reporting; (5) human factors and crew resource management (CRM); and (6) flight and duty time limitations and rest requirements.	No comments	Editorial changes for clarity and consistency with the rest of the Section	OPS 1.1000(c) (1)(2)(3)(5)(4)(6) IEM OPS 1.1000(c) (1)(2)(3)(5)(4)(6)	Annex 6, Part-II, Para 3.12.4.2

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
(c) The senior cabin crew member shall be responsible to the commander for the conduct and coordination of normal and emergency procedures specified in the operations manual, including for discontinuing non safety-related duties for safety or security purposes.	MS: amend txt "..*and shall advise CC of any other actions such as securing passenger cabin and other applicable areas"*	The proposed change would be a repetition as CC duties referred to are already part of the procedures to be conducted. Moreover, this is further detailed in AMC1-OR.OPS.CC.260(c)	OPS 1.1000(b)	
(d) An operator shall establish procedures to select the most suitably qualified and experienced cabin crew member to replace the nominated senior cabin crew member in case he/she becomes unable to operate. Changes to these procedures shall be notified to the competent authority.	IND: realign with EU-OPS IND: re-phrase txt "..shall establish procedures to select the *next* most suitably qualified CCM to *operate as SCCM in the event of the nominated SCCM becoming unable to operate. Such procedures must be acceptable to the authority and take account for the CCM operational experience."*	Comments partially accepted: procedures are approved by the Authority as part of the OM. Changes not requiring prior approval shall be notified to the authority as required by Part-OR (OR.GEN). The 'experience' criteria is already covered by the NPA text.	OPS 1.1000(d)	
SECTION VII – TECHNICAL CREW MEMBER IN HEMS, HHO OR NVIS OPERATIONS				No SARPs
OR.OPS.TC.100 Scope		This section is based upon JAR-OPS 3 Subpart O. JAR-OPS 3 Subpart O is applicable to crew members other than flight crew. In consultation with helicopter experts during the NPA drafting, these other crew members were identified as crew members in HEMS, HHO and NVIS operations. No adverse comments were received on this point. For cabin crew JAR-OPS 3 already requires compliance with Subpart O of JAR-OPS 1/EU-OPS.	JAR-OPS 3.988	
This Section establishes the requirements to be met by an operator when operating an aircraft with technical crew members in Commercial Air Transport HEMS, HHO or NVIS operations.		Changes to clarify scope.		
	1. MS: The definition of TC should be moved to the cover regulation. 2. MS: If, as explained in NPA 2009-02a, the term "aerial task specialist" and "task specialist" cannot be used in COM there is a need to extend the scope of TC to these task specialists in COM so that training and operational requirements for such specialists will be standardised and controlled.	1. Definitions will be part of the cover regulation. The scope and definition have been edited to clarify the applicability. 2. The amended proposal for SPO foresees in-flight and ground task specialists. Crew members in aerial work might be required to undergo a similar programme depending on the activity. This is presently being addressed by the applicable paragraph in Part-SPO obliging the operator to establish SOP including the appropriate training. Certain training elements may be applicable to all crew members, except flight crew, in aerial work and CAT. As soon as these elements are identified, this subpart should then be amended accordingly.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
OR.OPS..TC.105Conditions for assignment to duties		Editorial amendment for consistency reasons		
(a) Technical crew members in commercial air transport HEMS, HHO or NVIS operations shall only be assigned duties if they:				
(1) are at least 18 years of age;			JAR-OPS 3.995(a)(1)	
(2) are physically and mentally fit to safely discharge assigned duties and responsibilities;	1. IND (duplicated), 2 MS: Medical requirements for 'technical' crew such as crew undertaking helicopter emergency medical services are not necessary. Technical crew members are defined as passengers and their incapacitation would have no impact on flight safety. 2. 1 MS: The medical requirements for CC in OR.OPS.110.CC and those for technical crew member in OR.OPS.015.TC should be identical.	1. TC are not passengers, they are crew other than flight or cabin crew. JAR-OPS 3 requires an initial medical examination or assessment. The Agency transposed this requirement in accordance with the ToR of task OPS.001. A HEMS "medical passenger" is not a TC. 2. The Basic Regulation establishes the legal basis for cabin crew medical requirements in ER 7.b. There is no comparable requirement for technical crew. Therefore, the requirements have been transposed in accordance with the OPS.001 ToR, as far as possible. This constitutes a difference with JAR-OPS 3, which required an initial medical examination and assessment. The JAR-OPS 3 intent of crew members being medically fit is transposed.	JAR-OPS 3.995(a)(2)+(3)	
	IND (duplicated): This clause should be removed because clause (2) and the connected AMC provide sufficient safety for this type of crew members. The requirement goes way beyond the original concept of assessment of fitness by introducing periodic assessment.	Refer to response 2. above.		
(3) have completed all applicable training required by this Section to perform the assigned duties; and		Changes to clarify rule intent. Compared to JAR-OPS 3, the general requirement has been made more specific.	JAR-OPS 3.995(b)	
(4) have been checked as proficient to perform all assigned duties in accordance with the procedures specified in the operations manual.		Refer to justification above.	JAR-OPS 3.995(b)	
(b) Before assigning to duties technical crew members who are self-employed and/or working on a freelance or part-time basis, the operator shall verify that all applicable requirements, of this Section are complied with, taking into account all services rendered by the technical crew member to other operator(s) to determine in particular: (1) the total number of aircraft types and variants operated; and (2) the applicable flight and duty time limitations and rest		Moved from GM to IR; consistent with FC and CC		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
requirements.				
OR.OPS..TC.110Training and checking	1. MS: Following a successful checking of competence, some evidence of their proficiency should be provided to the technical crew member. 2. IND, 2 MS, 1 foreign authority: The operator should be required to establish and maintain a training record for technical crew members. 3. MS: The paragraph addresses also training. To be consistent with flight crew there should be a general paragraph "training and checking". Provisions contained in AMC OR.OPS.035.TC point 1 should be moved to that general paragraph and aligned with the wording of OR.OPS.145.FC point (h).	1. The operator is obliged to keep training records in accordance with OR.OPS.MLR. The BR doesn't provide the legal basis to require a certificate of proficiency. 2. The applicable requirements for training records of all crew members can be found in OR.OPS.MLR. 3. Paragraph title changed and moved to the beginning of the section. The validity of the training is stated in paragraph (a) of the recurrent training. Paragraph moved to beginning of section to ensure consistency with FC and CC.		
(a) An operator shall establish a training programme in accordance with the applicable requirements of this Section to cover the duties and responsibilities to be performed by technical crew members.		Text added to reflect JAR-OPS 3 intent, specifying that the training shall be acceptable to the authority and part of the operations manual. Concerning the content of the OM, this is found also in OR.OPS operator responsibilities and the related provisions on OM.	JAR-OPS 3.1010(a)+(c)(1)+(2) JAR-OPS 3.1015(b) JAR-OPS 3.1020(a)	
(b) Following the completion of initial, operator conversion, differences and recurrent training, each technical crew member shall undergo a check to demonstrate their proficiency in carrying out normal and emergency procedures.	IND, MS: The original text excluded checking for refresher training - this should also be excluded in this rule.	Refresher training was deliberately excluded from the checking requirement in JAR-OPS 3 and should also be excluded in this rule. Text amended accordingly.	JAR-OPS 3.1025; rule intent transposed, wording changed in some instances	
(c) Training and checking shall be conducted for each training course by personnel suitably qualified and experienced for the subject to be covered. The operator shall inform the competent authority about the personnel conducting the checks.		The provision to inform the authority is now included. JAR-OPS 3 didn't contain any specific requirements under which such persons would be acceptable to the authority. Specific requirements should be proposed so that they can be included here. 'Acceptable to the authority' doesn't provide legal certainty to the operator nor an objective requirement of what might be expected.	ACJ OPS 3.1005 para 1 ACJ OPS 3.1010 para 1.1 ACJ OPS 3.1015 para 1 ACJ OPS 3.1020 para 1	

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
OR.OPS.TC.115Initial training		Clarification and alignment with JAR-OPS 3	JAR-OPS 3.1005	
Before undertaking the operator conversion training, each technical crew member shall complete initial training, including:				
(a) general theoretical knowledge on aviation and aviation regulations covering all elements relevant to the duties and responsibilities required of technical crew; (b) fire and smoke training; (c) survival training on ground and in water, appropriate to the type and area of operation; (d) aero-medial aspects and first aid; and (e) communication and relevant CRM elements of OR.OPS.FC.115 and OR.OPS.FC.215.	MS: Change as follows: a) Initial training, including CRM relevant for their duties. Justification: To stress the importance of tailoring of CRM for this role and avoid generic and ineffective CRM. The same applies to 025.TC and 035.TC. Some specification should be made on suitably qualified personnel permitted to conduct this training and the good practice to deliver CRM in joint session with the rest of the crew.	The text is in line with JAR-OPS 3, which referred to the flight crew CRM training requirement. This reference is now included in the AMC. The specification of requirements for "suitably qualified personnel" could be part of a future rulemaking task. JAR-OPS 3 established no criteria either. Appropriate hooks for AMC created by listing the training elements.		
		For clarification and alignment with JAR-OPS 3 transferred to the paragraph on operator conversion training below. Paragraph (3) editorial deletion because of different scope.		
OR.OPS.TC.120Operator conversion training		Clarification; requirements for operator conversion and difference training separated for clarity	JAR-OPS 3.1010(a)(1), (c)(3)+(4), 3.1030(b)(1)-(3)	
Each technical crew member shall complete (a) operator conversion training, including relevant CRM elements, (1) before being first assigned by theoperator as a technical crew member; or (2) when changing to a different aircraft type or class, if any of the equipment or procedures mentioned in (b) are different. (b) Operator conversion training shall include: (1) the location and use of all safety and survival equipment carried on the aircraft; (2) all normal and emergency procedures; and (3) on-board equipment used to carry-out duties in the aircraft or on the ground for the purpose of assisting the pilot during HEMS, HHO or NVIS operations.	IND (duplicated): Unlike the original requirement, here is no limitation on the number of types that the TCM can operate on; it is not clear why there is not an equivalent rule to OR.OPS.250.CC.	This limitation is now included in AMC, requiring the operator to specify it in the operations manual. Generally, there are no types or classes established for technical crew members. In addition, it may be more important to differentiate by the equipment and procedures being used instead by helicopter types. It is therefore proposed to adapt (a)(2).		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
OR.OPS.TC.125 Differences training				
(a) Each technical crew member shall complete differences training when changing equipment or procedures on types or variants currently operated. (b) The operator shall specify in the operations manual when such differences training is required.		Moved from OR.OPS.TC.115; requirements for operator conversion and difference training separated for clarity	JAR-OPS 3.1010(a)(2), (c)(3), 3.1030(b)(1)-(3)	
OR.OPS.TC.130 Familiarisation flights			JAR-OPS 3.1012	
Following completion of the operator conversion training, each technical crew member shall undertake familiarisation flights prior to operating as a required technical crew member in HEMS, HHO or NVIS operations.	MS: Familiarisation flight infers that the technical crewmember has only to be familiar with his/her working environment before being checked. The term 'familiarisation flight' should be replaced with 'role training flight' to instil a level of competence in the technical crew member.	The role training is included in the type and difference training as well as familiarisation flight. Editorial amendment for consistency		
OR.OPS.TC.135 Recurrent training				
(a) Within every 12-month period, each technical crew member shall undergo recurrent training relevant to the type or class of aircraft and equipment which the technical crew member operates. Elements of CRM shall be integrated into all appropriate phases of the recurrent training.		Training period specified in accordance with JAR-OPS 3.	JAR-OPS 3.1015(d)	
(b) Recurrent training shall include theoretical and practical instruction and practice.			JAR-OPS 3.1015(b); wording change	
OR.OPS.TC.140 Refresher training			JAR-OPS 3.1020	
(a) Each technical crew member who has not undertaken duties in the previous 6 months shall complete refresher training specified in the operations manual.	IND (duplicated): To facilitate the company's internal procedures and to be able to plan more efficient the training and checking of crew members (Flight Crew and Technical Crew Member), the period of validity should be equal for all kind of checks and crew members. The	The requirement is in accordance with JAR-OPS 3. No safety justification for the proposal is provided. The operator may combine the checks as far as within the legal requirements. Text aligned with JAR-OPS 3.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	period of validity for Operator Proficiency Check, Line Check, Emergency and Safety Checks and the according training shall be 12 months.			
(b) A technical crew member who has not performed flying duties on one particular aircraft type or class during the preceding 6 months shall before being assigned on that type or class complete either: (1) refresher training on the type or class; or (2) two familiarisation sectors on the aircraft type or class.		Alignment with JAR-OPS 3		
SECTION IX – SECURITY				
		Editorial It is suggested to move this provision to Operator's responsibilities in OR.OPS.100.GEN		
	1. [IND] This paragraph is also applicable to non-commercial operations with complex motor-powered aircraft(Annex IV, 8c)	1. The scope is revised: this article should only apply to persons when they are passengers Structural proposal: Former (a) and (b) are merged		
	1. [IND Ass] Delete "and establish means and procedures"	1. Not Accepted. It is more specific than just to provide training. It will help crew members to exactly know how they can minimize these consequences. No justification was given from the commenter.		
	1. [IND Ass] Proposal to add: "(b)The PIC shall be informed, prior to departure, whenever deportees are to be embarked. The PIC will also be advised of their seat number(s) as well as the details of any escorts."	1. Not accepted. There is no reason to add this proposal in a rule as the operator will always be informed by the relevant authority if such persons are to be embarked on one of its flights.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
OR.OPS.SEC.025Security programme and security training		This provision should be closely combined with the security programme referred to in Reg.300	EU-OPS 1.1235 and 1.1240	ICAO Annex 6 compliant
	1. [IND] Should ferry flights and test flights be submitted to this rule?	1. All flights of an operator carried out under an AOC or iaw a declaration need a security programme and training. They are also for the most, complex motor-powered aircraft. Also, programme and training is not linked to a particular flight but a continuous process linked to the whole operation.		
(a) In accordance with ER 8.d, An operator of a complex motor-powered aircraft shall develop and implement shall establish a security programme adapted to the type of operation and risks involved and covering the elements specified under ER 8d. (b) The security programme shall comply with the relevant requirements of the national civil aviation security programme of the competent authority in the State of the operator. (c) Appropriate elements of the security programme shall be included in the operations manual. (d) The operator shall ensure that Elements of the security programme relevant to the crew members duties shall be included in the appropriate security training Crew members shall have knowledge of and competence in all relevant elements of the security programme.	1. [IND] Proposal to delete "of a complex motor-powered aircraft"	1. Noted. The proposal made aims to reflect that this provision has to be proportionate to the type of ops and risks involved; 2. The sentence was changed to specify that the security training must contain elements of the security programme for crew members. The initial text did not match with the title of this rule.	EU-OPS 1.1235 compliant, however for training EU-OPS exceeds the NPA (last sentence: "comply" and not 'competence")	ICAO Annex 17 3.3.1 compliant
	1. [IND Ass] Delete reference to type of operation	1. The scope is the one referred to in (a) above 2. Para was merged with former (a) and (b) below	= EU-OPS 1.1240	= ICAO Annex 6
			=EU-OPS 1.1240	=ICAO Annex 6 Part I (13.4.1)
		See above (this para was merged)	>EU-OPS 1.1240	>ICAO Annex 6 Part I (13.4.1)
OR.OPS.SEC.030Aircraft search procedure checklist	1. [IND] Should be renamed 'Specific threat event – search procedure checklist'.	1. Not accepted. Stick to EU-OPS wording, which is also ICAO wording. The text of NPA is more specific as it obliges the operator to have procedures in place to perform a particular		
(a) An operator of complex motor-powered aircraft shall keep on-board a checklist containing the procedures to be followed in searching for a bomb or improvised explosive device in the case of suspected sabotage and in inspecting aircraft for concealed weapons, explosives or other dangerous devices when a well-founded suspicion exists that the aircraft may be the object of an act of unlawful interference.	1. [IND] This checklist is maintained on a tool that is accessible to appropriate personnel	Noted. The supporting tools for the checklist are not limited to paper.	=EU-OPS 1.1250 Appendix to *Appendix 1 to OPS 1.005 (a) point 47*	=ICAO Annex 6 Part I (13.3)

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
(b) The checklist shall be supported by procedures providing guidance on the appropriate course of action to be taken should a bomb or suspicious object be found and, if provided by the type-certificate holder, information on the least-risk bomb location specific to the aircraft.			EU-OPS 1.1250 compliant	ICAO Annex 6 Part I (13.3) compliant
OR.OPS.SEC.100.AFlight crew compartment security		Replaced "cockpit" by "flight crew compartment" to ensure consistency with the Basic regulation, EU-OPS and ICAO	=EU-OPS 1.1255	=ICAO Annex 6 Part I (13.2)
(a) In an aeroplane which is equipped with a flight crew compartment door, this door shall be capable of being locked, and means shall be provided by which the cabin crew can notify the flight crew in the event of suspicious activity or security breaches in the cabin.	1. [MS]"which are equipped with a cockpit door" is confusing (should be "when") 2. [IND Ass] Scope limited to commercial operations 3. [IND Ass] Applicable to aeroplanes with MPCS with less than 20?	1. The scope is adapted. 2. Not accepted. It should apply to any aeroplane equipped with a FCC door. 3. Yes if the criteria of the BR definition of complex motor-powered aircraft apply The word "discreetly" is now removed after consultation with the review group members.	=EU-OPS 1.1255(a)	=ICAO Annex 6 Part I (13.2.1)
(b) All passenger-carrying aeroplanes of a maximum certificated take-off mass exceeding 45 500 kg, or with a maximum passenger seating configuration of more than 60 engaged in the commercial transportation of passengers, shall be equipped with an approved flight crew compartment door that is capable of being locked and unlocked from either pilot's station and designed to meet the applicable airworthiness requirements.	1. [IND] What about cargo with passenger seats?	1. Cargo airplanes would not be subject to this rule even though they have seats for passengers.	=EU-OPS 1.1255(b)	=ICAO Annex 6 Part I (13.2.2)
(c) In all aeroplanes which are equipped with a flight crew compartment door in accordance with subparagraph (b) above:		Realigned with EU-OPS wording in order to clarify that the means required in paragraph (c)(2) are only applicable to aeroplanes referred to in paragraph (b). This amendment was done after consultation of the review group members.	=EU-OPS 1.1255(c)	= ICAO Annex 6 Part I (13.2.3)
(1) this door shall be closed prior to engine start for take-off and will be locked when required by security procedures or by the pilot-in-command until engine shut down after landing, except when deemed necessary for authorised persons to access or egress in compliance with national civil aviation security programmes; and	1. [IND + MS] Use EU-OPS wording	1. Accepted. EU-OPS wording has been adopted.	=EU-OPS 1.1255(c)(1)	= ICAO Annex 6 Part I (13.2.3 (a)) Difference cat. B (difference in character as to when the doors are to be locked)
(2) means shall be provided for monitoring from either pilot's station the entire door area outside the flight crew compartment to identify persons requesting entry and to detect suspicious behaviour or potential threat.	1. [IND Ass] CCTV should not be compulsory. 2. [IND +IND Ass] AMC needed to clarify the required procedures/equipment to meet this requirement.	1. The issue of door monitoring has been discussed in the EU Air Safety Committee (ASC) on EU-OPS which concluded that "the use of CCTV is the most appropriate and favourite." Also, the ASC agreed that Member States will implement the use of CCTV and will provide alternative procedures. Until now, they have not submitted any alternatives to CCTV 2. The Agency will take into account the confidentiality of such alternative means.	=EU-OPS 1.1255(c)(2)	=ICAO Annex 6 Part I (13.2.3(b))

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
OR.OPS.SEC.100.HFlightcrew compartment security			=JAR-OPS 3.1255	
If installed, the flight crew compartment door on a helicopter operated for the purpose of carrying passengers shall be capable of being locked from within the flight crew compartment in order to prevent unauthorised access.	1. [IND Ass] Delete this rule because it is not applicable to helicopters	1. Not accepted. This requirement applies only if a flight crew compartment door is installed.	=JAR-OPS 3.1255	

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
Subpart ATO – Approved Training Organisations	**MS(2), IA(4), FAA(1)** a. One comment requiring rules for Approved Flight Test Training Organisations (AFTTOs) and offering a proposal. b. Two comments mentioning that these requirements might not be suitable for Approved Training Organisations (ATOs) providing training for ATC personnel or Part-66 personnel. c. Three industry associations propose to exclude certain organisations from these rules. d. The FAA comments on OR.ATO.015 and proposes to move some of the details contained in the AMC material to the rule. The details qualification of all the instructors is specifically mentioned.	a. Partially accepted. The Agency does not consider it necessary to create a specific Subpart for AFTTO. Looking at the requirements of the proposal, it is clear that the large majority are identical to the requirements for other types of ATO. Where the proposal refers to differences in requirements, those have been accepted and included in the text. b. Accepted. The Agency agrees and will take this into account when the appropriate requirements are drafted (these would be future rulemaking tasks). c. Not accepted. See Regulation (EC) No 216/2008 in order to understand why these organisations cannot be exempted. d. Partially accepted. See response in OR.ATO.100 (numbering was changed). Some elements from the AMC1 OR.ATO.105 have been moved to the IR. All the instructors are now mentioned in the rule text.		
SECTION I – GENERAL	**IA(4), FAA(1)** a. Three Industry associations and one Member State mention that a different regulatory system should be introduced (like the JAR system for registered facilities). b. The FAA points out that the term used in the rule is too descriptive. They claim that this would mean that operators need to amend their structure and related documentation. *FAA proposal:* "The use of a general title with the specific duties and responsibilities for that position spelled out would accomplish the same end result without the necessary change	a. Not accepted. The Agency reviewed all the requirements and AMCs for these non-complex organisations and has introduced extensive changes in order to address the specific needs of small club-based training organisations. The Agency will not introduce another category of ATO.b. This comment should be addressed to OR.ATO.110. Not accepted. As this term was introduced with JAR-FCL and all European training organisations and approved training organisations are using such terminology already and hence the fact that there was no other title proposed for this function and the fact that the training manuals have to be adapted to the new system anyway, the Agency decided to keep this title. The term "Head of training" will be kept. c. Noted. It should be addressed to OR.ATO.010.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	of the structure of existing operators." c. An industry association comments: "Legal entity and financial resources" (b) is completely unrealistic and impossible to implement for that category of training organisation.			
OR.ATO.100 Scope	**MS(7), IA(5), I(7)**			
This Subpart establishes requirements to be met by an organisation	a. Nine comments from stakeholders consider the proposed requirements by the Agency to be excessive for small and non-profit training organisations. b. Four comments propose to clearly distinguish between commercial and non-commercial ATOs. c. One Industry Association proposed to replace "to qualify for the issue of approval" by "to apply for an initial approval". d. Two comments suggesting deleting all that is related to flight test training organisations and include in a separate subpart.	a. & b. Partially accepted. The Agency is of the opinion that the requirements as laid down in Part-OR Subpart ATO Sections 1 and 2 provide adequate alleviations for those categories of ATO. Some AMCs have been reworded; in some specific cases different requirements were developed for non-complex organisations or training organisations providing only training for the LAPL or the PPL. c. Not accepted: although the Agency agrees partially with the content of the comment the term proposed by the comment was included as it was decided to delete some of the items for clarification reasons. d. Partially accepted. The Agency does not consider it necessary to create a specific Subpart for AFTTO. Looking at the requirements of the proposal, it is clear that the large majority are identical to the requirements for other types of ATOs. Where the proposal refers to differences in requirements, those have been accepted and included in the text.		
providing training for pilot licences and associated ratings and certificates.				
	Three comments from Member States proposed to add "additional" before requirements in this paragraph.	Not accepted: the Agency is of the opinion that in the first sentence of this paragraph it is clearly stated that all the requirements are additional. Duplicating this would only create confusion. However, as it was decided to delete the items under (b) und (c) completely this comment is not longer valid.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	Three comments from Member States proposed to add "additional" before requirements in this paragraph.	Not accepted: the Agency is of the opinion that in the first sentence of this paragraph it is clearly stated that all the requirements are additional. Duplicating this would only create confusion. See the additional response above (changes introduced).		
	One comment from a Member State proposed to delete this item since it is covered in Part-FCL.	Partially accepted. As it was decided to delete most of the items mentioned in (b) and (c) the Agency also deleted this item.		
	Two comments (one from a Member State and one from an Industry Association) propose to delete this item, since a Subpart AFTTO should be created.	Partially accepted: the Agency does not consider it necessary to create a specific Subpart for AFTTO but has developed specific requirements for this kind of training organisation.		
	MS(2), IA(8), IND(8), INDIV(8)	IR and AMC deleted following comments received (see below).	Appendix 1a to JAR–FCL 1.055, 9 Appendix 1a to JAR–FCL 2.055, 9 IEM No. 2 to Financial Evaluation of Flying Training Organisations (FTOs) / 2–A–29 JAR–FCL 1.055 Type Rating Training to Organisations (TRTOs)	

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	12 comments from stakeholders reflecting that the proposed requirements by the Agency are unworkable for: - flying clubs, - organisations offering LAPL, BPL, SPL and PPL training - individuals that are not registered as legal entities - ATOs being a part or member of an organisation registered as legal entity. Most comments propose to clearly distinguish between commercial and non-commercial ATOs.	Partially accepted. The Agency carefully reviewed the comments received on this requirement. It should be pointed out that there was no such requirement (to be a legal entity) in JAR-FCL 1 and 2. At present the majority of MSs do not approve training organisations offering PPL, balloon and glider training (mostly categorised as registered facilities or under a different national system). In addition, many flying clubs operating an ATO are not registered as legal entities. The Agency therefore concluded that the status of an ATO does not influence the level of safety to be reached within an ATO and decided that this requirement can be deleted for ATOs.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	a. 15 comments propose to clearly distinguish between commercial and non-commercial ATOs (which are unable as non-profit organisations to prove any financial resource) or to delete the paragraph. b. One comment states that the requirement for ATOs to demonstrate sufficient financial resources has no clear safety justification and any related obligation given to the competent authority to check or approve such a demonstration would expose it to claims from students of failed ATOs. c. An industry organisation proposes to delete or reword the requirement in order to link it with safety requirements or extend it to all organisations.	a. b.& c. Partially accepted. The Agency is aware that there was a similar requirement in JAR-FCL 1 and 2 which applied to organisations offering: - commercial flight training (CPL, ATPL, MPL) - type rating training - instrument rating training, and - FI training. However, in other IRs (Part-147 for example) there are no requirements for the organisation to prove financial viability. Instead, under 'Personnel requirements', the accountable manager of the organisation must ensure that all training commitments can be financed and carried out to the standards required by the IR. (see 147.A.105). In Part-OR such a general requirement is stated under OR.GEN.210 (a). The Agency is of the opinion that this general task for the accountable manager of an organisation is well addressed. The wording as it was proposed with the NPA could create difficulties for small club-based ATOs which are often funded only by membership fees and where the staff are doing all the "work" on a voluntary basis. Based on the fact that the requirement on the accountable manager of each organisation is to ensure that all activities can be financed, the Agency therefore finally decided to delete this requirement completely.		
OR.ATO.105 Application	**MS(22), IA(8), IND(8)**		Appendix 1a to JAR–FCL 1.055	
(a) Applicants for the issue of a certificate as an approved training organisation (ATO) shall provide the competent authority with:		Based on the comments received on AR.ATO.005 the wording has been amended.		
(1) the following information:				
(i) name and address of the training organisation;				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
(ii) date of intended commencement of activity;	One Member State proposed to change "operations" into "activity"	Accepted: text changed as "activity" seems to be the more appropriate term.		
(iii) personal details and qualifications of the head of training (HT), the flight instructor(s), flight simulation training instructors and the theoretical knowledge instructor(s);	a. One comment propose to limit to CFI only for simplification b. One comment from a Member State proposes to include details and qualifications of the appointed Head of Training and Theoretical Knowledge Ground Instructors c. The FAA placed a comment in the general section proposing to move some of the details from AMC to IRs. They focus specifically on the other instructor categories.	a. Not accepted: the Agency is of the opinion that it should be known by the NAA which instructors are active at an ATO. b. & c. Accepted: the Agency agrees with the proposal to add the other instructor categories. Text has been changed.		
(iv) name(s) and address(es) of the aerodromes(s)and/or operating site(s) at which the training is to be conducted;	a. Three comments propose to delete reference to the name of the aerodrome operator for simplification. b. One comment proposes to insert " and other training sites from or on"	a. Accepted: text changed because this kind of detail seems not to be a safety-related issue. b. Partially accepted: text changed in order to address all kind of operating sites and aerodromes.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
(v) list of aircraft to be used for training, including their group, class or type, registration, owners and category of the certificate of airworthiness, if applicable;	a. One comment from an Individual proposes: "An ATO that is part of an operator which conducts commercial air transport operations or has a specific arrangement with a commercial air transport operator may refer to the list of relevant aircraft which is mentioned in the air operator's certificate" b. Eight comments propose to include "details of aircraft insurance held". c. Three comments propose to include "maintenance system". d. Two comments from Industry Associations representing "Balloons" propose to not include a list of balloons.	a. Not accepted. The Agency is not in favour to introduce such a change as such a list of aircraft to be used for the training should be part of the separate ATO application documents. Especially if there is a specific arrangement with another operator this proposal seems not to be an adequate solution. b. Not accepted: text is kept unchanged as the Agency cannot see the reason why such documents should be included in the application. c. Not accepted: text is kept unchanged as the Agency cannot see the reason why such documents should be included in the application. d. Not accepted. By using the term "aircraft" balloons are included and there is definitely a need for the ATO to establish a list of balloons used for training and to provide further details.		
(vi) list of flight simulation training devices (FSTDs) that the training organisation intends to use, if applicable;				
(vii) the type of training that the training organisation wishes to provide and the corresponding training programme; and		Text was amended for clarification reasons following internal review.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
(2) the operations and training manuals.	a. Seven comments propose for clarification to include the word "only" (to provide training only for LPL")and change "and" to "or".	a. The Agency agrees in general with the proposed text change. However, as it was decided to delete the second part of the requirement this change is no longer necessary.		
	b. Four comments propose to include an "organisation manual" for the ATOs.	b. Not accepted. The Agency carefully reviewed the comments received on this issue but cannot see a need to change this requirement as the operations and the training manual are the two adequate documents to be required for an ATO. See OR.GEN.200 which requires every organisation to document key processes. This should cover the additional items.		
	c. Five comments from Member States propose to define a simplified training manual also for ATOs providing only LAPL, PPL, BPL or SPL training.	c. Accepted. The Agency carefully reviewed this issue and came to the conclusion that all ATOs should be required to establish training and operations manuals. This is also in line with the Basic Regulation where a commercial operation has to be conducted according to principles laid down in the operations manual. Based on the fact that also ATOs providing training for the PPL or LAPL only can act on a commercial basis this would require an OM anyway. The Agency would like to clarify that for non-complex training organisations providing only training for the LAPL or PPL, SPL or BPL this manual (training and operations manual can be combined) can be established in a very basic form. Some elements of the requirement in Section 2 (see OR.ATO.230) have been moved to Section 1 in order to reflect this change.		
(b) *Flight test training organisations*. Notwithstanding (a)(1) (iv) and (v), training organisations providing flight test training will only need to provide: (1) the name(s) and address(es) of the main aerodromes and/or operating site(s) at which the training is to be conducted; and (2) a list of the types or categories of aircraft to be used for flight test training. (c) In the case of a change to the certificate, applicants shall provide the competent authority with the relevant parts of the information and documentation referred to in (a).		Based on the comments received dealing with specific requirements for training organisations providing courses only for flight test ratings, the Agency decided to develop a specific set of rules for this kind of training organisation. See comments and responses in other segments.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	One comment from an industry organisation stated that in the past an approval of an ATO sometimes took several years based on the time needed by the authority. They proposed to add a new item (3) with the following text: "the authority shall advise in writing an applicant for an ATO within a delay of maximum six months, whether his application is subject to improvements, approval or refusal.	Not accepted. The Agency agrees with the general idea than approval of an ATO should be performed in a timely manner. However, the Agency does not see a need for adding a certain time frame. The Agency is not dealing with purely administrative questions but with safety-related issues. The Agency is of the opinion that most of the Member States have already systems in place to regulate this and to make sure that such an approval process does not take too long.		
OR.ATO.110 Personnel requirements	**INDIV (1)** The comment pointed out that it should be clearly stated that in the case of small ATOs the HT, CFI and chief ground instructor can be the same individual.	Not accepted. There are no requirements for the chief flying instructor or the TK ground instructors. This means that in such an ATO providing training only for LAPL and PPL one person acting as HT could take over the other functions if needed. No text change is required to address this.	Appendix 1a to JAR-FCL 1.055, 10 – 20	

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
(a) An HT shall be nominated. The HT shall have extensive experience as an instructor in the areas relevant for the training provided by the ATO and shall possess sound managerial capability. (b) The HT's responsibilities shall include: (1) ensuring that the training provided is in compliance with Part-FCL and, in the case of flight test training, that the relevant requirements of Part-21 and the training programme have been established; (2) ensuring the satisfactory integration of flight training in an aircraft or af light simulation training device (FSTD) and theoretical knowledge instruction; and (3) supervising the progress of individual students.	**INDIV(3), IA(2), MS(4)** a. The comment states that the HT is normally 'elected' and not nominated therefore he proposes rewording. b. Several competent authorities suggest amending the text as follows: 'A Head of Training (HT) acceptable to the competent authority". c. Two industry associations proposed: "optionally additional members of a head of training team" shall be nominated'. d. Another stakeholder proposes that at the end of paragraph (a) the following wording should be used: "and the training program established by the ATO."	Redrafted to integrate (a)(1) & (2) from OR.ATO.210. a. Not accepted. In most training organisations there is a nomination before electing someone therefore the phrasing seems correct and should not be changed. b. Not accepted as the term proposed would not establish clear criteria but would leave it open to the competent authority if a certain instructor would be "acceptable" as head of training or not. Therefore this wording would not provide the necessary legal certainty. However, based on other comments received the main elements of the experience criteria for the head of training and his/her main tasks provided in OR.ATO.230 were moved to this Section. c. Partially accepted. The Agency understands that in certain training organisations with an approval for different courses and aircraft classes there might be a need for allowing the nomination of more than only one head of training. In these cases (e.g. a HT for the courses on balloons and a second one for the courses on aeroplanes) the task should be shared and a deputy head of training should be nominated who is going to support the head of training. The Agency has now addressed this issue in the AMC but will not change the rule text. d. Accepted. The Agency agrees in general with the proposal and has added the following term: "and the training programme established".	. Appendix 1a to JAR-FCL 1.055, 14 &JAR-FCL 2.055, 14.	

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
(b) Theoretical knowledge instructors shall have: (1) practical background in aviation in the areas relevant for the training provided and have undergone a course of training in instructional techniques; or (2) previous experience in giving theoretical knowledge instruction and an appropriate theoretical background in the subject on which they will provide theoretical knowledge instruction.	**IND(3), MS(2)** a. The commentator proposes that someone who teaches ground school does not necessarily need an aviation background as there shouldn't be a safety issue. b. One stakeholder mentions that the wording "appropriate knowledge" is unclear and not precise enough. c. Another stakeholder proposes to change the wording: to (b): Replace the term "ground instructor" by something else. Proposal: Just to call them "instructors" or "lecturers" or "teachers" d. An industry stakeholder proposes to introduce in (b) a person or group of persons with the "responsibility of change management process and change notification processes". Furthermore this comment proposes to introduce in (c) a person "with the responsibility of the standardisation processes".	a. Accepted. The Agency has amended the text as follows: the theoretical knowledge instructor shall have: (a) a practical background in aviation in the areas relevant for the training provided and have undergone a course of training in instructional techniques or b) previous experience in giving theoretical knowledge instruction and an appropriate theoretical background in the subject on which they will provide TK instruction. b. Partially Accepted. The text in (b)(1) has been amended as the Agency agrees in general that room for subjective interpretation should be avoided. However, as this requirement should allow also non-aviation TK teachers (e.g.: meteorologist) to provide TK training, the wording in (b)(2) is kept quite open. c. Accepted. In order to clarify the issue the Agency has introduced the term "theoretical knowledge instructor". d. Not accepted as Section 1 contains the requirements for training organisations providing training only for the LAPL, PPL, SPL or BPL. The Agency does not agree with the proposal to add two more functions for this kind of training organisation. Please check the general requirements for a management system in OR.GEN.200 which will also apply to these ATOs. The different elements of this management system will contain all the necessary responsibilities mentioned in this comment. Additional persons to be nominated for the mentioned functions especially for ATOs seem to be neither necessary nor appropriate.	Appendix 1a to JAR–FCL 1.055, 20	

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
(c) Flight instructors and flight simulation training instructors shall hold the qualifications required by Part-FCL for the type of training that they are providing.	**IND(2), MS(1), IA(2)** a. The stakeholder suggests adding an AMC under OR.GEN.020 as there are ATOs that have examiners who hold a military licence. Therefore exemptions should be made. b. Instructor certificates that are in accordance with ICAO Annex 1 or equivalent should be accepted as well. c. One MS requests that the paragraph should be rephrased. The term 'qualifications' should be replaced by 'certificates'.	a. Not accepted. For any pilot licence issued in accordance with Part-FCL the training organisation has to comply with the requirements in Part-OR. The Agency does not intend to allow certain exemptions or specific requirements for any "accepted training organisation". To be approved by a MemberState (it is not EASA approving the national ATOs) a training organisation has to fulfil the requirements of this Part. b. Noted. It will now be possible for foreign instructors to only hold a licence issued in accordance with ICAO Annex 1 (as was the case in JAR-FCL). However, they will need to comply with the requirements of Part-FCL for the relevant category of instructor certificate. In addition, foreign instructors will always have to hold at least a CPL (as was already the case in JAR-FCL). c. Not accepted. As the term "qualification" means not only the instructor certificate but also the necessary licence and if necessary the ratings, the Agency believes that the term "qualifications" should not be changed into "certificates".	Appendix 1a to JAR–FCL 1.055, 16 - 18 FCL.900, FCL.915 in Part-FCL	

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
OR.ATO.120 Record keeping			Appendix 1a to JAR-FCL 1.055, 21 – 23 Appendix 2 to JAR-FCL 1.055,18– 20 Appendix 1a to JAR-FCL 2.055, 21 – 23 Appendix 2 to JAR-FCL 2.055,18– 20	

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
The following records shall be kept for a period of at least three years after the completion of the training:	**MS(2), INDIV(3)** a. The comments are mentioning that it is not useful to keep records from all students (including short time students) for five years and it should be indicated when the time period starts. Other comments request to keep bureaucratic burdens as low as possible at least for "very small" and "small" ATOs. Proposal: to introduce an extension period of two years instead of five years b. Another comment states that the requirement to keep the named records "for as long as the FSTD is in use" is an increase in requirements from the current FSTD A requirement to keep the same records for five years and proposes: "Change the requirement to state "the following records shall be kept for a minimum of 5 years:" c. Some comments mention that the documentation should be aim oriented and should not be repeated elsewhere. Flights are already documented in the various logbooks therefore there is no need to repeat this information. It is important to keep track of the progress of the student. For each course a training plan exists which can be used appropriately to document the students progress. Proposal to amend wording as follows: (1) Progress report as specified in the approved training programme (see OR.ATO.125) including completed training units and assessments. Paragraph (2) should be deleted.	a. Partially accepted. The Agency has reduced the period to three years after completion of the training. b. Not accepted. The Agency cannot follow this argument of having a huge financial burden and environmental impact because OR.ATO.120 (b) (will be moved to section 3) does not address all annual QTG reruns to be retained for as long as the FSTD is in use. The documents to be retained and mentioned in OR.ATO.120 (b) are essential. As there are further documents to be kept in view of CMS, a new AMC to this paragraph has beendeveloped. However, for clarity reasons it was decided to move the requirement in b) to section 3. See the responses provided in section 3. c. Partially accepted. The Agency agrees partially with these comments that for certain non-complex or small training organisations the proposed procedure would be an additional burden and administrative work. It also recognises that record-keeping in small training organisations is nowadays done by using e.g. a kind of progress report or training schedule kept by the student pilot and signed by the instructor if a certain training unit or exercise is completed. The Agency reviewed the comments received on this issue carefully and has introduced some changes to reduce the amount of records to be kept by these training organisations. However, a detailed progress report including completed exercises or training units will remain. The Agency has amended the requirement slightly and further described in the new AMC1-OR.ATO.120(a)(1),(2) that the required system of record-keeping will also allow a "training progress card".		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
(a) details of ground, flight, and simulated flight training given to individual students;		Due to consistency reasons the Agency is going to substitute the term "flying training" by "flight training".		
(b) detailed and regular progress reports from instructors including assessments, and regular progress flight tests and ground examinations; and				
(c) information of the licences and associated ratings and certificates of the students, including the expiry dates of medical certificates and ratings.	**IA(2)** a. The association mentions that expiry dates of medical certificates should not be an issue for ATOs as it is not consistent with Part-FCL, which clearly distinguishes between AeMCs and ATOs. Proposal: Deletion of the words "including the expiry dates of medical certificates and ratings". b. Another suggestion is to change the wording from "qualifications" into the words "ratings, certificates and qualifications" so as to comply with the Part-FCL.".	a. Not accepted. The Agency does not agree. The requirement is consistent with Part-Medical (Part MED.A.020) as this Part requires the pilot to hold a medical when flying solo. The Agency is of the opinion that the ATO must have a possibility to check if the student pilot holds a valid medical certificate. Furthermore the validity date of the medical certificate is not confidential medical information. Therefore the requirement to have the expiry date of the medical certificate recorded should be kept. b. Accepted. The original wording used ("qualifications") did not really specify what is meant and left room for interpretation. As this requirement is aimedat the ratings and certificates a student pilot already holds it should be clarified. The text has been changed accordingly. It should be pointed out however, that the term "qualification" is no any longer used in Part-FCL for a certain specific privilege. The former "qualifications" (e.g. "night qualification") are changed into "ratings".		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	IA The commentator proposes to change the wording from "the following records shall be kept for as long as the FSTD is in use" to "the following records shall be kept for a minimum of five years.	The Agency decided to move this requirement to the subpart dealing with organisations using an FSTD. Please see also OR.ATO.390 in Section 3. Not accepted. The Agency cannot follow the argument of having a huge financial burden and environmental impact. OR.ATO.120 (b) (now moved to section 3) does not address all annual QTG reruns to be retained for the lifetime of the FSTD. The documents to be retained and mentioned in OR.ATO.120 (b) are essential. As there are further documents to be kept in the view of the compliance monitoring system, the Agency developed a new AMC to this paragraph (AMC 1 OR.ATO.120(b)) to make clear what has to be kept and for which time period. However, for consistency reasons it was decided to move this requirement and the related AMC to section 3 (OR.ATO.390).		
	INDIV (1) One commentator raises the question if it is necessary for clubs that operate an FSTD to have a schedule for evaluation as it is normally not practicable for a club due to monetary issues.	Noted. If an FSTD operator asks for a qualification of a device operated by them, they have to comply with the applicable requirements.		
	MS a. The commentator proposes to amend the Text (if applicable) by adding a new item OR.ATO.120 (b)(4) Compliance Monitoring System "Records defining the current status of each FSTD" b. Furthermore adding a new AMC to OR.ATO.120 (b) is proposed. The compliance monitoring records should include as a minimum, the following: a) The Master QTG b) The regular QTG objective test runs and Function and subjective fly out results c) The defect reports, investigation records and closure actions d) Records defining the ongoing configuration of each FSTD	a. Partially accepted. The Agency agrees to add a new AMC to make clear what has to be kept and for which time period. However, for consistency reasons it was decided to move this requirement and the related AMC to section 3 (OR.ATO.390).		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
OR.ATO.125 Training programme	**IA(7), INDIV(6), MS(9), IND(16), FAA(1)** a. The stakeholders suggest that the Agency should provide a general training syllabus and not to have every ATO developing its own syllabus.	a. Noted. The requirement in OR.ATO.125 asks for a training programme to "be developed". Some stakeholders propose to allow programmes which are already on the market or point out that the Agency should provide a general training syllabus. The Agency agrees that for training organisations providing training only for private licences the training syllabus in the AMC could already be used in order to establish the required training programme. The Agency has now clarified this possibility in the AMC material.	Appendix 1a to JAR-FCL 1.055, 21, 24	
	b. Several MSs propose a requirement that clarifies that the competent authority should approve the training programme. This additional rule should be added as paragraph c).	b. Not accepted. The Agency does not agree as OR.ATO.105 (new numbering) contains all the information that has to be provided for the initial approval. In (2) this requirement asks for the training manuals (except for ATOs wishing to provide training only for LAPL, PPL, SPL or BPL). The training programmes will be part of that manual. Please see also OR.ATO.225 in which it is clarified that the content and the sequence of the training programme shall be specified in the training manual. There is no need to repeat it here. However, in order to clarify this, the Agency has added "including the training programmes" in OR.ATO.105.		
	c. One industry stakeholder suggests to add in c): "The training shall be kept up-to- date in compliance and in flow with aircraft, documentation and regulatory relevant changes".	c. Not accepted. The Agency decided not to add an additional requirement as proposed with the comment as most of these elements are covered by the general requirements for the management system of the organisation. All the examples provided (information on changes to be sent to the authority / new approval of the course) are covered already in other requirements (e.g. OR.ATO.105 – new numbering).		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
(a) A training programme shall be developed for each type of course offered.				
(b) The training programme shall comply with the requirements of Part-FCL and, in the case of flight test training, the relevant requirements of Part-21.	a. The comments suggest that OR.ATO.125(b) should be deleted as it has the same meaning as FCL.725 a). Some stakeholders also mentioned that paragraph (b) should be inserted into the AMC. b. Several stakeholders mentioned that "references to Part-21 were found many times in the document without explaining what Part-21 means exactly. Nowadays, Part-21 does not contain anything related to these cross-references, as the 21.039 WG has not finished the rulemaking task yet. Therefore, the commentator does not agree on a text that leaves to or refers to requirements that currently are not in the Regulation, as this then means the requirement is non-existent. Unless Part-21 is finished with clear cross-references, any licence-related requirement should stay in Part-FCL."	a. The intention of FCL.725.A is different as Part-FCL does not mention the "training programme" at all. Therefore this requirement for the ATO should be kept. b. Partially accepted. The same references are used here as already in Part-FCL. As the comment criticises that the term "Part-21" is not explained or further described, the Agency has amended the text slightly in order to clarify that the concept of operational suitability data is meant when using the term "in accordance with Part-21". As the task dealing with the OSD concept is finalising the changes for Part-21 in parallel, the Agency does not agree with the concerns mentioned. However, in this case the reference to the OSD and Part-21 have been deleted and a general reference to Part-FCL has now been inserted.		
OR.ATO.130 Training manual and operations manual		Based on the comments received and further discussions with the experts involved in the review, the Agency decided to move some elements of the requirement asking for a training and operations manual (OR.ATO.230) to Section 2. All ATOs will be required in the future to have training and operations manuals. For ATOs providing training for LAPL, PPL, BPL or SPL only, this can be achieved in a way adequate to the size and complexity of their kind of operation. The Agency is considering providing further guidance by developing standardised manuals for non-complex training organisations providing training only for the LAPL, PPL, SPL or BPL in the near future. However, this can be developed only by initiating an additional rulemaking task.		
(a) An ATO shall establish and maintain a training manual and operations manual containing information and instructions to enable personnel to perform their duties and to give guidance to students on how to comply with course requirements.		Moved from OR.ATO.230	Appendix 1a to JAR-FCL 1.055, 31-33& Appendix 1a to JAR-FCL 2.055, 31-33	

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
(b) An ATO shall make available to staff and, where appropriate, to students the information contained in the training manual, the operations manual and the ATO's approval documentation.		Moved from OR.ATO.230		
(c) In the case of ATOs providing flight test training, the operations manual shall comply with the requirements for the flight test operations manual, as established in Part-21.		Based on the comments received dealing with specific requirements for training organisations providing courses only for flight test ratings, the Agency decided to develop specific rules for this kind of training organisation.		
(d) The operations manual shall establish flight time limitation schemes for flight instructors, including the maximum flying hours, maximum flying duty hours and minimum rest time between instructional duties in accordance with Subpart OR.OPS.		Moved from OR.ATO.230		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
OR.ATO.135 Training aircraft and FSTDs	**IA(2), INDIV(1), MS(1)** a. It is suggested that in order to adopt future ICAO regulations for FSTDs the use of specific description for the types of training devices should be avoided in this section.	a. Not accepted. This issue will be taken up in a new, future rulemaking task as foreseen by the Agency to assure alignment with the new ICAO Doc. 9625, 3rd edition, Volume I and II (Vol. II not yet available). For now the wording will not be changed.	Appendix 1a to JAR-FCL 1.055, 25 Appendix 1a to JAR-FCL 2.055, 25& 26	
(a) An ATO shall have access to an adequate fleet of training aircraft or FSTDs appropriate to the courses of training provided.	a. A commentator mentioned that an ATO for balloons does not normally provide an “adequate fleet of aircraft” as ATOs for fixed wing aircraft do. b. It was commented by a MS to introduce paragraph (c) in order to include the requirement for an FSTD User Approval. See CS-FSTD(A) BOOK 1.	a. Partially accepted. The Agency agrees that the term "adequate fleet" might cause some irritation with regard to small training organisations operating only one or two training aircraft (e.g. one hot-air balloon or hot-air airship). However, it was decided to keep the text of this Implementing Rule but to revise the text of the AMC and to amend it in order to make clear that one training aircraft (e.g. one gas balloon) might be sufficient to fulfil these requirements. b. Noted. The content of the user approval is part of the ATO certificate or the OM-D for AOC holders.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
(b) An ATO shall only provide training in FSTDs, when it demonstrates to the competent authority: (1) the adequacy between the FSTD specifications and the related training programme; (2) that the FSTDs used comply with the relevant requirements of Part-FCL; (3) in the case of Full Flight Simulator (FFS), that the FFS adequately represents the relevant type of aircraft; and (4) that it has put in place a system to adequately monitor changes to the FSTD and to ensure that those changes do not affect the adequacy of the training programme.		It was decided to move this requirement from OR.ATO.300(a)(2) to OR.ATO.135. The new allocation is more appropriate, because OR.ATO.300 applies to both ATOs operating FSTDs and providing training in FSTD and to ATOs only providing training devices.		
(c) If the aircraft used for the skill test is of a different type from the FFS used for the visual flight training, the maximum credit shall be limited to that allocated for FNPT II for aeroplanes and FNPT II/III for helicopters in the relevant flight training programme.	**IND(1), IA(2), MS(4)** a. Several stakeholders suggest replacing the word "helicopter" with "aircraft" or, as proposed by one stakeholder, to move the text to an AMC. b. One competent authority suggested to amend the text as the term "flight simulator" is not clearly defined in the Implementing Rules; the term "visual training" does not seem to be clear either. c. One IA commentator mentioned that FNPT II/III is used in various places throughout this part but however only FNPT I, II and II MCC standards are applicable.	a. Partially accepted. The Agency agrees and has amended the wording. The term "helicopter" is replaced by "aircraft" and "flight simulator" is replaced by "full flight simulator". b. See comment above. "Visual training" is replaced by "visual flight training". c. Not accepted. FNPT II/III is correct in the context of paragraph (b) and will be kept. In order to clarify the issue the text has been amended slightly in order to address the differences between the use of FNPTs for helicopter and for aeroplane training.		
(d) *Flight test training organisations*. Aircraft used for flight test training shall be appropriately equipped with flight testing instrumentation, according to the purpose of the training.		Based on the comments received dealing with specific requirements for training organisations providing courses only for flight test ratings the Agency decided to develop specific rules for this kind of training organisations. See comments and responses in other segments.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
OR.ATO.140 Aerodromesand operating sites			Appendix 1a to JAR-FCL 1.055, 27 Appendix 1a to JAR-FCL 2.055, 27& 28	
When providing flight training on an aircraft an ATO shall use aerodromes or operating sites that have the appropriate facilities and characteristics to allow training of the manoeuvres relevant, taking into account the training provided and the category and type of aircraft used.	**IN(3), IA(8)** a. There is a certain confusion amongst stakeholders regarding teaching theoretical knowledge, which is not be provided at an aerodrome or operating site. Proposal to change the text as follows: "When providing flight training, an ATO shall use aerodromes or operating sites that have the appropriate facilities and characteristics to allow training of the manoeuvres relevant, taking into account the training provided and the category and type of aircraft used." b. Some comments propose an alternate wording of the definition "…appropriate facilities and characteristics to allow training of the manoeuvres relevant…" as it is unclear for some commentators. c. Some stakeholders expressed that this requirement seems to lead in the right direction. d. One comment pointed out that any suitable airfield should be available for flight training, not just licensed airfields. It is mentioned also that legislation should not limit flight training to airfields "equipped with radio". Some other comments are focussing on the issue of air traffic control service (which is only mentioned in the AMC). e. One industry organisation proposes: "The specification of aerodrome facilities under this item seems incidental and may have more relevance in aerodrome-specific regulations since such activities fall under the responsibility of the "accountable airport manager".	a. Accepted. The Agency carefully reviewed this issue and came to the conclusion that the text could be misinterpreted as requiring also an ATO providing only TK instruction or training on FSTDs to provide this at an aerodrome. The proposal has been accepted and the text amended accordingly. b. Not accepted. The wording used and criticised is taken over from JAR-FCL and was in place for several years in the JAA countries. The text clearly explains that the "appropriate facilities and characteristics" should be considered by taking into account the training provided and the category or types of aircraft used. The AMC clearly answers the question as it contains several different characteristics. c. Accepted. The Agency is very thankful also for positive feedback. d. Not accepted. The comment mentions "licensed airfields" and "airfields equipped with radio". The Agency does not understand this comment as the requirement in OR.ATO.140 does not specify at all that the aerodrome or operating site has to be "licensed" or approved nor does it require using radio telephony for training flights. It seems that the comment is not differentiating between the rule text and the AMC material. In the AMC to this paragraph an "air traffic control service" is mentioned. See the responses addressed to the AMC. e. Not accepted. The Agency does not agree that the items mentioned should be covered in a specific regulation for aerodromes as these requirements dealing with facilities and characteristics have to be fulfilled by the ATO.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
OR.ATO.145 Pre-requisites for training			Appendix 1a to JAR-FCL1.95 "Medical Fitness" and JAR-FCL 1.125 "Training Course" Appendix 1a to JAR-FCL 1.055,31 Appendix 1a to JAR-FCL 2.055, 30 Appendix 2 to JAR-FCL 1.055 & 2.055, 24	
(a) An ATO shall ensure that the students meet all the pre-requisites for training established in Part-Medical, Part-FCL, and, if applicable, as defined in the operational suitability data (OSD) established in accordance with Part-21. (b) In the case of ATOs providing flight test training, the students shall meet all the pre-requisites for training established in Part-21.	**IA(1), MS(1), I(1)** a. One comment stated that the text should be amended as follows: "(a) The approved training organisation shall establish entrance requirements for students in their procedures. The entrance requirements shall ensure that the students have enough knowledge, particularly of physics and mathematics, to be able to follow the courses. (b) An The ATO shall ensure that the students meet all the prerequisites for training established in Part-FCL." b. Another commentator states that Part-Medical shall be mentioned here. c. A commentator from the industry proposes another wording: "An ATO shall ensure that the students meet all the pre-requisites for training established in Part-FCL, and the ones associated to the training syllabi as defined in the Operational Suitability Certificate issued under Part-21 if applicable."	a. Partially accepted. This pre-requisite was mentioned already in JAR-FCL but not taken over for the NPA because the term used "enough knowledge, particularly of physics and mathematics" seemed to be too vague. The Agency does not see a safety-related problem with not requiring such a pre-requisite for the LAPL and PPL students as the in-between assessments to be done by the ATO on the progress of each student will show anyway if certain problems exist or not. However, based on this comment and the input received from the experts involved in the review the Agency decided to add an AMC in order to clarify this issue. See AMC1-OR.ATO.145. b. Accepted. The Agency reviewed the mentioned issue carefully and came to the conclusion that such an additional reference to Part-Medical should be added as the requirement for a medical prior to the first solo flight is mentioned only in Part-Medical. c. Accepted. The Agency agrees and will amend the text accordingly in order to read: "and, if applicable, as defined in the Operational Suitability Data established in accordance with Part-21".		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
OR.ATO.150Training in third countries	**IA(1)** It is proposed to add a new item I: "Instruction may only be given under the direct control of a CFI(A) or nominated deputy holding an EU FCL licence and instructor rating, who is to be present when training is given by authorised FIs, not licensed under this part, outside Member States."	The terminology was changed from "Member States" to "Third Countries" based on a legal review. The new wording clarifies the meaning. Not accepted. The Agency is of the opinion that this additional requirement is not necessary as the ATO in its training manual has to describe how the training outside the Member States will be organised. As the head of training has the overall responsibility, he/she clearly has to nominate a CFI who must oversee the training outside a Member State. As Part-FCL requires an ICAO licensed instructor (non-EU licence) to hold an instructor certificate issued in accordance with Part-FCL the further details mentioned in the comment are not considered to be necessary here.	Appendix 1b to JAR-FCL 1.055	
When an ATO is approved to provide training for the instrument rating (IR)in third countries:	**IA(6), I(2)** Many stakeholders suggest putting this requirement in Part-FCL Subpart G (Instrument Rating – IR).	Not accepted. The Agency would like to point out that Part-FCL contains the technical requirements. Any specific requirement for training provided outside the territory of the Member States and aimed at the ATO should stay in Part-OR. The changes introduced were made on order to clarify the meaning of the requirement.		
(a) the training programme shall include acclimatisation flying in one of the Member States, before the IR skill test is taken; and				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
(b) the IR skill test shall be taken in one of the Member States.	**IA(7), IN(4), I(6), MS(2)** a. Some commentators mention that taking this test in an MS does not increase safety. Many organisations have ATOs outside of the EU which have been working successfully for decades, therefore deletion of this paragraph is proposed. b. One MS suggests to replace "...shall be taken in one of the MSs." by "shall be taken in the state of issue of the licence." c. Another MS suggests to reword and add: "(b) When an ATO is going to provide training in another Member State:(1) An ATO shall apply from the competent (first) authority (2) Authorities may agree additional training site in other Member State provided that concerned competent authorities agrees to assist on oversight. The overall responsibility remains with the first authority." d. Some comments also propose to add the term "initial" before instrument rating skill test in (b).	a. Not accepted. The reason behind this requirement is that the student pilot for the instrument rating should be forced with the requirement in (b) to receive some acclimatisation flights in European airspace and also has to pass the skill test in a European instrument flying environment. It should also be mentioned that the same wording was already established under JAR-FCL (Appendix 1b to JAR-FCL 1.055). b. The Agency does not agree with this proposal that a skill test for a certain rating shall be conducted in a specific MemberState. In the MS's proposal the state of licence issue is proposed but it could also be the Member State which has approved the ATO providing this training. The requirement was introduced to make sure that a student pilot who received his/her training for the instrument rating outside of Europe should by receiving some acclimatisation flights and by taking the skill test in one of the Member States be familiar with the European airspace system and the instrument flying environment in Europe. c. Not accepted. The principle of cooperative oversight will apply. Please see all the elements for cooperative oversight provided in Part-AR. The Agency does not agree that the proposed text should be added. d. Not accepted. The Agency does not agree to add "initial" in (b) as this will not change the intent of the rule.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
SECTION II - ADDITIONAL REQUIREMENTS FOR ATOs PROVIDING TRAINING FOR LICENCES AND RATINGS OTHER THAN THE LAPL, PPL, SPL AND BPL.	**IA (3), IN (1), MS (1)** a. One comment states that there is a paragraph missing in this Section. According to them there is no requirement for an ATO to obtain approval of an FSTD (EU-OPS 1.005, d resp JAR-OPS 1.005, e). b. One comment states that this section is a mix of JAR-FCL requirements for ATOs and TRTOs. The rule is too binding and the text must be reviewed completely. Additionally some parts might be placed in AMC. c. One comment fully supports that the rules concerning ATOs shall be proportionate to the type of activities and that the rules contained under this section, shall not be applicable to "Very small ATOs" d. One comment requests that the words "basic LAPL" are inserted in the title of this section after the words "other than". e. There is one comment requesting to create a third type of ATO ('Mini ATO').	a. Noted. The requirement for an ATO to obtain approval of an FSTD (as it is regulated in EU–OPS 1.005, (d) and JAR-OPS 1.005, (e)) can be found in Part-AR: AR.ATO.200(a)(1) (Initial evaluation procedure) and AR.ATO.210 (Issue of an FSTD qualification certificate). b. Not accepted. The Agency does not see the need to place some parts in AMC or to divide between FTOs and TRTOs as in JAR-FCL. The Explanatory Note to the NPA Part-OR states that the implementing rules are based on the recommendations prepared by the JAA Consistency of Organisation Approval (COrA) group to achieve consistency of the JARs. JAA had introduced the concept of approved organisations in its entire regulated field as an important tool to promote safety. c. Accepted. The Agency thanks you for this support. d. Not accepted. The words 'basic LAPL' should not be inserted, as the 'Basic LAPL' is one of the categories of the LAPL. This means the LAPL covers also the Basic LAPL. The Agency wishes to add that the Comment Response Document (CRD) has been published which contains replies to comments from stakeholders, together with the revised text for Part-FCL and related Acceptable Means of Compliance (AMC) and Guidance Material (GM). Some changes concerning the LAPL were introduced. e. The Agency decided not to introduce a third type of training organisation but has now amended most of the AMCs for non-complex organisations and ATOs providing training only for the LAPL and the PPL.	EU–OPS 1.005(d) & JAR-OPS 1.005(e). Appendix 1a to JAR-FCL 1.055 and Appendix 1a to JAR-FCL 2.055 (the requirements for an FTO). Only for paragraph OR.ATO.230 'Training and Operational Manual' there is a combination of the requirements mentioned above and Appendix 2 to JAR-FCL 1.055 and Appendix 2 to JAR-FCL 1.055	

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
OR.ATO.210 Personnel requirements	**IA (8), I (26), IN (4), MS (10)** **FAA (2)** a. There are a few comments on the wording of the text or they want clarification. b. Two stakeholders (MS) ask to transfer AMC2 OR.ATO.210 into OR.ATO.210. This AMC covers the experience for both HT and CFI. In JAR-FCL this was all in the rule itself in paragraph 14 and 15 in the Appendix 1a to JAR-FCL 1.055 and Appendix 1a to JAR-FCL 2.055. c. The FAA proposes to change the title because OR.ATO.210 Personnel requirements Sections OR.ATO.110 and OR.ATO.210 have exactly the same title,	a. Not accepted. These comments or clarifications concern the wording which is exactly the same as in JAR-FCL. Section 2 is based on the requirements coming from Appendix 1a to JAR-FCL 1.055 and Appendix 1a to JAR-FCL 2.055. As explained in paragraph 10 of the Explanatory Note of NPA 2008-22a, when adopting its proposal, the Commission recommended, as suggested by the Agency itself, that common requirements are specified in Implementing Rules,which are based as much as possible on existing JAA material. The Agency sees no safety justification for amending the text of this paragraph. b. Not accepted. The Agency is of the opinion that this kind of detail should stay in AMC. As explained in the Explanatory Note it is imperative that only essential safety elements are contained in the rule, leaving non-essential implementation aspects to Certification Specifications or AMCs. c. Partially accepted. The paragraphs OR.ATO.110 and OR.ATO.210 have the same title 'Personnel requirements' but they are in different sections. There is no need to retitle one of the paragraphs.	Appendix 1a to JAR-FCL 1.055 and Appendix 1a to JAR-FCL 2.055.	
(a) *Head of training (HT)*. Except in the case of ATOs providing flight test training, the nominated HT shall have extensive experience in training as an instructor for professional pilot licences and associated ratings or certificates.		In order to align the two requirements for the HT in (a)(1) and (a)(2) in this paragraph and the requirements for the HT in OR.ATO.110 in Section 1 the Agency has transferred (a)(1) and (2) to OR.ATO.110. See also the reply in Section 1.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	There is one comment stating that new regulations in force appear to have abandoned the use of the terms "synthetic flight training" and "synthetic flight instructors". Instead shouldn't these be respectively replaced by: 'simulated flight training' and 'flight simulation training instructors'?	The text in (a)(1) and (2) has been transferred to OR.ATO.110. Accepted. The term 'synthetic flight training' is taken over from JAR-FCL and is indeed no longer current. To be consistent with Regulation (EC) No 216/2008 the training should be in a Flight Simulation Training Device (FSTD). Therefore the text in (a)(1) has been amended to: 'of flight training in an aircraft or an FSTD' and the 'synthetic flight instructor' has been amended to 'flight simulation training instructor'. This will then cover: - the synthetic flight instructor - the SFI in FCL - the synthetic training instructor – the STI in FCL.		
	There are many stakeholders with a similar comment on OR.ATO.210 (a)(2): HT of TRTO may have no experience in training for pilot licences but significant experience as a TRI/TRE. In the case of an ATO providing only modular theoretical knowledge instruction it is not necessary for the HT to have experience as a flight instructor.	Accepted. The Agency understands the problem and the text has been amended along these lines and transferred to OR.ATO.110 (a). It should be highlighted however that the text in (1) and (2) has been partly transferred to OR.ATO.110.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
(b) *Chief flighti nstructor (CFI)*. An ATO providing flight instruction shall nominate a CFI who shall be responsible for the supervision of flight and flight simulation training instructors and for the standardisation of all flight instruction and flight simulation instruction. The CFI shall hold an instructor certificate with the privilege to instruct for at least one of the training courses provided.	a. There are many stakeholders with a similar comment on OR.ATO.210 (b) and (c): A chief flying instructor (CFI) and a chief ground instructor (CGI) are not applicable within current approved TRTO structure. This requirement for a CFI & CGI is not a commonly used management construction within modern organisations. Creating an extra management layer will have a negative effect on the flexibility of the organisation.	a. Partially accepted. The Agency agrees that the former TRTOs in the JAR-FCL system were only required to have an HT. In order to address the problem raised with these comments the text ofthe AMC to this requirement will be amended in order to allow non-complex ATOs providing only a few type rating courses or only theoretical knowledge instruction to combine the functions of the HT, CFI and CGI. This alleviation was already in place for the training organisations providing only modular courses under the JAR-FCL requirements. For the addressed change of 'synthetic flight simulator' see comment under (a)(1).	Appendix 1a to JAR-FCL 1.055, 15 & JAR-FCL 2.055, 15.	

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
(c) *Chief theoretical knowledge instructor (CTKI)*. An ATO providing theoretical knowledge instruction shall nominate a CTKI who shall be responsible for the supervision of all theoretical knowledge instructors and for the standardisation of all theoretical knowledge instruction. The CTKI shall have extensive experience as a theoretical knowledge instructor in the areas relevant for the training provided by the ATO.	See (b)	See (b) The change of the term "Chief Ground Instructor" is based on the decision made in Section 1. It should be clarified that this instructor is responsible for the TK instruction. As the term "Ground Instructor" is used in a lot of Member States for the instructor supervising solo flying students this should clarify the requirement. As the Agency also decided to address some common requirements for all theoretical knowledge instructors already in OR.ATO.110 some elements mentioned in this paragraph could be deleted and a general term asking for extensive experience as a TK instructor was included.	Appendix 1a to JAR-FCL 1/2.055, 19	
OR.ATO.225 Training programme	**FAA (1)** The FAA recommends developing AMC material to aid the operator to develop their training programs.	Noted. In Section 1 – General there is also a paragraph on the Training Programme: OR.ATO.125. There the corresponding AMCs covering this issue can be found.	Appendix 1a to JAR-FCL 1/2.055, 24	
(a) The training programme shall include a breakdown of flight and theoretical knowledge instruction, presented in a week-by-week or phase layout, a list of standard exercises and a syllabus summary.				
(b) The content and sequence of the training programme shall be specified in the training manual.				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
OR.ATO.230 Training manual and operations manual	**IA (6), I (20), IN (2), MS (3)** One comment states that all should be covered by one standard syllabus and there are eight comments stating that the prescription of the different parts is too rigid. This should be left at the discretion of the CA (in consultation with the operator).	Not accepted. As explained in paragraph 10 of the Explanatory Note of NPA 2008-22a, when adopting its proposal, the Commission recommended, as suggested by the Agency itself, that common requirements to be specified in Implementing Rules be based as much as possible on existing JAA material. The Agency sees no need to cover this all by one standard syllabus.	Appendix 1a to JAR-FCL 1.055 and Appendix 1a to JAR-FCL 2.055	
		Based on the comments received and further discussions with the experts involved during the review, it was decided to move these requirements to OR.ATO.130.. All kinds of training organisations (not only the ATOs providing training for licences other than LAPL / PPL /SPL or BPL) will be asked to establish a training and operations manual.		
		Based on the comments received and further discussions with the experts involved during the review, it was decided to move these requirements to OR.ATO.130. All kinds of training organisations (not only ATOs providing training for licences other than LAPL / PPL /SPL or BPL) will be asked to establish a training and operations manual. It should be mentioned however that the level of detail of such documents will be different for the non-complex training organisations providing training only for the LAPL, PPL, SPL or BPL.		
(a) The training manual shall state the standards, objectives and training goals for each phase of training that the students are required to comply with and shall address the following subjects:	Some comments recommend having more flexibility in the creation of the training manual. They find this requirement sub-paragraph (c) to be cumbersome when an organisation conducts a variety of courses, especially TRTO courses where one organisation provides multiple type rating training. An individual document is required for each course while many aspects are common. They propose commonality with requirements for the operations manual in sub-paragraph (d).	Partially accepted. As explained in paragraph 10 of the Explanatory Note of NPA 2008-22a, the Commission recommended, when adopting its proposals (this was also suggested by the Agency), that common requirements to be specified in implementing rules should be based as much as possible on existing JAA material. This was the reason why the Agency transferred most of the elements of Appendix 1a to 1.055 without any change. However, as the Agency understood that certain flexibility should be provided, it was decided to change the text slightly. Nevertheless the training programme for each course must be developed.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
- training plan,	One MS suggests moving the text in AMC1 OR.ATO.230 into OR.ATO.230.	Noted. In JAR-FCL additional information could be found in IEM No 3 to JAR-FCL 1.055 and 2.055. This information can now be found in AMC1OR. ATO.230(c).		
- briefing and air exercises,				
- flight training in an FSTD, if applicable,				
- theoretical knowledge instruction.				
(b) The operations manual shall provide relevant information to particular groups of personnel, as flight instructors, flight simulation training instructors, theoretical knowledge instructors, operations and maintenance personnel, and shall include general, technical, route and staff training information.	For 'synthetic flight instructor' see also comment under OR.ATO.210 (a)(1).	Accepted. The term 'synthetic flight instructor' has been amended to 'flight simulation training instructor'. This will then be in line with the term used in OR.ATO.110. This will then cover: - The synthetic flight instructor - the SFI in FCL - The synthetic training instructor – the STI in FCL - And any other instructor that can provide training in an FSTD – as is the case of the TRI, for example.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
		Some of the elements of OR.ATO.230 were moved to OR.ATO.130 as all training organisations have to comply with these rules. Subparagraph (e) was moved to OR.ATO.130.		
	a. There are a few stakeholders with a similar comment on this subparagraph. For flight time limitations, four possibilities of operations for a flight instructor exist: 1. Full-time instructor with no commercial flying 2. Full-time instructor with commercial flying 3. Part-time instructor with no commercial flying 4. Part-time instructor with commercial flying In case of commercial flying, the duty and rest times of Subpart OPS have to be respected. Due to the different nature of these operations and the related stress it should be possible to deviate from OPS requirements if the instructor only provides instruction or is a part-time instructor. They all propose: erase "in accordance with Subpart OPS".	a. The Agency discussed this issue. As FTL schemes are needed also for instructors the obligation for the training organisation to establish an FTL scheme will be kept. This will be addressed in the subpart OR.OPS.		
	b. Clarification is required on what is the type of operations of an ATO. Depending on the type of operation, various FTL schemes may appear in various CSs. Specific CSs should be developed to regulate the instructional activities.	b. Noted. All the requirements and the AMC and CS to these requirements can be found in OR.OPS.FTL and in OPS.GEN as applicable. OR.OPS.FTL and related Certification Specifications will cover all types of organisations for which FTL requirements apply. They are covered by a separate rulemaking task (OPS.055).		
	There are many stakeholders with a similar comment on OR.ATO.230 (c). Their comment is that if this ATO is a part of an airline group, these manuals can be combined with the airline operational manual.	Partially accepted. The Agency sees the point and agrees with the comments made. However, it should be highlighted that with the amendment made in OR.GEN.200 this kind of combination between different manuals is already possible. Therefore no clarification is needed within this requirement.		
SECTION III – ADDITIONAL REQUIREMENTS FOR ORGANISATIONS OPERATINGFLIGHT SIMULATION TRAINING DEVICES (FSTDs) AND THE QUALIFICATION OF FSTDs				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
Chapter 1 - Requirements for organisations operating FSTDs				
OR.ATO.300 General (a) An applicant for an FSTD qualification shall demonstrate to the competent authority)that it has established a management system in accordance with OR.GEN.200 to ensure that it has, directly or through contract, the capability to maintain the performance, functions and other characteristics specified for the FSTD's qualification level and to control the installation of the FSTD;	[MS:8; IND:0; INDIV:0] 1. A commentator proposes to suppress this paragraph because it is not the tasks of an ATO to verify that the performance functions and other characteristics of FSTD is are maintained 2. A commentator addresses the following: In (a)(1), is the word 'installation' being is used as a gerund - i.e. "the act or an instance of installing" - or as the pure noun - i.e. "a piece of apparatus, a machine, etc. installed" - or both? If it is the former, it will be relatively straightforward for an ATO to control through contract, but if it is the latter, it will be almost impossible for an ATO, which is using the device of a third party, to comply with this rule.	1. Not accepted. It is the task of the organisation operating an FSTD to take care that the qualified level will be maintained during the time between the evaluations. 2. Noted. The third party will be an organisation as well which has to follow the requirements for organisations operating FSTDs. The deleted paragraph is moved to OR.ATO.125(c) due to the change of the headline of this chapter, which was necessary to cover both ☐ ATOs operating FSTDs and providing training programmes; and ☐ organisations only operating FSTD Further text changes were made to ensure consistency regarding organisations only operating FSTDs.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
(b) If the applicant is the holder of a certificate issued in accordance with this Part, the FSTD specifications shall be detailed: (1) in the terms of the ATO certificate; or (2) in the case of an AOC holder, in the training manual.	1. It is proposed that the FSTD specification shall be detailed in the terms of the user approval by the competent authority as the user approval is paramount to provide details in the training program compared to what the training device is actually capable of. The authority has to decide which difference/ familiarisation training is required to fulfill Part-FCL and OPS requirements. 2. A question was raised if the mentioned 'approval' is the FSTD user approval, or the ATO approval. Normally the FSTD specifications are listed only on the qualification certificate, and on the user approval only the user's requirements are listed, subject to continued qualification of the device. It would be a waste of time to list all the specifications of every FSTD that an ATO uses on the ATO approval, especially if the ATO was not authorised to use some of the capabilities of the device. For example, the device is capable of Cat IIIb, but the ATO only has approval for Cat I. The FSTD specifications are well documented elsewhere and therefore (b) is redundant and should be removed to avoid confusion. Some of this confusion will arise because some ATOs will operate and provide training in a device or devices, but, because of these rules, an organisation which operates simulators but does not itself provide training, will also have to be an ATO.	1. Noted. The FSTD still has to be user approved by the competent authority for the exercises and training courses to be conducted. 2. 'Approval' is replaced by 'certificate'. The qualification certificate contains the specifications/capability of the device (amended by a section "Training, Testing and Checking Considerations" as laid down in the evaluation report). Further text changes were made to ensure consistency regarding organisations only operating FSTDs. The rules will be restructured to consider that there are organisations operating FSTDs but not providing training programmes.		
OR.ATO.305 FSTD qualification maintenance (a) In order to maintain the qualification of the FSTD, the complete set of tests contained within the master qualification test guide (MQTG) and functions and subjective tests shall be run progressively between each annual evaluation conducted by the competent authority.	[MS:2; IND:1; INDIV:0] Input was given to make the requirement more clear.	Partially accepted. Text modified after internal review.		
(b) The results shall be dated and retained in accordance with OR.ATO.390 in order to demonstrate that the FSTD standards are being maintained.	Input was given to provide a reference.	Accepted. Reference added.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
(c) A configuration control system shall be established to ensure the continued integrity of the hardware and software of the qualified FSTD.	It is stated that the reason why a configuration management system is essential is not clear or understood. It is offered that the need for configuration management is to ensure that the device continues to replicate a known aircraft, or that differences in configuration between simulator and specific aircraft can be identified for training purposes. A revised text is proposed.	Not accepted. This paragraph addresses the hard- and software of the FSTD and is not intended to apply to the cockpit configuration. The cockpit configuration is covered in OR.ATO.310(a) and does not necessarily require a configuration management system. The FSTD configuration management system addresses changes to the software modules or FSTD hardware components.		
OR.ATO.310 Modifications (a) The holder of an FSTD qualification shall establish and maintain a system to identify, assess and incorporate any important modifications into the FSTDs it operates, especially: (1) any aircraft modifications that are essential for training, testing and checking, whether or not enforced by an airworthiness directive; and (2) any modification of an FSTD, including motion and visual systems, when essential for training, testing and checking, as in the case of data revisions.	[MS:2; IND:5; INDIV:0] 1. Change proposed by a commentator saying that the responsibility for identifying and reviewing modifications is with the operator of a simulator. There is no need to define who should be involved in the rule. 2. A commentator has difficulties to understand how an ATO would monitor embodiment of those "discretionary" modifications as may be issued from time to time.	1. Accepted. Text is modified. 2. Noted. The aerodynamic data and flight control system of the B737NG is a good example for modifications carried out not due to an AD but due to improvements made by the A/C manufacturer which has influence on training, testing and checking. The Agency cannot prescribe the kind of system for the organisation operating an FSTD for getting such information. The responsibility lies with the FSTD operator to put in place processes, which ensure that any important modification is reviewed and a decision made to incorporate it or not into an FSTD. Current FSTD operators have a system in place that suits their individual needs and depends upon their own circumstances. It is for the FSTD operator to determine what they need and to demonstrate that it is sufficient. Examples of various sources of information which would contribute might be using the resources of customer airlines, relationships with the aircraft manufacturer, monitoring regulatory web sites to identify applicable ADs etc.		
(b) Modifications of the FSTD hardware and software that affect handling, performance and systems operation or any major modifications of the motion or visual system shall be evaluated to determine the impact on the original qualification criteria. The organisation shall prepare amendments for any affected validation tests. The organisation shall test the FSTD to the new criteria.				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
(c) The organisation shall inform the competent authority in advance of any major changes to determine if the tests carried out are satisfactory. The competent authority shall determine if a special evaluation of the FSTD is necessary prior to returning it to training following the modification.	One commentator proposed to set a deadline to the competent authority for a response to the notice for a modification. If the competent authority will not respond or do an evaluation within this period the change can automatically be implemented into the training environment.	Not accepted. OR.ATO.310 (c) addresses modifications which will lead to a major change and that the competent authority shall be advised in advance – but the commentator is expecting a response/decision or an evaluation by the authority within 21 days after the FSTD operator already implemented the change and to use it in the training load after 21 days if the competent authority does not react. That would be a type of self-approval. Beyond that this procedure may lead to the following risk: Major changes may affect the FSTD qualification or handling qualities, performances or system representations (see OR.ATO.380). If training, testing and checking are continued after the major change without a special evaluation (if necessary) or approval by the competent authority and a later evaluation shows that the implementation is not correct, all checks of pilots performed in the meantime could become invalid. Therefore it is recommended that the competent authority is notified in advance of an intended change (before the change is implemented) to the device, and confirmation obtained as to the need for an evaluation. If an evaluation is seen as necessary, plans can be made in advance for the evaluation with a view to assuring ongoing validity after the change.		
OR.ATO.315 Installations (a) The holder of an FSTD qualification shall ensure that: (1) the FSTD is housed in a suitable environment that supports safe and reliable operation; (2) all FSTD occupants and maintenance personnel are briefed on FSTD safety to ensure that they are aware of all safety equipment and procedures in the FSTD in case of an emergency; and (3) the FSTD and its installations comply with the local regulations for health and safety.	[MS:2; IND:1; INDIV:0] Stated by 2 commentators: Compliance with local, country or state regulations for health and safety is missing like it has been in JAR-STD and JAR-FSTD.	Partially accepted. Requirement added. "Local" implies country and state regulations.		
(b) The FSTD safety features, such as emergency stops and emergency lighting, shall be checked at least annually and recorded.				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
OR.ATO.320 Additional equipment Where additional equipment has been added to the FSTD, even though not required for qualification, it will be assessed by the competent authority to ensure that it does not adversely affect the quality of training.	[MS:1; IND:1; INDIV:0] There is a concern about the introduction of new and novel features as "additional equipment" where there are no requirements to assess if the feature adversely affects training. An example might be the recent developments in motion seats or the "upset recovery" functions on some simulators. There is a need to establish what to do if there is no basis for making a judgement about the effect on training (restrict use of the feature perhaps) or provide guidance in a new AMC.	Not accepted. The requirement to assess if the additional equipment affects the training is clearly stated in this rule. 'Additional equipment' covers a wide range of items and it is impossible to provide guidance material for the evaluation of whether training is affected or not.		
Chapter 2 -Requirements for the qualification of FSTDs				
OR.ATO.350 Application for FSTD qualification (a) An application for an FSTD qualification shall be made in a form and manner established by the competent authority: (1) in the case of Basic Instrument Training Devices (BITD), by the BITD manufacturer; (2) in all other cases, by the organisation intending to operate the FSTD. (b) Applicants for an initial qualification shall provide the competent authority with documentation demonstrating how they will comply with the requirements established in this Part. Such documentation shall include the procedure established to ensure compliance with OR.ATO.130 and OR.ATO.380.	[MS:1; IND:2; INDIV:0] A clarification on "competent authority" has been addressed in context with the different possibilities in "using" an FSTD and "operating" an FSTD, respectively where the FSTD is located.	OR.GEN.005 is modified to clarify the meaning of "competent authority". Subparagraph (b) was added to properly address organisations only operating FSTDs.		
OR.ATO.355 Certification specifications for FSTDs (a) The Agency shall issue, in accordance with Article 19of Regulation (EC) No 216/2008,certification specifications as standard means to show compliance of FSTDs with the essential requirements of Annex III to Regulation (EC) No 216/2008.	[MS:0; IND:0; INDIV:0]			
(b) Such certification specifications shall be sufficiently detailed and specific to indicate to applicants the conditions under which qualifications will be issued.				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
OR.ATO.360 Qualification basis (a) The qualification basis for the issuance of an FSTD qualification shall consist of: (1) the applicable certification specifications established by the Agency that are effective on the date of the application for the initial qualification; (2) the aircraft validation data defined by the operational suitability data (OSD) as approved under Part-21, if applicable; and (3) any special conditions prescribed by the competent authority if the related certification specifications do not contain adequate or appropriate standards for the FSTD because the FSTD has novel or different features to those upon which the applicable certification specifications are based.	[MS:3; IND:0; INDIV:1] 1. Commentators ask for the origin of this section and for clarification. 2. A commentator raised the question how simulators that were granted approval by competent authorities (such as the FAA) prior to EASA's formation and that are currently being utilised by EU Member State operators will be qualified? If not fully recognized as being compliant, their removal from service could have a significant impact on the availability of full flight simulator training devices available to EU Member State operators.	1. Partially accepted. OR.ATO.360 is redrafted. In the drafting document of NPA 22 these paragraphs have been derived from Regulation 1702 Part 21A.16B and 21A.17 but this is not completely appropriate way for FSTDs. 2. Noted. For already existing simulators in the US and Canada this is covered by the catch-up process which is well known by FSTD operators there. All newly built simulators in the US are compliant with both the FAA requirements and the actual JAR-FSTD requirements and may achieve (if applied by the simulator operator) the same qualification level as devices in the Member States.		
(b) The qualification basis shall be applicable for future recurrent qualifications of the FSTD, unless it is re-categorised.				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
OR.ATO.365 Issue of an FSTD qualification certificate An FSTD qualification certificate shall be issued by the competent authority when, after completion of an evaluation of the FSTD, the applicant has shown that the FSTD meets the applicable qualification basis in accordance with OR.ATO.360 and the organisation operating the FSTD meets the applicable requirements to maintain the qualification of the FSTD in accordance with OR.ATO.300.	[MS:0; IND:0; INDIV:0]	Change added after internal review to assure that an FSTD will not be operated without a CM programme in place.		
OR.ATO.370 Interim FSTD qualification (a) In the case of the introduction of new aircraft programmes, when compliance with the requirements established in this Subpart for FSTD qualification is not possible, the competent authority may issue an interim FSTD qualification level.	[MS:3; IND:1; INDIV:1] Clarity and explanation on how SET activities are integrated into the rules is expected by one commentator addressing the following: The IRs provide for the qualification of simulators for new aircraft types (OR.ATO.370) and indicate the responsibilities and the procedures to be followed by the operator. The competent authority is defined in OR.GEN.005, as being an authority of one of the Member States or EASA, but makes no distinction between initial or first of type and depends on where the device is situated. For first of type simulators where they are placed in a Member State, these rules appear to give the qualification responsibility to the Member state, rather than a SET.	If the new type of aircraft will be certified by EASA, EASA will chair the OEB. The SET as a part of the OEB is a group of experts evaluating the first of type simulator. An EASA representative will be part of the SET. The qualification responsibility for the FSTD will be to the competent authority as defined in OR.GEN.005. "May" used instead of "shall" to give the possibility to issue the interim qualification, without creating an obligation to do so.		
(b) For full flight simulators (FFS) an interim qualification level shall only be granted at levels A, B or C.	It was proposed to delete the paragraph, because there is no reason to exclude interim qualification on other levels of type specific devices.	Not accepted. The paragraph only specifies the levels of an FFS suitable for interim qualification. It does not exclude other type specific devices.		
(c) This interim qualification level shall be valid until a final qualification level can be issued and, in any case, shall not exceed three years.				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
OR.ATO.375 Duration and continued validity (a) A full flight simulator (FFS), flight training device (FTD) or flight and navigation procedures trainer (FNPT) qualification shall be issued for an unlimited duration, and shall remain valid subject to: (1) The FSTD and the operating organisation remaining in compliance with the applicable requirements; and (2) the competent authority being granted access to the organisation as defined in OR.GEN.140 to determine continued compliance with the relevant requirements of Regulation (EC) No 216/2008 and its implementing rules; and (3) The FSTD being evaluated at recurrent 12 month periods for compliance with the applicable qualification basis. The start for each recurrent 12 month period is the date of the initial qualification. The FSTD recurrent evaluation shall take place within the 60 days prior to the end of this 12 month recurrent evaluation period; and (4) The qualification not being surrendered or revoked.	[MS:4; IND:11; INDIV:0] 1. A commentator proposes to provide a better definition about the start date for the 12 month period for recurrent evaluations and the option to perform the evaluation in the 60 days before the end of the validity. 2. A commentator proposes to extend the period for recurrent evaluations of FNPTs to 36 months and in case of complying with the requirements of OR.ATO.375(b) to extend them up to 60 months.	1. Accepted. The text is modified 2. Experiences made in the past by different competent authorities during their recurrent evaluations of FNPTs and the way of CM at FNPT operators showed that it is not yet the right time for this extension for FNPTs.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
(b) This period of 12 months established in (a)(3) may be extended up to a maximum of 36 months, in the following circumstances: (1) the FSTD has been subject to an initial and at least one recurrent evaluation that has established its compliance with the qualification basis; (2) the FSTD operator has a satisfactory record of successful regulatory FSTD evaluations over a period of at least three years; (3) the competent authority performs a formal audit of the compliance monitoring system defined in OR.GEN.200 (a)(5) of the organisation every 12 months; and (4) an assigned person of the organisation with adequate experience reviews the regular reruns of the qualification test guide (QTG) and conducts the relevant function and subjective tests every 12 months and sends a report of the results to the competent authority.	1. Eight commentators suggest to delete paragraph (b)(2) because the failed evaluation of one device of an FSTD operator would affect the extended validity of other devices. 2. One commentator proposes to change (b)(2) back to the version as per JAR-FSTD 3. A concern is raised that the requirement for an annual formal audit of the compliance monitoring system is an expensive and time-consuming burden for both the ATOs and the authority, followed by the proposal to perform audits on an interval determined to be acceptable to the authority and the ATO. 4. A commentator proposes to extend (b)(5) by: Accountable person with FSTD experience but not direct training experience might be acceptable if he is supported all the time by an approved person with training experience. The commentator justifies their proposal by the importance for ATOs not providing training courses but only providing training devices. They might not have employed pilots (TRE/TRI)but they use TRI from customers for the extended validity activity. Similar comments to this point are raised by three other commentators stating that it is very often impossible to find a person experienced in both.	1. Not accepted. The extended validity of an FSTD qualification to a specific organisation operating FSTDs for a specific FSTD is an exception and shall not become the rule. Therefore the validity can be extended on a case-by-case basis but the standard period remains 12 months. This option requires certain prerequisites. One of them is that the FSTD operator demonstrates their capability to maintain all devices they operate over a longer period at the qualified level. That does not mean that unforeseeable occurrences during an evaluation (e.g. a sudden mechanical defect) with the effect that the evaluation fails and must be repeated at another date will affect the extension of the validity for other devices. More critical are the kind and number of unacceptable items or unserviceabilities demonstrating failures in the operator's compliance monitoring function and thus leading to a "negative" evaluation. This failure of the compliance monitoring function is a systematic shortcoming of the organisation operating FSTDs and will then negatively affect the extended validity for all devices. Concerning large ATOs: if a large organisation is applying for one ATO approval for the entire company, actions implemented by the competent authority or the Agency will affect all different satellites (training centers) operating under this ATO certificate. If there are single ATO certificates for the different satellites measures may only apply to a single centre. 2. Accepted. Text changed		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
		3. The content of OR.ATO.375(b) relates to an organisation which has a privilege for an extended validity of an FSTD qualification. It is considered appropriate that FSTD operators having the benefit of such a privilege will be audited on an annual basis. 4. Not accepted. Any TRIs from the customers: • are not necessarily familiar with functions and subjective test procedures during an FSTD evaluation; • might change from one internal inspection of the device to the next (missing continuity); • are not permanently contracted by the FSTD operator and cannot take over the responsibility. It might be acceptable by the competent authority if the TRI/TRE is contracted by the organisation operating the FSTD and well educated in FSTD evaluation procedures (function and subjective testing) - for instance by means of specific training courses. If the prerequisites cannot be fulfilled the organisation is not prepared for an extension of the validity of FSTD qualification. Point (b)(3) has been deleted because it is included in (b)(1) and (b)(2). There will be no qualification of a device if the organisation operating the FSTD(s) does not comply with all applicable requirements. The second part of the former point (b)(5) (beginning with: The assigned person should have..) has been moved to AMC1-OR.ATO.375(b)(4) as has been considered as AMC material.		
(c) A basic instrument training device (BITD) qualification shall be issued for an unlimited duration and shall remain valid subject to regular evaluation for compliance with the applicable qualification basis by the competent authority at the request of the organisation. This evaluation shall be made at periods not exceeding 36 months.				
(d) Upon surrender or revocation, the FSTD qualification certificate shall be returned to the competent authority.				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
OR.ATO.380 Changes to the qualified FSTD (a) The holder of an FSTD qualification shall inform the competent authority of any proposed changes to the FSTD, such as: (1) Major modifications; (2) Relocation of the FSTD; and (3) Any de-activation of the FSTD.	[MS:2; IND:7; INDIV:0] This paragraph is inconsistent with the AMC to OR.ATO.310 (b)	Inconsistency is corrected by putting all the examples of major changes (modifications) into one place (AMC OR.ATO.310 (b))		
(b) In case of an upgrade of the FSTD qualification level, the organisation shall apply to the competent authority for an upgrade evaluation. The organisation shall run all validation tests for the requested qualification level. Results from previous evaluations shall not be used to validate FSTD performance for the current upgrade.				
(c) When an FSTD is moved to a new location, the organisation shall inform the competent authority before the planned activity along with a schedule of related events. Prior to returning the FSTD to service at the new location, the organisation shall perform at least one third of the validation tests, and functions and subjective tests to ensure that the FSTD performance meets its original qualification standard. A copy of the test documentation shall be retained together with the FSTD records for review by the competent authority. The competent authority may perform an evaluation of the FSTD after relocation. The evaluation shall be in accordance with the original qualification basis of the FSTD.	The combination of these words implies that the major evaluation takes place prior to the re-location rather than after it which is not correct. There is room for confusion in the interpretation of the words here.	The text is changed back to the text of JAR-FSTD, because the competent authority *may* decide to perform an evaluation. The position of the text is changed to make clear that the evaluation takes place after the re-location.		
(d) If an organisation plans to remove an FSTD from active status for prolonged periods, the competent authority shall be notified and suitable controls established for the period during which the FSTD is inactive. The organisation shall agree with the competent authority a plan for the de-activation, any storage and re-activation to ensure that the FSTD can be restored to active status at its original qualification level.		Editorial change for clarity because the second paragraph of (d) does not say what has to be agreed with the competent authority.		
OR.ATO.385 Transferability of an FSTD qualification (a) When there is a change of the organisation operating an FSTD, the new organisation shall inform the competent authority in advance in order to agree upon a plan of transfer of the FSTD.	[MS:1; IND:1; INDIV:0]			
(b) The competent authority may perform an evaluation in accordance with the original qualification basis of the FSTD.		The text is changed using the wording of JAR-FSTD, because the competent authority *may* decide to perform an evaluation.		
(c) When the FSTD no longer complies with its initial qualification basis, the organisation shall apply for a new FSTD qualification.				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
OR.ATO.390 Record Keeping The holder of an FSTD qualification shall keep records of: (a) all documents describing and proving the initial qualification basis and level of the FSTD for the duration of the FSTD's lifetime; (b) any recurrent documents and reports related to each FSTD and to compliance monitoring activities for a period of at least five years.				
SECTION IV -ADDITIONAL REQUIREMENTS FOR ATOS PROVIDING SPECIFIC TYPES OF TRAINING				
Chapter 1 – Distance Learning Course	There is one comment asking if the name of this kind of training is distant learning course, or distance learning course.	Noted. The right wording is distance learning course. This term was also used in JAR-FCL.		
OR.ATO.400 General	**IA (2), I (14), MS (1), FAA (1)**			
An ATO may be approved to conduct modular course programmes using distance learning in the following cases:				
(a) modular courses of theoretical knowledge instruction;				
(b) courses of additional theoretical knowledge for a class or type rating; or	There are many stakeholders with a similar comment: distance learning courses should also be available for multi-pilot type rating training with the same restrictions as are listed for single-pilot type rating candidates. There is little difference between a Citation Jet and Citation 500 series aircraft, for example, that would indicate the need to exclude one from distance learning while allowing it for the other. Their proposal; delete *"for a single-pilot high performance aeroplane"* from the sentence.	Accepted. The Agency is aware that web-based distance learning is becoming increasingly available for type rating training and sees the pedagogic benefit: students can study at times most suitable to them. Additionally, in AMC2-OR.ATO.125, 8 it is already stated that type rating courses could be delivered by distance learning.	Appendix 3 to JAR-FCL 1.055, 6 & Appendix 3 to JAR-FCL 2.055, 6.	
(c) courses of approved pre-entry theoretical knowledge instruction for a first type rating for a multi-engined helicopter.	The FAA recommends developing appropriate AMC material.	Noted. The JAR-FCL Regulation for helicopters had no AMC material to this paragraph developed either. At this stage the Agency is not in the position to develop further new material. But this could be a future rulemaking task.	Appendix 3 to JAR-FCL 2.055, 6(b).	

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
OR.ATO.405 Classroom instruction	**IA (2), I (11), MS (5), IN (1)** All the stakeholders here have a similar comment on the classroom instruction: They do not see any reason for distance learning courses to include classroom instruction. Instruction can be remote through video-conferencing or similar, or even through web-cameras. Their proposal: a. The whole OR.ATO.405 paragraph should be deleted. If not, then: b. at least (b) concerning the availability or classroom accommodation; c. the 10% duration of the course in an actual classroom.	Not accepted. The possibility for 100% distance learning was never included in JAR-FCL. To change this would require further consideration and work, which should be the object of a separate rulemaking task. The Agency suggests therefore that a rulemaking proposal should be presented by these stakeholders.		
(a) An element of classroom instruction shall be included in all subjects of modular distance learning courses.			Appendix 3 to JAR-FCL 1.055, 4 &Appendix 3 to JAR-FCL 2.055, 4	
(b) The amount of time spent in actual classroom instruction shall not be less than 10% of the total duration of the course.				
(c) To this effect, classroom accommodation shall be available either at the principal place of business of the ATO or within a suitable facility elsewhere.			Appendix 3 to JAR-FCL 1.055, 1 &Appendix 3 to JAR-FCL 2.055, 1	
OR.ATO.410 Instructors	**IA (2), I (5), MS (4), IN (2)**		Appendix 3 to JAR-FCL 1.055, 5& Appendix 3 to JAR-FCL 2.055, 5	
All instructors shall be fully familiar with the requirements of the distance learning course programme.		Editorial change for clarification.		
	All the stakeholders commenting to this paragraph raise a similar issue: the requirement of paragraph (b) is an unnecessary burden on ATOs, as training for these instructors can be done at any site the organisation uses. Delete paragraph b. The important thing is the quality of the training - not the place of the training.	Accepted. The Agency understands this argument and has deleted paragraph (b) accordingly.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
Chapter 2 -Zero Flight Time Training	**IA (3), I (12), MS (2)**		Appendix 1 to JAR-FCL 1.261(c)(2) & Appendix 1 to JAR-FCL 2.261(c)(2)	
OR.ATO.430 General	There is one comment asking to add the requirements of EU-OPS 1.945 (d) in a new subparagraph (c).	Noted. The requirements of EU-OPS 1.945(d) concerning the ZFTT course can be found in OR.OPS.FC.220(e) in Subpart OPS.		
(a) Approval for zero flight-time training (ZFTT), as specified in Part-FCL, shall only be given to an ATO that also has the privileges to conduct commercial air transport operations or an ATO having a specific arrangement with a commercial air transport operator.				
(b) Approval for ZFTT shall only be given if the operator has at least 90 days of operational experience on the aeroplane type.	a. All the stakeholders commenting that clarification is needed here: in the case of ZFTT provided by an ATO having a specific arrangement with an operator, the 90 days operational experience requirements will not apply if the TRI(A) involved in the additional takeoffs and landings, as required in subpart OPS, has sufficient operational experience on the aeroplane type. They question what is a sufficient amount of operational experience? Who is to assess this operational experience? In the JAR-FCL requirement it was written: has operational experience acceptable to the Authority on the aeroplane type. b. There is one comment recommending to add „ATO" to the operator ("ATO-operator").	a. Noted. The text has been transferred from JAR-FCL. It was decided not to accept any longer the wording "acceptable to the competent authority" as this would not establish a level playing field in the different Member States. The Agency agrees that the wording used in the NPA "sufficient operational experience" leaves also some space for interpretation. The Agency decided therefore to delete the word "sufficient". On a later stage an AMC or GM will be developed to clarify the issue. b. Partially accepted. Paragraph (b) has to be read in conjunction with paragraph (a) and there it is stated that the operator is an 'ATO-operator' (an ATO that also has the privileges to conduct commercial air transport or an ATO having a specific arrangement with a commercial air transport operator).	Appendix 1 to JAR-FCL 1.261(c)(2) & Appendix 1 to JAR-FCL 2.261(c)(2).	
(c) In the case of ZFTT provided by an ATO having a specific arrangement with an operator, the 90 days of operational experience requirements will not apply if the type rating instructor (TRI(A)) involved in the additional take-offs and landings, as required in Subpart OPS, has operational experience on the aeroplane type.				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
OR.ATO.435 Full flight simulator	**IA (1), I (1), MS (3)** There are two comments with the request to change FSTD into FFS.	Accepted. The chapter is applicable only to ZFTT which can only be achieved in a Full Flight Simulator (FFS).	Appendix 1 to JAR-FCL 1.261(c)(2), 2(b)& Appendix 1 to JAR-FCL 2.261(c)(2), 2(b).	
(a) The FFS approved for ZFTT shall be serviceable according to the management system criteria of the ATO.	There is a proposal to delete subparagraph (b) and put in subparagraph (a) the wording 'fully serviceable' instead in subparagraph (b).	Not accepted. As explained in paragraph 10 of the Explanatory Note of NPA 2008-22a, when adopting its proposal, the Commission recommended, as suggested by the Agency itself, that common requirements to be specified in implementing rules be based as much as possible in existing JAA material. The Agency sees no safety justification for amending the text of this paragraph.		
(b) The motion and the visual system of the FFS shall be fully serviceable.				
Chapter 3 – Multi-crew pilot licence (MPL) courses				
OR.ATO.450 General	**IA (1), I (2), MS (1), IN (1)**			
The privileges to conduct MPL integrated training courses and MPL instructor courses shall only be given to an ATO if it also has the privilege to conduct commercial air transport operations or a specific arrangement with a commercial air transport operator.	All the comments are about the wording in this paragraph. The requirement for 'or a specific arrangement with a commercial air transport operator' is felt to impose an unfair restriction on the trainee when qualified. Next to that the comment: Delete 'the privilege to conduct commercial air transport or'. A FTO is not holder of an AOC and does not have privileges to conduct commercial air transport.	Not accepted. As explained in paragraph 10 of the Explanatory Note of NPA 2008-22a, when adopting its proposal, the Commission recommended, as suggested by the Agency itself, that common requirements to be specified in implementing rules be based as much as possible in existing JAA material. The Agency sees no safety justification for amending the text of this paragraph.	Appendix 1 to JAR-FCL 1.520 & 1.525, 2 and Appendix 1 JAR-FCL 2.520 & 2.525, 2.	Appendix 2. Approved Training Organisation, Annex 1 to the Chicago Convention

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
Chapter 4 – Flight test training				
OR.ATO.455 Flight test training organisations	IA (6), IND (2), MS (3), INDIV (13), FAA(1) a. There are several comments stating that the flight testing courses in this implementing rule are not defined. b. There is one comment recommending to delete this chapter and include all material related to flight test in a separate subpart. c. One comment recommends that the fact that today most schools training flight test pilots are military should be taken into account. d. One comment suggests that the possibility for other organisations (such as air sports organisations) to give flight test training is included (specifically for ELA aircraft). e. Two comments state that these requirements should not apply to non-EU manufacturers that train their own flight test pilots. f. One comment asks to delete this paragraph since flight testing is a very rare and specific area of aviation, where there is no need for common rules.	Based on the comments received, and after reviewing them with the help of a specific group with flight test experts, the Agency has amended several aspects of the requirements applicable to flight test training. a. Noted. The syllabi for the flight test courses are defined in Part-FCL (AMC to FCL.820) and Part-21. b. The Agency does not consider it necessary to create a specific Subpart for AFTTOs. It is clear that the large majority are identical to the requirements for other types of ATO. Where differences in requirements have been proposed, they have been accepted and included in the text. Please see amended text. c. Noted. All the flight test related comments were reviewed with the help of a dedicated group, which included members coming from military schools. d. Noted. Nothing will prevent an air sports organisation from asking for an approval as an ATO to provide flight test training. However the Agency considers that, taking into account the complexities of the flight test training activity any organisation providing training for this activity should comply with the requirements proposed. Please note that pilots undertaking flight testing on ELA aircraft are excluded from the requirement to hold a flight test rating. Please see FCL.820. e. Noted. These requirements will not apply to training organisations that are providing training for flight test pilots for non-EU manufacturers. The scope of these provisions needs to be read in conjunction with the requirements of Part-FCL. f. Not accepted. Common requirements for a flight test rating, as were included in Part-FCL need to be accompanied by specific requirements on the training organisation providing the related training.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
(a) An ATO that has been approved to provide flight test training for the issue of a category 1 or 2 flight test rating in accordance with Part-FCL may have its privileges extended to providing training for other categories of flight tests and other categories of flight test personnel, provided that the relevant requirements of Part-21 are met, and a specific arrangement exists between the ATO and the Part-21 organisation that employs, or intends to employ, such personnel.	a. One comments asks to define how an adequate number of aircraft can be defined b. One comment suggests adding the provision that training aircraft can be leased only for the training courses.	a. Noted. Please see the amended text and the AMC to FCL.820. b. Not accepted. The Agency considers that this addition is not necessary. Please see amended text of OR.ATO.105.		
	a. One comment suggests that also a flight test engineer can be the HT. b. One comment states that requiring that the HT has extensive experience is not precise enough.	a. Not accepted. The Agency considers that the HT needs to be not only experienced in the subject of the course, but also an experienced instructor. Currently, Part-FCL only includes the provision for a flight test instructor that holds a pilot licence. Therefore, only a pilot with experience in instructing flight test can be the HT. This may change in the future, if new rules on flight test engineers are developed. b. Noted. This has been a requirement in JAR-FCL for a long time. Since it is an open requirement, in the end it will be subject to the appreciation of the competent authority, as you suggest. The Agency sees no need to delete it. However, it was decided to delete the requirement proposed in this section but to include the HT for an ATO providing flight test training in OR.ATO.110. Please check the comments and responses of this segment.		
		It was decided to delete the requirement proposed in this section but to include the HT for an ATO providing flight test training in OR.ATO.110. Please check the comments and responses of this segment.		
	a. One comment suggests that the requirements for flight test instructors should be included	Noted. Please see Part-FCL and the requirements for the FTI.		
(b) The training records shall include the written reports by the student, as required by the training programme, including, where applicable, data processing and analysis of recorded parameters relevant to the type of flight test.	a. One comment recommends that reports are not required for each flight. b. One comment recommends that recorded parameters as well as training records should be subject to flight data protection in the same way as CAT flight data are.	a. Accepted. See amended text and also the amended text of AMC to FCL.820. b. Not accepted. The Agency does not see the need for such a provision.		

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Subpart AeMC –Aero-medical Centres				
SECTION I – GENERAL				
OR.AeMC.105 Scope	1 pilot organisation proposes to change "to qualify for the issue", into "to apply for an approval".	No change. The proposal does not provide additional clarity of the text.	JAR-FCL 3.085	N/A
This Subpart establishes the additional requirements to be met by an organisation to qualify for the issue or continuation of an approval as an aero-medical centre (AeMC) to issue medical certificates, including initial class 1 medical certificates.				
OR.AeMC.115 Application	NAAs recommended to requiring AeMCs to provide details of attachments to the best medical specialists, clinics and departments that may be located in different centres.	Accepted, "a designated" will be deleted and plural will be used for hospitals and medical institutes.	JAR-FCL 3.085	N/A
Applicants for an AeMC certificate shall				
(a) comply with Part-Medical MED.C.005; and				
(b) in addition to the documentation for the approval of an organisation required in OR.GEN.015, provide details of clinical attachments to hospitals or medical institutes.				
OR.AeMC.135Continued validity	NAAs recommended: • to ensure that each MS will have at least one AeMC • change "medical staff" to "AMEs" 8 NAAs recommended allowing NAAs to determine the minimum number of class 1 examinations per year, 1 NAA recommended limiting this number to 100. 1 NAA supported the NPA text in (b).	"Medical staff" has been replaced by "AMEs". Subparagraph (b) on continued experience will be further explained in an AMC. Basic experience requirements will be ensured by making IR MED.C.030 applicable in full. A requirement to ensure that all MS certify at least one AeMC is not considered to be necessary.	N/A	N/A
An AeMC certificate shall be issued for an unlimited duration. It shall remain valid subject to the holder and the aero-medical examiners of the organisation:				
(a) complyingin with MED.C.030and				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
(b) ensuring their continued experience by performing an adequate number of class 1 medical examinations every year.				
		Moved to AR.AeMC for consistency with changes made in OR.GEN.045 (now OR.GEN.150).	N/A	N/A
SECTION II –MANAGEMENT				
OR.AeMC.200Management system	8 NAAs recommended to delete (b) or to move it to AMC. In addition to this, 1 NAA recommended to either completely delete OR.AeMC 200, or to distribute the relevant subparagraphs into the corresponding paragraphs of OR.ATO, OR.AeMC and OR.OPS.	Provisions of the OR.GEN.200 apply to AeMCs in full. Subparagraph (b) was moved to AMC.	N/A	N/A
An AeMC shall establish and maintain a management system that includes the items addressed in OR.GEN.200and, in addition, processes:				
(a) for medical certification in compliance with Part-Medical; and				
(b) to ensure medical confidentiality at all times.				
OR.AeMC.210Personnel requirements	All NAAs recommended: 1. to allow the deputy head of an AeMC or other AMEs in the AeMC to sign reports and certificates 2. to change "Authorised Medical Examiners" to "aero-medical examiners" 3. 1 pilot organisation requested to insert a rule to ensure medical confidentiality. 4. 1 NAA recommended to include "other technical staff" in (b).	1. Text has been amended to allow all AMEs to sign their reports and the corresponding medical certificates as is included in the privileges of their AME certificates. However, initial class 1 medical certificates shall be signed by the head of the AeMC. 2. accepted 3. medical confidentiality is covered in OR.AeMC 200 and in Part-Med and in Part-AR 4. accepted	JAR-FCL 3.085	N/A
(a) An AeMC shall:				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
(1) have an aero-medical examiner (AME)nominated as head of the AeMC, with privileges to issue class 1 medical certificates and sufficient experience in aviation medicine to exercise his/her duties;; and				
(2) have on staff an adequate number of fully qualified AMEs and other technical staff and experts.				
(b) The head of the AeMC shall be responsible for coordinating the assessment of examination results and signing reports,certificates, andinitial class 1 medical certificates.				
OR.AeMC.215Facility requirements	NAAs proposed to delete "extensive".	accepted.	JAR-FCL 3.085	N/A
An AeMC shall be equipped with medico-technical facilities adequate to perform aero-medical examinations necessary for the exercise of the privileges included in the scope of the approval.				
OR.AeMC.220Record keeping	NAAs recommended to either change the reference from OR.GEN.220 to'OR.AeMC.200' or to delete the reference. 1 NAA proposed moving OR.AeMC.220 (b) to MED.A.050 (d),to delete the rest of OR.AeMC.220 and to change "in accordance with applicable national rules" to "for a minimum period of 10 years after the examination date".	No reference change, because OR.AeMC.200 provides requirements for an AeMC management system, not record-keeping rules. The recommendation to establish a minimum time for keeping medical records was accepted, although in this case national rules on record keeping of medical files may require keeping the records for a longer period of time. Compliance will then be under the responsibility of the Head of the AeMC.	N/A	N/A
In addition to the records required in OR.GEN.220 the AeMC shall:				
(a) maintain records with details of medical examinations and assessments performed for the issue, revalidation or renewal of medical certificates and their results, for a minimum period of 10 years after the last examination date; and				
(b) keep all medical records in a way that ensures that medical confidentiality is respected at all times.				
Appendix I to Annex 1 Part-OR Declaration Form		Editorial change.	No ICAO SARPS.	
Declaration **Operator** Name: Principal place of business: Name and contact details of the accountable manager:		Explanation to revisions: All operator related data are collected in one segment. The term "principal place of business" is added since it is a defined term (OR.GEN.010) and is the relevant place		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
		which has to be taken into account for determining the state of the competent authority. The term "accountable manger" in an NCC context is further described in a GM to OR.GEN.210. It should be the person responsible for the operation of the aircraft. List of acceptable means of compliance was added to be aligned with OR.GEN.045. For the types of operations it has been clarified that the applicability to Part-NCC and/or Part-SPO shall be declared. The management system description has been deleted but the management system documentation has been included to the statement. To cater for 4(1)(c) operations: - Part-M was replaced by Regulation (EC) No 2042/2004; -the reference to the TC has been deleted because Regulation (EC) No 2042/2003 will provide a link to 1702/2003; -the reference to the CAMO has been deleted since it is not yet decided if 4(1)(c) operators would need a CAMO. The airworthiness requirements for 4(1)(c) operations will be dealt with in a separate rulemaking tasks. OPSPECS has been changed into "List of Specific Approvals" as used in AR.OPS; if required was added to account for 4(1)(c) operations.		
Aircraft operation				
Starting date of operation / applicability date of the change:				
Type(s) of operation: .Part-NCC: (specify if passenger and/or cargo) .Part-SPO: (specify the specialised task)				
Type(s) of aircraft and registration(s):				
Details of approvals held (attach list of specific approvals to the declaration, if applicable)				
List of alternative AMCs with references to the AMCsthey replace (attach to the declaration)				
Statements				
. The management system documentation including the operations manual as required by Part-OR reflects the applicable requirements set out in Part-OR, Part-NCC, Part-SPO, and Part-SPA. All flights will be carried out in accordance with that operations manual.				
. All aircraft operated hold a valid certificate of airworthiness and comply with Regulation (EC) No 2042/2003.				
. All flight crew members, cabin crew members and technical crew members,if applicable, are trained in accordance with Part-OR.				
. (If applicable) The operator has implemented and demonstrated conformance to an officially recognised industry standard. Reference of the standard: Certification body: Date of the last conformance audit :				
.Any change in the operation that affects the information disclosed in this declaration will require a new declaration to be provided to the competent authority.				
.The operator confirms that the information disclosed in this declaration is correct.				
Date, name of and signature of the accountable manager				

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IV. Draft Decision AMC and GM to PART-OR				
Acceptable Means of Compliance and Guidance Material to Annex I – Part Organisation requirements (OR)				
SUBPART GEN – General requirements				
SECTION I– GENERAL				
		GM deleted, as it is already provided as GM1 AR.GEN.350.		
GM1-OR.GEN.105 Competent authority				
NON-COMMERCIAL OPERATIONS				
1. For the determination of the principal place of business "activities referred to in this Part" means those activities to which Part-OR, Part-NCC or Part-SPO apply. For organisations that also exercise activities that are not subject to Part-OR, Part-NCC or Part-SPO, the determination of the principal place of business should consider that part of the organisation that is responsible for the operation of aircraft subject to Part-OR, Part-NCC and Part-SPO. For non-commercial operations, this is usually the home base or the main maintenance base of the aircraft concerned, or the location of the flight department. 2. For organisations that also exercise activities not subject to Part-OR, Part-NCC or Part-SPO, the reference to the accountable manager is intended to mean the manager who has the authority to ensure that all activities subject to Part-OR, Part-NCC or Part-SPO can be financed and carried out in accordance with the applicable requirements 3. If the accountable manager is not located in that part of the organisation that is responsible for the operation of aircraft, but the majority of other management personnel are located there, the location of the accountable manager may not need to be considered for the determination of the principal place of business.		This new GM is added based on feedback received from the OPS Review Group NCC.		

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AMC1-OR.GEN.120(a)Means of compliance DEMONSTRATION OF COMPLIANCE		Title changed to "Means of Compliance" in line with changes made in AR.GEN.120 and OR.GEN.120.		
In order to demonstrate that the implementing rules are met, a risk assessment should be completed and documented. The result of this risk assessment should demonstrate that an equivalent level of safety to that established by the acceptable means of compliance adopted by the Agency is reached.		Transferred from GM to AR.GEN.120 for consistency. Changed into AMC and amended to introduce "risk assessment". "and documented" added following feedback from OPS Review Groups.		
AMC1-OR.GEN.125 Terms of approval and privileges of an organisation MANAGEMENT SYSTEM DOCUMENTATION		New AMC added in response to comments requesting further clarification regarding the terms of approval.		
The management system documentation should contain the privileges and detailed scope of activities for which the organisation is certified, as relevant to the applicable Parts or Subparts. The scope of activities defined in the management system documentation should be consistent with the terms of approval.				

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AMC1-OR.GEN.130Changes to organisations subject to certification	One comment raised (Industry) to point out inconsistency in use of "to" in the AMC reference.	Accepted: AMC references no longer use "to".		
APPLICATION TIME FRAMES	Five comments (NAAs) raised to suggest removing this OPS specific AMC from Subpart GEN. Two comments (NAAs) raised to request that such provisions should be defined for all organisations and suggesting a timeframe of 60 days before the date of the intended change. One comment (Industry) raised to claim lack of coherence between the IR and the AMC and to suggest that similar provisions be defined for initial certification.	Partially accepted: There is no related implementing rule in OR.OPS. Taking into account comments under point 2., the AMC is amended to make it generic. Accepted: The AMC is amended to make it generic. Not accepted: Upon initial certification, an audit & inspection of the organisation has to be performed in addition to the review of relevant documentation. For this reason it is difficult to define fixed timeframes.		
1. The application for the amendment of an organisation certificate should be submitted at least 30 days, before the date of intended changes.	Two comments raised (NAA) to indicate that the timeframe of 30 days may not always be appropriate (e.g. new type of aircraft) – suggestion to remove timeframe and replace by "in a timely manner". One comment raised (NAA) to request 60 days in the case of ATOs, due to the fact that OPS manuals would only need to be acceptable to the authority and ATO manuals required approval.	1. Partially accepted: "In a timely manner" would be too vague. 2. Not accepted: The ATO manual is not formally approved by the competent authority. The 30 days foreseen in EU-OPS for AOC holders should be workable for all organisations subject to Part-OR. NB: EU-OPS 1.185: 90 days for initial certification, 30 days for change and 30 days for renewal.		
2. In the case of a planned change of a nominated post holder, the organisation should inform the competent authority at least 10 days before the date of the proposed change.	One comment (Industry) raised to claim that the time frame for reporting staff changes should not be defined by "hard" time but should read "at earliest opportunity" and that AR.GEN should require the competent authority to handle such changes to the organisation's approval also within a specified timeframe.	Noted: AMC1-OR.GEN.130 addresses the case of unforeseen changes. For foreseeable changes in nominated post holders, a 10 day timeframe is seen as reasonable.		
3. Unforeseen changes should be notified at the earliest opportunity, in order to enable the competent authority to determine continued compliance with this Part and to amend, if necessary, the organisation certificate and related terms of approval.		New item added in reply to comments to the Implementing Rule claiming that the case of unforeseen changes was not addressed.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
GM1-OR.GEN.130(a) Changes to organisations subject to certification		New GM to clarify type of changes affecting the certificate.		
GENERAL Typical examples of changes that may affect the certificate or the terms of approval are listed below: 1. the name of the organisation; 2. the organisation's principal place of business; 3. the organisation's scope of activities; 4. additional locations of the organisation; 5. the accountable manager; 6. any of the persons referred to in OR.GEN.210 (a) and (b); 7. the organisation's documentation as required by Part-OR, safety policy, procedures; or 8. the facilities. Any changes to the organisation's procedure describing how changes not requiring prior approval will be managed and notified to the competent authority require prior competent authority approval.				
Changes requiring prior approval may only be implemented upon receipt of formal approval by the competent authority.				
GM2-OR.GEN.130(a) Changes to organisations subject to certification CHANGE OF NAME OF THE ORGANISATION		New GM - transfer of GM to AR.GEN.330 Changes – ATO § 1.		
A change of name requires the organisation to submit a new application as a matter of urgency stating that only the name of the organisation has changed including a copy of the documentation submitted to the competent authority demonstrating how it complies with the applicable requirements with the new name.		Text further amended to ensure consistency with changes made in OR.GEN.130.		

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GM1-OR.GEN.130(b) Changes to organisations subject to certification	1. MS:1: Re-align with EU-OPS as an IR. 2. MS: 1: For major changes, use approval/acceptance list based on JAR-OPS1/EU-OPS. 3. IND: 1: Delete "minor amendments procedure" entirely. Only major changes to be approved. 4. IND: 1: Add to the list "The individual flight time specification scheme approved by the Agency".	1,2&3. Text changed and moved from NPA AMC OR.OPS.015.MLR(h). The amended text reflects the EU-OPS/JAR-OPS 3 principle of approvals in accordance with the provisions. The list of associated changes requiring prior approval is now provided as GM to OR.GEN.130. It is GM because it is a non-exhaustive check list of items which require approval in accordance with the IRs. It takes into account IEM to JAR-OPS 1/3.1040(b) and JAA JIPs Appx 6A and 7A. 4. Text for flight time specification schemes will be addressed by RM task OPS.055. +1. The order of the list has been amended to be in alphabetical order to make it more user-friendly.	~IEM OPS 1.1040(b) ~IEM OPS 3.1040(b)	~ICAO Annex 6 Part I, 3.3
CHANGES REQUIRING PRIOR APPROVAL - OPERATORS				
		+1. Text changed and moved from NPA AMC OR.OPS.015.MLR(h). The amended text reflects the EU-OPS/JAR-OPS 3 principle of approvals in accordance with the provisions. The list of associated changes requiring prior approval is now provided as GM to OR.GEN.130. It takes into account IEM to JAR-OPS 1/3.1040(b) and JAA JIPs Appx 6A and 7A. The procedure for items requiring notification to the CA is now included in this list of changes requiring prior approval.		
For commercial operations, the following Guidance Material is a non-exhaustive checklist, in alphabetical order, of items which require prior approval from the competent authority as specified in the applicable Implementing Rules:		+1. Text changed and moved from NPA AMC OR.OPS.015.MLR(h). The amended text reflects the EU-OPS/JAR-OPS 3 principle of approvals in accordance with the provisions. The list of associated changes requiring prior approval is now provided as GM to OR.GEN.130. It takes into account IEM to JAR-OPS 1/3.1040(b) and JAA JIPs Appx 6A and 7A.		
1 Alternative means of compliance;		+1. Text added, to align with the provisions (AR.GEN.120).		
2 Cabin crew: a. Evacuation procedures with a reduced number of required cabin crew during ground operations or in unforeseen		+1. Text added, to align with the provisions (OR.OPS.CC).		

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circumstances;				
b. For commercial air transport (CAT) operators, conduct of the training, examination and checking required by Part-CC, and issue of cabin crew attestations;		+1. Text added, to align with the provisions (OR.OPS.AOC.120).		
c. Procedures for cabin crew to operate on four aircraft types;		+1. Text added to align with the provisions (OR.OPS.CC).	~EU-OPS 1.1030(a) ~JAR-OPS 3.1030(a)	
d. Training programmes, including syllabi;		+1. Text added to align with the provisions (OR.OPS.CC).	~EU-OPS 1.1010(a)	
3 Code share agreements;		+1. Text added, to align with the provisions (OR.OPS.AOC.115).		~Article 4.1(c) of Regulation (EC)No 216/2008
4 Dangerous goods training programmes;	1. MS x6, IND x2: Delete "awareness", to be consistent with the associated IRs and with the TIs.	1. Text changed, to take comment into account and align with the provisions (CAT.GEN.180).	~EU-OPS 1.1220(a) ~JAR-OPS 3.1220(a)	=ICAO Annex 6 Part I, 3.3 ~ICAO Annex 6 Part I, 9.3.1, Note 5
5 Flight crew: a. For commercial air transport (CAT) operations, alternative training and qualification programmes (ATQPs);		+1. Text added, to align with the provisions (OR.OPS.FC).	~EU-OPS 1.978(a)	
b. Procedures for flight crew to operate on more than one type or variant;		+1. Text amended ,to cater for separate wording for Cabin Crew (OR.OPS.FC.240)	~EU-OPS 1.980(d) ~JAR-OPS 3.980(a)(2)	
c. Training and checking programmes, including syllabi and use of flight simulation training devices(FSTDs);		+1. Text amended to align with the provisions for flight crew and FSTD use (OR.OPS.FC.145(c)). Cabin crew training approval now listed separately.	~EU-OPS 1.965(a)(2) ~EU-OPS 1.1015(b)	=ICAO Annex 6 Part I, 3.3 ~ICAO Annex 6 Part I, 9.3.1 ~ICAO Annex 6 Part I, 9.3.1, Note 2 ~ICAO Annex 6 Part I, 9.4.4, Note 1 ~ICAO Annex 6 Part I, 12.4
6 Fuel policy;		+1. Text added, to align with the provisions (CAT.OP.145.A).	Appx 1 to EU-OPS 1.255, 1.3(a)(iv)	
7 Helicopter operations: a. Airborne radar approaches;		+1. Text added, to align with the provisions.		
b. Over a hostile environment located outside a congested area, unless the operator holds an approval to operate according to SPA.HEMS;		+1. Text added, to align with the provisions (CAT.POL.420.H).		

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c. Procedures for selecting off-shore alternates;				
d. To/from a public interest site;		+1. Text added, to align with the provisions (CAT.POL.225.H).	~Appx 1 to JAR-OPS 3.005(i)	
e. Without an assured safe forced landing capability;		+1. Text added, to align with the provisions (CAT.POL.305.H).	~JAR-OPS 3.517	
8 Leasing agreements;		+1. Text added, to align with the provisions (OR.OPS.AOC.110).	=EU-OPS.1.165(b) & (c).	
9 Local area: "use of local area";		+1. Text added, to align with the provisions (AR.OPS).		
10 Mass and balance: a. Standard masses for load items other than standard masses for passengers and checked baggage;		+1. Text changed, to align with the provisions (CAT.POL.MAB.100(d)).	~Appx 1 to EU-OPS 1.605(b) ~EU-OPS 1.620(g)	
b. Use of on-board mass and balance computer systems;		+1. Text changed, to align with the provisions (CAT.POL.MAB.105(c)).	~Appx 1 to EU-OPS 1.625(c) ~Appx 1 to JAR-OPS 3.625(c)	
11 Minimum equipment list (MEL): a. MEL;		+1. Text changed to align with the provisions (OR.OPS.MLR.105).	~EU-OPS 1.030(a) ~JAR-OPS 3.030(a)	=ICAO Annex 6 Part I, 3.3 ~ICAO Annex 6 Part I, 6.1.3
b. Operating other than in accordance with the MEL, but within the constraints of the MMEL;		+1. Text added, to align with the provisions (CAT.IDE.A.105(a)(2) and CAT.IDE.H.105(a)(2)).	~EU-OPS 1.030(b)	
c. RIE procedures;		+1. Text added to align with the provisions (OR.OPS.MLR.105).	~JAR-MMEL/MEL.081	
12 Minimum flight altitudes: method of determination;		+1. Typo corrected. This text aligned with the provisions (CAT.OP.140).	~EU-OPS 1.250(b) ~JAR-OPS 3.250(b)	=ICAO Annex 6 Part I, 3.3 ~ICAO Annex 6 Part I, 4.2.7.3
13 Non-commercial operations by AOC holders;		+1. Text added, to align with the provisions (OR.OPS.AOC.125).		
14 Performance: a. Increased bank angles at take-off (performance class A aeroplanes);		+1. Text added, to align with the provisions (CAT.POL.A).	~EU-OPS1.495(c)(3)	
b. Short landing operations (performance class A and B aeroplanes);		+1. Text added, to align with the provisions (CAT.POL.A).	~Appx 1 to OPS 1.515(a)(4) ~EU-OPS 1.550(a)(2)	

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			~Appx 2 to EU-OPS 1.550(a)	
c. Steep approach procedures (performance class A and B aeroplanes);		+1. Text added, to align with the provisions (CAT.POL.A).	~Appx 1 to EU-OPS 1.515(a)(3)	
15 Procedures regarding items to be notified to the competent authority;		+1. Text added, to align with the provisions (AR.GEN.310(c)).		
16 Specific approvals in accordance with Part-SPA.		+1. Text added, to take account of new Part-SPA.		
		+1. Text deleted, as it will covered by the new Standard European Rules of the Air (SERA).		
		+1. Text deleted, as this is not for CA approval iaw EU-OPS, but for the State of the aerodrome operator.		
		+1. Text deleted, to take account of changes made in CAT.POL due to alignment with EU-OPS/JAR-OPS 3.		
		+1. Text deleted, as specific mass and balance items are listed individually.		
		+1. Text deleted, as covered in "Standard masses for other load items than standard masses for passengers and checked baggage".		
		+1. Text deleted, as covered by Part-M.		
		+1. Text deleted, to take account of new Part-SPA. Prior approval for Part-SPA has been included as one item in the list of changes requiring prior approval in GM1-OR.GEN.130.		
		+1. Text deleted, as the provisions do not require an approval.		
		+1. Text deleted, to take account of changes made in the performance provisions due to alignment with EU-OPS/JAR-OPS 3.		
		+1. Text deleted, as it is covered in by approval for flight crew to operate on more than one type or variant in the list of prior approvals.		

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		+1. Text deleted, as covered by OR.GEN.130, as during discussions with RG01 CAT, operational control was identified as being part of the Management System.	~EU-OPS 1.195 ~ACJ OPS 1.195 ~JAR-OPS 3.195 ~ACJ OPS 3.195	=ICAO Annex 6 Part I, 3.3 ~ICAO Annex 6 Part I, 4.2.1.3 ~ICAO Annex 6 Part I, 10.1
		+1. Text deleted, to align with the provisions, which are at AMC level and do not require an approval as such. However, implementation of this plan would require CA approval of an alternative AMC.	~EU-OPS 1.620(g)	
	Several commenters (Industry) claimed that this AMC should be transferred to OR.OPS.	Partially accepted: This AMC is transferred to CAT.GEN.165 "Power to inspect"	EU-OPS 1.145	
	1. One specific comment was raised (NAA) to indicate that the AMC provided an exemption from the rule defined in OR.GEN.035 and to claim that this possibility should not be defined in an AMC, but be part of the implementing rule.	1. Accepted: The text is now included in CAT.GEN as an implementing rule.		

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AMC1-OR.GEN.145Declaration				
CHANGES				
The new declaration should be submitted when the change becomes effective.	Comments on this AMC (5) mainly relate to: 1. the type of changes requiring notification not being specified (Industry); 2. the need to transfer this AMC to OR.OPS (NAA); 3. the need to increase the delay for notification to 30 days (NAA).	Not accepted: 1. The text in OR.GEN.145 (a) (4) is self-explanatory. 2. This is the "generic" requirement and therefore it is kept in Subpart GEN. 3. As it is not an application for a certificate, it should be sufficient to require that the declaration is submitted before the change becomes effective. Therefore, the 14 days deadline has been removed.		
GM1 OR.GEN.150 Findings GENERAL Remedial action is the action to eliminate the effects of a non-conformity. Corrective action is the action to eliminate the root cause of a non-conformity, in order to prevent its recurrence. Determination of the root cause is crucial for defining effective corrective actions.		AMC added to complement changes introduced in OR.GEN.150.		
GM2-OR.GEN.150 Findings COMPETENT AUTHORITY		New GM added to clarify responsibilities in relation to findings. It is the same as GM1-AR.GEN.350.		
1. When reference is made to the competent authority, this means either the competent authority responsible for the certificate or declaration or the competent authority ensuring oversight of activities in the territory of the Member State that has not issued the certificate or received the declaration. 2. Competent authority certifying or receiving the declaration means the competent authority that has issued the organisation certificate or received the declaration in accordance with Part-AR.				
3. Findings may be raised by the competent authority certifying or receiving declaration, or the competent authority performing				

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oversight of activities in the territory of the Member State. In the case of level 1 finding, the competent authority certifying or receiving declaration or the competent authority performing oversight of activities in the territory of the Member State may take immediate appropriate action to prohibit or limit the activities. 4. Only the competent authority certifying may take action on the certificate.				
AMC1-OR.GEN.160-OPS Occurrence reporting GENERAL		This new AMC is added to create a reference to applicable means of compliance and to the relevant national rules implementing Directive 2003/42, as well as to incorporate EU-OPS 1.420 § (d)(6).		
1. The organisation should report all occurrences defined in AMC 20-8, andas required by the applicable national rules implementing Directive 2003/43/EC of the European Parliament and of the Council of 13 June 2003 on occurrence reporting in civil aviation.				
2. In addition to the reports required by AMC 20-8 and the Directive 2003/43/EC of the European Parliament and of the Council of 13 June 2003 on occurrence reporting in civil aviation, the organisation should report volcanic ash clouds encountered during flight.				
SECTION II –MANAGEMENT				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
AMC1-OR.GEN.200(a)(1);(2);(3);(5)-non-complex Management System GENERAL		Given the nature of the comments it was determined that it would be advantageous to have a single AMC for small organisations, as far as possible. The amount of AMC is small and it is clearer if it is included in one AMC rather that spread throughout this Part. This AMC incorporates most of the AMC for non complex organisations, after applicable comments have been addressed. In effect AMC 1 to OR.GEN.200(a)(2) and AMC 1 to OR.GEN.200(a)(3) have been combined, with resultant textual changes to accommodate a single AMC. AMC 1 to OR.GEN.200(a)(4) has been combined with AMC 2 to OR.GEN.200(a)(4) – the AMC were practicably identical and was felt that there should be no material differences between small and other organisations. However, the numbering of the AMCs had to be changed from the one given in the NPA, as a result of the changes made in the implementing rule.		
	AMC 1 to OR.GEN.200(a)(2) 1."Simplified manner" too vague. 2. AMC does not comply with ICAO Doc 9859. 3. Para 1 is repeat of OR.GEN.200(b) – delete Para 1. 4. Numerous comments regarding the status and definition of small organisations.	1. Agreed and amended 2. EASA AMC/GM are not supposed to repeat ICAO Safety Management Manual (SMM). Organisations are not precluded from doing more than is required by the AMC, though. The ICAO SMM is subject to change beyond EASA's control and could lead to inconsistencies between ICAO and EASA if differences arose. Agreed and amended. 4. New AMC dealing with complex/non Complex organisation to address comments on small/large organisations.		
	AMC 1 to OR.GEN.200(a)(3) 1. Small organisations need safety manager role as well. 2. ERP may involve other organisations. 3. "Simplified manner" too vague. 4. Efficiency implies business; should be safety. 5. Numerous comments regarding the status and definition of small	1. Agreed and amended. 2. Agreed and amended. 3. Agreed (text unnecessary when AMC combined). 4. Agreed and amended. 5. New AMC dealing with complex/non Complex organisation to address comments		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	organisations. 6. Safety accountabilities should be safety responsibility (only the accountable manager has safety accountability). 7. Procedures contain processes AMC 1 to OR.GEN.200(a)(4) 1. Numerous comments regarding the status and definition of small organisations. 2. No need for any differences between small and other organisations wrt training and communication. 3. Competency not specifically included. 4. Lack of consistency between AMC 1 and AMC 2.	on small/large organisations. 6. Agreed (text unnecessary when AMC combined). 7. "Processes" deleted. 5. New AMC dealing with complex/non Complex organisation to address comments on small/large organisations. 2. Agreed; AMC 1 and AMC 2 combined into a single AMC. 3.Included in the Rule. 4. Agreed; AMC 1 and AMC 2 combined into a single AMC.		
1. Safety risk management may be performed using hazard checklists or similar risk management tools or processes, which are integrated into the activities of the organisation.		This is unchanged (was AMC 1 to OR.GEN.200(a)(2) 2.)		
2. The organisation should manage safetyrisks related to a change. The management of change should be a documented process to identify external and internal change that may have an adverse effect on safety.. It should make use of the organisation's existing hazard identification, risk assessment and mitigation processes.		This is sourced form AMC 2 to OR.GEN.200(a)(2) as it was thought necessary that small organisations should manage change appropriately. First sentence was added to clarify link with OR.GEN.200(a)(3).		
3. The organisation should identify a person that fulfils the role of safety manager and who is responsible for co-ordinating the safety management system. This person may be the accountable manager or a person with an operational role in the organisation.		This is sourced from AMC 2 to OR.GEN.200(a)(3) as it was thought necessary that small organisations should have a safety manager role.		
4. Within the organisation, responsibilities should be identified for hazard identification, risk assessment and mitigation.		This is unchanged (was AMC 1 to OR.GEN(a)(3) 1.a.)		
5. The safety policy should include a commitment toimprove towards the highest safety standards, comply with all applicable legal requirements, meet all applicable standards, consider best practices and provide appropriate resources.		This is modified to include the need to assess organisational change and "process" has been deleted as procedures contain processes (was AMC 1to OR.GEN.200(a)(3) 3.a.)		
		This was AMC 1 to OR.GEN.200(a)(3) 3.b. and has been deleted as IR is sufficient.		

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		This is now addressed in GM1 OR.GEN.200(a)(5)		
6. The organisation should, in co-operation with other stakeholders, develop, coordinate and maintain an emergency response plan (ERP) that ensures orderly and safe transition from normal to emergency operations, and return to normal operations.				
The ERP should provide the actions to be taken by the organisation or specified individuals in an emergency and reflect the size, nature and complexity of the activities performed by the organisation.	Comments proposed that AMC 2 to OR.GEN.200(a)(3) 7. and 8. were not suited to Organisation and Accountabilities.	Agreed; AMC 2 to OR.GEN.200(a)(3) 7. and 8. moved to AMC 2 to OR.GEN.200(a)(2).		
	The ERP may need to be in co-operation with other organisations.	Agreed and amended.		
AMC1OR.GEN.200(a)(1)-complexManagement System				
ORGANISATION AND ACCOUNTABILITIES	The AMC does not align with the related IR.	Agreed; AMC 2 to OR.GEN.200(a)(3) 7. and 8. moved to AMC 2 to OR.GEN.200 (a)(2); AMC 2 to OR.GEN.200(a)(3) 6. has been made GM. It is believed that the remainder of the AMC aligns with the related IR.		
The management system of an organisation should encompass safety by including a safety manager and a safety review board in the organisational structure..				
	"Typically" implies the possibility for variation.	Agreed and amended.		
1. Safety manager.				
a. The safety manager should act as the focal point and be responsible for the development, administration and maintenance of an effective safety management system.				
b. The functions of the safety manager should be to:	Many comments that the role of the safety manager is confusing and contradictory and proposals for improvement	Agreed; text amended and i., viii., x. and xii. deleted. i. an aspect of the implementing plan could		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	suggested.	be to appoint a safety manger. viii. this is subsumed by vii. x. the safety manger cannot oversee the hazard identification system if they are responsible for the effectiveness of the SMS. xii. confuses the safety manger role with the compliance manager role.		
i. facilitate hazard identification, risk analysis and management;	Safety manager should not participate in hazard identification, risk analysis and management.	Disagree; facilitate is not the same as participate. Facilitate means to enable hazard identification, risk analysis and management to take place.		
ii. monitor the implementation of the safety action plan ;	Should this be safety related corrective actions in order limit scope?	Amended for consistency with the SMM content (cf. AMC 2 OR.GEN.200(a)(5).		
iii. provide periodic reports on safety performance;				
iv. ensuremaintenance ofsafetymanagement documentation;	It is not the role of the safety manager to maintain all of an organisation's safety documentation.	Agreed, however the safety manager is responsible for the maintenance of safety management documentation.		
v. ensure that there is safety management training available and that it meets acceptable standards;	It is not the safety manager's responsibility to plan and organise safety training.	Agreed; however safety management training is required within an organisation. Text amended.		
vi. provide advice on safety matters; and				
	What does the safety manager assist line managers with?	Deleted as it is covered by point above..		
vii. initiate and participate in internal occurrence / accident investigations.	Existing text implies that safety manager is the cause of accidents/incidents.	Agreed and amended.		
2. Safety review board.	1. As 3.c.iii. is a specific circumstance (which should be covered by the SMS) then either add all other circumstances or delete. 1. The SRB should not monitor the effectiveness of the SMS implementation plan.	Agreed; text deleted. 1. Agreed; text deleted.		
a. The Safety review board should be a high level committee that considers matters of strategic safety in support of the accountable manager's safety accountability.	The SRB is in support of the accountable manger.	Agreed and amended.		
b. The board should be chaired by the accountable manager and be composed of heads of functional areas.				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
c. The safety review board should monitor:				
i. safety performance against the safety policy and objectives;				
ii. that any safety action is taken in a timely manner; and	The SRB should monitor that corrective action is taken in a timely manner and the effectiveness of the organisations safety management processes.	Agreed and amended. However, corrective action is replaced by safety action in order to differentiate with compliance monitoring.		
iii. the effectiveness of the organisation's safety management processes.	The SRB should monitor that corrective action is taken in a timely manner and the effectiveness of the organisations safety management processes.	Agreed and amended.		
d. The safety review board should ensure that appropriate resources are allocated to achieve the established safety performance.	Delete as not SRB role to ensure resource.	Disagree; the SRB should ensure within their line management arrangements adequate resource is available to achieve the agreed safety performance.		
	In order to ensure that there is no confusion add safety to responsibility. Delete as covered by OR.GEN210	Deletion agreed, as it duplicates OR.GEN.200(a)(3)		
	It should be the safety accountability of the accountable manager.	Text deleted.		
	The organisation should review and update safety accountability and safety responsibilities on a regular basis.	Text deleted.		
	Safety training is omitted.	Text has been deleted		
GM1 OR.GEN.200(a)(1)-complex Management System				
SAFETY ACTION GROUP	SAG may not be appropriate even in a non-small organisation.	Disagree; the SAG's role and purpose is strategic and necessary for any non-small organisation to ensure that safety is being afforded the appropriate priority within an organisation.		
a. A safety action group may be established as a standing group or as an ad-hoc group to assist or act on behalf of the safety review board.				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
b. More than one safety action group may be established depending on the scope of the task and specific expertise required.				
c. A safety action group should report to and take strategic direction from the safety review board and should be comprised of managers, supervisors and personnel from operational areas.				
d. The safety action group should:				
i. monitor operational safety;				
ii. resolve identified risks;				
iii. assess the impact on safety of operational changes; and				
iv. ensure that safety actions are implemented within agreed timescales.	4.b.iv. and 4.b.v. should be combined.	Agreed and amended.		
v. A safety action group should review the effectiveness of previous safety recommendations and safety promotion.				
AMC1OR.GEN.200(a)(2)-complex Management System				
SAFETY POLICY				
1. The safety policy should:				
a. be endorsed by the accountable manager;	A comment asked the endorsement to be in the IR.	The endorsement is a means of compliance.		
b. reflect organisational commitments regarding safety and its proactive and systematic management;	A comment suggested improving the expectations regarding the organisational commitment.	Agreed and amended.		
c. be communicated, with visible endorsement, throughout the organisation; and				
d. include safety reporting principles.	Include reporting procedures and disciplinary action in safety policy.	Agreed and amended. "Conditions for disciplinary actions" is considered too prescriptive. However, an item was added to		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
		what the safety policy should include (see 2e) to address that.		
2. The safety policy should include a commitment :	AMC 2 to OR.GEN.200(a)(3) 8.b. would be better positioned as part of AMC to OR.GEN.200(a)(1) as it is the safety policy commitment.	Agreed and amended. AMC 2 to OR.GEN.200(a)(3) 8.b.v. has been deleted as it is redundant.		
a. to improve towards the highest safety standards;		This is unchanged (was AMC 2 to OR.GEN.200(a)(3) 8.b.i)		
b. to comply with all applicable legal requirements, meet all applicable standards, consider best practices;		This is unchanged (was AMC 2 to OR.GEN.200(a)(3) 8.b.ii)		
c. to provide appropriate resources;		This is unchanged (was AMC 2 to OR.GEN.200(a)(3) 8.b.iii)		
d. to enforce safety as one primary responsibility of all managers; and		This is unchanged (was AMC 2 to OR.GEN.200(a)(3) 8.b.iv)		
e. not to blame someone for reporting something which would not have been detected otherwise.				
3. Senior management should:				
a. continually promote the safety policy to all personnel and demonstrate their commitment to it;	Someone has to develop the safety policy;	Agreed, but why prescribe that it should be the senior management?		
b. provide necessary human and financial resources for its implementation; and				
c. establish safety objectives and performance standards.	Second sentence unclear and confusing.	Second sentence deleted as of no added value.		
GM1OR.GEN.200(a)(2) Management System				
SAFETY POLICY				
The safety policy is the means whereby the organisation states its intention to maintain and, where practicable, improve safety levels in all its activities and to minimise its contribution to the risk of an aircraft accident as far as is reasonably practicable.		Given the role of OR.GEN as the basis of horizontal regulation across the whole aviation industry, taking into account feedbacks received, it is useful to add GM to identify the role and purpose of a safety policy.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
AMC1OR.GEN.200(a)(3)-complex Management System				
SAFETY RISK MANAGEMENT				
1. Hazard identification processes.	Whilst this refers to hazard identification the subsequent text include analysis, acting on and generating feedback etc.	Agreed. AMC 2 to OR.GEN.200(a)(2) 1.b. and 1.c. have been deleted as 1.a. includes the essence of 1.b. and 1.c.		
a. Reactive andproactive schemes for hazard identification should be the formal means of collecting, recording, analysing, acting on and generating feedback about hazards and the associated risks that affect the safety of the operational activities of the organisation.	Proactive alone is too limiting.	Agreed and amended.		
b. All reporting systems, including confidential reporting schemes, should include an effective feedback process.	Human factors principles too vague.	Agreed and amended.		
2. Risk assessment and mitigation processes.				
a. A formal risk management process should be developed and maintained that ensures analysis (in terms of probability and severity of occurrence), assessment (in terms of tolerability) and control (in terms of mitigation) of risks to an acceptable level.				
b. The levels of management who have the authority to make decisions regarding the tolerability of safety risks, in accordance with 2.a. above, should be specified.	Safety risks tolerability confusing.	Agreed and amended.		
3. Internal safety investigation.				
a. The scope of internal safety investigations should extend beyond the scope of occurrences required to be reported to the competent authority.	Existing text confusing.	Agreed and amended.		
4. Safety performance monitoring and measurement.	It is not necessary for small organisations to be further defined in other AMC.	Agreed, 4.c. text deleted as this is addressed by the IR.		
a. Safety performance monitoring and measurement should be the process by which the safety performance of the organisation is verified in comparison to the safety policy and objectives.	There is only one safety policy.	Agreed and amended.		
b. This process should include:		Additional text added following RG feedback to clarify meaning of items ii. to v. based on ICAO SMM.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
i. safety reporting				
ii. safety studies, which are rather large analyses encompassing broad safety concerns;				
iii. safety reviews including trends reviews, which are conducted during introduction and deployment of new technologies, change or implementation of procedures, or in situations of structural change in operations;				
iv. safety audits which focus in the integrity of the organisation's management system, and periodically assess the status of safety risk controlsand				
v. safety surveys, which examine particular elements or procedures of a specific operation, such as problem areas or bottlenecks in daily operations, perceptions and opinions of operational personnel and areas of dissent or confusion.				
5. The management of change.				
The organisation should manage safetyrisks related to a change. The management of change should be a documented process to identify external and internal change that may have an adverse effect on safety. It should make use of the organisation's existing hazard identification, risk assessment and mitigation processes.	1. A comment argued that change management especially important for small operators. 2. Another comment requested confirmation that activities are safety related.	1. Agreed and added to non complex organisations. 2. The text was reviewed to make clearer that the process, though its scope is general, focuses on the effect on safety. 3. First sentence was added to clarify link with OR.GEN.200(a)(3).		
6. Continuous improvement.	Comments expressed that continuous improvement of the Safety System was not clear, nor was.	Title changed and subsequent text modified and 6.a. deleted.		
The organisation should continuously seek to improve its safety performance. Continuous improvement should be achieved through:				
i. proactive and reactive evaluations of facilities, equipment, documentation and procedures through safety audits and surveys;	When read as a complete paragraph the bullets do not make sense.	Agreed; lead in text removed and inserted into a.i. and a.ii. as appropriate.		
ii. proactive evaluation of individuals' performance to verify the fulfilment of their safety responsibilities; and				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
iii. reactive evaluations in order to verify the effectiveness of the system for control and mitigation of risk.	Impossible to understand.	6.a. has been amended which makes iii more clear.		
7. The Emergency Response Plan.	Comments proposed that AMC 2 to OR.GEN.200(a)(3) 7. and 8. were not suited to Organisation and Accountabilities.	Agreed; AMC 2 to OR.GEN.200(a)(3) 7. and 8. moved to AMC 2 to OR.GEN.200(a)(2).		
a. An Emergency Response Plan (ERP) should be established that provides the actions to be taken by the organisation or specified individuals in an emergency. The ERP should reflect the size, nature and complexity of the activities performed by the organisation.				
b. The Emergency Response Plan should ensure:				
i. an orderly and safe transition from normal to emergency operations;				
ii. safe continuation of operations or return to normal operations as soon as practicable; and				
iii. co-ordination with the emergency response plans of other organisations, where appropriate.	The ERP may need to be in co-operation with other organisations.	Agreed and amended.		
GM1OR.GEN.200(a)(3) Management System				
INTERNALVOCCURRENCE REPORTING SCHEME	There is only one "should" in this AMC therefore what is its status?	AMC has been made GM, and the single "should" removed.		
1. The overall purpose of the scheme is to use reported information to improve the level of safety performance of the organisation and not to attribute blame.	The objective of the internal occurrence reporting scheme is to improve the level of safety performance of the organisation.	Agreed and amended. "Internal" added to avoid confusion with reporting to the competent authority (cf. OR.GEN.060).		
2. The objectives of the scheme are:				
a. to enable an assessment to be made of the safety implications of each relevant incident and accident, including previous similar occurrences, so that any necessary action can be initiated; and				
b. to ensure that knowledge of relevant incidents and accidents is disseminated, so that other persons and organisations may learn from them.				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
3. The scheme is an essential part of the overall monitoring function and it is complementary to the normal day-to-day procedures and 'control' systems and is not intended to duplicate or supersede any of them. The scheme is a tool to identify those occasions where routine procedures have failed.				
4. Occurrence reports should be retained when judged reportable by the person submitting the report as the significance of such reports may only become obvious at a later date.	Use of the term database implies a technological solution which may not be appropriate.	Agreed and amended.		
AMC1OR.GEN.200(a)(4) Management System				
TRAINING AND COMMUNICATION ON SAFETY	Many comments over the degree of similarity between AMC 1 to OR.GEN.200(a)(4) and AMC 2 to OR.GEN.200(a)(4). The noted differences were queried (e.g. use of e-learning). The need for differing AMC for small and other organisations was queried.	Agreed; only one AMC for all organisations with suitable amendments to text to address comments.		
1. Training.				
a. All personnel should receive safety training as appropriate for their safety responsibilities.		AMC 2 had personnel which personnel would include.		
b. The safety training programme may consist of e-learning or similar training provided by training service providers.		Original text for AMC 1 used and reference to small organisations deleted. AMC 2 had "trained and competent", but this is covered by the IR.		
2. Communication.				
a. The organisation should establish communication about safety matters that:				
i. ensures that all personnel are aware of the safety management activities;		Text amended for more clarity.		
ii. conveys safety critical information, especially relating to assessed risks and analysed hazards;				
iii. explains why particular actions are taken; and				
iv. explains why safety procedures are introduced or changed.				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
b. Regular meetings with personnel where information, actions and procedures are discussed may be used to communicate safety matters.				
AMC1OR.GEN.200(a)(5) Management System				
ORGANISATION MANAGEMENT SYSTEM DOCUMENTATION	2. is covered by OR.GEN.030.	Delete AMC OR.GEN.200(a)(6) 2. Manual was replaced with documentation to reflect the possibility for the organisation to organise its documentation as it wishes.		
1. The organisation management systemdocumentation should at least include the following information:				
(i) a statement signed by the accountable manager to confirm that the organisation will continuously work in accordance with the applicable requirements and the organisation's documentation as required by Part-OR;	The organisational manual may encompass more than one part.	Agreed and explained in the GM.		
(ii) the organisation's scope of activities;				
(iii) the titles and names of persons referred to in OR.GEN.210 (a) and (b);				
(iv) an organisation chart showing the lines of responsibility between the persons referred to in OR.GEN.210;				
(v) a general description and location of the facilities referred to in OR.GEN.215;				
(vi) procedures specifying how the organisation ensures compliance with the applicable requirements; and	The organisational manual may encompass more than one part.	Agreed and amended.		
(vii) theamendment procedure for theorganisation management system documentation.				
2. The organisation management system documentation may be included in a separate manual or in (one of) the manual(s) as required by the applicable Subpart(s). A cross reference should be included.		Added following review of OR.ATO.230		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
GM1 OR.GEN.200(a)(5) Management System				
ORGANISATION MANAGEMENT SYSTEM DOCUMENTATION				
It is not required to duplicate information in several manuals. The information may be contained in any of the organisation manuals (e.g. aerodrome manual, operations manual, training manual, which may also be combined.		Added following review of OR.ATO.230		
	Confusion over use and purpose of top manual.	Proposed GM reviewed as a consequence of not mentioning the organisation manual any more.		
AMC1OR.GEN.200(a)(5)-complex Management System		New AMC based on AMC2 OR.GEN.200(a)(3)		
ORGANISATION SAFETY MANAGEMENTMANUAL				
1. The safety management manual (SMM) should be the key instrument for communicating the approach to safety for the whole of the organisation. The SMM should document all aspects of safety management, including the safety policy, objectives, procedures and individual safety responsibilities.				
2. The contents of the safety management manual should include:				
i. scope of the safety management system;				
ii. safety policy and objectives;				
iii. safety accountability of the accountable manager;	Cannot have safety accountabilities, only the accountable manager has safety accountability.	Agreed and amended.		
iv. safety responsibilities ofkey safety personnel;	What as part of key personnel?	Agreed and amended.		
v. documentation control procedures;				
vi. hazard identification and risk management schemes;				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
vii. safety action plan;	Safety assurance is missing.	Safety assurance is ensured through this whole process. There is no need to mention the exact ICAO words.		
viii. safety performance monitoring;				
ix. incident investigation and reporting;	Incident investigation and reporting is missing.	Agreed and amended.		
x. emergency response planning;				
xi. management of change (including organisational changes with regard to safety responsibilities); and	Change needs to include organisational change and possible impact upon safety responsibilities.	Agreed and amended.		
xii. safety promotion.				
		This item has been deleted, as it is not specific to the SMM.		
3. The SMM may be a chapter in (one of) the manual(s) of th eorganisation.		Changed following review of OR.ATO.230		
GM2-OR.OPS.GEN.200(a)(5)Management system		This was originally included in Subpart OPS as GM OR.OPS.100(d) Operator responsibilities. The Agency acknowledges that this GM needs to be amended for consistency with other AMCs and GMs to OR.GEN.200. It is included here for completeness of the CRST.		
DEVELOPMENT OF NEW/ AND AMENDING STANDARD OPERATING PROCEDURES (SOP)	IA: 2, IND: 5: MS: 2 Comments suggested to delete this GM OR.OPS.100.GEN(d) as it is too prescriptive and does not differentiate between major and minor changes and consider publishing in an information paper instead Other comments suggested transferring it to AMC and attach to OR.GEN.200(a) since most of the material and its scope go beyond an individual operator.	As requested by several commentators, it is now included as GM to OR.GEN.200.		
1 General				
Risk assessment is an element in the operator's risk management and as such part of its management system. Risk assessment should provide a basis for decision-making in processes like:	IA: 1 Comment questioning relationship between risk Management and SMS	Risk Management is one of the core components of an SMS		ICAO Doc 9859

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
a. Strategic option or priority setting;				
b. Planning;				
c. Project management;				
d. Performing activities;				
e. Prioritising of activities in operations; and				
f. Organisational change.				
Two categories of decisions related to risk may be relevant in this context:				
g. Business case decisions where safety risk is one of several other factors. In such cases, safety is weighed against other requirements such as functionality and profit.				
h. Decisions on solutions to specific risk problems, e.g. choice of risk reducing measures for one specific solution or a decision to chose between alternative solutions.				
This guidance material is intended to provide basic guidelines to operators helping them to develop SOPs based on a safety risk assessment as part of managing risk as called for by the management system requirements. It only addresses the principles and provides one very basic method and some skeleton forms to help operators with little or no previous experience in such work to get started. It is not a means of compliance as such. As an operator gathers experience, the method should be developed or changed to suite individual needs.		Editorial change for consistency		
Assessments of safety risks are also required for other purposes, and the principles should be similar for all applications. However, these guidelines are especially adapted and simplified for the purpose mentioned above. Examples of other applications for assessment of safety risk in management processes are:				
a. establishment of technical, organisational and operational risk control measures;				
b. establishment of emergency response measures; and				
c. risk management of technical, organisational and operational changes.				

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The result of the development process of an SOP should be one safe standard operating procedure for a certain type of operation, accompanied by one matching risk assessment providing evidence of the development process and the considerations and the measures taken to ensure that the risk of the operation will be acceptable. This material mainly gives guidance to the risk assessment part of the process and the interaction between the two. When applying to the competent authority for alternative means of compliance including a SOP, the risk assessment should be enclosed to document the development process.				
A similar process as described here may be employed if organisations intend to develop "Codes of Practice" that could be published and made available for other organisations as best industry practices.				
2 Scope				
This guidance material only addresses the assessment of safety risks. It does not consider other kinds of risk, such as economic risk or opportunities, other than implicit in that the purpose of the operation normally is to gain a benefit such as to make profit. The safest option would of course in most cases be not to perform an operation at all, but in this context it is not considered as a relevant option if the operation can be performed with an acceptable risk.				
Risk assessment consists of planning and completion of the risk analysis as well as of risk evaluation. Risk assessment includes identifying hazards and accidental events, analysing and evaluating risk and identifying measures that could eliminate or reduce the risk. This guidance material also indicates how the risk assessment of SOPs should be documented.				
This risk assessment is one part of an operator's safety and risk management. Other parts of these management processes will influence the planning and completion of a risk assessment and are, when relevant, mentioned here. These parts are communication and consultation, the context/framework, risk treatment, monitoring and review.	IND: 1; INDIV: 1 The comments question whether risk assessment should apply to existing procedures or only to new procedures.	Risks should be assessed both for existing documents and for new documents to be created.		
3 Definitions				
a. *Accidental event:* An event that might cause injury to or loss of life or damage to or loss of property.				
Note 1: Property may include health, material, functions, public values and reputation.				
Note 2: An accidental event may be intentional (security related) or unintentional (safety related).				
Note 3: The term "hazardous event" is often used simultaneously.				
b. *Barrier:* Something that can either prevent an event form taking place or protect against its consequences.				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
Note: Barrier may also be referred to as a control or treatment measure.				
c. *Consequence:* Possible outcome or impact of an event.				
Note 1: There can be more than one consequence from one event.				
Note 2: Only negative consequences are considered in this context				
Note 3: Consequences can be expressed qualitatively or quantitatively.				
d. *Frequency:* A measure of the number of occurrences per unit of time.				
*Hazard:*The condition, object or activity with the potential of causing injuries to personnel, damage to equipment or structures, loss of material or reduction of ability to perform a prescribed function.	One MS commented that 'Hazard' is used extensively in other parts of Part OR and claimed the definition should be moved to OR.GEN. One MS suggested using ICAO definitions to facilitate global understanding: "Condition, object or activity with the potential of causing injuries to personnel, damage to equipment or structures, loss of material or reduction of ability to perform a prescribed function."	Noted: The GM is now provided with OR.GEN. Noted: To be considered when reviewing the GM for consistency with OR.GEN.200.		
Note: Hazard is also often described as a source that could cause harm.				
f. *Likelihood:* Chance of something happening.				
Note: In this guidance material likelihood is used as a general term. The equivalent but more precise terms probability and frequency are often used depending on the context.				
g. *Probability:* Extent to which an accidental event is likely to occur.				
Note 1: Normally expressed as a number between 0 and 1.				
Note 2: Frequency rather than "probability" may be used in describing risk.				
Note 3: Degrees of belief about probability can be chosen as classes or ranks, such as				
h. rare/unlikely/moderately likely/almost certain, or				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
i. incredible/improbable/remote/occasional/probable/frequent.				
j. *Residual risk:* Risk remaining after implementation of risk treatment.				
k. *Risk/Safety risk:*The likelihood of injury to personnel, damage to equipment or structures, loss of material or reduction of ability to perform a prescribed function, measured in terms of probability and severity.	One MS suggested using ICAO definitions to facilitate global understanding: The likelihood of injury to personnel, damage to equipment or structures, loss of material or reduction of ability to perform a prescribed function, measured in terms of probability and severity	Noted: To be considered when reviewing the GM for consistency with OR.GEN.200.		
l. *Risk acceptance criteria:* Criteria that form the basis for a decision on acceptable risk.				
Note 1: Risk acceptance criteria may be expressed qualitatively of quantitatively.				
Note 2: Acceptable risk is the risk that in the given circumstances is acceptable according to current values in society and the organisation.				
m. *Risk analysis:* Systematic process to understand the nature of and to deduce the level of safety risk. The risk analysis involves identifying accidental events and their causes/contributing factors and consequences.				
Note: Provides the basis for risk evaluation and decisions about risk treatment.				
o. *Risk assessment:* The overall process of planning, hazard identification, risk analysis and risk evaluation.				
p. *Risk evaluation:* Procedure based on the risk assessment to determine whether acceptable risk has been achieved.				
Note 1: The process includes identification and documentation of risk reducing measures and recommendations.				
Note 2: Risk evaluation assists in decisions about risk treatment.				
q. *Risk identification:* The process of determining what, where, when, why and how something could happen.				
r. *Risk management process:* The systematic application of management policies, procedures and practices to the tasks of communicating, establishing the context, identifying, analysing, evaluating, treating, monitoring and reviewing risk.				
s. *Risk reduction:* Actions taken to lessen the likelihood, negative consequences, or both, associated with a safety risk.				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
t. *Risk treatment:* Process of selection and implementation of measures to modify risk.				
Note 1: The term 'risk treatment' is sometimes used for the measures themselves.				
Note 2: Risk treatment measures can include avoiding, modifying, sharing or retaining risk.				
u. *Safety:* Is the state in which the risk of harm to persons or property damage is reduced to, and maintained at or below, an acceptable level through a continuing process of hazard identification and risk management.				
v. *Stakeholders:* Those persons and organisations who may affect, be affected by, or perceive themselves to be affected by a decision, activity or risk.				
w. *Threat:* Something that can release a hazard.				
4 Communication and consultation Good communication with internal and external interested parties is essential when performing risk assessments to help ensure access to all relevant information and assist in ensuring buy-in from all relevant parties affected by the assessment's conclusions and recommendations. Communication and consultation should take place at all relevant stages of the process.				
5 Establishing the context				
5.1 General				
The need to establish a SOP normally stems from a desire to carry out business.		Text deleted to make this a GM applicable to all organisations subject to Part-OR.		
		Text deleted to make this a GM applicable to all organisations subject to Part-OR.		
Experience has shown that the organisation's personnel is sometimes challenged to determine if an activity requested by a customer could be performed as a standard operation i.e. if the task can be performed within the predetermined set of conditions that are the basis for the existing SOPs. Coupled with a system of pre-authorisation or delegation of authorisation, this problem could potentially put pressure on personnel to conduct an activity for which no SOP exists, for which it is not qualified or does not have the right equipment. The organisation should not commit itself to carry out an activity until it is determined that it can be performed safely and in accordance with the organisation's privileges to avoid undue commercial pressure on its personnel.		Text amended to make this a GM applicable to all organisations subject to Part-OR.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
If a requested activity does not fall within the predetermined set of conditions of an existing SOP, a new procedure should be developed.		Text deleted to make this a GM applicable to all organisations subject to Part-OR		
It should be noted that often the organisation's approvals are limited by the SOPs that are subject to prior approval by the competent authority. In such cases no changes or additions to the set of SOPs are allowed without prior arrangement with that authority.		Text amended to ensure consistency with OR.GEN.130.		
The method described in here may be used for development of SOPs for "standard operations" and procedures for "non-standard operations".		Text amended to make this a GM applicable to all organisations subject to Part-OR.		
Often a new activity is in many aspects similar to activities for which the organisation already has established SOPs. In such cases, only the elements of the operation that are different need a full assessment. It is however important to make sure that all aspects of the changes are included. This includes particularly an assessment whether the changes affect any of the standard elements and the interface between new and old elements.		Text amended to make this a GM applicable to all organisations subject to Part-OR.		
5.2 External and internal context				
The external and internal context as well as stakeholder context should be established and taken into consideration particularly with respect to how they relate to the activity in question and influence the planning and completion of risk assessments.				
The external context is associated with the environment where the operation takes place. The external context includes factors that the organisation should consider when developing the risk criteria such as:		Text amended to make this a GM applicable to all organisations subject to Part-OR.		
a. legal and regulatory requirements;				
b. industry best practices;				
c. external interested parties' needs and perceptions;				
d. company reputation; and				
e. cultural and social values.				
The internal context is the internal environment that will be involved with or could affect the activity. These may be factors such as:		Text amended to make this a GM applicable to all organisations subject to Part-OR.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
f. strategies, objectives and goals;				
g. culture, ethical guidelines, common values, etc.;				
h. organisation; and				
i. available resources.				
Available resources are relevant with respect to capacity and competence:				
j. for the risk assessment process (see below); and				
k. for performing the activity, i.e. available to be considered for use in the SOPs (aircraft, equipment, personnel, experience, finances, etc.).		Text amended to make this a GM applicable to all organisations subject to Part-OR.		
		Text deleted to make this a GM applicable to all organisations subject to Part-OR.		
5.2.1. Regulatory requirements				
The organisation should determine the regulatory requirements applicable for a particular activity as well as the necessary privileges.		Text deleted to make this a GM applicable to all organisations subject to Part-OR.		
Compliance with the relevant rules and regulations must be assured and an assessment should be made if additional privileges are required before the activity can be started.				
Regulations are generally developed to control or mitigate certain safety risks that stem from specific or general hazards. Such hazards controlled by regulations do not need to be further developed in the organisation's risk assessment if the assessment determines that the regulatory treatment is sufficient. If the regulation is not specific, has several options or directly calls for a risk assessment, the hazard obviously should be assessed and the appropriate treatment implemented.				
5.2.2. Industry standard/best practice				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
If an industry best practice exists for a particular type of activity, its applicability and suitability should be evaluated by the organisation. This evaluation could provide valuable input to the SOP and risk assessment. Some industry best practices (code of practices/COP) are developed specifically to function as basis for SOPs and should have associated hazard lists and proposals for treatment of relevant safety risks. Organisations developing SOPs based on such industry standard/best practice should still perform their own risk assessment to ensure the COP is suitable and customised to their own operation.	IND:1 One comment suggests adding a final sentence: " The competent authority has to be informed, before an industrial standard will be used, to decide if the industrial standard would be an Acceptable Means of Compliance to the Implementing Rules following AR.GEN."	Noted: As guidance material, the section offers basic guidelines to develop an SOP and only addresses the principles and provides a very basic method to help organisations with little or no previous experience in such work. Therefore, it is for the organisation to decide on the validity of any industry standards as related to the development of SOPs. Guidance on the use of Industry Standards by the competent authority is defined in GM1-AR.GEN.305		
5.2.3. Organisation's resources				
The organisation's current equipment and personnel are normally part of the risk assessment when planning an activity as most changes in this field are often time-consuming and costly. One outcome of an operational risk assessment may be that the organisation does not possess the right equipment or personnel for the activity. If this is the case for a single mission or missions on short notice, it would mean that the organisation is unable to perform the activity.		Text amended to make this a GM applicable to all organisations subject to Part-OR.		
If the organisation however plans to expand into new activities, a recommendation to acquire different equipment or employ or train personnel could be a risk treatment measure to enable the organisation to perform the new activity by making the risk acceptable. In such cases the current equipment and personnel would not be part of the risk assessment, but the delivery and certification/approval times for new equipment or time to employ or train personnel might be as well as the changes required in the organisation to accommodate for example the more advanced and complex technology.		Text amended to make this a GM applicable to all organisations subject to Part-OR.		
5.3. Risk acceptance criteria		Text amended to make this a GM applicable to all organisations subject to Part-OR.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
As part of the overall management system, safety and risk strategies and goals should have been established. For the particular assessments, risk acceptance criteria should be established based on these strategies and goals. Furthermore, management responsibility on the acceptability of risks should be defined in the organisation's management system along with what constitutes minor and substantial risks. Minor risks may be accepted by line managers, whereas more significant risks may need to be accepted by senior management. The risk acceptance criteria should help in decision making with respect to risk acceptance. The established criteria influence the planning and completion of a risk assessment, e.g. the selection of method as the assessment results will be compared with the acceptance criteria during risk evaluation. Risk acceptance criteria may be fixed targets or refer to accepted methods, standards and norms, such as regulations, Certification Specifications, AMCs and guidance material. The maximum acceptable risk is in most cases directly or indirectly influenced or determined by regulations which either specify a target (e.g. for safe forced landing it requires a reasonable expectancy of no injuries to persons in the aircraft or on the surface) or an acceptable means on how to achieve the minimum required safety level.	MS: 1 The statement concerning minor and more significant risks conflict with safety being under direct accountability of senior management under OR.GEN.200(a)(3)	1. The paragraph introduces "minor" and "significant" risk which are not defined. The definition applicable to the individual organisation should be included in the organisation's SMS which senior management is responsible for.		
Safety risk acceptance criteria should at least address, in the following order of priority and as applicable to the type of activity:		Text amended to make this a GM applicable to all organisations subject to Part-OR.		
a. third parties' life, health and property;				
b. passengers and operational personnel;				
c. crew members;				
d. the natural environment; and				
e. corporate well-being.				
As low as reasonably practicable (ALARP) is a risk acceptance criterion that is not exclusively based on fixed risk level targets but is a systematic and documented process to reduce safety risk below the maximum allowed by requirements, standards or when the risk is otherwise considered unacceptable. For ALARP to be an acceptable method of establishing risk acceptance criteria, an adequate risk management system is required to form a solid basis for the decisions made when evaluating the risk.				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
ALARP means that the safety risk is managed to a level as low as reasonably practical whilst at all times staying below the maximum allowed risk. It also implies that the risk level should be monitored and ALARP considerations applied to any new identified treatment measures to contribute to a further reduction in the risk level. Increase in the risk level at any time should be considered unacceptable, even if the safety risk is below the maximum allowed. (An exception might be for very short periods when the reason for the risk increase is known and measures are immediately implemented to correct the situation.)				
All identified treatment measures should be implemented unless it can be shown that the cost or disadvantages of the measure are grossly disproportionate to the safety risk reduction potential. It should be noted that ALARP is different from basic cost-benefit considerations and may not be implemented using just these as ALARP in this context addresses safety risk.				
Related responsibilities and decisions should be documented to justify why an identified risk reduction measure has not been implemented and that the retained risk is still ALARP without the implementation of such measures.				
Another method for establishing risk acceptance criteria is to compare the risk with ongoing safe activities. The risk acceptance criteria would in such a case be to ensure that new activities are at least as safe as the organisation's ongoing activities.		Text amended to make this a GM applicable to all organisations subject to Part-OR.		
6 Risk Assessment				
6.1 Planning				
6.1.1 Establishment, description and purpose				
The risk assessment should be initiated in time for the results to be available before the decisions regarding the activity have to be made. The person responsible for performing the risk assessment should be made aware of the background, objectives, conditions and the context for the assessment and of the risk acceptance criteria.		Text amended to make this a GM applicable to all organisations subject to Part-OR.		
The following should be documented:				
a. background;				
b. purpose; and				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
c. stakeholders and their potential interest.				
6.1.2 Organisation A work plan should be established.				
The risk assessment should be performed by a working group that includes suitable subject matter experts but may exceptionally be performed by one individual if the extent and complexity of the task allows. Particularly for 'one-off' assessments, personnel that will be involved in the activity should participate in the working group. Considerations should be given to the need for independence between the person(s) performing the risk assessment and the persons deciding if the risk is acceptable.		Text amended to make this a GM applicable to all organisations subject to Part-OR.		
The working group should have participation to ensure availability of:				
a. knowledge of and experience with the use of relevant risk analysis methods;				
b. knowledge of the activity and associated hazards;				
c. knowledge of the relationship between the activity and relevant internal and external factors; and				
d. familiarity with all relevant disciplines associated with the activity.				
It should be determined to what extent and how other stakeholders should be involved before the work starts. This should particularly consider the safety risk exposure of the stakeholder as well as practical considerations such as their availability. All working group meetings should be documented.				
6.1.3 Selection of methods and data basis				
The method proposed here is a basic analysis to determine, record, analyse and treat safety risk. This method should be complemented by other methods when the analysis in hand so dictates. Methods to determine causes and likelihood (e.g. fault tree analysis; failure mode, effects, and criticality analysis (FMECA); influence diagrams) as well as consequences (e.g. event tree analysis) of hazards may be useful.				
Data used should be described, such as:				
a. regulatory requirements;				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
b. existing SOPs and risk assessments;				
c. organisation's risk register;		Text amended to make this a GM applicable to all organisations subject to Part-OR.		
d. organisation's analyses including occurrences and safety concerns raised within the organisation;				
e. Accident Investigation Board (AIB)investigations;				
f. European Strategic Safety Initiative (ESSI) results;				
g. authority audit and inspection reports;				
h. expert judgment;				
i. simulations;				
j. codes of practice; and				
k. industry standards.				
Data sources should be assessed for suitability such as relevance, currency, representative amount of data, underestimation and accuracy.				
An organisation should ensure that its own experience is available in a collated and systematized form. This 'databank' should contain information from investigation of internal occurrences and accidents, reported deviations and proposals for improvement as well as experience collected from monitoring of normal operations. Whenever possible, it should be augmented with similar data exchanged with other organisations. Analysis of relevant experience data should provide input to a risk assessment.				
Every organisation is expected to establish and maintain a register of significant hazards and their treatment as part of its safety management system. The risk register should be a valuable source of information on the various hazards that are inherentin a particular activity and how these have been addressed in the past and are currently treated in existing activities.				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
The risk register should reflect that different types of activities (e.g. for OPS: commercial air transport and commercial operations other than commercial air transport), which may be exposed to different hazards. It may also reflect that different treatment methods could be required and that different risk levels may be acceptable.				
6.1.4 System description				
The activity to be analysed should be described. The major part of the detailed description may be by reference to a procedure/SOP.				
The risk assessment should contain a detailed description of what has been analysed and which factors have and have not been assessed such as, and as applicable:				
a. type of the operation;				
b. type(s) of aircraft;				
c. phases of the operation;				
d. environmental conditions (visibility, wind, turbulence, contrast, light, elevation, etc. unless evident from the SOP);				
e. existing barriers and available emergency preparedness;				
f. annual usage/exposure.				
A risk assessment can build often upon parts of existing risk assessments. For example, for an assessment of a new type of activity conducted in a hostile environment, the organisation might already have a risk assessment for flights over hostile environment in general. What would be required for a complete new risk assessment is the assessment of new aspects of the activity and the combination with the relevant existing one(s). In such cases particular attention should be paid to the intersecting or overlapping areas to ensure that no gaps exist or that the combination does not give rise to new hazards.		Text amended to make this a GM applicable to all organisations subject to Part-OR.		
The procedure elements and sequence should be outlined and detailed as far as possible based on existing requirements and previous experience. Known controls, safety measures and precautions should be included in the procedure.				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
6.2 Risk analysis				
6.2.1 Hazard identification	IA: 1 One comment requests this should not apply for aeroplanes with a maximum (seating) configuration of less than 20	As this is GM, there is no need to foresee any restrictions on applicability.		
Hazards should be identified as part of the risk analysis. The purpose of hazard identification is to ensure that representative and relevant accidental events that might occur during the operation are described.				
Hazard identification should:				
a. establish a list of all hazards relevant to the activity and the causes/threats that could release them;				
b. describe accidental events based on the hazard information and specify the place, time, extent, nature, etc. of the event as required; and				
c. establish a systematic overview of possible accidental events for the activity.				
Where information on accidental events for the type of activity is available directly from databases (e.g. from reported accidents and occurrences or from results of analyses already entered in the risk register), it may be included in the list directly. However, direct use of reported accidental events may lead to unintended gaps in the list of accidental events as hazards that are contributing factors to one accidental event may under other circumstances contribute to a different accidental event. It must also be noted that the absence of past accidents does not mean absence of risk. It is therefore important to identify the underlying hazard. One way of doing it is to group similar events to find the underlying hazards.				
The level of detail in the specification of accidental events should be adequate for the SOP/procedure to be developed. In some cases, major groups of hazards/events may be adequate (e.g. for OPS: flight over a hostile environment, forced landing, deviation from intended flight path, flight at low altitude), in other cases it may be necessary to be more specific (e.g. for OPS: single engine failure, tail rotor drive failure, loss of visual references, altitude judgement error, turbulence, etc.).				
The procedure/SOP should be systematically examined to determine hazards and potential accidental events that could occur during operations.				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
Aids to the identification of accidental events may be:				
d. other risk assessments;				
e. occurrence and accident reports;				
f. audits/deviation reports;				
g. internal reviews;				
h. monitoring results including flight data monitoring information;				
i. prognoses;				
j. threat assessments; and				
k. standard checklists (origin should be identified if used and the lists assessed and revised as required to suit the purpose).				
Examples of methods that may be used for hazard and risk identification are Preliminary Hazard Analysis (PHA), Hazard Identification (HAZID) and brainstorming.				
If a hazard or accidental event is identified but not analysed further for probability or consequence, the reason should be documented (e.g. too insignificant consequence, too unlikely, outside the organisation's control, not relevant for the assessment, etc.).				
In this context, it is not so much of importance, and sometimes not even possible, to distinguish exactly between hazards and accidental events. For the purpose of risk assessing procedures, accidental events are the tangible objects of the analysis. Hazards and threats are the sources in the background that could cause/trigger/escalate accidental events and that influence the likelihood of events.				
6.2.2 Analysis of causes/contributing factors and likelihood				
The main purpose of this analysis is to establish the likelihood for each accidental event.				
Each accidental event should be analysed to establish possible causes/contributing factors. Causes/contributing factors should then be analysed to determine likelihood.				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
The causal analysis should normally be of a descriptive (qualitative) nature but where relevant calculations (quantitative) should be applied. A qualitative analysis describes the potential hazards and threats and the chains of events that could lead to the accidental events. Quantitative analysis calculates the probability or frequency of the accidental events.				
In the causal analysis of each accidental event, human and organisational factors should always be considered for their possible contributing effects. It is normally necessary to consider direct causes ("unsafe acts"), workplace factors and organisational factors ("error provoking or latent conditions").				
The effects of existing likelihood-reducing factors and barriers that influence the chain of events should be considered and listed in the risk analysis sheet such as:				
a. certification requirements;				
b. maintenance procedures;				
c. existing normal and abnormal procedures;				
d. technical measures/equipment;				
e. training; and				
f. other human and organisational factors.				
Likelihood may be expressed using terminology such as "very low, low, medium, high and very high". In such cases the terms should be explained to indicate their meaning. For example, the meaning of each term could be expressed in words and/or numbers/ranges.				
Causal analysis should be done to the level of detail necessary to establish relevant likelihoods.				
Examples of methods that may be used for causal and likelihood analysis are Fault tree analysis, FMECA, influence diagrams and brainstorming.				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
Existing likelihood-reducing factors and barriers that influence the chain of events are those that are already described in the SOP or other relevant documentation. As the risk assessment progresses it is possible that there will be an iterative process where new factors and barriers could be found during analysis. These should then be added to the procedure and included in the analysis.				
6.2.3 Analysis of consequences				
Consequences of all accidental events should be analysed. The analysis should consider immediate consequences and consequences that only become apparent afterwards such as effects on the natural and work environment (e.g. for OPS: noise and vibration).				
Consequences could be grouped such as loss or damage of life/health, environment, material values/assets, functions and reputation.				
The consequence analysis should normally be of a descriptive (qualitative) nature but where relevant calculations (quantitative) should be applied. A qualitative analysis describes the chains of events that could follow from the accidental events and the possible consequences. Quantitative analysis could calculate the likelihood and extent of damage that could be caused by the accidental event.				
In the consequence analysis of each accidental event, human and organisational factors should always be considered for their possible contributing effects.				
The effects of existing consequence reducing factors/barriers that influences the consequence itself or the consequence chain should be considered such as, as applicable:				
a. certification requirements (e.g. fire protection);				
b. existing abnormal and emergency procedures;				
c. secondary safety measures (e.g. crashworthiness, personal protective equipment);				
d. technical measures/equipment;				
e. training;				
f. human and organisational factors; and				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
g. emergency preparedness.				
Existing in this context means that they are already part of the organisation's management system or built into/part of the equipment and included in the SOP description.				
Consequences may be expressed using terminology like "very small, small, medium, large and very large". In such cases the terms should be explained to indicate their meaning. For example, the meaning of each term could be expressed in words and/or numbers/ranges.				
Consequence analysis should be done to the level of detail necessary to establish relevant consequences.				
Examples of methods that may be used for consequence analysis are event tree analysis, structured "what-if", checklists and brainstorming.				
Existing consequence factors and barriers that influence the chain of events are those that are already described in the SOP or other relevant documentation . As the risk assessment progresses it is possible that there will be an iterative process where new factors and barriers could be found during analysis. These should then be added to the procedure and included in the analysis.				
6.2.4 Risk description				
The risk should be described based on the results of the causal and consequence analysis.				
The risk should be expressed as a combination of the consequence and the associated likelihood. If an accidental event has more than one consequence, the risk may be expressed as a combination of the consequence and associated likelihood for each of the consequences.				
The risk description should form a relevant basis for risk evaluation and treating risk.				
Depending on the analysis method and the risk acceptance criteria, the description could be qualitative and/or quantitative. The level of detail will depend on the level of detail in the causal and consequence analysis.				
Uncertainties in the risk description should be presented and reviewed. If the analysis is based on critical assumptions or other conditions that could affect the risk, it should be identified and presented (if necessary in the form of a sensitivity analysis).				
Examples of a method that may be used for risk description is a risk matrix.				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
The SOP should contain general statements about the safety risk involved and the management of the risk.				
6.3 Risk evaluation				
6.3.1 Comparison with risk acceptance criteria				
The results of the risk analysis should be compared to the criteria for acceptable risk.				
The comparison description should be in such a format that it can be used by decision makers and stakeholders.				
If the risk acceptance criteria require the optimisation, for example with the ALARP principle, the comparison (iterative process) should describe the optimisation process. If the risk is compared to criteria that are not absolute or may be exempted, it should be elaborated in the description.				
6.3.2 Identification of risk reduction measures and their effect				
The risk evaluation forms the basis for deciding on new mitigating measures and to assess the risk reduction effects of these measures.				
Risk reducing measures should be identified for accidental events with an unacceptable risk and for accidental events where further risk reduction measures are feasible and reasonable. Identification of possible controls should be based on the hazards, chain of events and consequences described in the analysis. Controls that could eliminate the accidental event, likelihood-reducing measures and consequence-reducing controls should be identified. The controls could be related to human factors (e.g. training and competence), equipment or organisational factors (e.g. procedures).				
Identification of risk reducing measures should be performed in a systematic way and should involve the relevant parties.				
Risk reducing measures should be implemented based on the following priorities with respect to accident development:				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
a. eliminate hazards and accidental events (e.g. OPS: fly around the hostile environment);				
b. reduce the probability of accidental events (e.g. OPS: use multi-engine instead of single-engine aircraft); and				
c. reduce the consequence of accidental events (e.g. use personal protective equipment).				
The controls should be implemented in the following priority with respect to reliability:				
a. passive technical controls (e.g. system redundancy, firewall);				
b. active technical controls (e.g. automatic fire extinguishing system); and				
c. controls by procedure (e.g. use of hand fire extinguisher).				
The risk reducing effect of the controls should be assessed with respect to:				
a. functionality (does the measure influence the ability to perform the activity);				
b. robustness (will the measure be effective under varying conditions and over time); and				
c. possible other effects such as introduction of new risks.				
Any new risk reducing measures should be included in the SOP/procedure as appropriate.				
6.3.3 Conclusions and documentation				
The risk assessment should contain conclusions. The conclusion(s) should be unambiguous, precise and robust to enable decision makers to perform the risk treatment.				
Conclusions should address issues such as:				
a. the activity could be performed with an acceptable risk (the risk of performing the operation according to the SOP is acceptable);				
b. the activity complies with regulatory requirements;				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
c. the activity is within the operators privileges; and				
d. the organisation's equipment is adequate for the activity.				
The risk assessment should be in a written format. Any references to other documents should be specified. Any need for further work should be pointed out.				
The risk assessment documentation should include or reference, as required, descriptions of:				

The purpose of the risk assessment;
a. the activity analysed;
b. involvement of personnel and stakeholders;
c. preconditions, assumptions and simplifications;
d. context/framework for the activity;
e. the assessment of who is affected by the activity and how;
f. data used;
g. the analysis method;
h. the hazard(s);
i. the risk(s);
j. the risk reduction measures;
k. the risk evaluation; and
l. the conclusions.				

If the task includes developing a new procedure, it should also include proposals for, as applicable: a. The detailed procedure/SOP b. Detailed training requirements c. Changes in general procedures ; d. Changes in equipment; e. Applications for approvals (alternative means of compliance, if required); and f. Risk register update.		Text amended to make this a GM applicable to all organisations subject to Part-OR.		
If the task is to re-assess a procedure, it should include proposals for change in any of the above mentioned issues based on the conclusions of the risk assessment.				
The risk assessment and the SOP should be considered a matched pair and changes in either of them would require reassessment of the other and the totality to cater for the changes and ensure continued consistency.				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
7 Monitoring and review				
Monitoring and review should be planned as part of the risk management process. Responsibilities for monitoring and review of risk assessments and SOP should be defined.				
7.1 General				
Monitoring should be conducted through the organisation's normal monitoring programmes such as occurrence and deviation reporting, monitoring of normal operations, flight data monitoring, proposals for improvement, etc.				
SOPs and risk assessments should be subject to monitoring for the purpose of:				
a. analysing and learning from events, changes and trends;				
b. detecting changes in the internal and external context including changes to the risk itself;				
c. ensuring that the risk control and treatment measures are effective; and				
d. identifying emerging risks.				
Monitoring and review should include periodic review, inspections and audits of the procedures, risk assessments and the risk management process.				
7.2 Changes				
Changes that could invalidate a risk assessment's conclusions (or require a reassessment) are:				
a. significant changes in the preconditions and context;				
b. new knowledge of risks involved (experience from accidents and occurrences, reporting of safety concerns, research, better risk analysis methods, internal inspections, audits and reviews, hazard reporting, risk register update);				
c. significant changes in the data basis;				
d. significant organisational changes that could affect the assessment; and				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
e. several smaller changes that together might constitute a significant change.				
7.3 Improvements As any amount of risk is considered to be negative in the context of safety risk, organisations should in managing risk, and regardless of the risk acceptance criteria chosen, always strive for a continuous reduction in the risk level through monitoring, analysis and improvements.				
AMC 1 OR.GEN.200(a)(6)Management System				
COMPLIANCE MONITORING - GENERAL	1. Several comments questioned the applicability of this AMC to all organisations and requested a more proportionate approach. 2. A commenter wished the requirements for quality systems to be put instead. 3. A comment suggested addressing product compliance. 4. Two comments suggested this to be GM. 5. A commenter suggested that GM1 to OR.ATO.300 is not needed, as it gives the impression that an additional system to what is described in this AMC is needed.	1. The AMC was reviewed and will be applicable to all organisations. 2. The proposed requirements clarify what the safety rules require, be compliance achieved through an already existing quality system or not. 3. This is meant to be compliance with the rule. If the rule requires product compliance with specific standards, it will be addressed within the overall regulatory compliance. 4. The content suggests that it is means of compliance, therefore it will stay AMC. 5. GM1 OR.ATO.300 has been reviewed, taking this comment into account.		
1. Compliance Monitoring.				
The implementation and use of a compliance monitoring function should enable the organisation to monitor compliance with therelevant requirements of Part-OR and other applicable Parts.	Two comments suggested using "effective" instead of "efficient". A comment suggested deleting the end of the sentence which is not related to compliance monitoring.	The suggestion for deletion is agreed.		
a. The organisation should specify the basic structure of the compliance monitoring function applicable to the activities conducted.				
b. The compliance monitoring function should be structured according to the size of the organisation and the complexity of the activities to be monitored.				
2. Organisations should monitor compliance with the procedures they have designed to ensure safe activities. In doing so, they should as a minimum, and where appropriate, monitor:	1. A comment expressed that 2. duplicates 4. 2. A comment suggested rewording 2. to focus on document monitoring (manuals, procedures, legal and statutory	1. 4 is deleted. 2. The present wording allows monitoring said documents. 3. "Management system" is added to the list.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	requirements, training). 3. A comment suggested adding "management system" to the list.			
a. organisational structure;				
b. plans and objectives;				
c. privileges of the organisation;	1. A commenter requested the definition of privileges.	1. The privileges are the activities which the organisation has been approved to perform.		
d. manuals, logs, and records;				
e. training standards;				
f. management system				
3. Organisational set up.	1. A comment argued that "set up" is addressed in this paragraph rather than tasks. 2. Another comment argued that those tasks should not be additional to those of a QMS.	1. The paragraph is renamed accordingly. 2. Those tasks are not required in addition to a QMS. If the QMS already encompasses them, then the organisation will comply.		
a. To ensure that the organisation continues to meet the requirements of this Part and other applicable Parts, the accountable manager should designate a compliance monitoring manager whose role is to verify, by monitoring the activities of the organisation, that the standards required by Part-OR and other applicable Parts, and any additional requirements as established by the organisation, are being carried out properly under the supervision of the relevant head of functional area.	1. A comment expressed that the responsibility should stay with the accountable manager. 2. Comments suggested not referring to a "manager". A comment suggested using "management representative" instead. 3. A commenter suggested naming the manager to avoid possible confusions.	1. The fact that the accountable manager designates somebody to ensure specific tasks does not transfer its safety accountabilities. 2. "Management representative" was not found clearer than "manager". 3. The AMC qualifies the manager as compliance monitoring manager.		
b. The compliance monitoring manager should be responsible for ensuring that the compliance monitoring programme is properly implemented, maintained and continually reviewed and improved.				
c. The compliance monitoring manager should:				
i. have direct access to the accountable manager;				
ii. not be one of the other persons referred to in OR.GEN.210(b); and	A commenter expressed concerns that there might be a contradiction in saying that the compliance monitoring manager is not one of the nominated post holders.	The nominated post holders are defined in the specific subparts of Part OR. The compliance monitoring manager is not one of them. The wording "not hold another		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	Others suggested using the wording "not hold another nominated post".	nominated post" could be interpreted as "not be the safety manager".		
iii. have access to all parts of the organisation, and as necessary, any contracted organisation.				
d. In the case of a non-complex organisation, this task may be exercised by the accountable manager.				
	A commenter suggested changing "address" into "assess", as a typo correction. A commenter wished "policy" and "processes" to be clarified. A comment suggested rewording 4 to mention i. scope of the CMS, ii. Procedures that contain the relevant processes accountabilities, vii. compliance monitoring audit and inspections programme.	4 is deleted, since it is covered by 2.		
4. Compliance monitoring documentation.				
a. Relevant documentation should include the relevant part(s) of the organisation management system documentation.	A comment argued that consistency should be ensured with AMC 2 OR.GEN.200(a)(3).	AMC 2 OR.GEN.200(a)(3) has been reviewed.		
b. In addition, relevant documentation should also include the following:				
	A comment suggested deleting compliance policy, as it is already addressed by the overall policy.	Suggested deletion is agreed.		
i. terminology;		The phrase "Corporate core values and governance criteria" was deleted following a comment that it was out of the scope of compliance monitoring.		
ii. specified activity standards;	A comment wished "activity" to be replaced with "operational".	"Activity" is considered more appropriate, as operational standards do not necessarily apply to training, e.g..		
iii. a description of the organisation;				
iv. the allocation of duties and responsibilities;				
v. procedures to ensure regulatory compliance;				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
vi. the compliance monitoring programme, reflecting:				
A. schedule of the monitoring programme;				
B. audit procedures;				
C. reporting procedures;				
D. follow-up and corrective action procedures; and				
E. recording system.				
vii. the training syllabus referred to in 5b; and	Commenters requested clarification on the syllabus, especially as the FCL training syllabus will already be published in Part FCL.	The syllabus concerned is clarified.		
viii. document control.				
5. Training.				
a. Correct and thorough training is essential to optimise compliance in every organisation. In order to achieve significant outcomes of such training, the organisation should ensure that all personnel understand the objectives as laid down in the organisation manual.				
b. Those responsible for managing the compliance monitoring function should receive training on this task. Such training should cover the requirements of compliance monitoring, manuals and procedures related to the task, audit techniques, reporting and recording.	1. A commenter argued that the training should not be limited to safety. 2. A comment suggested replacing the list with "Requirements of a Compliance Monitoring System, Manuals and procedures in the CMS, Audit techniques, Reporting and recording". 3. A commenter requested specification of who provides the training.	1. This covers the items necessary for the training of those in charge of managing the compliance monitoring function. Of course, any other training necessary for the personnel to perform its tasks will have to be performed. 2. The suggested wording is agreed. 3. It is up to the organisation to decide who will provide training.		
	A comment suggested mentioning "compliance assurance" instead.	The wording has been reviewed.		
c. Time should be provided to train all personnel involved in compliance management and for briefing the remainder of	A commenter argued that other employees should be briefed as	Every employee should be aware of the CMS. Personnel instead of individual / employee to		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
the personnel.	applicable.	ensure consistency with terms used in Part-OPS.		
d. The allocation of time and resources should be governed by the volume and complexity of the activities concerned.				
GM1-OR.GEN.200(a)(6)-complex-ATO Management System	Comments raised the issue of proportionality regarding this AMC	It will be specified that this AMC is for complex organisations. The content was reviewed and agreed with the Group dealing with Subpart ATO.		
COMPLIANCE MONITORING PROGRAMME				
1. Typical subject areas for compliance monitoring inspections for ATOs should be:	A comment suggested adding "Change Management and Change Notification processes - Standardisation process"	It is agreed that this should be monitored, but it is not a "typical subject area".		
a. facilities;				
b. actual flight and ground training;				
c. technical standards.				
2. ATOs should monitor compliance with the training and operations manuals they have designed to ensure safe and efficient training. In doing so, they should, where appropriate, additionally monitor:	A comment suggested replacing second sentence with "In doing so, they should at least monitor".	It is felt clearer to mention that this is additional.		
a. training procedures;				
b. flight safety;				
c. flight and duty time limitations, rest requirements, and scheduling;	Comments requested adding that this is specifically for flight training.	It is specified that this is "regarding flight training.		
d. aircraft maintenance/operations interface.	Comments requested adding that this is specifically for flight training.	The addition is not felt necessary as the issue is the interface with flight training.		

<table>
<tr><th>A: Rule</th><th>B: Summary of comments</th><th>C: Response</th><th>D: Source ref. and compliance</th><th>E: ICAO ref. and compliance</th></tr>
<tr><td></td><td></td><td></td><td></td><td></td></tr>
<tr><td>AMC1OR.GEN.200(a)(6)-non-complex-OPS Management System</td><td></td><td></td><td></td><td></td></tr>
<tr><td>COMPLIANCE MONITORING PROGRAMME</td><td>A comment argued that the AMC is not applicable to all small operators (cf. de-icing for balloon operators).</td><td>The items that may not be appropriate have been amended by adding “if applicable”</td><td></td><td></td></tr>
<tr><td>1. Compliance monitoring inspections</td><td></td><td></td><td></td><td></td></tr>
<tr><td>a. Compliance monitoring inspections should be documented on a “Compliance Monitoring Inspection Checklist”, and any findings shouldbe recorded in a “Non-compliance Report”. The following documents should be used for this purpose.</td><td></td><td></td><td></td><td></td></tr>
<tr><td>b. To report the outcome of the Management Evaluation meeting the “Management Evaluation Report” form should be used.</td><td>A comment asked why a management evaluation meeting was only felt necessary for small operators.</td><td>This AMC aims at helping non complex operators in complying with the rule. Complex operators may define their own compliance monitoring procedures, using Management evaluation meetings or other tools.</td><td></td><td></td></tr>
<tr><td>COMPLIANCE MONITORING INSPECTION CHECKLIST
Year:
<table>
<tr><th>Subject</th><th>Date checked</th><th>Checked by</th><th>Comments / Non-compliance Report No.</th></tr>
<tr><td>Flight Operations</td><td></td><td></td><td></td></tr>
<tr><td>Aircraft checklists checked for accuracy and validity.</td><td></td><td></td><td></td></tr>
<tr><td>Minimum fiveflight plans checked and verified for proper and correct information.</td><td></td><td></td><td></td></tr>
<tr><td>Flight planning facilities checked for updated manuals, documents and access to relevant flight information.</td><td></td><td></td><td></td></tr>
</table></td><td>A comment argued that “Quality” should not be mentioned in the form.</td><td>“Quality records” is replaced with “Compliance records”. “QAP” is replaced with “compliance monitoring”.</td><td></td><td></td></tr>
</table>

A: Rule				B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
Incident reports evaluated and reported to the appropriate competent authority							
Ground Handling							
Contracts with ground handling organisations established and valid, if applicable							
Instructions regarding fuelling and de-icing issued, if applicable							
Instructions regarding Dangerous Goods issued and known by all relevant personnel, if applicable							
Weight & Balance							
Min.fiveload sheets checked and verified for proper and correct information , if applicable							
Aircraft fleet checked for valid weight check , if applicable .							
Minimum one check per aircraft of correct loading and distribution, if applicable							
Training							
Training records updated and accurate							
All pilot licenses checked for currency, correct ratings and valid medical check							
All pilots received recurrent training							
Training facilities & Instructors approved							
All pilots received Daily Inspection (D.I.) training							

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
Documentation All issues of Operations Manual (OM) checked for correct amendment status AOC checked for validity and appropriate Operations Specifications Aviation Requirements applicable and updated Crew flight and duty time record updated, if applicable Flight documents record checked and updated Compliance monitoring records checked and updated				
- NON-COMPLIANCE REPORT - No: To MANAGER in charge of compliance monitoring / Reported by: / Date: Category Flight Operations ☐ Ground Handling ☐ Weight & Balance ☐ Training☐ Documentation ☐ Other ☐ Description: / Reference: Level of finding:	A comment argued that level and cause of finding was missing.	New spaces were created to address the missing elements.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
Cause of non-compliance: Suggested solution: Manager in charge of compliance monitoring: ☐ Corrective action required ☐ Corrective action not required Responsible Person: Time limitation: Corrective action: Reference: Signature Responsible Person: Date: Manager in charge of the compliance monitoring ☐ Corrective action verified ☐ Report Closed Signature Manager in charge of compliance monitoring: Date:				
MANAGEMENT EVALUATION REPORT				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance

Date; Attendees;

Number of Non-compliance reports recorded during the period from.....to.....

Flight Operations	Ground Handling	Weight & Balance	Training	Documents	Other	Total

Significant changes of trend compared with previous evaluation: ☐ No ☐ Yes

Auditors objective review of the compliance monitoring effectiveness:

General comments:

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
Improvements of the compliance monitoring function or parts thereof regarded necessary: ☐ No ☐ Yes, ref. Non-compliance Report(s) No..... ..... Signature Manager in charge of compliance monitoring / ..... Signature Accountable Manager / ..... Signature Auditor				
GM1OR.GEN.200(a)(6)-complex-OPS Management System	1. A comment argued that the AMC should not be applicable to non commercial organisations operating other than complex aircraft. 2. Comments suggested deleting or keeping as a GM.	1. Those organisations may use the means of compliance they wish. 2. It is agreed to make it a GM. The same applies to AMC 2, applicable to ATOs.		
COMPLIANCE MONITORING	A comment wished "small" and "large" to be defined. Another one outlined that "Other" should be used instead of "large".	Large is changed into "Complex", which is defined in another AMC.		
1. Typical subject areas for compliance monitoring inspections for operators should be:				
a. actual flight operations;				
b. ground de-icing/anti-icing;				
c. flight support services;				
d. load control; and				
e. technical standards.				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	A comment suggested adding SMS.	The management system was added to the AMC.		
2. Operators should monitor compliance with the operational procedures they have designed to ensure safe operations, airworthy aircraft and the serviceability of both operational and safety equipment. In doing so, they should, where appropriate, additionally monitor:	1. A comment suggested replacing second sentence with "In doing so, they should at least monitor". 2. A comment suggested deleting "serviceability of both operational and safety equipment" as this is not related to compliance monitoring. 3. A comment suggested replacing "where appropriate" with "if applicable". 4. A comment suggested adding "Ground operations" to the list.	1. It is felt clearer to mention that this is additional. 2. The suggested deletion is not agreed as the wording gives only an indication of the objectives. 3. "If applicable" was not considered clearer than "where appropriate". 4. The suggested addition is agreed.		
a. operational procedures;				
b. flight safety;				
c. operational control and supervision;	A comment suggested adding "Operational control" before.	The suggested addition is agreed.		
d. aircraft performance;				
e. all weather operations;				
f. communications and navigational equipment and practices;				
g. mass, balance and aircraft loading;				
h. instruments and safety equipment;				
i. ground operations;				
j. flight and duty time limitations, rest requirements, and scheduling;				
k. aircraft maintenance/operations interface;				
l. use of the MEL;				
m. flight crew;				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
n. cabin crew;				
o. dangerous goods; and				
p. security.				
AMC1-OR.GEN.200(b) Management System				
SIZE, NATURE AND COMPLEXITY OF THE ACTIVITY				
1. An organisation should be assessed as complex when it has a workforce of more than 20 full time equivalents involved in the activity subject to the approval or the declaration. 2. Without prejudice to the size of the organisation, in terms of complexity, the extent and scope of contracted activities subject to the approval or the declaration should also be assessed. 3. Without prejudice to the criteria above, the following risk criteria should also be assessed: (a) use of the following special approvals: RNP-X, LVO, ETOPS, HHO, HEMS, NVIS, DG, SFL; (b) different types of aircraft used; **(c)** the environment (offshore, mountainous area etc…); and (d) commercial operators of other than complex motor powered aircraft performing local operations; 4. Notwithstanding the size of the organisation, the following organisations should be considered as non complex: (a) approved training organisations only providing training for LAPL, PPL, SPL or BPL;		Changed as suggested by OPS NCC RG Changed as a result of a suggestion from OPS SPO RG		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
(b) commercial operators of other than complex motor powered aircraft performing local operations; (c) aero-medical centres.				
AMC1 OR.GEN.205 Contracting and purchasing	1. Two comments expressed concerns regarding the proportionality of the AMC. 2. Two comments requested redrafting of the rule and the AMC, one with a view to outlining the safety-related, quality-related and management related requirements, the other with a view to preventing performance of activities subject to an approval by a non approved organisation.	1. The AMC is considered to be proportionate. 2. The redrafting proposals were not considered appropriate. The Basic Regulation allows contracting, provided the contracting organisation ensures that the rules are complied with.		
COMPLIANCE MONITORING RESPONSIBILITY WHEN CONTRACTING ACTIVITIES.	A comment suggested replacing the title with "Organisation responsibility by contracting"	It is understood that this AMC deals with compliance monitoring. The title has been amended to be clearer.		
1. Contracted activities.				
a. An organisation may decide to contract certain activities to external organisations.				
b. A written agreement should exist between the organisation and the contracted organisation clearly defining the contracted activities and the applicable requirements.	A comment indicated that the word "quality" did not describe what was required and proposed an alternate wording.	The text has been amended to make it clearer.		
c. The contracted safety related activities relevant to the agreement should be included in the organisation's compliance monitoring programme.				
d. The organisation should ensure that the contracted organisation has the necessary authorisation or approval when required, and commands the resources and competence to undertake the task.				
e. If the organisation requires the contracted organisation to conduct an activity which exceeds the contracted organisation's authorisation or approval, the organisation is responsible for ensuring that the contracted organisation's compliance monitoring takes account of such additional requirements.				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
GM1 OR.GEN.205 Contracting and purchasing				
CONTRACTING AND PURCHASING - OPERATORS				
1. Operators may decide to contract certain activities to external organisations for the provision of services related to areas such as:	Two comments argued that maintenance is missing in this list.	Performance of maintenance and continuing airworthiness management are activities subject to a different approval.		
a. ground de-icing/anti-icing; b. ground handling; c. flight support (including performance calculations, flight planning, navigation database and dispatch); d. training; and e. manual preparation.				
2. The ultimate responsibility for the product or service provided by external organisations should always remain with the operator.	A comment stated that the GM is unrealistic, as an operator can not control everything.	The decision to contract implies that the control mechanisms are in place.		
AMC1 OR.GEN.215-ATOFacilities				
APPROVED TRAINING ORGANISATIONSPROVIDING TRAINING FOR OTHER THAN LAPL, BPL, SPL AND PPL	Two comments argued that the proposed wording would imply that the AMC is not applicable to an ATO for CPL which provide also training for PPL, for instance. Several commenters argued that the AMC does not consider those ATOs providing only flight training, those providing only simulator training and those only providing theoretical knowledge training.	The AMC was reviewed and clarified, taking those comments into account.		
1. For Approved Training Organisationsproviding flight training, the following flight operations accommodation should be available: a. an operations room with facilities to control flying operations; b. a flight planning room with the following facilities: i. appropriate current maps and charts; ii. current AIS information; iii. currentmeteorological information; iv. communications to ATC and the operations room; v. any other flight safety related material.				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
c. adequate briefing rooms/cubicles of sufficient size and number. d. suitable offices for the supervisory personnel and room(s) to allow flying instructors to write reports on students, complete records, etc. e. furnished crew-room(s) for instructors and students.		FCL.001 RG prefers offices		
2. For Approved Training Organisations providing theoretical knowledge training,the following facilities for theoretical knowledge instruction should be available:		FCL.001 RG suggests adding "only" Ensure that those doing not only a particular type of training are covered		
a. adequate classroom accommodation for the current student population. b. suitable demonstration equipment to support the theoretical knowledge instruction. c. a radiotelephony training and testing facility. d. a reference library containing publications giving coverage of the syllabus. e. offices for the instructional personnel.	A commenter wished adequate to be defined.	The AMC already specifies adequate for the current student population.		
AMC2 OR.GEN.215-ATOFacilities				
APPROVED TRAINING ORGANISATIONSPROVIDING TRAINING FOR BASIC LAPL, LAPL, BPL, SPL OR PPL ONLY	Two comments argued that this AMC is not proportionate, in particular for balloon training.	Subparagraph (e) provides an alleviation for this type of training.		
1. The following flight operations accommodation should be available: a. a flight planning room with the following facilities: i appropriate current aviation maps and charts; ii current AIS information; iii currentmeteorological information; iv communications to ATC (if applicable); and v any other flight safety related material.				
b. adequate briefing room(s)/cubicles of sufficient size and number. c. suitable office(s) to allow flight instructors to write reports on students, complete records, etc. d. suitable rest areas for instructors and students, where appropriate to the training task. e. in the case of training organisations providing training for				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
the BPL or LAPL(B) only, the flight operations accommodation listed in (a) to (d) above may be replaced by other suitable facilities when operating outside aerodromes.				
2. The following facilities for theoretical knowledge instruction should be available: a. adequate classroom accommodation for the current student population; b. suitable demonstration equipment to support the theoretical knowledge instruction; and c. suitable office(s) for the instructional personnel.				
3. A single room may be sufficient to provide the above mentioned functions.	Two comments objected that this should also be applicable to ATOs within an air sport federation. One commenter argued that this is also applicable to very small organisations.	This is addressed in the responses to the comments on the definition of small organisations. Text further amended following advice of the FCL.001 RG.		
AMC1OR.GEN.220(b) Record-keeping	Text considered restricted and cumbersome by a commenter. A commenter requested harmonisation of the record-keeping requirements for authorities and organisations.	The text has been revised to replace "computer database" with "electronic format". Related AMCs have also been harmonised.		
RECORDS				
1. Records should be kept in paper form or in electronic format or a combination of both. Records stored on microfilm or optical disc format are also acceptable. The records should remain legible throughout the required retention period. The retention period starts when the record has been created or last amended.		Definition of the start of the retention period added for consistency with changes made to AMC1 AR.GEN.220(a).		
2. Paper systems should use robust material which can withstand normal handling and filing.				
3. Computer systems should have at least one backup system which should be updated within 24 hours of any new entry. Computer systems should include safeguards against the ability of unauthorised personnel to alter the data.	Two commenters argued that this text does not fit with a network architecture. Another one requested deleting the paragraph.	The text has been adjusted to take the comment into account.		
4. All computer hardware used to ensure data backup should be stored in a different location from that containing the working data andin an environment that ensures they remain in good condition. When hardware- or software-changes take place, special care should be taken that all necessary data continues to be accessible at least through the full period specified in the relevant Subpart. In the absence of such indication, all records		Added to ensure consistency with AR.GEN.220.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
should be kept for a minimum period of five years.				
GM1OR.GEN.220(b) Record-keeping				
RECORDS Microfilming or optical storage of records may be carried out at any time. The records should be as legible as the original record and remain so for the required retention period.				
	A Two commenters wished the AMC to be generalised to other areas.	The implementing rule is applicable to all organisations and is actually sufficient. The AMC will be deleted.		
	A commenter wished the text to specify whether the person should be from the authority or not.			
	A commenter argued that this is more linked to the right to inspect an aircraft and should not be placed in an AMC for record-keeping.			
Subpart OPS – Air operations				
SECTION I – GENERALREQUIREMENTS	[MS: 1;INDIV: 1] Rules are completely overburdened for balloons Section 1 should be renamed "General requirements" for consistency with Draft Opinion Part OR.	Noted. The requirements have been reviewed for proportionality. Accepted: text changed for consistency.		
AMC1-OR.OPS.GEN.105(c) Operator responsibilities				
OPERATIONAL CONTROL				
1. The organisation and methods established to exercise operational control should be included in the operations manual and should cover at least a description of responsibilities concerning the initiation, continuationand termination or diversion of each flight.	1. IND: 1: The definition neglects the current work environment and lacks a description of advantages flight operations support. Propose revised text: "The OM	1. The rule outlines the requirement which is amplified in the CAT and NCC AMCs to OR.OPS.MLR.100 (OM contents) which contains the points made by the	Appendix 1 to EU-OPS 1.1045 Appendix 1 to JAR-OPS	ICAO Annex 6: Part I – Appendix 2 Part II – Appendix 3A

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	shall include the means, methods and processes by which operational control is exercised during initiation, planning, continuation, termination, division or accident of a flight. The OM shall contain resources and information available for conducting safe and efficient flight operation."	commentator. However, the comment may be considered as a future rulemaking task.	3.1045	Part III – Appendix H
GM1- OR.OPS.GEN.105 (c) Operator responsibilities				
OPERATIONAL CONTROL				
	1. IA: 1: Amend text: "…. the operator's operational control personnel, in the interest …".	1. The requirement rests with the operator and not his/her operational personnel. This paragraph is a definition and will be moved to the Cover Regulation to Part-OR.	EU-OPS. 1.195	
1. OR.OPS.GEN.100 (c) does not imply a requirement for licensed flight dispatchers or a full flight watch system.	1. IA: 1 and IND: 5: Strongly supported. 2. IA: 1: Transfer subparagraph to AMC. ICAO Doc 7192 shall be reference for training flight operations officers. 3. IA: 1: Amend text: "This does imply a requirement for licensed flight operations officers and for a full pro-active flight watch system. A pro-active flight watch system is …" 4. IND: 1 define the necessity of licensed flight dispatch personnel and make it an EU initiative. Include requirement for operators to conduct operational control through a flight watch system.	1. Support from multiple commenters for this paragraph is noted. 2. Subparagraph 1 refers to requirement of flight dispatchers /flight watch system, whereas 2 refers to training of operations officers. 3. The proposal goes against the flexibility offered by ICAO: "Responsibility for operational control shall be delegated only …..to a flight operations officer/flight dispatcher if an operator's approved method of control and supervision of flight operations requires the use of flight operations officer/flight dispatcher personnel." Neither ICAO, EU-OPS nor JAR-OPS 3 mandates the employment of operations officers/flight dispatch officers. 4. This suggestion is outside the scope of the NPA which is to transpose EU-OPS. However, it may be considered as a future rulemaking task.		ICAO Annex 6 Part I paragraphs 3.1.3 and 10.1
2. If an operator employs flight operations officers in conjunction with a method of operational control, training for these personnel should be based on relevant parts of ICAO Doc 7192 Training Manual, Part D-3. This training should be described in the operations manual.	1. IA: 1: Amend text: "Since flight crew should not self-dispatch, training for operational control personnel, other than pilot-in-command should be based on ICAO Doc 7192 D3." 2. IND: 1: Operators have invested in developing effective training programmes. Add " and/or operational experience." 3. IND: 1: requirement for detailed training and recurrent scheme for all	1. The proposal goes against the flexibility offered by ICAO: "Responsibility for operational control shall be delegated only …..to a flight operations officer/flight dispatcher if an operator's approved method of control and supervision of flight operations requires the use of flight operations officer/flight dispatcher personnel." Neither ICAO, EU-OPS nor JAR-OPS 3 mandates the employment of operations officers/flight dispatch officers		ICAO Annex 6 Part I paragraph 10.3 Part II paragraph 3.10 Part III paragraph 8.3

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	personnel in safety critical areas shall be included in the operations manual	2. This is guidance material. ICAO states A flight operations officer/flight dispatcher shall not be assigned to duty unless that person has satisfactorily completed an operator-specific training course that addresses all the specific components of its approved method of control and supervision of flight operations. Note.— Guidance on the composition of such training syllabi is provided in the Training Manual (Doc 7192), Part D-3 3. This suggestion is outside the scope of the NPA which is to transpose EU-OPS; However, it may be considered as a future rulemaking task		
	1. IA: 1 and IND: 5: Delete this GM OR.OPS.100.GEN(d) as it is too prescriptive and does not differentiate between major and minor changes and consider publishing in an information paper instead 2. MS: 1 and IA: 1: Transfer to AMC and attach to OR.GEN.200(a) since most of the material and its scope go beyond an individual operator	1 & 2. GM OR.OPS.100(d) Operator responsibilities renumbered/renamed GM1-OR.OPS.GEN.200(a)(2). The final text is pending as it is still under review by the Agency. However, this GM is moved to Part-OR (GEN) Management system to more accurately reflect its content and to address the comments.		
		Amended for clarity purposes		
	1. IND: 1: Future SOP changes require a – f	1. The comment is unclear.		
	1. IA: 1: What is the relationship between risk Management and SMS?	1. Risk Management is one of the core components of an SMS		ICAO Doc 9859
	1. IND: 1 and INDIV: 1: "does the risk assessment apply to procedures in currently in OM or only to new procedures as they are added?"	1. As stated in text to section "It only addresses the principles and provides one very basic method etc. It is not a means of compliance. As an operator gathers experience, the method should be developed or changed to suite individual needs. An operator/owner could have been expected to complete some sort of risk assessment with the relevant sections of their OM and with the AMC expanded here will develop their method in future		
	1. MS: 1: 'Hazard' is used extensively in other parts of Part OR. The definition	1. This provision is moved to OR.GEN as an AMC		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	should be moved to OR.GEN 2. MS: 1: Use ICAO Definition to facilitate global understanding: Condition, object or activity with the potential of causing injuries to personnel, damage to equipment or structures, loss of material or reduction of ability to perform a prescribed function.	2. Accepted. However, the source of the mentioned ICAO definition could not be established.		
	1. MS: 1: Use ICAO Definition to facilitate global understanding: The likelihood of injury to personnel, damage to equipment or structures, loss of material or reduction of ability to perform a prescribed function, measured in terms of probability and severity	1. Accepted. However, the source of the mentioned ICAO definition could not be established.		
	1. IND: 1: add final sentence: " The competent authority has to be informed, before an industrial standard will be used, to decide if the industrial standard would be an Acceptable Means of Compliance to the Implementing Rules following AR.GEN."	1. This GM is now moved to OR.GEN as an AMC. The proposal is not necessary: AR.GEN.120 addresses this procedure; the competent authority shall evaluate all alternative means of compliance proposed by an organisation. Moreover, the Agency can propose to accept and refer to industry standards in AMC, as is already done in the field of airworthiness and OPS, e.g. on icing.		
	1. MS: 1: The statement concerning minor and more significant risks conflict with safety being under direct accountability of senior management under OR.GEN.200(a)(3).	1. The paragraph introduces "minor" and "significant" risk which are not defined. The definition applicable to the individual operator should be included in the operator's SMS which senior management is responsible for. Suggest the following amendment: "Furthermore, management responsibility on the acceptability of risks should be defined in the operator's SMS along with what constitutes minor and substantial risks.. Minor risks may be accepted by line managers, whereas more significant risks may need to be accepted by senior management		
	IA:1: does this apply for aeroplanes with a maximum (seating) configuration of less than 20?	There is no discrimination associated with this AMC		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
		This AMC is upgraded to IR		
	1. MS: 1: and IA:3: Amend to remove use of expression "awareness training"	1. Text changed and moved to OR.OPS.100.GEN. The text in [] is not transferred.		
SECTION II – MANUALS, LOGS AND RECORDS				
AMC1-OR.OPS.MLR.100 Operations manual - General	1. MS: 1: NPA AMCs 1, 2 and 4 to be combined and AMC 3 (NCC) should have the same structure as that in NPA AMC 5, but not so detailed. 2. MS: 1: Re-align with EU-OPS as a rule and not an AMC. 3. INDIV: 1: Proposal for the OM to be quality controlled through a committee consisting of personnel from all relevant departments involved in flight operations. 4. IND: 1: Comment on NPA AMC OR.OPS.015.FTL(l) Operator Responsibilities – comment submitted in NPA OR.OPS.MLR section instead.	1&2. RG01 CAT input: NPA AMC1 on OM general (only parts copied from EU-OPS) and NPA AMC 4 on OM Structure for Commercial Ops moved to IR, leaving AMCs for OM content for NCC, CAT and commercial SPO. This provides for proportionality. Structure for NCC to match ICAO as opposed to EU-OPS. 3. This level of detail should be left to the operator. 4. OR.OPS.FTL addressed under separate RM task OPS.055.	~International Standard for Business Aircraft Operations (IS-BAO)	
GENERAL				
	1. INDIV: 1: Allowing the OM to be an integral part of the Organisation Manual means that information will not be duplicated – this is supported. OM=Org Manual and Ops Manual – this needs to be resolved.	+1. Deleted, as OR.GEN.200 has been amended during the comment response phase, so that it no longer refers to an organisation manual. 1. This has been deleted anyway (See +1 above). However, AMC1-OR.OPS.MLR.100 also supports the principle of no duplication.		
1 The operations manual (OM) may vary in detail according to the complexity of the operation and of the type and number of aircraft operated.	1. MS: 1: Request to refer to at least the AMCs containing the OM content requirements and add the role of the competent authority during the approval process, because it is unclear to what extent the OM may be varied. 2. MS: 1: Guidelines needed for empty sections in OMs (e.g. "not applicable").	+1. Stays as AMC, as source not EU-OPS 1. No change in the text, as the role of the Competent Authority is addressed in AR.OPS Section II. Additionally, if AMCs are referred to here, then all AMCs should be cross-referenced in all of the IRs. 2. The penultimate sentence in NPA AMC 5 OR.OPS.015.MLR addresses handling of sections which are not applicable – this has been clarified and moved to GM, as it is more of guidance nature.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	1. MS: 1: This item should be moved to IR.	1. Text moved to IR; OR.OPS.MLR.100.		
	1. IND: 1: Safety and OM compliance is not only applicable to crew members, but to all staff. 2. IND: 6: "personal copy" could be interpreted as hard copy; text modification suggested. 3. INDIV: 1: Access to information should be IR.	+1. RG01 CAT input: Text moved to OR.OPS.MLR.100. 1. OR.OPS.MLR.100 states that all personnel shall have easy access to the portions of the OM that are relevant to carry out their duties. 2. No text change, as it is aligned with EU-OPS and "personal copy" does not prevent issue in other formats. 3. Text moved to OR.OPS.MLR.100, so having easy access to the relevant OM parts and keeping own copies up to date, are now both mandated in IR.		
		+1. RG01 CAT input: Text moved to OR.OPS.MLR.100.		
2 The OM or parts thereof may be presented in any form, including electronic form. In all cases, the accessibility, usability and reliability should be assured.	1. MS: 1: Reference to Electronic Flight Bag provisions is required. 2. INDIV: 1: Allowing publication on other than printed paper without additional approval is supported.	+1. Although this text comes from EU-OPS, it has not been moved to IR because the nature of the text is not IR ie "may be presented…" 1. The text does not prevent use of EFBs, as it allows electronic form. 2. The support for this sub-paragraph is acknowledged.	~EU-OPS 1.1040(m) ~JAR-OPS 3.1040(m)	
3 The OM should be such that:				
a. all parts of the manual are consistent and compatible in form and content;		+1. Stays as AMC, as source not EU-OPS.		
b. the manual can be readily amended; and		+1. Stays as AMC, as source not EU-OPS.		
c. the content and amendment status of the manual is controlled and clearly indicated.		+1. Stays as AMC, as source not EU-OPS.		
4 The OM should include a description of its amendment and revision process specifying:	1. INDIV: 1: Suggestion to include the actual revision process.	1. This level of detail should be left to the operator.		
a. the person(s) who may approve amendments or revisions;		+1. Stays as AMC, as source not EU-OPS.		
b. the conditions for temporary revisions and/or immediate amendments or revision required in the interest of safety; and		+1. Stays as AMC, as source not EU-OPS.		
c. the methods by which operator personnel are advised of the		+1. Stays as AMC, as source not EU-OPS.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
changes.				
	1. MS:1: Missing "The AFM may be issued in parts". Also missing requirements on whether it should be carried on flights.	1. Text deleted, as this is addressed in Part-CAT/SPO/NCC/NCO.GEN – Documents, manuals and information to be carried, by the expression "AFM or equivalent", which is defined in the AMC. In addition, B. 4.1.2 in the AMC for OM contents addresses it.		
5 The OM content may be based on, or may refer to,industry codes of practice.	1. MS: 1: Text implies that the entire OM can be replaced by "industry codes", which is not desirable. 2. IND: 7: Clarification required on what industry code of practice is and about grandfathering of OMs.	+1. Stays as AMC, as source not EU-OPS 1. Text changed for clarification.Also, AMC1-OR.OPS.MLR.100, provides control elements if such sources are used to compile the OM. 2. Paragraph (2) of AMC3-OR.OPS.MLR.100 addresses grandfathering. AMC1-OR.OPS.MLR.100 describes how information from other relevant documents may be used or referred to. This is meant to include SOPs.		~Annex 6 Part II, 3.4.2.2 Note 1
	1. IND:1: Add a requirement that the material should be made adequately available to all relevant staff members. 2. MS: 1: Re-align with EU-OPS as an IR and not an AMC. 3. INDIV: 1: Allowing substitution by applicable parts of the AFM etc (see (1) and (4)) and referencing from the OM into other material is supported.	1. This comment is addressed by revised rule text; OR.OPS.MLR.100; All operations personnel shall have easy access to the portions of the OM that are relevant to their duties. 2. Text is consistent with JAA TGL 44, no safety justification for upgrade to rule; however, it may be considered in a future rulemaking task via an EASA proposal form. 3. The support for this provision is acknowledged. +1. NPA AMC1 OR.OPS.015.MLR and AMC2 OR.OPS.015.MLR merged into AMC1-OR.OPS.MLR.100.		
6 When compiling an OM, the operator may take advantage of the contents of other relevant documents. Material produced by the operator for the type-related part of the OM may be supplemented with, or substituted by, applicable parts of the aircraft flight manual (AFM) or, where such a document exists, by an aircraft operating manual produced by the manufacturer of the aircraft.			~AMC OPS 1.1045(1) (part) ~AMC OPS 3.1045(1) (part)	
7 In the case of commercial operations with other-than-complex motor-powered aircraft or non-commercial operations, a "pilot operating handbook" (POH), or equivalent document, may be	1. INDIV: 1: This should be applicable to all non-complex operations (e.g. balloons). Suggest change to just "non-complex" ie delete "motor-	1. OR.OPS is applicable to all commercial operations, irrespective of the type of aircraft, so it will apply to commercial operations with balloons. It will not	~AMC OPS 1.1045(1) (part)	

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
used as the type-related part of the OM, provided that the POH covers the normal and abnormal/emergency operating procedures.	powered".	apply to non-commercial operations with other then complex motor-powered aircraft ie OM not required. Complex motor-powered stems from and is defined in Regulation (EC) 216/2008. Other than complex motor-powered aircraft includes balloons and gliders.		
8 For the route and aerodrome part of the OM, material produced by the operator may be supplemented with or substituted by applicable route guide material produced by a specialist company.	1. IND:7: Change "specialised" to "specialist".	1. Text corrected.	~AMC OPS 1.1045(1) (part) ~AMC OPS 3.1045(1) (part)	
9 If an operator chooses to use material from another source in the OM,either the applicable material should be copied and includeddirectly in the relevant part of the OM, or the OM should contain a reference to the appropriate section of that applicable material.		+1. Editorial correction.	~AMC OPS 1.1045(2) ~AMC OPS 3.1045(2)	
10 If an operator chooses to make use of material from another source (e.g. a route manual producer, an aircraft manufacturer or a training organisation) this does not absolve the operator from the responsibility of verifying the applicability and suitability of this material. Any material received from an external source should be given its status by a statement in the OM.	1. IND: 8: Delete this requirement, as it brings no added value. 2. INDIV: 1: This should include procedures of how to deal with third party information and how it is to be controlled when included in the OM.	1 & 2. Opposing views noted. No change, as the text is consistent with JAA TGL 44.	~AMC OPS 1.1045(3) ~AMC OPS 3.1045(3)	
AMC2-OR.OPS.MLR.100 Operations manual– General	1. MS: 1: Re-align with EU-OPS as an IR and not an AMC. 2. MS: 1: The content should be described in more detail, as it is in AMC 5 and 6.	1&2.No change, as EU-OPS is applicable for CAT only, whereas this material is for NCC. Additionally, the contents list for NCC is based on IACO Annex 6 Part II Attachment 3.A, which is guidance material for 3.4.2.2. This list was supported by the RG03 NCC.		~Annex 6 Part II – Attachment 3.A, Supplementary to 3.4.2.2
CONTENTS – NON-COMMERCIAL OPERATIONS WITH COMPLEX MOTOR POWERED AIRCRAFT				
The OM should contain at least the following information, where applicable:				
1 Table of contents;				
2 Amendment control status and list of effective pages or paragraphs, unless the entire manual is re-issued and the manual has an effective date on it;				
3 Duties, responsibilities and succession of management and operating personnel;				~Annex 6 Part II, 3.1.3.3
4 Description of the management system;				

A: Rule		B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
5	Operational control system;				~Annex 6 Part II, 3.3.1.3
6	Flight time limitations;				~Annex 6 Part II, 3.4.2.8
7	Standard operating procedures (SOPs);				~Annex 6 Part II, 3.4.2.2 Note 1 ~Annex 6 Part II, 3.4.2.3.2 Recommendation
8	Weather limitations;				
9	Emergency procedures;				
10	Accidents/incidents considerations;				
11	Security procedures;				
12	Minimum equipment list (MEL);				~Annex 6 Part II, 3.6.1.1
13	Personnel qualifications and training;				~Annex 6 Part II, 3.9.3.1 ~Annex 6 Part II, 3.12.4.2 Recommendation
14	Record-keeping;				
15	Normal flight operations;				
16	Performance operating limitations;				
17	Use/protection of flight data recorder (FDR)/cockpit voice recorder (CVR) records, where applicable; and				
18	Handling of dangerous goods.				
		1. MS: 1: Re-align with EU-OPS as an IR and not an AMC. 2. IND: 7: Clarification requested on the intent of the text; that it does not imply any given structure.	1. Following consultation with RG01 CAT, the text has been moved to OR.OPS.MLR.101 and title changed to include non-commercial SPO with complex motor-powered aircraft. 2. The intent is that the parts structure		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
		shall be respected, to ensure uniformpresentation for the 4 main topics, as required by ICAO. The detailed contents list is presented as AMC, implying that the order should be kept, unless an alternative AMC is used. Operators may record items as 'not applicable'. Operators may refer to external documentation. The OM may be presented in a form other than paper. OMs which are compliant with EU-OPS will be deemed compliant with the IR and AMC.		
	1. IND: 7: Specify that the training is for "operational" personnel.	1. Text changed to re-align with EU-OPS.		
AMC3-OR.OPS.MLR.100 Operations manual– General	1. MS: 2: Re-align with EU-OPS as an IR and not an AMC. 2. INDIV: 1: Checks need to be made against previous compliance checklist.	1. RG01 CAT input: NPA AMC1 on OM general (only parts copied from EU-OPS) and NPA AMC 4 on OM Structure for Commercial Ops moved to IR, leaving AMCs for OM content for NCC, CAT and commercial SPO. This provides for proportionality. +1. Editorial.		
CONTENTS – COMMERCIAL AIR TRANSPORT OPERATIONS	1. IND: 1: Change title to Commercial Operations.	1. No change, as commercial Ops would include SPO, which have specifically tailored requirements listed in a separate AMC.	~Appendix 1 to EU-OPS 1.1045 ~Appendix 1 to JAR-OPS 3.1045	~ICAO Annex 6 Part I Appendix 2
1 The OM should contain at least the following information,where applicable, as relevant for the area and type of operation:	1. INDIV: 1: This AMC, which is based on Appx 1 to EU-OPS 1.1045/JAR-OPS 3 is not in a logical order and is a list of items to be covered at the same time mixed with instructions on information to be provided. To level 3 eg A.0.0.1, the list is acceptable, but the detail from level 4 eg A.0.0.1.1 is too restrictive and illogical. Propose to allow a second option for the format/order of the OM. Make use of modern technology. Do not include the detailed format of the OM in IRs.	1. Text changed in (1) introduction sentence, for clarification. The order/numbering has been changed to align with the order/numbering in EU-OPS. The grandfathering provisions which were originally for OMs which are compliant with EU-OPS, have also been changed to reflect this change (see (2) of this AMC). To delete the detail at level 4 is outside the scope of the NPA, which is to transpose EU-OPS/JAR-OPS 3; however, it may be considered in a future rulemaking task via an EASA proposal form. Nevertheless, the alternative AMC process will provide a means to propose alternative ways of presenting an OM. This mechanism has been introduced to support proportionality. Nothing in the		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
		IR/AMC/GM on the OM prevents the use of modern technology. Reference to external documentation is possible. Electronic format, including EFBs is possible. The traditional 4-part structure has been moved from AMC to IR, in response to comments received and in consultation with the OPS.001 review groups. This is more in keeping with its EU-OPS status.		
A GENERAL/BASIC				
0 ADMINISTRATION AND CONTROL OF OPERATIONS MANUAL				
0.1 Introduction:				
0.1.1 A statement that the manual complies with all applicable regulations and with the terms and conditions of the applicable air operator certificate (AOC).				
0.1.2 A statement that the manual contains operational instructions that are to be complied with by the relevant personnel.				
0.1.3 A list and brief description of the various parts, their contents, applicability and use.				
0.1.4 Explanations and definitions of terms and words needed for the use of the manual.				
0.2 System of amendment and revision:				
0.2.1 Details of the person(s) responsible for the issuance and insertion of amendments and revisions.				
0.2.2 A record of amendments and revisions with insertion dates and effective dates.				
0.2.3 A statement that handwritten amendments and revisions are not permitted, except in situations requiring immediate amendment or revision in the interest of safety.				
0.2.4 A description of the system for the annotation of pages or paragraphs and their effective dates.				
0.2.5 A list of effective pages or paragraphs.				
0.2.6 Annotation of changes (in the text and, as far as practicable, on charts and diagrams).				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
0.2.7 Temporary revisions.				
0.2.8 A description of the distribution system for the manuals, amendments and revisions.				
1 ORGANISATION AND RESPONSIBILITIES				
1.1 Organisational structure. A description of the organisational structure, including the general organigram and operations departments organigrams. The organigram should depict the relationship between the operations departments and the other departments of the operator. In particular, the subordination and reporting lines of all divisions, departments etc, which pertain to the safety of flight operations, should be shown.				
1.2 Nominated persons. The name of each nominated person responsible for flight operations, crew training and ground operations, as prescribed in OR.OPS.AOC.130. A description of their function and responsibilities should be included.	1. MS: 1: Add the nominated postholder maintenance. 2. MS: 1: Add nominated postholder for monitoring compliance.	1. Nominated postholder maintenance is covered in Part-M. 2. This is covered in OR.GEN.200, which mandates a function to monitor compliance. +1. Nominated postholder changed to nominated persons to reflect change in other OPS parts.		
1.3 Responsibilities and duties of operations management personnel. A description of the duties, responsibilities and authority of operations management personnel pertaining to the safety of flight operations and the compliance with the applicable regulations.				
1.4 Authority, duties and responsibilities of the commander. A statement defining the authority, duties and responsibilities of the commander.		+1. RG01 CAT input: PIC changed to commander for CAT, as in EU-OPS.		
1.5 Duties and responsibilities of crew members other than the commander.		+1. RG01 CAT input: PIC changed to commander for CAT, as in EU-OPS.		
2 OPERATIONAL CONTROL AND SUPERVISION	1. IND: 1: EU-OPS paragraph on accident prevention and flight safety programme is missing and should be added. 2. IND: 1: Suggestion to keep 2.4 as "not used" in order to maintain EU-OPS order.	1. The accident prevention and flight safety programme has been omitted as it is superseded by OR.GEN Safety management. 2. Assume commenter is referring to 2.3 in the NPA not 2.4. No change, as the numbering of information within each chapter of the OM is not critical, as it is AMC and can be annotated "not applicable" or refer to external document or electronic information.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
2.1 Supervision of the operation by the operator. A description of the system for supervision of the operation by the operator (see OR.OPS.GEN.100(c)). This should show how the safety of flight operations and the qualifications of personnel are supervised. In particular, the procedures related to the following items should be described:				
2.1.1 Licence and qualification validity;				
2.1.2 Competence of operations personnel;				
2.1.3 Control, analysis and storage of the required records.	1. MS: 1: Clarify the meaning "records" and refer to EU-OPS requirements for the storage of 3 months.	1. "Records" mean the elements that must be kept for 5 years or 3 months. Flight documents and other data are already covered by OR.OPS.MLR.115. The requirements on record-keeping are also addressed in OR.OPS.MLR.115.		
2.2 System and responsibility for promulgation of additional operational instructions and information. A description of any system for promulgating information which may be of an operational nature, but which is supplementary to that in the OM. The applicability of this information and the responsibilities for its promulgation should be included.		+1. Editorial		
2.3 Operational control. A description of the procedures and responsibilities necessary to exercise operational control with respect to flight safety.		+1. Consequential editorial change.		
2.4 Powers of the authority. A description of the powers of the competent authority and guidance to staff on how to facilitate inspections by authority personnel.				
3 MANAGEMENT SYSTEM	1. IND: 1: More precise definition of Management System is needed.	1. No change, as this is just a list of subjects to be covered in the OM. The actual provisions are contained in OR.GEN.		
3.1 A description of the management system, including at least:				
3.1.1 Safety policy;				
3.1.2 The process for identifying safety hazards and for evaluating and managing the associated risks;				
3.1.3 Compliance monitoring system;		+1. Editorial.		
3.1.4 Allocation of duties and responsibilities; and		+1. Editorial.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
3.1.5 Documentation of all key management system processes.		+1. Added to reflect OR.GEN.200.		
4 CREW COMPOSITION				
4.1 Crew composition. An explanation of the method for determining crew compositions, taking account of the following:				
4.1.1 The type of aircraft being used;				
4.1.2 The area and type of operation being undertaken;				
4.1.3 The phase of the flight;				
4.1.4 The minimum crew requirement and flight duty period planned;				
4.1.5 Experience (total and on type), recency and qualification of the crew members;				
4.1.6 The designation of the commander and, if necessitated by the duration of the flight, the procedures for the relief of the commander or other members of the flight crew. (see OR.OPS.FC.115);		+1. RG01 CAT input: PIC changed to commander for CAT, as in EU-OPS.		
4.1.7 The designation of the senior cabin crew member and, if necessitated by the duration of the flight, the procedures for the relief of the senior cabin crew member and any other member of the cabin crew.				
4.2 Designation of the commander. The rules applicable to the designation of the commander.		+1. RG01 CAT input: PIC changed to commander for CAT, as in EU-OPS.		
4.3 Flight crew incapacitation. Instructions on the succession of command in the event of flight crew incapacitation.		+1. RG01 CAT input: PIC changed to commander for CAT, as in EU-OPS.		
4.4 Operation on more than one type. A statement indicating which aircraft are considered as one type for the purpose of:				
4.4.1 flight crew scheduling; and				
4.4.2 cabin crew scheduling.				
5 QUALIFICATION REQUIREMENTS				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
5.1 A description of the required licence, rating(s), qualification/competency (e.g. for routes and aerodromes), experience, training, checking and recency for operations personnel to conduct their duties. Consideration should be given to the aircraft type, kind of operation and composition of the crew.				
5.2 Flight crew:				
5.2.1 Commander;		+1. RG01 CAT input: PIC changed to commander for CAT, as in EU-OPS.		
5.2.2 Pilot relieving the commander;		+1. RG01 CAT input: PIC changed to commander for CAT, as in EU-OPS.		
5.2.3 Co-pilot;				
5.2.4 Pilot relieving the co-pilot;	1. IND :1: Text to be added referring to NPA OR.OPS.FC.015: "Pilot relieving the co-pilot".	1. Text changed (see new 5.2.4) to take into account OR.OPS.FC.205.A.		
5.2.5 Pilot under supervision;				
5.2.6 System panel operator;				
5.2.7 Operation on more than one type or variant.				
5.3 Cabin crew:				
5.3.1 Senior cabin crew member;				
5.3.2 Cabin crew member:				
a. Required cabin crew member;				
b. Additional cabin crew member and cabin crew member during familiarisation flights.				
5.3.3 Operation on more than one type or variant.				
5.4 Training, checking and supervision personnel:				
5.4.1 For flight crew;				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
5.4.2 For cabin crew.				
5.5 Other operations personnel (including technical crew and crew members other than flight, cabin and technical crew).		+1 Text changed for clarification.		
6 CREW HEALTH PRECAUTIONS				
6.1 Crew health precautions. The relevant regulations and guidance to crew members concerning health, including:				
6.1.1 Alcohol and other intoxicating liquids;				
6.1.2 Narcotics;				
6.1.3 Drugs;				
6.1.4 Sleeping tablets;				
6.1.5 Anti-depressants;				
6.1.6 Pharmaceutical preparations;				
6.1.7 Immunisation;				
6.1.8 Deep-sea diving;				
6.1.9 Blood/bone marrow donation;				
6.1.10 Meal precautions prior to and during flight;				
6.1.11 Sleep and rest; and				
6.1.12 Surgical operations.				
7 FLIGHT TIME LIMITATIONS				
7.1 Flight and duty time limitations and rest requirements.	1. IND: 1: The proposal to require an FRMS for all types of operations is impractical. It is intended for Ultra Long Range Flights that go beyond the limits of current and proposed EU	1. Text amended, as this will be addressed by RM task OPS.055.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	FTL Requirements.			
7.2 Exceedances of flight and duty time limitations and/or reductions of rest periods. Conditions under which flight and duty time may be exceeded or rest periods may be reduced, and the procedures used to report these modifications.	1. IND: 2: Exceedances of flight and duty times and/or reductions of rest periods not supported at IR level.	1. No change, as the text is based on EU-OPS/JAR-OPS 3.		
8 OPERATING PROCEDURES				
8.1 Flight preparation instructions. As applicable to the operation:				
8.1.1 Minimum flight altitudes. A description of the method of determination and application of minimum altitudes including:				
a. a procedure to establish the minimum altitudes/flight levels for visual flight rules (VFR) flights; and				
b. a procedure to establish the minimum altitudes/flight levels for instrument flight rules (IFR) flights.				
8.1.2 Criteria and responsibilities for determining the adequacy of aerodromes to be used.				
8.1.3 Methods and responsibilities for establishing aerodrome operating minima. Reference should be made to procedures for the determination of the visibility and/or runway visual range and for the applicability of the actual visibility observed by the pilots, the reported visibility and the reported runway visual range.				
8.1.4 En-route operating minima for VFR flights or VFR portions of a flight and, where single-engine aircraft are used, instructions for route selection with respect to the availability of surfaces which permit a safe forced landing.				
8.1.5 Presentation and application of aerodrome and en-route operating minima.				
8.1.6 Interpretation of meteorological information. Explanatory material on the decoding of meteorological (MET) forecasts and MET reports relevant to the area of operations, including the interpretation of conditional expressions.				
8.1.7 Determination of the quantities of fuel, oil and water methanol carried. The methods by which the quantities of fuel, oil and water methanol to be carried are determined and monitored in-flight. This section should also include instructions on the measurement and distribution of the fluid carried on board. Such instructions should take account of all circumstances likely to be encountered on the				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
flight, including the possibility of in-flight re-planning and of failure of one or more of the aircraft's power plants. The system for maintaining fuel and oil records should also be described.				
8.1.8 Mass and centre of gravity. The general principles of mass and centre of gravity including:				
a. Definitions;				
b. Methods, procedures and responsibilities for preparation and acceptance of mass and centre of gravity calculations;				
c. The policy for using standard and/or actual masses;				
d. The method for determining the applicable passenger, baggage and cargo mass;				
e. The applicable passenger and baggage masses for various types of operations and aircraft type;				
f. General instructions and information necessary for verification of the various types of mass and balance documentation in use;				
g. Last-minute changes procedures;				
h. Specific gravity of fuel, oil and water methanol;				
i. Seating policy/procedures; and				
j. For helicopter operations, standard load plans.				
8.1.9 Air traffic services (ATS)flight plan. Procedures and responsibilities for the preparation and submission of the ATS flight plan. Factors to be considered include the means of submission for both individual and repetitive flight plans.				
8.1.10 Operational flight plan. Procedures and responsibilities for the preparation and acceptance of the operational flight plan. The use of the operational flight plan should be described including samples of the operational flight plan formats in use.				
8.1.11 Operator's aircraft technical log. The responsibilities and the use of the operator's aircraft technical log should be described, including samples of the format used.				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
8.1.12 List of documents, forms and additional information to be carried.				
8.2 Ground handling instructions. As applicable to the operation:				
8.2.1 Fuelling procedures. A description of fuelling procedures, including:				
a. Safety precautions during refuelling and defuelling including when an auxiliary power unit is in operation or whenrotors are running or whenan engine is or enginesare running and the prop-brakes are on;		+1. Editorial.		
b. Refuelling and defuelling when passengers are embarking, on board or disembarking; and				
c. Precautions to be taken to avoid mixing fuels.	1. MS x1: Add "fuel quality checks" to align with fuelling procedures in OM for Commercial SPO.	1. No change, as the text is aligned with EU-OPS and nothing prevents a CAT operator including such detail in the OM, if required by the technical IRs.		
8.2.2 Aircraft, passengers and cargo handling procedures related to safety. A description of the handling procedures to be used when allocating seats, or passenger compartment in the case of balloons, and embarking and disembarking passengers and when loading and unloading the aircraft. Further procedures, aimed at achieving safety whilst the aircraft is on the ramp, should also be given. Handling procedures should include:				
a. Special categories of passengers, including children/infants, persons with reduced mobility, inadmissible passengers, deportees and persons in custody;				
b. Permissible size and weight of hand baggage;				
c. Loading and securing of items in the aircraft;				
d. Positioning of ground equipment;				
e. Operation of aircraft doors;				
f. Safety on the aerodrome/operating site, including fire preventionand safety in blast and suction areas;				
g. Start-up, ramp departure and arrival procedures including, for aeroplanes, push-back and towing operations;				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
h. Servicing of aircraft;				
i. Documents and forms for aircraft handling;				
j. Special loads and classification of load compartments; and				
k. Multiple occupancy of aircraft seats.	1. MS: 1: Change "helicopter" to "aircraft".	1. Text corrected.		
8.2.3 Procedures for the refusal of embarkation. Procedures to ensure that persons who appear to be intoxicated, or who demonstrate by manner or physical indications that they are under the influence of drugs, are refused embarkation. This does not apply to medical patients under proper care.				
8.2.4 De-icing and anti-icing on the ground. A description of the de-icing and anti-icing policy and procedures for aircraft on the ground. These should include descriptions of the types and effects of icing and other contaminants on aircraft whilst stationary, during ground movements and during take-off. In addition, a description of the fluid types used should be given, including:	1. IND: 1: New IRs/AMC/GM required for mandating the establishment of procedures on aircraft ground de-icing/anti-icing.	1. This AMC provides a list of subjects which should be included in the OM. This is based on EU-OPS/JAR-OPS 3. It includes de-icing and anti-icing on the ground. However, development of rules on procedures could be considered in a future RM task via an EASA RM proposal form, if not already sufficiently addressed in the Ops rules.		
a. Proprietary or commercial names;				
b. Characteristics;				
c. Effects on aircraft performance;				
d. Hold-over times; and				
e. Precautions during usage.				
8.3 Flight Procedures:				
8.3.1 VFR/IFR Policy. A description of the policy for allowing flights to be made under VFR, or for requiring flights to be made under IFR, or for changing from one to the other.				
8.3.2 Navigation Procedures. A description of all navigation procedures, relevant to the type(s) and area(s) of operation. Special consideration should be given to:				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
a. Standard navigational procedures, including policy for carrying out independent cross-checks of keyboard entries where these affect the flight path to be followed by the aircraft;				
b. Required navigation performance (RNP), minimum navigation performance specification (MNPS) and polar navigation and navigation in other designated areas;				
c. In-flight re-planning;				
d. Procedures in the event of system degradation; and				
e. Reduced vertical separation minima (RVSM), for aeroplanes.				
8.3.3 Altimeter setting procedures, including use, where appropriate, of:				
a. metric altimetry and conversion tables; and				
b. QFE operating procedures.				
8.3.4 Altitude alerting system procedures for aeroplanes or audio voice alerting devices for helicopters				
8.3.5 Ground proximity warning system (GPWS)/terrain avoidance warning system (TAWS),for aeroplanes. Procedures and instructions required for the avoidance of controlled flight into terrain, including limitations on high rate of descent near the surface (the related training requirements are covered in OM-D 2.1).				
8.3.6 Policy and procedures for the use of traffic collision avoidance system (TCAS)/airborne collision avoidance system (ACAS) for aeroplanes and, when applicable, for helicopters.				
8.3.7 Policy and procedures for in-flight fuel management.				
8.3.8 Adverse and potentially hazardous atmospheric conditions. Procedures for operating in, and/or avoiding, adverse and potentially hazardous atmospheric conditions, including:				
a. Thunderstorms;				
b. Icing conditions;				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
c. Turbulence;				
d. Windshear;				
e. Jetstream;				
f. Volcanic ash clouds;				
g. Heavy precipitation;				
h. Sand storms;				
i. Mountain waves;				
j. Significant temperature inversions; and				
k. For balloons, severe thermal activity.				
8.3.9 Wake turbulence. Wake turbulence separation criteria, taking into account aircraft types, wind conditions and runway/final approach and take-off area (FATO) location. For helicopters, consideration should also be given to rotor downwash.				
8.3.10 Crew members at their stations. The requirements for crew members to occupy their assigned stations or seats during the different phases of flight or whenever deemed necessary in the interest of safety and, for aeroplane operations, including procedures for controlled rest in the flight crew compartment.		+1. Editorial.		
8.3.11 Use of restraint devices for crew and passengers. The requirements for crew members and passengers to use safety belts and/or harnesses or, in the case of balloons, the landing hand-holds during the different phases of flight or whenever deemed necessary in the interest of safety.				
8.3.12 Admission to flight crew compartment. The conditions for the admission to the flight crew compartment of persons other than the flight crew. The policy regarding the admission of inspectors from anauthority should also be included.		+1. Editorial.		
8.3.13 Use of vacant crew seats. The conditions and procedures for the use of vacant crew seats.	1. IND: 1: Clarification of "vacant crew seats" required.	1. No change, as this is aligned with EU-OPS/JAR-OPS 3 and this AMC is just a list of subjects to be covered in the OM.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
		The actual provisions are contained in other parts eg the technical provisions.		
8.3.14 Incapacitation of crew members. Procedures to be followed in the event of incapacitation of crew members in-flight. Examples of the types of incapacitation and the means for recognising them should be included.	1. MS:1: Amend to "Examples of the most likely types of incapacitation of cabin crew…", because causes of incapacitation of cabin crew are highly likely to be differ from that of flight crew.	1. No change, as text aligned with EU-OPS/JAR-OPS 3 and the intent is to address flight crew as well as cabin crew.		
8.3.15 Cabin Safety Requirements. Procedures:	1. IND : 1: e and g are new – more detail requested.	1. No change, as this is just a list of subjects to be covered in the OM. The actual provisions are contained in other parts eg the technical provisions.		
a. covering cabin preparation for flight, in-flight requirements and preparation for landing, including procedures for securing the cabin and galleys;				
b. to ensure that passengers are seated where, in the event that an emergency evacuation is required, they may best assist and not hinder evacuation from the aircraft;		+1. Editorial.		
c. to be followed during passenger embarkation and disembarkation;		+1. Editorial.		
d. when refuelling/defuelling with passengers involving embarking, on board or disembarking;				
e. covering the carriage of special categories of passengers;		+1. Editorial.		
f. covering smoking on board; and				
g. covering the handling of suspected infectious diseases.				
8.3.16 Passenger briefing procedures. The contents, means and timing of passenger briefing in accordance with Part-CAT.				
8.3.17 Procedures for aircraft operated whenever required cosmic or solar radiation detection equipment is carried.				
8.3.18 Policy on the use of auto-pilot and auto-throttle for aircraft fitted with these systems.	1. IND x1: replace "aeroplane" with "equipped aircraft" to take into consideration this equipment on helicopters, powered-lift and airships.	1. Text amended.		
8.4 Low visibility operations (LVO). A description of the operational procedures associated with LVO.	1. IND x1: This section should be renamed "AWO" because most operators will still be conducting AWO, not LVO.	1. Text not changed; in order to stay consistent with the other parts of the IRs, the term LVO should remain. There is no change in the substance; it is just a wording harmonisation.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
8.5 Extended-range twin-engine operations (ETOPS). A description of the ETOPS operational procedures. (Refer to EASA AMC 20-6)				
8.6 Use of the minimum equipment and configuration deviation list(s).				
8.7 Non-revenue flights. Procedures and limitations for:	1. MS: 1: Text to be further developed to address accident investigation recommendations (D-AXLA 11 Nov 2008) eg define non-revenue and list types included; require more detail in the OM for non-revenue flights. Add a requirement for such flights to be subject to an authorisation/declaration on a case-by-case.	1. This suggestion is outside the scope of the NPA which is to transpose EU-OPS; an associated rulemaking task (OPS.075) has already been raised. In the meantime, a paragraph providing more details on the process to be followed is inserted in OR.OPS.AOC.		
8.7.1 Training flights;				
8.7.2 Test flights;				
8.7.3 Delivery flights;	1. INDIV: 1: Change to "check flights".	1. No change, as aligned with EU-OPS/JAR-OPS 3.		
8.7.4 Ferry flights;				
8.7.5 Demonstration flights; and				
Positioning flights,including the kind of persons who may be carried on such flights.				
8.8 Oxygen Requirements:				
8.8.1 An explanation of the conditions under which oxygen should be provided and used;				
8.8.2 The oxygen requirements specified for:				
a. Flight crew;				
b. Cabin crew; and				
c. Passengers.				
9 DANGEROUS GOODS AND WEAPONS				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
9.1 Information, instructions and general guidance on the transport of dangerous goods, including:				
9.1.1 Operator's policy on the transport of dangerous goods;				
9.1.2 Guidance on the requirements for acceptance, labelling, handling, stowage and segregation of dangerous goods;	1. MS: 6, IND: 1: Add specific requirements for the loading of dry ice and radioactive material. 2. IND: 1: Delete "labelling", as it is the shipper's responsibility.	1. No change, as the text is aligned with EU-OPS and the associated provisions are contained in SPA.DG. However, nothing prevents the operator from including procedures for loading dry ice and radioactive material in the OM. 2. No change, as the text is aligned with EU-OPS and the associated provisions are contained in SPA.DG.		
9.1.3 Special notification requirements in the event of an accident or occurrence when dangerous goods are being carried;				
9.1.4 Procedures for responding to emergency situations involving dangerous goods;				
9.1.5 Duties of all personnel involved in accordance with SPA.DG; and	1. IND: 1: This only refers to operators holding an approval to carry DG, but it should address undeclared DGs where operators are not approved to carry DG.	1. No change, as the text is aligned with EU-OPS. The text in EU-OPS applies to operators holding an approval to carry DG. The carriage of DG outside the scope of a specific approval, is covered in CAT.GEN.180 Transport of dangerous goods; "The operator shall provide personnel with the necessary information enabling them to carry out their responsibilities, as required by the Technical Instructions".		
9.1.6 Instructions on the carriage of the operator's personnel on cargo aircraft when dangerous goods are being carried.				
9.2 The conditions under which weapons, munitions of war and sporting weapons may be carried.				
10 SECURITY	1. IND: 1: Either delete, as this point overlaps with Regulation 300/2008, or apply it to every commercial operation and ensure consistency with Regulation 300/2008. 2. IND: 1: Review to avoid conflict with Reg (EC) 300/2008.	1&2. Changes made following the transfer of the related security requirements to the Commission for further regulation under Regulation (EC) 300/2008.		
Security instructions, guidance, procedures, trainingand responsibilities, taking into account Regulation (EC) No 300/2008.Some parts of the security instructions and guidance may be kept confidential.				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
11 HANDLING, NOTIFYING AND REPORTING ACCIDENTS, INCIDENTS AND OCCURRENCES	1. IND: 1: Transfer material to point A 3, because these provisions are under the scope of the Management System. 2. IND: 1: The details on reporting described in EU-OPS 1.420 were useful. While this is contained in a separate Directive, operators and crew require more details. Need to know how the interface with directives and other regulation on safety and Regulation 216/2008 should be handled.	1. Main structure is maintained to follow as closely as possible EU-OPS/JAR-OPS 3; it may be considered in a future rulemaking task via an EASA proposal form. 2. EU-OPS 1.420 occurrence reporting has been transposed into OR.GEN. EU-OPS text which is also covered in other EU publications has not been transposed to the OPS IRs, but is referred to instead eg paragraph 10 on Security. +1. Editorial.		
Procedures for handling, notifying and reporting accidents, incidents and occurrences. This section should include:		+1. Editorial.		
11.1 Definition of accident, incident and occurrence and of the relevant responsibilities of all persons involved;		+1. Editorial.		
11.2 Illustrations of forms to be used for reporting all types of accident, incident and occurrence (or copies of the forms themselves), instructions on how they are to be completed, the addresses to which they should be sent and the time allowed for this to be done;		+1. Editorial.		
11.3 In the event of an accident, descriptions of which departments, authorities and other organisations have to be notified, how this will be done and in what sequence;				
11.4 Procedures for verbal notification to air traffic service units of incidents involving ACAS resolution advisories (RAs), bird hazards, dangerous goods and hazardous conditions;	1. IND: 1: This should include dangerous goods incidents, as in JAR-OPS 3.	1. Text changed to reflect JAR-OPS 3.		
11.5 Procedures for submitting written reports on air traffic incidents, ACAS RAs, bird strikes, dangerous goods incidents or accidents, and unlawful interference;				
11.6 Reporting procedures. These procedures should include internal safety-related reporting procedures to be followed by crew members, designed to ensure that the commander is informed immediately of any incident that has endangered, or may have endangered, safety during the flight, and that the commander is provided with all relevant information.		+1. RG01 CAT input: PIC changed to commander for CAT, as in EU-OPS.		
11.7 Procedures for the preservation of recordings following a reportable event.				
12 RULES OF THE AIR				
12.1 Visual and instrument flight rules;				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
12.2 Territorial application of the rules of the air;				
12.3 Communication procedures, including communication-failure procedures;				
12.4 Information and instructions relating to the interception of civil aircraft;				
12.5 The circumstances in which a radio listening watch is to be maintained;				
12.6 Signals;				
12.7 Time system used in operation;				
12.8 ATC clearances, adherence to flight plan and position reports;				
12.9 Visual signals used to warn an unauthorised aircraft flying in or about to enter a restricted, prohibited or danger area;				
12.10 Procedures for flight crew observing an accident or receiving a distress transmission;				
12.11 The ground/air visual codes for use by survivors, and description and use of signal aids; and				
12.12 Distress and urgency signals.				
13 LEASING / CODE SHARE				
A description of the operational arrangements for leasing and code share, associated procedures and management responsibilities.		+1. Amended for consistency with OR.OPS.AOC.		
B AIRCRAFT OPERATING MATTERS – TYPE RELATED	1. MS: 1: Why Part B order iaw JAR-OPS 3, rather than EU-OPS? 2. INDIV: 1: Checks need to be made against previous compliance checklist. 3. IND: 1: For "normal procedures", "abnormal and/or emergency procedures" and "flight planning" there is a change in numbering between 2, 3, 5 and 7. This would create administrative delays without any real justification. Numbering should remain the same as EU-OPS.	1-3. The order/numbering has been changed to align with the order/numbering in EU-OPS. The grandfathering provisions which were originally for OMs which are compliant with EU-OPS, have also been changed to reflect this change (see (2) of this AMC).		
Taking account of the differences between types/classes, and variants of types, under the following headings:				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
0 GENERAL INFORMATION AND UNITS OF MEASUREMENT				
0.1 General information (e.g. aircraft dimensions), including a description of the units of measurement used for the operation of the aircraft type concerned and conversion tables.				
1 LIMITATIONS				
1.1 A description of the certified limitations and the applicable operational limitations should include:				
a. Certification status (e.g. EASA (supplemental) type certificate, environmental certification, etc.);				
b. Passenger seating configuration for each aircraft type including a pictorial presentation;				
c. Types of operation that are approved (e.g. VFR/IFR, CAT II/III, RNP, flights in known icing conditions etc.);				
d. Crew composition;				
e. Mass and centre of gravity and for balloons lifting capacity;				
f. Speed limitations;				
g. Flight envelope(s);				
h. Wind limits including operations on contaminated runways;				
i. Performance limitations for applicable configurations;				
j. (Runway) slope;				
k. For aeroplanes, limitations on wet or contaminated runways;				
l. Airframe contamination; and				
m. System limitations.				
2 NORMAL PROCEDURES				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
The normal procedures and duties assigned to the crew, the appropriate checklists, the system for their use and a statement covering the necessary coordination procedures between flight and cabin/other crew members. The following normal procedures and duties should include:				
a. Pre-flight;				
b. Pre-departure;				
c. Altimeter setting and checking;				
d. Taxi, take-off and climb;				
e. Noise abatement;				
f. Cruise and descent;				
g. Approach, landing preparation and briefing;				
h. VFR approach;				
i. IFR approach;				
j. Visual approach and circling;				
k. Missed approach;				
l. Normal landing;				
m. Post-landing; and				
n. For aeroplanes, operation on wet and contaminated runways.				
3 ABNORMAL AND/OR EMERGENCY PROCEDURES				
The abnormal and/or emergency procedures and duties assigned to the crew, the appropriate checklists, the system for their use and a statement covering the necessary coordination procedures between flight and cabin/other crew members. The following abnormal and/or emergency procedures and duties should include:		+1. Text in brackets deleted, as it is contained in OR.OPS.GEN.105(h).		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
a. Crew incapacitation;				
b. Fire and smoke drills;				
c. For aeroplanes, unpressurised and partially pressurised flight;				
d. For aeroplanes, exceeding structural limits such as overweight landing;				
e. Lightning Strikes;				
f. Distress communications and alerting ATC to emergencies;				
g. Engine/burner failure;				
h. System failures;				
i. Guidance for diversion in case of serious technical failure;				
j. Ground proximity warning;				
k. TCAS Warning for aeroplanes/audio voice alerting device (AVAD) warning for helicopters;				
l. Windshear;				
m. Emergency landing/ditching; and				
n. For aeroplanes, departure contingency procedures.				
4 PERFORMANCE				
4.0 Performance data should be provided in a form which can be used without difficulty.				
4.1 Performance data. Performance material which provides the necessary data for compliance with the performance requirements prescribed in Part-CAT. For aeroplanes, this performance data should be included to allow the determination of:				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
a. Take-off climb limits – mass, altitude, temperature;				
b. Take-off field length (for dry, wet and contaminated runway conditions);				
c. Net flight path data for obstacle clearance calculation or, where applicable, take-off flight path;				
d. The gradient losses for banked climb-outs;				
e. En-route climb limits;				
f. Approach climb limits;				
g. Landing climb limits;				
h. Landing field length (for dry, wet and contaminated runway conditions) including the effects of an in-flight failure of a system or device, if it affects the landing distance;	1. INDIV: 1: Manufacturers should be obliged to present data for the actual landing distance on wet runways. This data should be presented in OM part B. Unfactored actual landing distance for dry, wet and contaminated runways should be added.	1. No change, as the text is aligned with EU-OPS which includes wet runways. Also, this AMC is just a list of subjects to be covered in the OM. The actual provisions are contained in other parts eg technical provisions. Regarding the suggestion to add unfactored actual landing distance for dry, wet and contaminated runway conditions; thiscould be considered in a future rulemaking task via an EASA proposal form.		
i. Brake energy limits; and				
j. Speeds applicable for the various flight stages (also considering dry, wet and contaminated runway conditions).				
4.1.1 Supplementary data covering flights in icing conditions. Any certified performance related to an allowable configuration, or configuration deviation, such as anti-skid inoperative.	1. INDIV: 1: Manufacturers should be obliged to present data for the higher fuel flow with cowl and wing anti-ice on during one-engine-inoperative operation. This data should be presented in OM part B. Data for the higher fuel flow with cowl and wing anti-ice on during one-engine-inoperative operation should be added.	1. No change, as the text is aligned with EU-OPS and it does not preclude inclusion of data for the higher fuel flow with cowl and wing anti-ice on during one-engine-inoperative operation. Also, this AMC is just a list of subjects to be covered in the OM. The actual provisions are contained in other parts. Eg technical provisions. Regarding the suggestion to add Data for the higher fuel flow with cowl and wing anti-ice on during one-engine-inoperative operation; thiscould be considered in a future rulemaking task		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
		via an EASA proposal form.		
4.1.2 If performance data, as required for the appropriate performance class, is not available in the AFM, then other data should be included. The OM may contain cross-reference to the data contained in the AFM where such data is not likely to be used often or in an emergency.	1. IND: 1, MS: 1: Re-instate missing JAR-OPS 3 text regarding performance data.	1. Text changed to re-instate missing JAR-OPS 3/EU-OPS text.“Acceptable to the Authority” has not been transposed, as the concept of CA acceptance is no longer used. Acceptable is the same as informing CA, and this has to be done before OM changes, required to be notified to the CA, are implemented. +1. Editorial changes regarding the AFM, because the AFM approval is covered in other legislation.		
4.2 Additional performance data for aeroplanes. Additional performance data, where applicable, including:				
a. All engine climb gradients;				
b. Drift-down data;				
c. Effect of de-icing/anti-icing fluids;				
d. Flight with landing gear down;				
e. For aircraft with 3 or more engines, one-engine-inoperative ferry flights; and				
f. Flights conducted under the provisions of the configuration deviation list (CDL).				
5 FLIGHT PLANNING				
5.1 Data and instructions necessary for pre-flight and in-flight planning including, for aeroplanes, factors such as speed schedules and power settings. Where applicable, procedures for engine(s)-out operations, ETOPS for aeroplanes (particularly the one-engine-inoperative cruise speed and maximum distance to an adequate aerodrome determined in accordance with Part-CAT) and flights to isolated aerodromes should be included.				
5.2 The method for calculating fuel needed for the various stages of flight.				
5.3 When applicable, for aeroplanes, performance data for ETOPS critical fuel reserve and area of operation, including sufficient data to support the critical fuel reserve and area of operation calculation based on approved aircraft				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
performance data. The following data should be included:				
a. Detailed engine(s)-inoperative performance data including fuel flow for standard and non-standard atmospheric conditions and as a function of airspeed and power setting, where appropriate, covering:				
i. Drift down (includes net performance), where applicable;				
ii. Cruise altitude coverage including 10,000ft;				
iii. Holding;				
iv. Altitude capability (includes net performance); and				
v. Missed approach.				
b. Detailed all-engine-operating performance data, including nominal fuel flow data, for standard and non-standard atmospheric conditions and as a function of airspeed and power setting, where appropriate, covering:				
i. Cruise (altitude coverage including 10,000ft); and				
ii Holding.				
c. Details of any other conditions relevant to ETOPS operations which can cause significant deterioration of performance, such as ice accumulation on the unprotected surfaces of the aircraft, ram air turbine (RAT) deployment, thrust-reverser deployment, etc.				
d. The altitudes, airspeeds, thrust settings, and fuel flow used in establishing the ETOPS area of operations for each airframe-engine combination should be used in showing the corresponding terrain and obstruction clearances in accordance with Part-CAT.				
6 MASS AND BALANCE				
Instructions and data for the calculation of the mass and balance including:				
6.1 Calculation system (e.g. index system);				

A: Rule		B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	6.2 Information and instructions for completion of mass and balance documentation, including manual and computer generated types;				
	6.3 Limiting masses, lifting capacity for balloons and centre of gravity for the types, variants or individual aircraft used by the operator; and				
	6.4 Dry operating mass and corresponding centre of gravity or index.				
7	LOADING				
	Procedures and provisions for loading and unloading and securing the load in the aircraft.				
8	CONFIGURATION DEVIATION LIST				
	The CDL(s), if provided by the manufacturer, taking account of the aircraft types and variants operated including procedures to be followed when an aircraft is being dispatched under the terms of its CDL.				
9	MINIMUM EQUIPMENT LIST (MEL)				
	The MEL for each aircraft type or variant operated and the type(s)/area(s) of operation. The MEL should also include the dispatch conditions associated with operations required for a specific approval (e.g. RNAV, RNP, RVSM, ETOPS). Consideration should be given to using the ATA number system when allocating chapters and numbers.				
10	SURVIVAL AND EMERGENCY EQUIPMENT INCLUDING OXYGEN				
	10.1 A list of the survival equipment to be carried for the routes to be flown and the procedures for checking the serviceability of this equipment prior to take-off. Instructions regarding the location, accessibility and use of survival and emergency equipment and its associated checklist(s) should also be included.				
	10.2 The procedure for determining the amount of oxygen required and the quantity that is available. The flight profile, number of occupants and possible cabin decompression should be considered.				
11	EMERGENCY EVACUATION PROCEDURES				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
11.1 Instructions for preparation for emergency evacuation including crew coordination and emergency station assignment.				
11.2 Emergency evacuation procedures. A description of the duties of all members of the crew for the rapid evacuation of an aircraft and the handling of the passengers in the event of a forced landing, ditching or other emergency.				
12 AIRCRAFT SYSTEMS				
A description of the aircraft systems, related controls and indications and operating instructions. Consideration should be given to use the ATA number system when allocating chapters and numbers.				
C ROUTE/ROLE/AREA AND AERODROME/OPERATING SITE INSTRUCTIONS AND INFORMATION	1. IND: 1: This part C needs to be explained in detail eg why integrate airport data into the OM?	1. No change, as this is aligned with EU-OPS/JAR-OPS 3 and this AMC is just a list of subjects to be covered in the OM. The actual provisions are contained in other parts eg technical provisions. Regarding the question on airport data being integrated into the OM; This is not the intent of the text. AMC1-OR.OPS.MLR.100 explains how to use/refer to such information. For the route and aerodrome part of the OM, material produced by an operator may be supplemented with or substituted by applicable Route Guide material produced by a specialist company. If an operator chooses to use material from another source in the OM, either the applicable material should be copied and included it directly in the relevant part of the OM, or the OM should contain a reference to the appropriate section of that applicable material.		
1 Instructions and information relating to communications, navigation and aerodromes/operating sites including minimum flight levels and altitudes for each route to be flown and operating minima for each aerodrome/operating site planned to be used, including:				
a. Minimum flight level/altitude;				
b. Operating minima for departure, destination and alternate aerodromes;				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
c. Communication facilities and navigation aids;				
d. Runway/final approach and take-off area (FATO) data and aerodrome/operating site facilities;	2. IND: 1: What is FATO data?	1. Text changed for clarification.		
e. Approach, missed approach and departure procedures including noise abatement procedures;				
f. Communication-failure procedures;				
g. Search and rescue facilities in the area over which the aircraft is to be flown;				
h. A description of the aeronautical charts that should be carried on board in relation to the type of flight and the route to be flown, including the method to check their validity;				
i. Availability of aeronautical information and MET services;				
j. En-route communication/navigation procedures;				
k. Aerodrome/operating site categorisation for flight crew competence qualification; and	1. MS: 1: Extend the requirement to helicopter operations.	1. Text amended. Note: In Appendix 1 to JAR-OPS 3 for the OM Part C item (k) was left intentionally blank.		
l. Special aerodrome/operating site limitations (performance limitations and operating procedures etc.).				
D. TRAINING				
1 Description of scope: Training syllabi and checking programmes for all operations personnel assigned to operational duties in connection with the preparation and/or conduct of a flight.		+1. Text amended for clarification.		
2 Content: Training syllabi and checking programmes should include the following:		+1. Text amended for clarification.		
2.1 For flight crew,all relevant items prescribed in Part-CAT, Part-SPA and OR.OPS.FC;	1. IND: 1: Add references to Part-FCL, because OPS recurrent training is combined with FCL, and syllabi should reflect this.	1. Text amended to refer to relevant Ops rules. Nothing prevents the operator from including additional information.		
2.2 For cabin crew,all relevant items prescribed in Part-CAT, Part-CC and OR.OPS.CC;	1. IND:1, MS: 1: Add references to Part-CC, because OPS recurrent training is combined with CC, and syllabi should reflect this.	1. Text changed to include reference to Part-CC.		
2.3 For technical crew, all relevant items prescribed in Part-CAT, Part-SPA and OR.OPS.TC; and		+1. Text added for technical crew.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
2.4 For operations personnel concerned, including crew members:				
a. All relevant items prescribed in SPA.DG; and				
b. All relevant items prescribed in Part-CAT and OR.OPS.SEC.				
2.5 For operations personnel other than crew members (e.g. dispatcher, handling personnel etc.), all other relevant items prescribed in Part-CAT and in this Part pertaining to their duties.				
3 Procedures:	1. IND: 1: 3.1 and 3.2 to be merged in order to keep the information together.	1. No change, as the text is aligned with EU-OPS. Even if 3.1 and 3.2 were merged, this would not prevent information from being in separate locations, as this is permitted.		
3.1 Procedures for training and checking.				
3.2 Procedures to be applied in the event that personnel do not achieve or maintain the required standards.				
3.3 Procedures to ensure that abnormal or emergency situations requiring the application of part or all of the abnormal or emergency procedures, and simulation of instrument meteorological conditions (IMC) by artificial means, are not simulated during commercial air transportoperations.				
4 Description of documentation to be stored and storage periods.				
		+1. Text moved to GM1-OR.OPS.MLR.100, because it is more of guidance nature than AMC.		
2 Notwithstanding (1), anOMwhich is compiled in accordance with JAR-OPS 3 amendment 5may beconsidered to be compliant.	1. IND: 8, MS: 1: Support for this provision, but it should be moved to IR or CR. 2. IND: 1: There must be more information about grandfathering rights or transition measures	1. As this grandfathering provision gives an alternative means to comply with the order of the OM, which is AMC level, it should stay as AMC. 2. Transition measures will be covered in the Cover Regulation. Grandfathering of EU-OPS-compliant OMs remains in this AMC, as it is related directly to this AMC. +1. Text amended for clarification.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
AMC4-OR.OPS.MLR.100 Operations manual - General	1. MS: 1: Re-align with EU-OPS as an IR and not an AMC.	1. RG01 CAT input: NPA AMC1 on OM general (only parts copied from EU-OPS) and NPA AMC 4 on OM Structure for Commercial Ops moved to IR, leaving AMCs for OM content for NCC, CAT and SPO. This provides for proportionality.		
CONTENTS –NON-COMMERCIAL SPECIALISED OPERATIONS WITH COMPLEX MOTOR-POWERED AIRCRAFT AND COMMERCIAL SPECIALISED OPERATIONS		+1.The former part "COM" changed to "non-commercial specialised operations with complex motor-powered aircraft and commercial specialised operations".		
The OM should contain at least the following information, where applicable, as relevant to the area and type of operation:		+1. Editorial.		
A. GENERAL/BASIC				
For chapters 0-7 refer to AMC3-OR.OPS.MLR.100.		+1. Editorial.		
In addition:				
6.2 The relevant regulations and guidance to crew members concerning dangerous goods used for specialised tasks (pesticides and chemicals, etc.).	1. MS: 4: Delete, as it appears to relate to occupational and not flight safety.	1. No change, as it relates to provisions in Part-SPO, and comes under the heading crew health precautions in the OM. +1. Changed, to ensure consistency with Part-SPO.		
8 OPERATING PROCEDURES				
8.1 Flight preparation instructions. As applicable to the operation:				
8.1.1 General procedures;				
8.1.2 Minimum flight altitudes. A description of the method of determination and application of minimum altitudes, including a procedure to establish the minimum altitudes/flight levels;				
8.1.3 Criteria and responsibilities for determining the adequacy of aerodromes/operating sites to be used;				
8.1.4 Interpretation of meteorological information. Explanatory material on the decoding of MET forecasts and MET reports relevant to the area of operations, including the interpretation of conditional expressions;				
8.1.5 Determination of the quantities of fuel, oil and water methanol carried. The methods by which the quantities of				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
fuel, oil and water methanol to be carried are determined and monitored in-flight. The system for maintaining fuel and oil records should also be described;				
8.1.6 Procedure for the determination of the mass of loads, the calculation of performance margins and the centre of gravity;				
8.1.7 Emergency procedures, e.g. load, fuel or chemical jettison (to include the actions of all personnel);				
8.1.8 System for supply of NOTAMS, meteorological and other safety-critical information both at base and in field locations;				
8.1.9 Mandatory equipment for specific tasks (mirror, cargo sling, load cell, special radio equipment, radar altimeters, etc.);				
8.1.10 Guidance on the CDLand MEL;				
8.1.11 Policy on completion and carriage of documents including operator's aircraft technical log and journey log, or equivalent;				
8.1.12 Any task-specific standard operating procedures not covered above.				
8.2 Ground handling instructions. As applicable to the operation:				
8.2.1 Briefing requirements for in-flight and ground task specialists;		+1. Changed, to ensure consistency with Part-SPO.		
8.2.2 Decontamination procedures;				
8.2.3 Fuelling procedures, including safety precautions during refuelling and defuelling including quality checks required in the field location, precautions against spillage and environmental damage;				
8.2.4. De-icing and anti-icing on the ground. A description of the de-icing and anti-icing policy and procedures for aircraft on the ground.				
8.3 Flight Procedures. As applicable to the operation:				
8.3.1 Procedures relevant to the aircraft type, specific task and area;				
8.3.2 Altimeter setting procedures;				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
8.3.3 Actions following alerts from audio warning devices;				
8.3.4 GPWS/TAWS for aeroplanes. Procedures and instructions required for the avoidance of controlled flight into terrain, including limitations on high rate of descent near the surface (the related training requirements are covered in OM-D 2.1);	1. IND: 1: GPWS/TAWS to be added.	1. Text on GPWS/TAWS added (copied from the AMC on OM content for CAT, which is based on EU-OPS/JAR-OPS 3).		
8.3.5 Policy and procedures for the use of TCAS/ACAS for aeroplanes and, when applicable, for helicopters;	1. IND: 1: TCAS to be added.	1. Text on TCAS/ACAS added (copied from the AMC on OM content for CAT, which is based on EU-OPS/JAR-OPS 3).		
8.3.6 Policy and procedures for in-flight fuel management;				
8.3.7 Procedures for operating in adverse and potentially hazardous atmospheric conditions;				
8.3.8 Wake turbulence and rotor downwash for helicopters;				
8.3.9 Use of restraint devices;				
8.3.10 Policy on use of vacant seats;				
8.3.11 Cabin safety requirements including smoking.				
8.4 Task-specific weather limitations.				
8.5 Use of the minimum equipment and configuration deviation list(s).				
8.6 Oxygen Requirements. An explanation of the conditions under which oxygen should be provided and used (altitude, exposure times, night etc.).				
9 DANGEROUS GOODS AND WEAPONS				
9.1 Information, instruction and general guidance on the transport of dangerous goods as internal or external loads, including:				
9.1.1 The operator's policy on the transport of dangerous goods;	1. MS: 4:, IND: 1: Delete text "including measures to ensure security of hazardous material…etc". It is not clear whether the text relates to the operator's property or to cargo. Assuming it is the former there is no corresponding requirement in the Technical Instructions and it does not	1. Text amended; resultant text does not prevent the operator from including in the OM items which are required in accordance with the Technical Instructions and Part-SPO.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	relate flight safety. Note also that "hazardous material" is an American term and not used in Europe. If it is intended to relate to cargo, the TIs contain recommendations concerning only "high consequence" dangerous goods.			
9.1.2 Guidance on the requirements for acceptance, labelling, handling, stowage, and segregation of dangerous goods;	1. IND:1: Delete "labelling", as it is not the operator's responsibility.	1. No change, as the text is aligned with EU-OPS and the associated provisions are contained in SPA.DG.		
9.1.3 Procedures for responding to emergency situations involving dangerous goods;				
9.1.4 Duties of all personnel involved; and				
9.1.5 Instructions on carriage of the operator's personnel on cargo aircraft when dangerous goods are being carried.				
9.2 The conditions under which weapons, munitions of war and sporting weapons may be carried.				
10 SECURITY	1. IND: 1: Delete, as this point overlaps with Regulation 300/2008.	1. Text amended to take account of Regulation (EC) No 300/2008.		
Security instructions, guidance,procedures, trainingand responsibilities, taking into account Regulation (EC) No 300/2008.Some parts of the security instructions and guidance may be kept confidential.				
11 HANDLING, NOTIFYING AND REPORTING ACCIDENTS AND OCCURRENCES	1. IND: 1: Transfer material to point A 3, because these provisions are under the scope of the Management System.	1. Main structure is maintained to follow as closely as possible EU-OPS/JAR-OPS 3; it may be considered in a future rulemaking task via an EASA proposal form.		
Procedures for the handling, notifying and reporting of accidents and occurrences. This section should include:				
11.1 Definitions of accidents and occurrences and responsibilities of all persons involved;				
11.2 Reporting procedures (including any mandatory forms); and				
11.3 Special notification when dangerous goods are carried.				
12 RULES OF THE AIR				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
In addition to the items referred to in AMC3-OR.OPS.MLR.100, territorial procedures for obtaining permissions and exemptions, e.g. for underslung loads and lowflying clearances.		+1. Editorial.		
13 LEASING				
Refer to AMC3-OR.OPS.MLR.100.		+1. Editorial.		
B. AIRCRAFT OPERATING MATTERS – TYPE RELATED		+1. The order/numbering has been changed to align with the order/numbering now in the AMC for CAT OM contents, which has been changed to align with the order in EU-OPS.		
For chapters 0-1 refer to AMC3-OR.OPS.MLR.100.		+1. Editorial.		
2 NORMAL PROCEDURES				
The normal procedures and duties assigned to the crew, the appropriate checklists and the system for their use, including any task or specific role equipment procedures not contained in the AFM.				
3 ABNORMAL AND/OR EMERGENCY PROCEDURES				
The abnormal and/or emergency procedures and duties assigned to the crew, the appropriate checklists and the system for their use, including any task or specific role equipment emergency procedures not contained in the AFM.				
4 PERFORMANCE				
4.1 Performance data should be provided in a form in which it can be used without difficulty.				
4.2 Performance data. Performance material which provides the necessary data for compliance with the performance requirements prescribed in Part-CAT.				
5 FLIGHT PLANNING				
5.1 Data and instructions necessary for pre-flight and in-flight planning.				
5.2 Procedures for specialised tasks.		+1. Changed, to ensure consistency with Part-SPO.		
6 MASS AND BALANCE				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
Instructions and data for the calculation of the mass and balance, including:				
6.1 Calculation system (e.g. index system);				
6.2 Information and instructions for completion of mass and balance documentation; and				
6.3 Limitations.				
7 LOADING				
Refer toAMC3-OR.OPS.MLR.100.		+1. Editorial.		
8 CONFIGURATION DEVIATION LIST (CDL)				
Refer to AMC3-OR.OPS.MLR.100.		+1. Editorial.		
9 MINIMUM EQUIPMENT LIST (MEL)				
The MEL for each aircraft type or variant operated and the type(s)/area(s) of operation. It should also contain procedures to be followed when an aircraft is being dispatched with one or more inoperative item, in accordance with the MEL.		+1. Editorial correction.		
10 SURVIVAL AND EMERGENCY EQUIPMENT INCLUDING OXYGEN				
10.1 A list of the survival equipment to be carried, taking into account the nature of the area of operation, such as a hostile or a non-hostile environment.				
10.2 A checklist for assessing the serviceability of the equipment and instructions for its use prior to take-off.				
10.3 The procedure for determining the amount of oxygen required and the quantity that is available.				
11 EMERGENCY EVACUATION PROCEDURES				
11.1 Emergency evacuation procedures, crew coordination and occupant handling in the event of a forced landing, ditching or other emergency.				
12 AIRCRAFT SYSTEMS				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
A description of the aircraft systems and all equipment specific to the tasks. Additional equipment, systems or fitting, related special procedures including any supplements to the AFM.				
C TASKS AND OPERATING AREAS INSTRUCTIONS AND INFORMATION				
Specific instructions related to the specialised tasks and operating areas in accordance with AMC3-OR.OPS.MLR.100.				
D TRAINING				
1 Training syllabi and checking programmes for all operations personnel assigned to operational duties in connection with the preparation and/or conduct of a flight.				
2 Training syllabi and checking programmes should include:				
2.1 For flight crew, all relevant items prescribed in Part-SPO, Part-SPA and OR.OPS.FC;	1. IND:1: Add references to Part-FCL, because OPS recurrent training is combined with FCL, and syllabi should reflect this.	1. Text amended to refer to relevant Ops rules. Nothing prevents the operator from including additional information.		
2.2 For other crew members, all relevant items prescribed in Part-SPOand this Part, as applicable;	1. IND: 1: Add references to Part-CC, because OPS recurrent training is combined with CC, and syllabi should reflect this.	1. Text amended to refer to relevant Ops rules. Nothing prevents the operator from including additional information.		
2.3 For in-flight and ground task specialists concerned, including crew members:		+1. Changed, to ensure consistency with Part-SPO.		
a. All relevant items prescribed in SPA.DG; and		+1. Editorial.		
b. All relevant items prescribed in Part-SPO and OR.OPS.SEC; and		+1. Editorial.		
2.4 For operations personnel other than crew members, all other relevant items pertaining to their duties prescribed in Part-SPO and this Part.		+1. Editorial.		
3 Procedures:				
3.1 Procedures for training and checking.				
3.2 Procedures to be applied in the event that personnel do not achieve or maintain the required standards.				
3.3 A system for tracking expiry dates for qualifications, checks, tests, recency and licences.				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
4 Description of documentation to be stored and storage periods.				
GM1-OR.OPS.MLR.100 Operations manual–General CONTENTS				
If there are sections which, because of the nature of the operation, do not apply, it is recommended that operators maintain the numbering system described in OR.OPS.MLR.101 and associated AMCsand insert 'Not applicable' or 'Intentionally blank' where appropriate.		+1. Text moved from NPA AMC5 OR.OPS.015.MLR, because it is more of guidance nature than AMC.		
GM1-OR.OPS.MLR.100(k) Operations manual - General		+1. Editorial.		
HUMAN FACTORS PRINCIPLES				
Guidance material on the application of human factors principles can be found in the ICAO Human Factors Training Manual (Doc 9683).	1. MS: 1: Re-align with EU-OPS as an IR.	1. No change, as text is of GM nature.		=ICAO doc. 9683
	1. MS: 2, INDIV: 1, IND: 1: Re-align with EU-OPS as an IR. 2. IND: 1: Amend to include "an operator must immediately inform the personnel affected..". 3. IND: 2, MS: 1: Amend to ensure the CA has sufficient time to process the approval. 4. IND: 9, INDIV: 1: Full approval of the OM not supported. Only major changes to be approved. Merge NPA AMC OR.OPS.015.MLR(g) and NPA AMC.OR.OPS.015.MLR(h).	1. Text amended and moved to OR.OPS.MLR.100. (supported by RG01 CAT). 2. OR.OPS.MLR.100 includes text from EU-OPS 1.1040(g) which covers informing the affected personnel. 3. Providing sufficient time for the CA to process the approval is covered in OR.GEN. 4. Text changed to follow the principle in EU-OPS ie only prior approval of those sections of the OM which are related to those IR provisions which require approval. The list of the changes that require prior approval is contained in OR.GEN.130. The operator shall "supply" the CA with those parts of the OM which have to be "acceptable" to the authority in EU-OPS.		
	5. MS: 1: Re-align with EU-OPS as an IR. 6. MS: 1: For major changes, use approval/acceptance list based on JAR-OPS1/EU-OPS. 7. IND: 1: Delete "minor amendments procedure" entirely. Only major	1&2. AMC and the related IR deleted, as a list of changes requiring prior approval is now in OR.GEN.130. The list takes into account IEM to JAR-OPS 1.1040(b) and JAA JIPs Appx 6A. 3. Text changed to follow the principle in EU-OPS ie only prior approval of those sections of the OM which are related to		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	changes to be approved.	those IR provisions which require approval. The list of the changes that require prior approval is contained in OR.GEN.130. The operator shall "supply" the CA with those parts of the OM which have to be "acceptable" to the authority in EU-OPS.		
	1. IND: 1: Add to the list "The individual flight time specification scheme approved by the Agency".	1. Flight Time Specification scheme has been added.		
	2. MS: 6, IND: 2: Delete "awareness", to be consistent with the associated IRs and with the TIs.	1. This AMC has been deleted, as a list of changes requiring prior approval is now in OR.GEN.130. The list takes into account IEM to JAR-OPS 1.1040(b) and JAA JIPs Appx 6A. Wording changed to "Dangerous goods staff training programmes".		
AMC1-OR.OPS.MLR.105(c) Minimum equipment list AMENDMENTS TO THE MEL FOLLOWING CHANGES TO THE MMEL – APPLICABLE CHANGES AND ACCEPTABLE TIMESCALES	1. IND: 1: AMC to be added to cover the process for entry into the MEL. 2. MS: 1: AMC/GM to be added to define the basic concepts of an MEL approval procedure, and MEL indirect approval procedure with levels (e.g. administrative, standard, full).	1. This could be considered through a future rulemaking task via an EASA proposal form. A basic premise of MEL deferral is that sufficient fault identification has occurred prior to applying the dispatch relief potentially available via the MEL. The MEL is not intended to provide fault identification guidance. 2. Refer to response to comment #1 toNPA OR.OPS.020.MLR(b).		
	1. IND: 1: Applicable Changes concept; FAA concept of Standard Revision and Interim Revision to be introduced.	1. Both EASA and FAA concepts are equivalent. From a practical point of view however, FAA concept is interesting as the MMEL revision number implies the change status ("applicable" or "non-applicable"). The suggestion could be considered through a future rulemaking task via an EASA proposal form. +1. Editorial: AMC on applicable changes merged with AMC on acceptable timescales.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
1 The following are applicable changes to the MMEL which require the amendment of the MEL:	1. IND: 11:Lack of consistent terminology between NPA AMC1 (acceptable timescales) and NPA AMC2 (applicable timescales). Wording change: "acceptable".	1. Editorial change for consistency. +1. Change in consultation with RG01 CAT.	~JAA A&GM Section 4: Operations, Part 3: TGL26: 2.7.2(a)	
a. A reduction of the rectification interval;			~JAA A&GM Section 4: Operations, Part 3: TGL26: 2.7.2(a)	
b. Change of anitem, only when the change is applicable to the aircraft or type of operations and is more restrictive.	1. IND: 1: "new" to be deleted. 2. IND: 1: "and" to be replaced by "or".	1. Editorial change. 2. Editorial change. +1. Change in consultation with RG01 CAT.	~JAA A&GM Section 4: Operations, Part 3: TGL26: 2.7.2(a)	
	1. MS: 1: Until further clarification related to the Safety Directives concept, "Safety directive" to be deleted.	1. Pending output from RM task 21.039 regarding OSD and Safety Directives. +1. Paragraph 3 deleted. Such changes are already covered by Paragraphs 1 & 2 and OPS.GEN.550(b). In addition, JAR-MMEL/MEL.001(b) indirectly allows the OEM to not change an MMEL following AD impacts.		
	1. MS:1, IND:1: "Significant changes" and associated criteria to be defined. 2. IND: 1: Bullet 4 to be deleted, since "significant" is not defined, and M&O procedures referenced in the MMEL are not approved. 3. IND: 1: M&O procedures may not be part of the MEL. So changes to M&O procedures can not necessarily trigger an amendment.	1. AMC OR.OPS.020.MLR(h) added. 2. The fully developed M&O procedures are not part of the MEL. However, as part of the compensating conditions, significant changes to M&O procedures referenced in the MMEL require changes to M&O procedures referenced in the MEL. OR.OPS.MLR.105(h) and associated AMC added. 3. The fully developed M&O procedures are not part of the MEL.		
2 An acceptable timescale for submittingthe amended MEL to the competent authorityis 90 days from the date of applicability specified in the approved change to the MMEL.	1. MS: 1, IND: 8: Timeframe more restrictive than JAR-MMEL/MEL.060(c). Wording change for realignment: acceptable timescale for submitting the MEL amendment to the competent authority. 2. IND: 7:Timeframe within which the competent authority would need to approve the amendment, to be defined. 3. IND: 1: Date of applicability to be defined. 4. IND: 1: 90-day timescale suitable for a traditional paper document amendment system. Suitability to be	1. Changed in line with JAR-MMEL/MEL.060(c). 2. Covered by AMC1-AR.GEN.310(a) paragraphs 3. and 6. 3. "Date of Applicability" to be defined in the CS-MMEL Book 1. 4. Text is in line with JAR-MMEL/MEL.060(c). However, the comment could be considered through a future rulemaking task via an EASA proposal form.	=JAR-MMEL/MEL.060(c)	

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	discussed in an electronic document management environment.			
3 Reduced timescales for the implementation of safety related amendmentsmay be required if the Agency and/or competent authority consider it necessary.	1. MS: 1: A rule, not an AMC only.	1. "Performance-based" rule: the operator is required to change the MEL within an acceptable timescale following any applicable MMEL change. The applicable changes as well as the acceptable timescales are then defined in the AMC. +1. Editorial change in consultation with RG01 CAT.	~JAR-MMEL/MEL.060(d)	
	1. MS: 1: Stick to the JAR-MMEL/MEL examples.	1. Text is in line with ACJ-MMEL/MEL.065. +1. This AMC deleted because: ⇒ As long as the referred appendices are not provided, there is no added value to have this AMC. ⇒ The current appendices provided in the JAR-MMEL/MEL are outdated, thus they are not considered appropriate for including in this proposal without any changes. ⇒ The safety is addressed at the MEL content level, and prevails over the MEL format.	<ACJ-MMEL/MEL.065	
	1. IND: 7: Editorial change: "or if it is a message oriented MEL" to be deleted. 2. IND: 1: More flexible approach to be taken. Emergent technology, such as EFBs, may lead to use of formats more appropriate than the 5-column format. 3. IND: 1: Wording change: Other format may also be used provided they are clear and unambiguous (e.g. message-oriented MEL).	1. Editorial change. 2. The text is in line with ACJ-MMEL/MEL.065. This AMC should however be limited to the specification of the content, and provide the 5-column format as an example only. Ref. CS-MMEL Book 1. However, the comment could be considered through a future rulemaking task via an EASA proposal form. 3. The text is in line with CS-MMEL Book 2 and existing JAA A&GM Section 4: Operations, Part 3: TGL 26.	~ACJ-MMEL/MEL.065(2) ~JAA A&GM Section 4: Operations, Part 3: TGL26: 2.8.2	
			~ACJ-MMEL/MEL.065(3)	
	1. MS: 1, IND: 2: ATA 100/2200 numbering is only an example, and has been primarily established for maintenance purposes. May not be fully adapted to operational needs. Consistency throughout documentation of equipment designation is the key point. ATA	1. The text is in line with ACJ-MMEL/MEL.065. This AMC should however be limited to the specification of the content, and provide the ATA 100/2200 Specification numbering system as an example only. Consistency throughout ops documentation for the equipment designation is definitely the	~ACJ-MMEL/MEL.065(1)	

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	100/2200 numbering is only one way.	key point. However, the comment could be considered through a future rulemaking task via an EASA proposal form.		
AMC1-OR.OPS.MLR.105(d)(3)Minimum equipment list EXTENT OF THE MEL		+1. Missing information added in line with ACJ-MMEL/MEL.001(a) and existing JAA A&GM Section 4: Operations, Part 3: TGL 26.	~ACJ-MMEL/MEL.001(a) ~JAA A&GM Section 4: Operations, Part 3: TGL26: 2.13	
The operator should include guidance in the MEL to deal with any failures which occur between the commencement of the flight and the start of the take-off.If a failure occurs between the commencement of the flight and the start of the take-off, any decision to continue the flight should be subject to pilot judgement and good airmanship. The commander/pilot-in-command may refer to the MEL before any decision to continue the flight is taken.		+1. RG01 CAT input: PIC changed to commander/PIC for CAT/other.		
GM1-OR.OPS.MLR.105(e) and (f) Minimum equipment list RECTIFICATION INTERVAL (RI)		+1. Editorial changes.		
The definitions and categories of rectification intervalsare provided in CS-MMEL.		+1. Editorial changes in consultation with RG01 CAT.		
AMC1-OR.OPS.MLR.105(f) Minimum equipment list RECTIFICATION INTERVAL EXTENSION (RIE) - OPERATOR PROCEDURES FOR THE APPROVAL BY THE COMPETENT AUTHORITY AND NOTIFICATION TO THE COMPETENT AUTHORITY	1. IND: 1: Wording change: "maintenance personnel" to be replaced by "certifying staff".	1. No change, as the text is in line with JAR-MMEL/MEL.075. +1. Text moved so that NPA AMC1 OR.OPS.020.MLR(f) and NPA AMC2 OR.OPS.020.MLR(f) are merged.	~ACJ-MMEL/MEL.081	
1 The operator's procedures to address the extension of rectification intervals and ongoing surveillance to ensure compliance should provide the competent authority with details of the name and position of the nominated personnel responsible for the control of the operator's rectification interval extension (RIE) procedures and details of the specific duties and responsibilities established to control the use of RIEs.			~ACJ-MMEL/MEL.081(2)	
2 Personnel authorising RIEs should be adequately trained in technical and/or operational disciplines to accomplish their duties. They should have necessary operational knowledge in terms of operational use of the MEL as alleviating documents by flight crew and maintenance personnel and engineering competence. The authorising personnel should be listed by appointment and name.	1. IND: 1: Need more detail on kind of training, knowledge, and qualification. 2. IND: 7: "Experienced personnel" encompasses the appropriate training + the required experience. Wording change: Personnel authorising RIEs should be adequately experienced in … 3. IND: 1: "in terms of aircraft design": cannot be expected from the operator. General design and certification principles for systems safety should be sufficient and	1. This detail is outside the scope of the NPA; it may be considered in a future rulemaking task via an EASA proposal form. 2. This suggestion is outside the scope of the NPA; it may be considered in a future rulemaking task via an EASA proposal form. 3. Text changed. +1. Changed for consistency with ACJ-MMEL/MEL.081(2).	~ACJ-MMEL/MEL.081(2)	

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	specified.			
3 Theoperator should notify the competent authority within one month of the extension of the applicable rectification interval or within the appropriated timescales specified by the approved procedure for the RIE.		+1. Editorial change in consultation with RG01 CAT.	~JAR-MMEL/MEL.081(c)	
4 The notification should be made in a form determined by the competent authority and should specify the original defect, all such uses, the reason for the RIE and the reasons why rectification was not carried out within the original rectification interval.	1. MS: 1: To keep the current practices: the operator determines the form, and the authority approves the form.	1. No change, as text is in line with ACJ-MMEL/MEL.081(3).	~ACJ-MMEL/MEL.081(3)	
	1. IND: 1: For consistency, since referenced in the IR, categories to be defined at IRlevel.	1. GM1 added to address comment #2 of NPA OR.OPS.020.MLR(f). +1. GM1-OR.OPS.MLR.105(f) included in GM1-OR.OPS.MLR.105(e) and (f) in consultation with RG01 CAT.		
		+1. Editorial change		
GM1-OR.OPS.MLR.105(f) Minimum equipment list RECTIFICATION INTERVAL EXTENSION (RIE)				
Procedures for the extension of rectification intervalsshould only be applied under certain conditions, such as a shortage of parts from manufacturers or other unforeseen situations (e.g. inability to obtain equipment necessary for proper troubleshooting and repair), in which case the operator may be unable to comply with the specified rectification intervals.	1. IND: 1: To be added: the operator must justify these unforeseen circumstances to the authority. To be upgraded to AMC level.	1. No change, as covered by AR.OPS.205(b).	~JAA A&GM Section 4: Operations, Part 3: TGL26: 2.10.2	
AMC1-OR.OPS.MLR.105(g) Minimum equipment list OPERATIONAL AND MAINTENANCE PROCEDURES				
1 The operational and maintenance procedures referenced in the MEL should be based on the operational and maintenance procedures referenced in the MMEL. Modified procedures may however be developed by the operator when they provide the same level of safety as required by the MMEL.		+1. Missing information added. +2. Changed in consultation with RG01 CAT.	~JAR-MMEL/MEL.050(d)	
2 Providing appropriate operational and maintenance procedures referenced in the MEL, regardless of who developed them, is the responsibility of the operator.		+1. Missing information added.		
3 Any item in the MEL requiring an operational or maintenance procedure to ensure an acceptable level of safety, should be so		+1. Moved from NPA	=JAR-MMEL/MEL.075(d)	

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
identified in the "remarks" or "exceptions" column/part/section of the MEL. This will normally be "(O)" for an operational procedure, or "(M)" for a maintenance procedure. "(O)(M)" means both operational and maintenance procedures are required.		GM.OR.OPS.020.MLR(g) to AMC.		
4 The satisfactory accomplishment of all procedures, regardless of who performs them, is the responsibilityof the operator.		+1. Missing text added.	=JAR-MMEL/MEL.075(b) =JAR-MMEL/MEL.075(c)	
GM1-OR.OPS.MLR.105(g) Minimum equipment list OPERATIONAL AND MAINTENANCE PROCEDURES				
1 Operational and maintenance procedures are an integral part of the compensating conditions needed to maintain an acceptable level of safety, enabling the competent authority to approve the MEL. The competent authority may request presentation of fully developed (O) and/or (M) procedures in the course of the MEL approval process.			=ACJ-MMEL/MEL.075(a)	>Annex 6, Part I:Att. G - Paragraph 9 >Annex 6, Part II: Att. 3.B - Paragraph 9 >Annex 6, Part III: Att. E - Paragraph 9
	1. IND: 1: Typo error "sould".	1. Editorial change. +1. Moved to AMC1-OR.OPS.MLR.105(g).		
2 Normally, operational procedures are accomplished by the flight crew; however, other personnel may be qualified and authorised to perform certain functions.			<JAR-MMEL/MEL.075(b)	
3 Normally, maintenance procedures are accomplished by the maintenance personnel; however, other personnel may be qualified and authorised to perform certain functions.	1. IND: 1: Clarify which maintenance personnel will normally accomplish the (M) procedures. 2. IND: 1: Specify which other personnel may be qualified and authorised to perform certain functions.	1. No change, as text is in line with JAR-MMEL/MEL.075(c). 2. The text is in line with JAR-MMEL/MEL.075(c). However, the proposal could be considered through a future rulemaking task via an EASA proposal form.	<JAR-MMEL/MEL.075(c)	
4 Operator's manuals may include the OM, the Continued Airworthiness Management Organisation Manual or other documents.		+1. Changed, as the aircraft maintenance manual is not part of the operator's manuals.	~ACJ-MMEL/MEL.075(b)	
AMC1-OR.OPS.MLR.105(h)Minimum equipment list OPERATIONAL AND MAINTENANCE PROCEDURES - APPLICABLE CHANGES		+1. Missing information added. Refer to comment requesting "significant changes" to be defined. +2. Editorial change in consultation with RG01 CAT.		
Changes to the operational and maintenance procedures referenced in the MMEL are considered applicable and require the amendment of the maintenance and operating procedures referenced in the MEL:		+1. Editorial change in consultation with RG01 CAT.		
1 when the modified procedure is applicable to the operator's MEL; and				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
2 when the purpose of this change is to improve compliance with the intent of the associated MMEL dispatch condition.				
		+1. Text amended due to AR.OPS.		
	1. IND: 1: Wording change; "MMEL" to be replaced by "MEL". 2. IND: 1: To be transferred to IR level. 3. IND: 1: Why "maintenance tasks" instead of "maintenance procedures"? 4. IND: 1: Should not only be applicable to (M) procedures, but to any procedures -whatever (O) or (M)- requiring a verification. Change: ACCOMPLISHEMENT OF MAINTENANCE AND / OR OPERATING PROCEDURES: Verification tasks, i.e. maintenance and / or operating procedures, should be accomplished whenever requested by the MMEL (e.g. verification tasks should be done again if the rectification interval is extended).	1. Changed - As requested. 2. Covered by OR.OPS.MLR.105(g)(3) 3. Changed - For consistency within the overall OR.OPS.MLR.105. 4. Changed - As requested. +1. Changed in consultation with RG01 CAT. Paragraphs (i) and (j) already cover that an M&O procedure is to be accomplished as specified by the MEL. Regarding the extension of the RI, it has to be addressed at the MMEL definitions/scope-level.		
		This AMC is moved to CAT.OP		
	1. IND: 1: The contents of the Journey Log Book (AMC OPS.GEN.10) and the Operational Flight Plan should be different and discussed individually. 2. MS: 1: Clarification requested as to why some requirements are not included in the new rule as compared to EU- and JAR-OPS.	1&2. Text on contents of the OFP changed to align with EU-OPS and moved from NPA AMC OR.OPS. 025.MLR to CAT.OP. Contents of the journey log changed to align with ICAO moved from NPA AMC OPS.GEN.610 to AMC1-OR.OPS.MLR.110.	EU-OPS 1.1060 JAR-OPS 3.1060	Annex 6 Part I, 4.3.3.2
		This AMC is moved to CAT.GEN	EU-OPS 1.140 JAR-OPS 3.140	
	1. MS: 1: Requiring duplication will not provide a means of compliance. 2. IND: 1: To keep paperwork at a reasonable level and proportional to the task; amend to include an alleviation for local flights for	1. Text amended and moved to CAT.GEN.Resultant text based on EU-OPS/JAR-OPS 3. EU-OPS refers to duplication, so not changed; it may be considered through a future rulemaking task via an EASA proposal form.		

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	example.	2. Text amended and moved to CAT.GEN.Resultant text based on EU-OPS/JAR-OPS 3.which includes alleviation for local flights.		
	1. IND: 1: To ensure uniformity, change to "The following information must be retained on the ground".	1. Text amended and moved to CAT.GEN.Resultant text based on EU-OPS/JAR-OPS 3.		
	1. IND: 1: Add "when mass and balance documentation is sent to aeroplanes via data link, a copy of the final mass and balance documentation as accepted by the commander must be available on the ground". Only the final accepted documentation is valid for record. It is essential that the recording of the acceptance is also kept on the ground.	1. This suggestion is outside the scope of the NPA, which is to transpose EU-OPS; it may be considered in a future rulemaking task via an EASA proposal form.		
AMC1-OR.OPS.MLR.110 Journey log				
GENERAL				
1 The aircraft journey log, or equivalent, should include the following items, where applicable: a. Aircraft nationality and registration; b. Date; c. Name/s of crew member/s; d. Duty assignments of crew members; e. Place of departure; f. Place of arrival; g. Time of departure; h. Time of arrival; i. Hours of flight;		+1. The text in (1) comes from NPA AMC OPS.GEN.610, which has been amended to align with ICAO Annex 6 Part I 11.4.1. +2. The text in (2) and (3) comes from NPA AMC OPS.GEN.610 and (2) is aligned with AMC1-OR.OPS.MLR.100(2).	~EU-OPS 1.1055(a) (for contents) ~JAR-OPS 3.1055(a) (for contents) <EU-OPS 1.135(b) (for other than paper). < as other than paper provisions did not extend to journey log in EU-OPS. <JAR-OPS 3.135(b) (for other than paper). < as other than paper provisions did not extend to journey log in JAR-OPS	<ICAO Annex 6 Part I 11.4.1 < ICAO due to not requiring Roman Numerals for proportionality benefits eg CAT (B) and because it is an ICAO recommendation as opposed to a standard ~Annex 6 Part II – 2.8.2.2 Recommendation

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
j. Nature of flight (scheduled or non-scheduled); k. Incidents, observations,if any; l. Signature of person in charge. 2 The information, or parts thereof, may be recorded in a form other than on printed paper. Accessibility, usability and reliability should be assured. 3 'Journey log, or equivalent', means that the required information may be recorded in documentation other than a logbook, such as the operational flight plan or the aircraft technical log.			3. ~EU-OPS 1.1055(b) (for journey log or equivalent) ~JAR-OPS 3.1055(b) (for journey log or equivalent)	
GM1-OR.OPS.MLR.110Journey log		+1. This provision comes from NPA AMC OPS.GEN.610.		
SERIES OF FLIGHTS				
The term 'series of flights' is used to facilitate a single set of documentation.				
AMC1-OR.OPS.MLR.115 Record-keeping TRAINING RECORDS				
	1. IND: 1: This must be IR, to be harmonised with FAA regs. 2. INDIV: 1, IND: 3: How long should these records be kept by the previous employer? 3. MS: 1: The crew member records can only be made available to the new operator if the crew member begins working for the new operator within the timescales specified for retention. 4. MS: 1: There does not appear to be any requirement for records of initial training to be retained therefore expiry dates, as appropriate to the attestation, would not be available. 5. IND:3: Delete this, as it adds an additional administrative responsibility for the operator for no safety benefit, as the training records are only relevant to the operator. The type of records to be made available is not clear. Records written in one language will not be much use to operators using another language. 6. IND: 1: Change "crew member record" to "a copy of their current attestation".	1&3. Text amended and moved to OR.OPS.MLR.115(f). 2. This point is addressed in OR.OPS.MLR.115(e). 4. Initial training is included in OR.OPS.MLR.115(c). 5. This requirement is based on EU-OPS 1.155(2), which specified flight duty, duty and rest period records. In addition, OR.OPS.MLR.115(e), which comes from EU-OPS, requires the operator to preserve the information, even when the crew member leaves. Furthermore, OR.OPS.MLR.115(d)(2), which is based on EU-OPS 1.985(a)(1), requires the operator to make the records available on request to the crew member concerned. This implies that the administrative action may be necessary anyway. The type of records is implied in the table in OR.OPS.MLR.115(c). The language issue is addressed in OR.OPS.MLR.100. 6. This requirement is based on EU-OPS 1.155(2), which specifies flight duty, duty and rest period records. In addition, OR.OPS.MLR.115(e), which		

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		comes from EU-OPS, requires the operator to preserve the information, even when the crew member leaves. Furthermore, OR.OPS.MLR.115(d)(2), which is based on EU-OPS 1.985(a)(1), requires the operator to make the records available on request to the crew member concerned. This implies that the all the records listed in OR.OPS.MLR.115(c). The records should be available for flight crew and cabin crew, not just the attestation for cabin crew.		
A summary of training should be maintained by the operator to show a crew member's completion of each stage of training and checking.	1. MS: 1, IND:3: Amend to make it applicable to cabin crew as well. 2. IND: 6: Add "and should be made available on request to the crew member" as this is necessary for inspections.	1. Text changed to include cabin crew. 2. No change, as the text is aligned with TGL 44. Also, see OR.OPS.MLR.115(d)(2), which states that the such records shall be available to the crew member on request.	~IEM OPS 1.1035 ~IEM OPS 1.985 ~IEM OPS 3.985	
SECTION III – AIR OPERATOR DECLARATION				
GM1-OR.OPS.DEC.100 Declaration GENERAL		GM added to provide further clarity.	No ICAO SARPS.	
The intent of the declaration is to: 1. have the operator acknowledge its responsibilities under the applicable safety regulations and that it holds all necessary approvals; 2. inform the competent authority of the existence of an operator; and 3. enable the competent authority to fulfil its oversight responsibilities in accordance with AR.GEN.300 and 305.	MS: Explain the legal status of the acknowledgment of receipt.	Accepted. GM added.		
MANAGED OPERATIONS			No ICAO SARPS.	
When the non-commercial operation of a complex motor-powered aircraft is managed by a third party on behalf of the owner, that party may be the operator in the sense of article 3 (h) of Regulation (EC) No 216/2008, andtherefore has to declare its capability and means to discharge the responsibilities associated with the operation of the aircraft to the competent authority. In such a case it should also be assessed whether the third party operator undertakes a commercial operation in the sense of article 3 (i) of Regulation (EC) 216/2008. Back to OR.OPS.DEC.100 **Declaration**	MS: When a third party on behalf of the owner is operating a complex motor-powered aircraft as an operator, the operation ("fractional ownership operations") very often is in reality commercial air transport operations.	Text moved from the IR to the GM with some amendments reflecting the accepted comment.		

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SECTION IV – AIR OPERATOR CERTIFICATION				
AMC1-OR.OPS.AOC.100Application for an air operator certificate (AOC)				
APPLICATION TIME FRAMES The application for theinitial issue of an AOC should be submitted at least 90 days before theintended start date of operation. The operations manual may be submitted later, but in any case not later than 60 days before the intended start date of operation.	1. [MS] 60 days is too short a period for submission of operations manual. Proposing at least 90 days. 2. [MS] If the intention is that an authority need not accept an application submitted less than 90 days. Transfer to IR. If that is not the intention th-n it should be addressed in GM. Proposal in case the text is moved to IR: "The application for an initial issue of an air operator certificate should be submitted at least 90 days before the intended start date of the operation. The operations manual may be submitted later, but in any case not later than 60 days before the date of intended operation." 3. [Indiv] An application should be reflected in the rule.	1. This is in line with EU-OPS 1.185, (c). 2 and 3. Necessary flexibility is provided by addressing application timeframes in AMC. Moreover, timeframes for taking a decision are subject to national administrative law.	EU-OPS 1.185, (c) EU-OPS 1.185, (c)	
AMC1-OR.OPS.AOC.110 Leasing agreement				
GENERAL An operator intending to lease-in an aircraft registered in a third country should provide the competent authority with the following information:				
1. the aircraft type, registration markings and serial number;				
2. the name and address of the registered owner;				
3. a copy of the valid certificate of airworthiness;				
		Paragraph 4 is deleted. New text is provided at the end of this AMC.		
4. copy of the lease agreement or description of the lease provisions, except financial arrangements;	[MS] ICAO Doc 8335 CH 10 "a copy of the lease agreement or description of lease provisions…" This gives more flexibility. Proposed text: Copy of the lease agreement, or description of the lease	Accepted		

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	provisions, except financial arrangements, “			
6 duration of the lease;				
7 areas of operation; and				
8 a copy of the AOC of the third country operator.				
9. In the case of wet lease-in and when not applying the acceptable means of compliance or flight time certification schemes established by the Agency, a full description of the flight time scheme(s), operating procedures and safety assessment demonstrating compliance with the safety objectives set out in the essential requirements and applicable implementing rules.				
The information mentioned above shouldbe accompaniedby a statement signed by the lessee that the parties to the lease agreement fully understand their respective responsibilities under the applicable regulations.				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
AMC1-OR.OPS.AOC.110(c) Leasing WET LEASE-IN If an operator is not intending to apply EU safety requirementswhen wetleasing-in an aircraft registered in a third country,it should demonstrate to the competent authority that the standardscomplied with are equivalent to the following requirements: 1. for commercial air transport (CAT) operations Part–CAT; 2. for commercial operations other than CAT, Part-SPO; 3. Part-OR: a. OR.GEN Section 2; b. OR.OPS.GEN; c. OR.OPS.MLR excluding OR.OPS.105.MLR; d. OR.OPS.FC; e. OR.OPS.CC, excluding OR.OPS.CC.200, OR.OPS.CC.210(a) and OR.OPS.CC.260; f. OR.OPS.TC; g. OR.OPS.FTL including related CS-FTL; h. OR.OPS.SEC; and 4. Part-SPA, if applicable.	(IA) Clarification/rewording: 1.165, (b)(2) and (c)(2) arenot appropriately reflected in the proposed text.	EU-OPS 1.165 (b)(2) and (c)(2) are reflected in OR.OPS.AOC.110.		
AMC1-OR.OPS.AOC.115(d) Code-share arrangements GENERAL Compliance of the third country operator with the Annex IV toRegulation (EC) No 216/2008 should be demonstrated to the competent authority. For this purpose the EUoperator should ensure that the requirements in the following table have been met: TABLE TO BE DEVELOPED		New AMC developed after consulting Review Group 001.		
AMC2-OR.OPS.AOC.115(d) Code share arrangements	(IA and IND) Recognise the IOSA audit system and follow FAA example (IACA). Recognise the IOSA audit system as AMC. (Indiv) delete! [MS] Many countries such as France consider compliance with IOSA is enough for code-share as a proof of conformity with ICAO standards. Is it enough as proof of conformity with Part-TCO and Part	The new text of OR.OPS.AOC.115in relation with AMC1-OR.OPS.AOC.115 allows a third party provider to carry out the audits on behalf of the community operator provided that the provider is EN approved.		

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	OPS?			
CODE-SHARE AUDIT PROGRAMME 1. Acode-share audit programme should include: a. the audit methodology (audit report + compliance statements); b. details of the specific operational areas to audit; c. criteria for defining satisfactory audit results; d. a system for reporting and correcting findings; e. A continuous monitoring system; f. auditor qualification and authorisation; and g. thefrequency of audits. REGULAR AUDITS		New AMC included related to the Code-share audit programme		
2. Regular audits may be performed by a third party provider, using a recognised evaluation system approvedby a recognised standardisation authority(e.g. the European Committee for Standardization(CEN)), designed to assess the operational, management and control systems of the operator. Independence of the third party provider as well as the evaluation system used should be ensured.	[IA and IND] Recognise the IOSA audit system and follow the FAA example; there should be no requirement for on-site audits if the code-share partner is IOSA registered. There should be a possibility to use a third party to carry out the audit. Include:(…), such as IOSA, (…)	The Agency is investigating this possibility.		
3. The date of the initial audit closing meeting establishes the audit effective date. The initial audit is valid for 24 consecutive months beginning with the audit effective date and ending with the audit expiry date. 4. The EU operator should ensure a renewal audit of each third country code-share operator prior to the audit expiry date of the previous audit. The audit expiry date for the previous audit becomes the audit effective date for the renewal audit provided the closing meeting for the renewal audit is within 150 days prior to the audit expiry date for the previous audit. If the closing meeting for the renewal audit is more than 150 days prior to the audit expiry date from the previous audit, then the audit effective date for the renewal audit is the day of the closing meeting of the renewal audit. Renewal audits are valid for 24 consecutive months beginning with the audit effective date and ending with the audit expiry date. 5. In case a code-share audit is shared by several operators, the report should be made available for review by all duly identified sharing operators by electronic means or other means acceptable to the competent authority. 6. After closure of all findings identified during the audit, the EU operator should submit an audit compliance statement to the	[IND and IA]Include: (…), such as IFQP and DAQCP, (…) [IA] in addition to IOSA audit the operators have to conduct an audit every 12 months. Unacceptable. Delete!! [IND]Proposal:in addition add: " (…) 24 months or measures in place to ensure acceptable quality levels"	Paragraph 2 has been deleted since paragraph 1 sufficiently provides for the possibility to use an audit pooling system. New points 3 -6 are related to the code-share audit programme.		

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competent authority demonstrating that the third country operator meets all the applicable safety standards.				
AMC1-OR.OPS.AOC.130 Flight data monitoring (FDM) aeroplanes				
FLIGHT DATA MONITORING(FDM) PROGRAMME				
1 The safety manager, as defined by the relevant AMC1-OR.GEN.200 (a)(1), should be responsible for the discovery of issues and their transmission to the manager(s) responsible for the process(es) concerned. The latter should be responsible for taking appropriate and practicable safety action within a reasonable period of time that reflects the severity of the issue.	[IND:6] 1. The word accountable is misleading with regards to the accountable managers. Post holders/managers are responsible for their field of work, but accountability is never used in this context, rather responsibility should be used. 2. NPA 2008-22c AMC to OR.GEN.200(a)(1) lists the responsibilities of the safety manager, this should be taken into account	1. Changes made to be clarify the responsibilities and accountabilities of post-holders. 2. The changes now reflect the function of the safety manager.	NPA 2008-22c, OR.GEN.200	
2 An FDM programme should allow an operator to:				
a. identify areas of operational risk and quantify current safety margins;				
b. identify and quantify operational risks by highlighting when non-standard, unusual or unsafe circumstances occur;				
c. use the FDM information on the frequency of occurrence, combined with an estimation of the level of severity, to assess the safety risks and to determine which may become unacceptable if the discovered trend continues;				
d. put in place appropriate procedures for remedial action once an unacceptable risk, either actually present or predicted by trending, has been identified; and				
e. confirm the effectiveness of any remedial action by continued monitoring.				
3 FDMAnalysis techniques should comprise:				
a. Exceedencedetection: this technique should search for deviations from aircraft flight manual limits, and standard operating procedures. A set of core events should be		Editorial correction		

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selected to cover the main areas of interest to the operator. A sample list is provided in Appendix 1 to AMC1-OR.OPS.AOC.130. The event detection limits should be continuously reviewed to reflect the operator's current operating procedures.				
b. All flights measurement: a system that should define what is normal practice. This may be accomplished by retaining various snapshots of information from each flight.				
c. Statistics - a series of data collected to support the analysis process: this technique should include the numbers of flights flown per aircraft and sector details sufficient to generate rate and trend information.				
4 FDManalysis, assessment and process control tools: the effective assessment of information obtained from digital flight data should be dependent on the provision of appropriate information technology tool sets. A programme suite may include: annotated data trace displays, engineering unit listings, visualisation for the most significant incidents, access to interpretative material, links to other safety information, and statistical presentations.				
5 Education and publication: sharing safety information should be a fundamental principle of aviation safety in helping to reduce accident rates. The operator should pass on the lessons learnt to all relevant personnel and, where appropriate, industry. Similar media to air safety systems may be used. These may include: newsletters, flight safety magazines, highlighting examples in training and simulator exercises, periodic reports to industry and the regulatory authority.				
6 Accident and incident data requirements specified in OPS.GEN.505 should take precedence over the requirements of an FDM programme. In these cases the FDR data should be retained as part of the investigation data and may fall outside the de-identification agreements.				
7 Every crew member should be responsible to report events. Significant risk-bearing incidents detected by FDM should therefore normally be the subject of mandatory occurrence reporting by the crew. If this is not the case then they should submit a retrospective report that should be included under the normal process for reporting and analysing hazards, incidents and accidents.				
8 The data recovery strategy should ensure a sufficiently representative capture of flight information to maintain an overview of operations. Data analysis should be performed sufficiently frequently to enable action to be taken on significant safety issues.				
9 The data retention strategy should aim to provide the greatest safety benefits practicable from the available data. A full dataset				

A: Rule		B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	should be retained until the action and review processes are complete; thereafter, a reduced dataset relating to closed issues should be maintained for longer-term trend analysis. Programme managers may wish to retain samples of de-identified full-flight data for various safety purposes (detailed analysis, training, benchmarking etc.).				
10	The data access and security policy should restrict information access to authorised persons. When data access is required for airworthiness and maintenance purposes, a procedure should be in place to prevent disclosure of crew identity.				
11	The proceduredocument, which should be signed by all parties (airline management, flight crew member representatives nominated either by the union or the flight crew themselves) should, as a minimum, define:				
	a. the aim of the FDM programme;				
	b. a data access and security policy that should restrict access to information to specifically authorised persons identified by their position;				
	c. the method to obtain de-identified crew feedback on those occasions that require specific flight follow-up for contextual information; where such crew contact is required the authorised person(s) need not necessarily be the programme manager, or safety manager, but could be a third party (broker) mutually acceptable to unions or staff and management;				
	d. the data retention policy and accountability including the measures taken to ensure the security of the data;				
	e. the conditions under which, on rare occasions, advisory briefing or remedial training should take place; this should always be carried out in a constructive and non-punitive manner;				
	f. the conditions under which the confidentiality may be withdrawn for reasons of gross negligence or significant continuing safety concern;				
	g. the participation of flight crew member representative(s) in the assessment of the data, the action and review process and the consideration of recommendations;				
	h. the policy for publishing the findings resulting from FDM.				
12	airborne systems and equipment used to obtain FDM data should range from an already installed full Quick Access Recorder, in a modern aircraft with digital systems, to a basic crash protected				

<table>
<tr><th>A: Rule</th><th>B: Summary of comments</th><th>C: Response</th><th>D: Source ref. and compliance</th><th>E: ICAO ref. and compliance</th></tr>
<tr><td>recorder in an older or less sophisticated aircraft. The analysis potential of the reduced data set available in the latter case may reduce the safety benefits obtainable. The operator should ensure that FDM use does not adversely affect the serviceability of equipment required for accident investigation.</td><td></td><td></td><td></td><td></td></tr>
<tr><td></td><td></td><td></td><td></td><td></td></tr>
<tr><td><u>Appendix 1 to AMC1-OR.OPS.AOC.130</u> Flight data monitoring - aeroplanes</td><td>rINDUS:6 ;INDIV:0)

The following table is meant to provide examples of FDM events and therefore is not an Acceptable Means of Compliance in itself (AMC)</td><td>Regulatory justification

This table is also to be found in TGL44, where it is in an Appendix to ACJ OPS 1.037 (a)(4). Equivalently, it should be in an appendix to AMC1 OR.OPS.201.AOC</td><td>TGL44</td><td></td></tr>
<tr><td>TABLE OF FDM EVENTS
The following table provides examples of FDM events that may be further developed using operator and aeroplane specific limits. The table is considered illustrative and not exhaustive.

<table>
<tr><th>Event Group</th><th>Description</th></tr>
<tr><td>Rejected take-off</td><td>High speed rejected take-off</td></tr>
<tr><td>Take-off pitch</td><td>Pitch rate high on take-off</td></tr>
<tr><td></td><td>Pitch attitude high during take-off</td></tr>
<tr><td>Unstick speeds</td><td>Unstick speed high</td></tr>
<tr><td></td><td>Unstick speed low</td></tr>
<tr><td>Height loss in climb-out</td><td>Initial climb height loss 20 ftaove ground level (AGL) to 400 ftabove aerodrome level (AAL)</td></tr>
<tr><td></td><td>Initial climb height loss 400 ft to 1 500 ft AAL</td></tr>
<tr><td>Slow climb-out</td><td>Excessive time to 1 000 ft AAL after take-off</td></tr>
<tr><td>Climb-out speeds</td><td>Climb-out speed high below 400 ft AAL</td></tr>
<tr><td></td><td>Climb-out speed high 400 ft AAL to 1 000 ft AAL</td></tr>
<tr><td></td><td>Climb-out speed low 35 ft AGL to 400 ft AAL</td></tr>
<tr><td></td><td>Climb-out speed low 400 ft AAL to 1 500 ft AAL</td></tr>
<tr><td>High rate of descent</td><td>High rate of descent below 2 000 ft AGL</td></tr>
<tr><td>Missed approach</td><td>Missed approach below 1 000 ft AAL</td></tr>
</table>
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A: Rule		B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	Missed approachabove 1 000 ft AAL				
Low approach	Low on approach				
Glideslope	Deviation under glideslope				
	Deviation above glideslope (below 600 ft AGL)				
Approach power	Low power on approach				
Approach speeds	Approach speed high within 90 seconds of touchdown				
	Approach speed high below 500 ft AAL				
	Approach speed high below 50 ft AGL				
	Approach speed low within 2 minutes of touchdown				
Landing flap	Late land flap (not in position below 500 ft AAL)	To be covered by GAI (15.01.2010 meeting(			
	Reduced flap landing				
	Flap load relief system operation				
Landing pitch	Pitch attitude high on landing				
	Pitch attitude low on landing]				
Bank angles	Excessive bank below 100 ft AGL				
	Excessive bank 100 ft AGL to 500 ft AAL				
	Excessive bank above 500 ft AGL				
	Excessive bank near ground (below 20 ft AGL)				
Normal acceleration	High normal acceleration on ground				
	High normal acceleration in flight flaps up (+/- increment)				
	High normal acceleration in flight flaps down(+/- increment)				
	High normal acceleration at landing				
Abnormal configuration	Take-off configuration warning				
	Early configuration change after take-off (flap)				

A: Rule		B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	Speed brake with flap				
	Speedbrake on approach below 800 ft AAL				
	Speedbrake not armed below 800 ft AAL				
Ground proximity warning	GPWS operation - hard warning				
	GPWS operation - soft warning				
	GPWS operation – windshear warning				
	GPWS operation - false warning				
ACAS/TCAS warning	ACAS/TCAS operation – Resolution Advisory				
Margin to stall/buffet	Stickshake				
	False stickshake				
	Reduced lift margin except near ground				
	Reduced lift margin at take-off				
	Low buffet margin (above 20 000 ft)				
Aircraft flight manual limitations	V_{MO}exceedence				
	M_{MO}exceedence				
	Flap placard speed exceedence				
	Gear down speed exceedence				
	Gear selection up/down speed exceedence				
	Flap/slat altitude exceedence				
	Maximum operating altitude exceedence				
GM1-OR.OPS.AOC.130Flight data monitoring - aeroplanes					
FLIGHT SAFETY PROGRAMME					
1 Guidance material for the establishment of a safety programme and flight data monitoring can be found in: a. ICAO Doc 9859 (Safety Management Manual)b. ICAO Doc 9376 (Preparation of an Operational Manual); c. UK Civil Aviation Authority CAP 739 (Flight Data Monitoring).		[INDUS:1] ICAO Doc 9422 (accident Prevention Manual) has been superseded by ICAO 9859 Safety Management System Manual	Regulatory justification: The ICAO reference needed to be changed into Doc 9859 Editorial addition regarding document CAP		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
		739.		
AMC1-OR.OPS.AOC.135(a)Personnel requirements				
NOMINATED PERSONS				
1 A person may hold more than one of the nominated posts if such an arrangement is considered suitable and properly matched to the scale and scope of the operation.	[MS] According to this paragraph a person may hold more than one of the nominated posts in certain circumstances. But there is nothing in the rule limiting the holding of more than one post so with what rule is this a means of compliance? The rest of this AMC also appears to be more appropriate as guidance.	The rule is in EU-OPS. AMC provides more flexibility. Editorial change after consulting Review Group 001.	EU-OPS 1.175, (j)	
2 A description of the functions and the responsibilities of the nominated persons, including their names, should be contained in the operations manual.	[IA] Upgrade this paragraph to IR.		Appendix 2 to EU-OPS 1.175, (b)(1)	
3 The holder of an air operator certificate should make arrangements to ensure continuity of supervision in the absence of nominated persons.	[IA] Upgrade this paragraph to IR.		Appendix 2 to EU-OPS 1.175, (b)(2)	
4 A person nominated by the holder of an AOC should not be nominated by another holder of an AOC, unless agreed with the competent authorities concerned.				
5 Persons nominated should be contracted to work sufficient hours to fulfil the management functions associated with the scale and scope of the operation.				
6 Whenever the posts of theaccountable manager and the compliance monitoring managerare combined, compliance monitoring audits should be conducted by independent personnel. The independence of the compliance monitoring audit should be established by always ensuring that audits are carried out by personnel not responsible for the function andprocedures being checked.	[IA and IND] The name compliance monitoring manager should be changed to Postholder to be consistent with the IR OR.OPS.210.AOC(a)(4).	Paragraph OR.OPS.210.AOC(a)(4) has been amended and it is now consistent. Additional text on independence compliance monitoring after consulting Review Group 001.		
AMC2-OR.OPS.AOC.135(a)Personnel requirements				
COMBINATION OF NOMINATED PERSONS RESPONSIBILITIES				
1 The acceptability of a single person holding several posts, possibly in combination with being the accountable manager, should depend upon the nature and scale of the operation. The two main areas of concern should be competence and an individual’s capacity to meet his/her responsibilities.				

A: Rule		B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
2	As regards competence in different areas of responsibility, there should not be any difference from the requirements applicable to persons holding only one post.				
3	The capacity of an individual to meet his/her responsibilities should primarily be dependent upon the scale of the operation. However the complexity of the organisation or of the operation may prevent, or limit, combinations of posts which may be acceptable in other circumstances.				
4	In most circumstances, the responsibilities of a nominated person should rest with a single individual. However, in the area of ground operations, it may be acceptable for responsibilities to be split, provided that the responsibilities of each individual concerned are clearly defined.				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
GM1-OR.OPS.AOC.135(a) Personnel requirements				
NOMINATED PERSONS The smallest organisation that can be considered is the one-man organisation where all of the nominated posts are filled by the accountable manager, and audits are conducted by an independent person.	[IA] Small organisations: audits responsibility lies with the Authority.	It is an operator's responsibility and in line with EU-OPS.	Appendix 1 to EU-OPS 1.005(a), (b)(1) OPS 1.035 Quality system: In the case of a very small operator, the post of quality manager may be held by anominatedpostholder if external auditors are used. This applies also where the accountable manager is holding one or several of the nominated posts.	
GM2-OR.OPS.AOC.135(a)Personnel requirements	1. [MS] write down the competence of the accountable manager 2. [IA] In comparison with EU-OPS 1.175, this GM does not mention a nominated post-holder for the maintenance system. [Indiv] this section is completely inappropriate for most ballooning commercial activities.	1. This is a prerogative of the organisation. Moreover OR.GEN.210(a) is clear on the responsibilities of the Accountable manager 2. See previous response on maintenance system		
COMPETENCE OFNOMINATED PERSONS~~POST HOLDERS~~	[MS] provided that the Nominated Postholders will be subject to acceptance by the Competent Authority, the provisions in GM2.OR.OPS.210.AOC (a) should be adopted as AMC-material instead of GM.	See previous response. The Agency considers that the GM should not be upgraded to AMC because a GM gives more flexibility for small organisations.	EU-OPS 1.175, (i) nominated post holders must be acceptable to the authority TGL 44 ACJ OPS 1.175(i)	
1 Nominated persons in accordance with OR.OPS.AOC.130should be expected to possess the experience and licensing provisions which are listed in paragraphs 2 to 7 below. Exceptionally, in particular cases,, the competent authority may accept a nomination which does not meet these provisions in full. In that circumstance, the nominee should have comparable experience and also the ability to perform effectively the functions associated with the post and with the scale of the operation.		In line with ACJ OPS 1.175(i).	TGL 44 ACJ OPS 1.175(i)	
2 Nominated persons should have:				
a. practical experience and expertise in the application of aviation safety standards and safe operating practices;				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
b. comprehensive knowledge of:				
i. the applicable European Union safety regulationsand any associated requirements and procedures;	[IAand IND] The term community regulations seem to be very broad. Proposal: Suggest to delete the reference to community regulations or be more specific i.e. Community regulation structure	See changed text.		
ii. the operator certificate holder's operations specifications;				
iii. the need for, and content of, the relevant parts of the operator certificate holder's operations manual;				
c. familiarity with management systemspreferably in the area of aviation;				
d. appropriate management experience, preferably in a comparable organisation; and	[IND] remove the paragraph because there is basis in safety and no requirement for nominated Post Holders to have appropriate management experience in a comparable organisation.	in line with ACJ OPS 1.175(i). By adding the word "preferably" the experience can be gained in an organisation in a different area.	ACJ OPS 1.175(i)	
e. five years of relevant work experience of which at least two years should be from the aeronautical industry in an appropriate position.				
3 Flight Operations. The nominated person should hold or have held a valid Flight Crew Licence and the associated ratings appropriate to a type of operation conducted under the operator certificate. In case the nominated person's licence and ratings are not current his/her deputy should hold a valid flight crew licence and the associated ratings.	[IND] suggest to include "hold ,or have held, a valid..."; only one comment [REGA] did not agreed with it. [IA] comment similar to previous Proposal. GM2 OR.OPS.210.AOC(a)(3) Flight Operations. The nominated post holder or his deputy should hold a valid flight crew licence appropriate to the type of operation conducted under the operator certificate and at least one of the type ratings of the aircraft used by the operator, which must be valid during his/her function as post-holder. Furthermore, (s)he must be in possession of a valid medical certificate.	Text has been changed after consulting Review Group 001.	ACJ OPS 1.175(i)	
4 Crew Training. The nominated person or his/her deputy should be a current type rating instructor on a type/class operated under the operator certificate. The nominated person should have a thorough knowledge of the operator certificate holder's crew training concept for flight, cabin and when relevant other crew				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
5 Ground Operations. The nominated person should have a thorough knowledge of the operator certificate holder's ground operations concept.				
	[IAand IND] Compliance is only one aspect of quality. We therefore suggest to re-introduce the EU-OPS terminology of quality manager. The quality manager should not be one of the post-holders and therefore the term post-holder should be avoided for this function.	Deleted because "compliance monitoring" is deleted in the related IR.		
		This AMC is deleted. The supervision of staff is sufficiently regulated in the rule, there is no need for AMC, particularly when stating " subject to the time available" (for the supervision by the nominated person)		
SECTION V – FLIGHT CREW	1 IND: specific AMC/GM for balloons is requested but none proposed.	Noted. Additional means of compliance could be proposed for consideration in a new rulemaking task.		
Chapter 1 **Common requirements**				
	1 IND: It is economically not bearable to upgrade all co-pilots to pilots-in-command to relieve other pilot-in-commands. 2 MS, 1 IND (duplicated), 1 manufacturer: restore EU-OPS. The requirement for a command course is too restrictive.	Text changed in line with EU-OPS and upgraded to IR.		
	1 IND, 1 MS: The relieving pilot will have no function as PiC. Change the text.	Text changed in line with EU-OPS and upgraded to IR.		
	1 MS: recent experience described in FCL is not required. He shall meet the 90-day simulator and refresher training of OPS.	Text changed in line with EU-OPS and upgraded to IR.		
	1 MS: not in line with EU-OPS	Text changed in line with EU-OPS and upgraded to IR.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	1 MS: No reference to take-off and landing requirements and recency requirements in line with EU-OPS.	Text changed in line with EU-OPS and upgraded to IR.		
	1 IND: change to flight engineer 1 MS: term 'system panel operator is not defined'. Consistent terms should be used.	Accepted. Text changed.		
	1. 1 IND: upgrade to IR 2. 1 MS: amend title for clarification	1. Accepted. Upgraded to IR. 2. Upgraded to IR in accordance with EU-OPS/JAR-OPS 3		
	1 manufacturer: OR.OPS.055.FC does not contain limitation on types. Delete reference.	Both referenced paragraphs address considerations to be taken into account when operating on more than one type or variant. But the references are redundant as the whole section has to be complied with. Text changed and references deleted.		
AMC1-OR.OPS.FC105(b)(2);(c)Designationas pilot-in-command/commander			AMC OPS 1/3.975	
ROUTE/AREA AND AERODROME KNOWLEDGEFOR COMMERCIAL OPERATIONS	1 IND: Clarification required on how to classify offshore installations with respect to Ops Manual development of Part C and training for Cat B and C aerodromes.	Paragraph added.		
For commercial operations, the experience of the route or area to be flown and of the aerodrome facilities and procedures to be used should include the following:				
1. Area and route knowledge				
a. Area and route training should include knowledge of: i. terrain and minimum safe altitudes; ii. seasonal meteorological conditions; iii. meteorological, communication and air traffic facilities, services and procedures; iv. search and rescue procedures where available; and				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
v. navigational facilities associated with the area or route along which the flight is to take place.				
b. Depending on the complexity of the area or route, as assessed by the operator, the following methods of familiarisation should be used: i. for the less complex areas or routes, familiarisation by self-briefing with route documentation, or by means of programmed instruction; and ii. in addition, for the more complex areas or routes, in-flight familiarisation as a pilot-in-command/commander or co-pilot under supervision, observer, or familiarisation in a flight simulation training device (FSTD) using a database appropriate to the route concerned.				
2. Aerodrome knowledge				
a. Aerodrome training should include knowledge of obstructions, physical layout, lighting, approach aids and arrival, departure, holding and instrument approach procedures, applicable operating minima and ground movement considerations.	1 MS: Aerodrome competence training should also include ground movement considerations. This is part of runway incursion risk management.	Accepted. Text changed.		
b. The operations manual should describe the method of categorisation of aerodromes and, in the case of commercial air transport operations, provide a list of those aerodrome categorised as B or C.				
c. All aerodromes to which an operator operates should be categorised in one of these three categories:				
i. Category A -an aerodrome which meets all of the following requirements: A. an approved instrument approach procedure; B. at least one runway with no performance limited procedure for take-off and/or landing; C. published circling minima not higher than 1000 ft above aerodrome level; and D. night operations capability.				
ii. Category B -an aerodrome which does not meet the category A requirements or which requires extra considerations such as: A. non-standard approach aids and/or approach patterns; B. unusual local weather conditions; C. unusual characteristics or performance				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
limitations; or D. any other relevant considerations including obstructions, physical layout, lighting etc.				
iii. Category C -an aerodrome which requires additional considerations to a category B aerodrome;				
iv. Offshore installations may be categorised as Category B or C aerodromes, taking into accountthe limitations determined in accordance withAMC2-CAT.OP.105.H Use of operating sites - helidecks.				
3. Prior to operating to: a. a category B aerodrome, the pilot-in-command/commander should be briefed, or self-briefed by means of programmed instruction, on the category B aerodrome(s) concerned. The completion of the briefing should be recorded.This recording may be accomplished after completion or confirmed by the pilot-in-command/commander before departure on a flight involving category B aerodrome(s) as destination or alternate aerodromes. b. a category C aerodrome, the pilot-in-command/commander should be briefed and visit the aerodrome as an observer and/or undertake instruction in an FSTD. The completion of the briefing, visit and/or instruction should be recorded.	1 IND: The provisions in 3 b – requiring a visit or simulator training, presumably at 12 months intervals – are particularly difficult for operators to comply with, because it reduces flexibility and carries additional costs without a direct safety benefit. This is because such a visit every 12 months does not necessarily provide the pilot-in-command with the knowledge and skills to operate at airports that require additional considerations under circumstances other than those actually encountered during the visit. The industry had earlier raised this issue vis-à-vis JAA, suggesting that programmed instruction may fulfil the requirement. An alternative for operators would be to categorise all aerodromes that do not qualify as category A, as category B aerodromes. This would not formally constitute lack of compliance inasmuch as 'additional considerations' for category C aerodromes are not defined. However, from an operational perspective it does make good sense to have a category for the most challenging aerodromes. It should, however, be possible for an operator to establish an alternative means of compliance for currency for pilots-in-command for such aerodromes. One system that could be employed would include an explicit scheme for assessment of relative difficulty of operation, for example with its basis in FSF CFIT checklist. Based on the risk factor, the aerodromes are categorised, possibly with higher differentiation than categories A, B and C. An operator may also want to specify and define the 'additional considerations' that require special release. An operator may introduce	The comment has merit, but the suggested text relates only to large aeroplane operations to well-equipped airports. The existing text is more general and covers a much wider range of operations. The comments may be proposed as an alternative means of compliance for airline-type operations. Further text added by review group. One solution today is that the commander signs off his/her knowledge on category B aerodromes with the OFP signature. It should be made clear in the AMC.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	programmed instruction in the form of aerodrome briefing pages or CBT multimedia briefings, as well as simulator training which may be of a generic nature for types of operation that are unique to a subset of the most difficult aerodromes, e.g. increased bank during climb-out. An operator may require a visit for initial release, and programmed instruction for recurrency. It is therefore suggested that AMC OR.OPS.020.FC(b)(2) either be presented as GM instead of AMC, or that the AMC is reworded, or that the AMC is supplemented by an AMC2. Text proposal made.			
AMC1-OR.OPS.FC.105(c) Designation as pilot-in-command/commander ROUTE/AREA AND AERODROME RECENCY 1. The 12-month periodshould be counted from the last day of the month: a. when the familiarisation training was undertaken; or b. of the latest operation on the route or areato be flown and of the aerodromes, facilities and procedures to be used. 2. When the operation is undertaken within the last threecalendar months of that period, the new 12-month period should be counted from the original expiry date.			EU-OPS/JAR-OPS 1/3.975, (b)+(d)	

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
AMC2-OR.OPS.FC.105(c) Designation as pilot-in-command/commander ROUTE/AREA AND AERODROME RECENCY - COMMERCIAL OPERATIONS OTHER THAN COMMERCIAL AIR TRANSPORT AND PERFORMANCE CLASS B AEROPLANES OPERATED UNDER VISUAL FLIGHT RULES (VFR)BY NIGHT OR INSTRUMENT FLIGHT RULES (IFR)IN COMMERCIAL AIR TRANSPORT OPERATIONS In the case of commercial operations other than commercial air transport and commercial air transport operations with performance class B aeroplanes operating VFR by night or IFR, the knowledge should be maintained as follows: 1. except for operations to the most demanding aerodromes, by completion of at least 10 flight sectors withinthe area of operation during the preceding 12 months in addition to any required self briefing; 2. operations to the most demanding aerodromes may be performed only if: a. the pilot-in-command/commander has been qualified at the aerodrome within the preceding 36 months by a visit asan operating flight crew member or as an observer; b. the approach is performed in visual meteorological conditions (VMC) from the applicable minimum sector altitude; and c. an adequate self-briefing has been made prior to the flight.			EU-OPS Appendix 1 to OPS 1.005(a), (b)37.(ii)	
GM1-OR.OPS.FC.105(d) Designation as pilot-in-command/commander PERFORMANCE CLASS B AEROPLANES OPERATED VFR DAY IN COMMERCIAL AIR TRANSPORT OPERATIONS For VFR day commercial air transport operations with performance class B aeroplanes, the operator should take account of any requirement that might be stipulated in specific cases by the State of the aerodrome.			EU-OPS Appendix 1 to OPS 1.005(a), (b)37.(i)	

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
AMC1-OR.OPS.FC.125 Differences and familiarisation training				
GENERAL 1. Differences training requires additional knowledge and training on the aircraft or an appropriate training device. It should be carried out: a. when introducing a significant change of equipment and/or procedures on types or variants currently operated; and b. in the case of aeroplanes, when operating another variant of an aeroplane of the same type or another type of the same class currently operated; or c. in the case of helicopters, when operating a variant of a helicopter currently operated.	1 MS: Amend the end of 1 and 2 as follows: "it should be carried out whenever the change requires acquisition of additional knowledge and training by the flight crew" In addition, this material should rather be in an AMC instead of a GM.	The proposed text is already included. Accepted to upgrade to AMC.	EU-OPS/JAR-OPS 1/3.950, (a)(1)	
2. Familiarisation training requires only the acquisition of additional knowledge. It should be carried out when: a. operating another helicopter or aeroplane of the same type; or b. when introducing a significant change of equipment and/or procedures on types or variants currently operated.			EU-OPS/JAR-OPS 1/3.950, (a)(2)	
		Moved to IR OR.OPS.FC.235		
	1 IND (duplicated): Add below FL 200 in all points	Not accepted. This is a transposition of EU-OPS/JAR-OPS 3. The proposal would alter the intent and should be subject to a new RM task. The commenter is requested to provide a safety justification for the request.		
	1 IND: A better definition of training and checking elements is required to remove ambiguity.	The rewording proposal is not understood. No text change.		
	1 IND: The requirement to complete the type rating proficiency check from the normally occupied seat is restrictive and unnecessary. Helicopter PiCs who operate from both seats will undergo proficiency checks in alternate seats under the requirements of this paragraph. It does not matter whether the proficiency check is for the type rating or operator check, since the content of each check is almost identical. Also, there appears to be no definition of "normally occupied seat". It could be interpreted as the command seat (generally RHS in helicopters), or the seat most frequently occupied, which will	This is a transposition of JAR-OPS 3. The issue requires further assessment, which should be part of a future RM task.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	depend on the nature of the operation. Clarify the intention of the requirement. Suggest deleting the last part of the sentence as FCL allows the type skill test/proficiency check for a multi-pilot helicopter to be conducted in either seat.			
	1 IND (duplicated): consider changing PNF to pilot monitoring	Accepted. Text changed.		
AMC1-OR.OPS.FC.145(b) Provision of training OPERATIONAL SUITABILITY DATA When establishing the training programmes and syllabi, the operator should use the recommendations of the operational suitability data established in accordance with Part-21 for the relevant types.		Added to create the appropriate link with the OSD.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
AMC1-OR.OPS.FC.145(d) Provision of training FLIGHT SIMULATION TRAINING DEVICES (FSTDS) An operator should classify any differences between the aircraft and FSTD in accordance with the Air Transport Association (ATA) chapters as follows: Compliance Levels 1. Level A differences: a. no influence on flight characteristics; b. no influence on procedures (normal and/or abnormal); c. differences in presentation; and d. differences in operation. Method: self-instruction via the operations manual or flight crew information. 2. Level B differences: a. no influence on flight characteristics; b. influence on procedures (normal and/or abnormal); and c. possible differences in presentation and operation. Method: flight crew information, computer-based training, system device training or special instruction byinstructor. 3. Level C differences: a. influence on flight characteristics; b. influence on procedures (normal and/or abnormal); and c. eventually differences in presentation and operation. Method: special instruction by instructor, a selected partial training on another FSTD or aircraft or a waiver because of previous experience, special instruction or training programme. 4. Level D differences: a. influence on flight characteristics; and/or b. influence on procedures (normal and/or abnormal); and/or c. differences in presentation and/or operation; and d. FSTD is level D qualified and is used for zero flight-time training (ZFTT). Method: aspecified partial training on another FSTD or aircraft or a waiver because of previousexperience, special instruction or training programme				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
Chapter 2 **Additional requirements for commercial air transport operations**				
AMC1-OR.OPS.FC.200(a) Composition of flight crew				
CREWING OF INEXPERIENCED FLIGHT CREW MEMBERS	1 IND: The use of hours as a metric does not differentiate between different types of operations. Sectors are a better metric for the purpose of measuring experience. Our proposal would therefore be to use sectors as a measure of experience.	For the time being, the use of hours is one of the basic principles for measuring pilot experience. The text is also atransposition of EU-OPS. Changes should be subject to a future rulemakingtask provided the commenter submits a detailed proposal.	AMC OPS 1/3.940, (a)(4)	
The operator should establish procedures in the operations manual taking into account the following elements:		The additional sentence is added to reflect the notion of 'acceptable to the authority'. It is found to be more appropriate to require a description in the OM. Moreover, in accordance with OR.OPS.FC.145, all training and checking programmes require prior approval.	EU-OPS/JAR-OPS 1/3.940, (a)(4)	
Aeroplanes				
1. An operator should consider that a flight crew member is inexperienced, following completion of a type rating or command course, and the associated line flying under supervision, until he/she has achieved on the type either:				
a. 100 flighthours and flown 10 sectors within a consolidation period of 120 consecutive days; or				
b. 150 flighthours and flown 20 sectors (no time limit).				
2. A lesser number of flighthours or sectors, subject to any other conditions which the competent authority may impose, may be acceptable to the competent authority when one of the following applies:	1 MS: The list of conditions should be exclusive and therefore there should be the word "or" after both paragraphs a. and b.	Text amended.		
a. a new operator is commencing operations;				
b. an operator introduces a new aeroplane type;				
c. flight crew members have previously completed a type conversion course with the same operator; d. credits are defined in the operational suitability data established in accordance with Part-21; or		Link to OSD inserted following review group comment.		
e. the aeroplane has a maximum take-off mass of less than 10 tonnes or a maximum passenger seating configuration of less than 20.				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
Helicopters				
3. An operator should consider that, when two flight crew members are required, a flight crew member, following completion of a type rating or command course, and the associated line flying under supervision, is inexperienced until either:				
a. he/she has achieved 50 flight hours on the type and/or in the role within a period of 60 days; or				
b. he/she has achieved 100 flight hours on the type and/or in the role (no time limit).				
4. A lesser number of flight hours, on the type and/or in the role, and subject to any other conditions which the competent authority may impose, may be acceptable to the competent authority when one of the following applies:	1 MS: The wording of the opening for the helicopter paragraph is different to that of the aeroplane. For consistency it should be the same where possible.	Accepted. Text changed.		
a. a new operator is commencing operations;				
b. an operator introduces a new helicopter type; or				
c. flight crew members have previously completed a type conversion course with the same operator (reconversion); or		Link to OSD inserted following review group comment.		
d. credits are defined in the operational suitability data established in accordance with Part-21.				
AMC1-OR.OPS.FC.205.HCommand course COMBINED UPGRADING AND CONVERSION COURSE– HELICOPTER If a pilot is converting from one helicopter type or variant to another when upgrading to commander: 1. the command course should also include a conversion course in accordance with OR.OPS.FC.220; and 2. additional flight sectors should be required for a pilot transitioning onto a new type of helicopter.			Appendix 1 to JAR-OPS 3.955, (a)(2)	
AMC1-OR.OPS.FC.115&215 Crew Resource Management (CRM) CRM TRAINING			ACJ OPS (AMC/IEM) 1.943/1.945(a)/1.955(b)(6)/1.965(e) ACJ No 1/2 to JAR-OPS 3.943 ACJ OPS 1/3.945(a)(9)	
1. General				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
a. Crew Resource Management (CRM) is the effective utilisation of all available resources (e.g. crew members, aircraft systems, supporting facilities and persons) to achieve safe and efficient operation.				
b. The objective of CRM is to enhance the communication and management skills of the flight crew member concerned. The emphasis is placed on the non-technical aspects of flight crew performance.				
c. CRM training should reflect the culture of the operator as well as type of operation and be conducted by means of both classroom training and practical exercises including group discussions and accident and serious incident reviews to analyse communication problems and instances or examples of a lack of information or crew management.	1 MS: amend to also say that it has to reflect the kind of operations	Accepted. Text amended.		
d. Whenever it is practicable to do so, consideration should be given to conducting relevant parts of CRM training in FSTDs which reproduce, in an acceptable way, a realistic operational environment and permit interaction. This includes, but is not limited to, appropriate line oriented flight training (LOFT) scenarios conducted in FSTDs.				
e. It is recommended that, whenever possible, initial CRM training be conducted in a group session away from the pressures of the usual working environment so that the opportunity is provided for flight crew members to interact and communicate in an environment conducive to learning.	1 IND: The direction to complete Initial CRM "outside the operator premises", albeit "whenever possible" is very restrictive. Large ATOs and operators will have excellent training facilities on a site owned and operated by the ATO or organisation. These should not be precluded as a location for CRM training. Proposal to add: '…operator premises or at a recognised training centre'.	Text amended to clarify the intent.		
2. Initial CRM Training				
a. Initial CRM training programmes are designed to provide knowledge of, and familiarity with, human factors relevant to flight operations. The course duration should be a minimum of one day for single-pilot operations and two days for all other types of operations. It should cover all the elements indicated in paragraph 6 below.				
b. A CRM trainer should:	1. 1 MS: Should be moved to point 1 as 1.6 and changed. Text proposal made. The qualification of a CRM trainer has not to be limited to Initial CRM as it is now, but applies to all kinds of CRM with variants related to the content of the training and the environment of the training (classroom, simulator, flight, initial, type, operator's, recurrent training and so on) but not to the competent	1. The text is transposed in accordance with EU-OPS/JAR-OPS 3. The comment should be subject to a future rulemaking task. The commenter is asked to submit a related proposal. 2. This is now contained in AMC2. 3. Please see response to 1 and 2 above.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	behaviours that he/she shall use. Many surveys carried out in these years have demonstrated that having commercial flight experience as crew member is not a guarantee of effectiveness without appropriate training but is essential for face validity and practical value of CRM training. The proposed elements of competence are more easily and objectively measured than the existing ones that are included anyway. To leave to the authorities to determine the level of experience and qualification that a CRM supervisor shall have, gives a fair amount of flexibility for the different cultures and national situations 2. 1 IND: This AMC appears to rule out existing CRM instructors who were not aircrew but who have been found to be acceptable by the authority. Is it the intention to remove any existing approvals for such instructors when this NPA is enacted fully? Within the proposal a change should be made to make the role of CRM instructor open to flight crew who have been declared medically unfit to fly or who have reached a certain age. 3. 1 MS: An individual without commercial aircrew experience should only be able to become, or continue to be a CRM instructor, but only if they can demonstrate to the national authority that they have the necessary instructional and facilitational skills, sufficient knowledge of the operation and flight deck environment,and the credibility to be able to train all of the Pilot CRM Training syllabus to the same standard as a CRM Instructor with Commercial flight crew compartment experience. Amend 2.2 and add new 2.3. Text proposal made.			
i. possess group facilitation skills;				
ii. have and maintain adequate knowledge of the operation and the aircraft type, preferably through current commercial air transport experience as a flight crew member;				
iii. have successfully passed the human performance and				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
limitations (HPL) examination whilst recently obtaining the airline transport pilot licence (ATPL) in accordance with Part-FCL; or followed a theoretical HPL course covering the whole syllabus of the HPL examination;				
iv. have completed initial CRM training;				
v. have received additional education in the fields of group management, group dynamics and personal awareness;				
vi. be supervised by suitably qualified CRM training personnel when conducting his/herfirst initial CRM training session.				
c. An operator should ensure that initial CRM training addresses the nature of the operations of the operator concerned, as well as the associated procedures and the culture of the operator. This will include areas of operations thatproduce particular difficulties or involve adverse climatic conditions and any unusual hazards.	1 MS: Should be moved after point 3.2. Substitute 'initial CRM' with 'conversion course CRM training'. Initial CRM has a general scope. Operator's conversion course should include all elements of 2.3.	This change should be subject to a future rulemaking task with appropriate consultation. The commenter is requested to submit an associated proposal for a new rulemaking task.		
d. If the operator does not have sufficient means to establish initial CRM training, use may be made of a course provided by another operator, or a third party or training organisation. In this event the operator should ensure that the content of the course meets his/her operational requirements. When crew members from several companies follow the same course, CRM core elements should be specific to the nature of operations of the companies and the trainees concerned.	1 MS: should be moved as 1.7. Substitute 'initial CRM' with 'CRM training'. Many small operators don't have the resources and competence to do any CRM training in a classroom. For simulators they use mostly providers. It is not just an initial CRM problem.	This change should be subject to a future rulemaking task with appropriate consultation. The commenter is requested to submit an associated proposal for a new rulemaking task.		
e. A flight crew member's CRM skills should not be assessed during initial CRM training.				
3. Operator conversion course – CRM training				
a.. If the flight crew member undergoes a conversion course with a change of aircraft type, elements of CRM should be integrated into all appropriate phases of the operator's conversion course, in accordance with paragraph 6 below.				
b. If the flight crew member undergoes a conversion course with a change of operator, elements of CRM should be integrated into all appropriate phases of the operator's conversion course, in accordance with paragraph 6 below.				
c. A flight crew member should not be assessed when completing elements of CRM training thatare included in the operator conversion course.				
4. Command course – CRM training				

<table>
<tr><th>A: Rule</th><th>B: Summary of comments</th><th>C: Response</th><th>D: Source ref. and compliance</th><th>E: ICAO ref. and compliance</th></tr>
<tr><td>a. An operator should ensure that elements of CRM are integrated into the command course in accordance with paragraph 6 below.</td><td></td><td></td><td></td><td></td></tr>
<tr><td>b. A flight crew member should not be assessed when completing elements of CRM training thatare included in the command course, although feedback should be given.</td><td></td><td></td><td></td><td></td></tr>
<tr><td>5. Recurrent CRM training</td><td></td><td></td><td></td><td></td></tr>
<tr><td>a. An operator should ensure that:</td><td></td><td></td><td></td><td></td></tr>
<tr><td>i. elements of CRM are integrated into all appropriate phases of recurrent training every year, in accordance with paragraph 6 below, and that modular CRM training covers the same areas over a maximum period of threeyears; and</td><td></td><td></td><td></td><td></td></tr>
<tr><td>ii. relevant modular CRM training is conducted by CRM trainers qualified according to paragraph 2.b.</td><td>1 MS: Should be deleted if CRM competence and supervision are included in point 1 General. CRM trainer competence and qualifications are a general issue for all CRM training, not just RT.</td><td>Please refer to response above.</td><td></td><td></td></tr>
<tr><td>b. A flight crew member should not be assessed when completing elements of CRM training thatare included in the recurrent training.</td><td></td><td></td><td></td><td></td></tr>
<tr><td>6. Implementation of CRM</td><td></td><td></td><td></td><td></td></tr>
<tr><td>a. The following table indicates which elements of CRM should be included in each type of training:
Table 1: Elements of CRM to be included in training</td><td>1 MS: Table: Recurrent Training vs. Case studies, to be changed from ‘as appropriate’ to ‘In depth’ or ‘Required’. As appropriate is a too ambiguous term. Case studies as identified by the accident prevention program and management system are the main part of the inputs to identify areas that warrant extra attention during CRM RT revision that shall take place over a period not exceeding three years. This can’t be addressed without proper attention to keep coherence with AMC1 OR.OPS.145.FC and also AMC2 OR.OPS.115.CC page 105.</td><td>Accepted. Text changed.</td><td></td><td></td></tr>
<tr><td></td><td></td><td></td><td></td><td></td></tr>
<tr><td>
<table>
<tr><th>Core Elements</th><th>Initial CRM Training</th><th>Operator conversion course when changing type</th><th>Operator conversion course when changing</th><th>Command course</th><th>Recurrent training</th></tr>
</table>
</td><td></td><td></td><td></td><td></td></tr>
</table>

A: Rule						B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
			operator						
Human error and reliability, error chain, error prevention and detection	In-depth	In-depth	Overview	Overview	Overview				
Operator safety culture, standard operating procedures (SOPs), organisational factors		Not required	In-depth	In-depth					
Stress, stress management, fatigue & vigilance			Not required						
Information acquisition and processing situation awareness, workload management									
Decision making		Overview							
Communication and coordination inside and outside the flight crew compartment			Overview						
Leadership and team behaviour synergy									
Automation, philosophy of the use of automation (if relevant to the type)	As required	In-depth	In-depth	As required	As required				
Specific type-related differences			Not required						

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
Case studies | In-depth | In-depth | In-depth | In-depth | In-depth				
7. Coordination between flight crew and cabin/technical crew training				
a. Operators should, as far as practicable, provide combined training for flight crew and cabin/technical crew including briefing and debriefing.				
b. There should be an effective liaison between flight crew and cabin/technical crew training departments. Provision should be made for transfer of relevant knowledge and skills between flight and cabin/technical crew instructors.	1 IND: The requirement to have cabin and flight crew CRM instructors observe each other and comment on each other's style is completely impractical and must be removed. In large organisations where CRM training takes place in many diverse locations it is simply not possible to arrange this without significant cost and inefficiencies. Large organisations have hundreds of CRM instructors. It is the task of training managers to oversee the activities of instructors and to unify their style and method. Once provision for this is in place the function is catered for.	Text amended to be more performance-based.		
8. Assessment of CRM Skills	1 IND: There should be no assessment of CRM skills	Further assessment of this aspect is necessary. This should be subject to a future rulemaking task. The commenter is requested to submit a related rulemaking proposal.		
a. Assessment of CRM skills is the process of observing, recording, interpreting and debriefing crews and crew member's performance and knowledge using an acceptable methodology in the context of overall performance. It includes the concept of self-critique, and feedback which can be given continuously during training or in summary following a check. In order to enhance the effectiveness of the programme this methodology should, where possible, be agreed with flight crew representatives.	1. 1 IND: delete 'where possible'. The participation of the flight crew representatives in the programme is essential so that flight crew members can gain confidence in the process. 2. 1 IND: Methodology should be agreed with Flight Crew reps. This should be 'best practice' rather than legal requirement.	1. Not accepted. The AMC allows flight crew participation. 2. The text stems from EU-OPS/JAR-OPS 3.		
b. NOTECHS (non-technical skills evaluation) or other acceptable methods of assessment should be used. The selection criteria and training requirements of the assessors and their relevant qualifications, knowledge and skills should be established.				
c. Assessment of CRM skills should:				
i. provide feedback to the crew and the individual and				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
serve to identify retraining where needed; and				
ii. be used to improve the CRM training system.				
d. Prior to the introduction of CRM skills assessment, a detailed description of the CRM methodology including terminology used should be published in the operations manual.				
e. Methodology of CRM skills assessment:				
i. An operator should establish the CRM training programme including an agreed terminology. This should be evaluated with regard to methods, length of training, depth of subjects and effectiveness.				
ii. A training and standardisation programme for training personnel should then be established.				
iii. The assessment should be based on the following principles:				
A. only observable, repetitive behaviours are assessed;				
B. the assessment should positively reflect any CRM skills that result in enhanced safety;				
C. assessments should include behaviour which contributes to a technical failure, such technical failure being errors leading to an event thatrequires debriefing by the person conducting the line check; and				
D. the crew and, where needed, the individual are verbally debriefed.				
f. De-identified summaries of all CRM assessments by the operator should be used to provide feedback to update and improve the operator's CRM training.				
g. Operators should establish procedures, including retraining, to be applied in the event that personnel do not achieve or maintain the required standards.	1 MS: change to 'CRM standards'. It needs some specification as this principle applies to all situations in which personnel do not achieve or maintain adequate standards. The specification is useful because it doesn't imply that this training is only given after a failed check.	This AMC addresses CRM. CRM should be part of all operational activities.		
h. If the operator proficiency check is combined with the type rating revalidation/renewal check, the assessment of CRM skills will satisfy the multi-crew cooperation requirements of the type rating revalidation/renewal. This assessment will				

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not affect the validity of the type rating.				
9. Levels of Training.				
a. Overview. When overview training is required it will normally be instructional in style. Such training should refresh knowledge gained in earlier training.				
b. In-Depth. When in-depth training is required it will normally be interactive in style and should include, as appropriate, case studies, group discussions, role play and consolidation of knowledge and skills. Core elements should be tailored to the specific needs of the training phase being undertaken.				
10. Use of automation.				
a. The operator conversion course should include training in the use and knowledge of automation and in the recognition of systems and human limitations associated with the use of automation. An operator should therefore ensure that a flight crew member receives training on:				
i. the application of the operations policy concerning the use of automation as stated in the operations manual; and				
ii. system and human limitations associated with the use of automation.				
b. The objective of this training should be to provide appropriate knowledge, skills and behavioural patterns for managing and operating automated systems. Special attention should be given to how automation increases the need for crews to have a common understanding of the way in which the system performs, and any features of automation which make this understanding difficult.				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
AMC2-OR.OPS.FC.115&215 Crew Resource Management (CRM) CRM TRAINER As an alternative to paragraph 2.b. of AMC1-OR.OPS.FC.115&215, the following qualifications and experience are also acceptable for a CRM trainer: 1. a flight crew member holding a recent qualification as a CRM trainer may continue to be a CRM trainer even after the cessation of active flying duties; 2. an experienced non-flight crew CRM trainer having knowledge of HPL; and 3. a former flight crew member having knowledge of HPL may become a CRM trainer if he/she maintains adequate knowledge of the operation and aircraft type and meets the provisions of AMC1-OR.OPS.FC.115&215, paragraphs 2.b.i., iv., v. and vi.			ACJ OPS (AMC/IEM) 1.943/ 1.945(a)/ 1.955(b)(6)/ 1.965(e), 2.2.b; 'acceptable to the authority' not transposed as an AMC provides for presumption of compliance with the rule.	
AMC1-OR.OPS.FC.220 Operator conversion training and checking	1 IND: the text from EU-OPS should be hard law	The review group advised to keep this AMC.	Appendix 1 to OPS 1.945 AMC OPS 1/3.945	
OPERATOR CONVERSION TRAINING SYLLABUS				
1. General				
a. The operator conversion training should include, in the following order:	1. 1 IND: restructure the paragraph into a logical sequence. First ground training which may be combined with simulator training; then flight training; emergency and safety equipment training before or after flight training, depending on the use of aircraft or simulator; then line flying under supervision, then line check. The sequence of the training elements cannot be established as an optional way to train. Several elements may be combined, like ground training and simulator training; other elements clearly need a logical sequence; e.g. if no simulator is used, flight training must follow ground training. 2. IND: Delete "in the following order" as it gives no flexibility in the programs and resources used. E.g. ground training and checking running parallel with full flight simulator sessions.	The order of this paragraph is the one from EU-OPS. The review group agreed not to make any changes at this stage.	Appendix 1 to OPS 1.945, (a)&(b)	
i. ground training and checking, including aircraft systems, and normal, abnormal and emergency procedures;				

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ii. emergency and safety equipment training and checking, (completed before any flighttraining in an aircraft commences);	1. 1 IND: transfer to IR. Amend b to read the text in brackets: completed before line flying under supervision if an FSTD is used or before flying training in the aircraft commences. Delete e. It may be performed after b. Re-align with EU-OPS. 2. 1 IND: There is no need to complete the training under b. before simulator training.	In consultation with the review group it is agreed to keep this provision AMC. A text clarification is provided by the review group. The order of items is a transposition of EU-OPS and not changed.		
iii. flight training and checking (aircraft and/or FSTD); and				
iv. line flying under supervision and line check.				
b. When a flight crew member has not previously completed an operator's conversion course, he/she should undergo general first-aid training and, if applicable, ditching procedures training using the equipment in water.			Appendix 1 to OPS 1.945, (d)	
c. Where the emergency drills require action by the non-handling pilot, the check should additionally cover knowledge of these drills.		Paragraph moved from GM OR.OPS.FC.230 Recurrent Training and Checking		
d. The operator's conversion may be combined with a newtype/class rating training as required by Part-FCL.	1 MS: add: "… combined with new type/class rating as required by Part FCL." Without this corrected formulation no licence endorsement would be possible.	Accepted. Text changed.		
e. The operator should ensure that the personnel integrating elements of CRM into conversion training are suitably qualified.		To ensure consistency with EU-OPS.	EU-OPS 1.945, (a)(3)	
2. Ground training				
a. Ground training should comprise a properly organised programme of ground instruction supervised by training staff with adequate facilities, including any necessary audio, mechanical and visual aids. Self-study using appropriate electronic learning aids, computer-based training (CBT) etc. may be used with adequate supervision of the standards achieved. However, if the aircraft concerned is relatively simple, unsupervised private study may be adequate if the operator provides suitable manuals and/or study notes.	1 IND (duplicated): This would preclude the use of e-Learning or CBTs. Also, web-based training is a growing aspect of aviation training. Many airlines and training organisations use web-based training for subjects such as Dangerous Goods and Security. These courses and modules are approved by aviation authorities and Government Transport Departments alike. Provision must be made in these sections.	Accepted. Text amended.		
b. The course of ground instruction should incorporate formal tests on such matters as aircraft systems, performance and flight planning, where applicable.				
3. Emergency and safety equipment training and checking				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
a. Emergency and safety equipment training should take place in conjunction with cabin/technical crew undergoingsimilar training with emphasis on coordinated procedures and two-way communication between the flight crew compartment and the cabin.	1 IND: In a small airline this might be possible. In an airline of any size it is not possible when flight crew and cabin crew training can be taking place half a continent apart. It is simply not practical to make this a hard and fast requirement. Integrated flight crew/cabin crew training is catered for adequately during recurrent training. This is the proper location for this activity. Co-ordinated activity can be instructed using audio visual training aids including movies.	The emphasis lies on coordinated procedures and communication. Text not changed. Wording harmonised with recurrent training.		
b. On the initial conversion course and on subsequent conversion courses as applicable, the following should be addressed:				
i. Instruction on first-aid in general (initial conversion course only); instruction on first-aid as relevant to the aircraft type of operation and crew complement including those situations where no cabin crew is required to be carried (initial and subsequent);				
ii. Aero-medical topics including: A. hypoxia; B. hyperventilation; C. contamination of the skin/eyes by aviation fuel or hydraulic or other fluids; D. hygiene and food poisoning; and E. malaria.				
iii. The effect of smoke in an enclosed area and actual use of all relevant equipment in a simulated smoke-filled environment;				
iv. Actual fire fighting, using equipment representative of that carried in the aircraft on an actual or simulated fire except that, with Halon extinguishers, an alternative extinguisher may be used;		Clarification provided by review group member		
v. The operational procedures of security, rescue and emergency services;				
vi. Survival information appropriate to their areas of operation (e.g. polar, desert, jungle or sea) and training in the use of any survival equipment required to be carried;				
vii. A comprehensive drill to cover all ditching procedures should be practised where flotation equipment is				

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carried. This should include practice of the actual donning and inflation of a life-jacket, together with a demonstration or audio-visual presentationof the inflation of life-rafts and/or slide-rafts and associated equipment. This practice should, on an initial conversion course, be conducted using the equipment in water, although previous certified training with another operator or the use of similar equipment will be accepted in lieu of further wet-drill training; and				
viii. Instruction on the location of emergency and safety equipment, correct use of all appropriate drills, and procedures that could be required of flight crew in different emergency situations. Evacuation of the aircraft (or a representative training device) by use of a slide where fitted should be included when the operations manual procedure requires the early evacuation of flight crew to assist on the ground.				
4. Flighttraining	1 IND: Add a new paragraph addressing ZFTT and the specific simulator session including six take-offs and landings.	This is included partly in the implementing rule and partly in Part-FCL.		
a. Flighttraining should be conducted to familiarise the flight crew member thoroughly with all aspects of limitations and normal, abnormal and emergency procedures associated with the aircraft and should be carried out by suitably qualified class and type rating instructors and/or examiners. For specialised operations such as steep approaches, ETOPS, or operations based on QFE, additional training should be carried out, based on any additional elements of training defined for the aircraft type in the operational suitability data in accordance with Part-21, where they exist.	1. 1 IND (duplicated): Operations based on QFE is not special as it is commonly used in normal operations. Delete reference to QFE. 2. 1 MS: According to the paragraph, a suitably qualified type rating instructor and/or examiner should conduct the flying training. This excludes the use of the class rating instructor and examiners for single-pilot aeroplanes. The paragraph should be re-written to include the CRI and/or CRE.	1. There have been many accidents in which altimeter mis-setting has been a factor. Text not changed. 2. Accepted. Text changed		
b. In planning flighttraining on aircraft with a flight crew of two or more, particular emphasis should be placed on the practice of line oriented flighttraining (LOFT) with emphasis on CRM, and the use of crew coordination procedures, including coping with incapacitation.				
c. Normally, the same training and practice in the flying of the aircraft should be given to co-pilots as well as commanders. The 'flight handling' sections of the syllabus for commanders and co-pilots alike should include all the requirements of the operator proficiency check required by OR.OPS.FC.230.				
d. Unless the type rating training programme has been carried out in anFSTD usable for zero flight-time training (ZFTT), the training should include at least threetake-offs and landings in the aircraft.	1 MS: Not in line with FCL. For multi-pilot aeroplanes where the student pilot has more than 500 hours MPA experience in aeroplanes of similar size and	This is an additional OPS requirement and not linked to the type-rating training.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	performance, these should include at least four landings of which at least one should be a full stop landing. In all other cases the student should complete at least six landings.			
5. Line flying under supervision				
a. Following completion of flighttraining and checking as part of the operator's conversion course, each flight crew member should operate a minimum number of sectors and/or flighthours under the supervision of a flight crew member nominated by the operator.				
b. The minimum flight sectors/hours should be specified in the operations manual and should be determined by the following: i. previous experience of the flight crew member; ii. complexity of the aircraft; and iii. the type and area of operation.				
c. For performance class B aeroplanes, the amount of LIFUS required is dependent on the complexity of the operations to beperformed.		Changes made to accommodate for Appendix 1 to 1.005(a) of EU-OPS, (b)32. (i).	EU-OPS Appendix 1 to 1.005(a), (b)32.(i)	
6. Passenger handling for operations where no cabin crew is required. Other than general training on dealing with people, emphasis should be placed on the following:	1. 1 MS: 6, 7, and 8 are new items and should be presented via a separate NPA. 2. 1 IND (duplicated): Delete 6,7 and 8 as is mostly relevant when commencing at an operator. In the case of changing a type relevant topics are covered in the ground course or safety training and must be credited to the trainee.Split OR.OPS.135.FC Operator conversion training and checking into two chapters; one dealing with a change of type, the other with a change or start at a new operator. 3 1 IND: Delete 6,7 and 8 as it is only relevant for cabin crew.	1. The paragraph is transferred from the applicable AMC in JAR-OPS 3. It is specified that it applies to operations where no cabin crew is carried. 2. The paragraph is transferred from the applicable Appendix/AMC in EU-OPS/JAR-OPS 3. The paragraph doesn't prevent the operator from taking into account previous flight crew training. 3. The paragraph is transferred from the applicable AMC in JAR-OPS 3 regarding flight crew. It is specified that it applies to operations where no cabin crew is carried.		
a. advice on the recognition and management of passengers who appear or become intoxicated with alcohol, under the influence of drugs or aggressive;				
b. methods used to motivate passengers and the crowd control necessary to expedite an aircraft evacuation; and				
	4 MS: The text appears to require dangerous goods training as part of type conversion training and assumes that some dangerous goods may be allowed in	Accepted. Text deleted.		

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	the cabin depending on the type. Initial and recurrent dangerous goods training must be provided to flight crew in accordance with the provisions of the ICAO Technical Instructions and must include more information than is indicated in this subparagraph and may not be required at the time of any type conversion training dependant on the last training date. Delete.			
c. the importance of correct seat allocation with reference to aircraft mass and balance. Particular emphasis should also be given on the seating of special categories of passengers.				
7. Discipline and responsibilities, for operations where no cabin crew is required. Amongst other subjects, emphasis should be placed on discipline and an individual's responsibilities in relation to:				
a. his/herongoing competence and fitness to operate as a crew member with special regard to flight time limitation requirements; and				
b. security procedures.				
8. Passenger briefing/safety demonstrations, for operations where no cabin crew is required. Training should be given in the preparation of passengers for normal and emergency situations.	1 IND: What is this section trying to achieve? Is it to train the commander in the use of the PA system to "brief" passengers on normal and emergency situations?	This is particular to helicopter operations where normally no cabin crew is carried. Applicability clarified.		
AMC2-OR.OPS.FC.220Operator conversion training and checking			AMC OPS 1.945	
OPERATOR CONVERSION TRAININGSYLLABUS – FLIGHT ENGINEERS	1 IND, 2 MS: use the term 'flight engineer'	Accepted. Text changed.		
1. Operator conversion training for flight engineers should approximate to that of pilots.				
2. If the flight crew includes a pilot with the duties of a flight engineer, he/she should, after training and the initial check in these duties, operate a minimum number of flight sectors under the supervision of a nominated additional flight crew member. The minimum figures should be specified in the operations manual and should be selected after due note has been taken of the complexity of the aircraft and the experience of the flight crew member.				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
GM1-OR.OPS.FC.220 (a)(2) Operator conversion training and checking	1 IND: This rule and the associated GM is reliant upon a nuance of the word 'during'; will it be clear to operators that if a conversion course is not completed and the pilot reverts to another type, the course has been terminated and the pilot is no longer within (or in the terminology of the rule - 'during') a conversion course? The text might be amended so that the intent is clear.	Text of the rule clarified.	IEM JAR-OPS 3.945(a)(8)	
COMPLETION OF AN OPERATOR'S CONVERSION COURSE				
1. An operator conversion course is deemed to have started when the flighttraining has begun. The theoretical element of the course may be undertaken ahead of the practical element.				
2. Under certain circumstances the course may have started and reached a stage where, for unforeseen reasons, it is not possible to complete it without a delay. In these circumstances the operator may allow the pilot to revert to the original type.	1 MS: 2 and 3 are new topics compared to EU-OPS. They should be part of a separate NPA.	The items are transposed from IEM JAR-OPS 3.945(a)(8).		
3. Before the resumption of the operator conversion course, the operator should evaluate how much of the course needs to be re-covered before continuing with the remainder of the course.				
GM1-OR.OPS.FC.220 (c) Operator conversion training and checking			IEM OPS 1/3.945	
LINE FLYING UNDER SUPERVISION				
1. Line flying under supervision provides the opportunity for a flight crew member to carry into practice the procedures and techniques he/she has been made familiar with during the ground and flighttraining of an operator conversion course. This is accomplished under the supervision of a flight crew member specifically nominated and trained for the task. At the end of line flying under supervision the respective crew member should be able to perform a safe and efficient flight conducted within the tasks of his/her crew member station.				
2. A variety of reasonable combinations may exist with respect to:				
a. a flight crew member's previous experience;				
b. the complexity of the aircraft concerned; and				
c. the type of route/role/area operations.				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
3. Aeroplanes. The following minimum figures for details to be flown under supervision are guidelines for operators to use when establishing their individual requirements:	1. 1 IND: 2.1 applies to aeroplanes only 2. 1 MS: The paragraph offers guidelines for line flying under supervision but only for turbo-jet aircraft. Similar guidelines should be developed for all other category of aircraft (unless there is a specific reason for writing them for turbo-jets only).	1. Accepted. Text changed. 2. This could be subject to a new RM task. An appropriate proposal should be provided.		
a. turbo-jet aircraft				
i. co-pilot undertaking first operator conversion course:				
A. total accumulated 100 hours or minimum 40 flight sectors;				
ii. co-pilot upgrading to commander:				
A. minimum 20 flight sectors when converting to a new type;				
B. minimum 10 flight sectors when already qualified on the aeroplane type.				
AMC1-OR.OPS.FC.230Recurrent training and checking	1 IND (duplicated) and INDIV: It is claimed that the number of tests/checks is too high, and requested to combine some.	The period for CAT is transposed from EU-OPS/JAR-OPS 3. A safety justification for extending the period is not provided. The regulations are not preventing the combination of tests/checks when feasible.	Appendix 1 to EU-OPS/JAR-OPS 1/3.965 ACJ JAR-OPS 1/3.965(c)/(d)	
RECURRENT TRAINING SYLLABUS				
1. Recurrent training				
Recurrent training should comprise:				
a. Ground training.			Appendix 1 to EU-OPS/JAR-OPS 1/3.965, (a)(1)	
i. The ground training programme should include:				
A. aircraft systems;				
B. operational procedures and requirements including ground de-icing/anti-icing and pilot incapacitation; and	1 IND (duplicated): 1.1.1.b speaks at the end of the text about "ground de-icing/anti-icing and pilot incapacitation..". Does this wording belong here?	This is a transposition of Appendix 1 to OPS 1.965(a)(1)(i)(B).		
C. accident/Incident and occurrence review.				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
ii. Knowledge of the ground training should be verified by a questionnaire or other suitable methods.				
iii. When the ground training is conducted within three calendar months prior to the expiry of the 12 calendar months period, the next ground and refresher training should be completed within 12 calendar months of the original expiry date of the previous training.	1 IND: 1.1.3, 1.4.4, 2.4 should be included in OR.OPS.045.FC as a general revalidation concept	This is considered to be sufficiently addressed at rule level by paragraphs (g)&(h)		
b. Emergency and Safety Equipment Training			Appendix 1 to EU-OPS/JAR-OPS 1/3.965, (a)(3)	
i. Emergency and safety equipment training may be combined with emergency and safety equipment checking and should be conducted in an aircraft or a suitable alternative training device.				
ii. Every year the emergency and safety equipment training programme should include the following:				
A. actual donning of a life-jacket, where fitted;				
B. actual donning of protective breathing equipment, where fitted;				
C. actual handling of fire extinguishers of the type used;				
D. instruction on the location and use of all emergency and safety equipment carried on the aircraft;				
E. instruction on the location and use of all types of exits; and				
F. security procedures.				
iii. Every three years the programme of training should include the following:	1. 1 INDIV: The respective provision for cabin crew members (i.e. exits operation), is more prescriptive than the provision for flight crew members. As, however, the underlying safety objective seems to be the same (cabin crew members as well as flight crew members should be able to operate normal and emergency exits, in normal as well as in emergency cases, and including possible failures of the equipment, such as a failure of the power assist systems), the regulation should adequately reflect this safety objective for both, cabin and flight crew members.	1. The text is a transposition from EU-OPS/JAR-OPS 3. While harmonisation may be desirable, this requires further assessment as for aircraft that carry cabin crew, the cabin crew are far more likely to operate the emergency exits than the flight crew. 2. There could also be fire or smoke in the flight crew compartment. In addition, cabin crew is not required to be carried on all types of aircraft. The training can be conducted in a simulated smoke-filled environment. 3. The periods are addressed in paragraphs (g) and (h) of the implementing rule.		

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	2. 1 INDIV: In what circumstance would this situation arise during a flight? In-flight, the CC would fight a fire. On the ground, the flight crew would evacuate the aircraft. Therefore this training is not relevant to our operation. Suggest making fire fighting training relevant to operation. Clarification required on the term 'smoke filled cabin' with regard to density of smoke. There are serious Health and Safety' concerns regarding carrying out fire fighting drills in this environment. 3. 1 IND: Require clarification regarding how this 3 yearly requirement fits in with the 12 month alleviation allowing the retention of original expiry when undertaken in the 3 months prior to expiry.			
A. actual operation of all types of exits;	1 IND, 1 MS: Paragraph 1.2.3 a. requires every three years the actual operation of all types of exits. There are no suitable training aids available for helicopters and conducting the training on an actual line aircraft results in many hours' maintenance and the possibility of damage to the mechanisms due to the varying types of exits fitted to helicopters. Effective training can also be achieved by a combination of CBT/video training reinforced by touch drill training on the actual aircraft without the need to physically operate the mechanisms and jettison the exits.	The provision is a transposition of JAR-OPS 3. The actual operation is considered an important training item to guarantee appropriate competency of the flight crew member. To sufficiently assess the issue a proposal for a future RM task should be submitted.		
B. demonstration of the method used to operate a slide where fitted;				
C. actual fire-fighting using equipment representative of that carried in the aircraft on an actual or simulated fireexcept that, with Halon extinguishers, an alternative extinguisher may be used;	1 IND (duplicated): An exception for Halon extinguisher is needed due to environmental protection.	Accepted and text changed after proposal from review group.		
D. the effects of smoke in an enclosed area and actual use of all relevant equipment in a simulated smoke-filled environment;				
E. actual handling of pyrotechnics, real or simulated, where applicable;				
F. demonstration in the use of the life-rafts where fitted. In the case of helicopters involved in		Moved from former AMC2	AMC to Appendix 1 to	

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
extended over water operations, demonstration and use of the life-rafts. Helicopter water survival training Where life-rafts are fitted for helicopter extended over water operations (such as sea pilot transfer, offshore operation, regular, or scheduled, coast-to-coast over-water operations), a comprehensive wet drill to cover all ditching procedures should be practised by aircraft crews. This wet drill is to include, as appropriate, practice of the actual donning and inflation of a life-jacket, together with a demonstration or audio-visual presentationof the inflation of life-rafts. Crewsshould board the same (or similar) life-rafts from the water whilst wearing a life-jacket. Training should include the use of all survival equipment carried on board life-rafts and any additional survival equipment carried separately on board the aircraft; - Consideration should be given to the provision of further specialist training such as underwater escape training. Where operations are predominately conducted offshore, operators are to conduct three-yearly helicopter underwater escape training at an appropriate facility; - Wet practice drill should always be given in initial training unless the crew member concerned has received similar training provided by another operator; and			JAR-OPS 3.965 (a)(3)(iii)(D)	
G. particularly in the case where nocabin crew is required, first-aid, appropriate to the aircraft type, the kind of operation and crew complement.	1. 1 INDIV: What is the value of this training as it is not relevant to our operation? In-flight, the cabin crew would manage a first-aid situation. On the ground an ambulance could be called. Cost impact: the addition of first-aid into triennial recurrent training will increase the duration of the course by one day. 2. 1 IND (duplicated): Recurrent first-aid training is a new requirement to flight crew. The form of appropriate training is not mentioned. For passenger operator cabin crew members are trained to provide first-aid. Delete.	The requirement stems from JAR-OPS 3. The provision specified that it should be appropriate to the aircraft type, kind of operation and crew complement. Applicability has been specified.		
iv. The successful resolution of aircraft emergencies requires interaction between flight crew and cabin/technical crew and emphasis should be placed on the importance of effective coordination and two-way communication between all crew members in	1 MS: 1.2.4 and 1.2.5 are new topics compared to EU-OPS. They should be part of a separate NPA.	The items are transposed from ACJ OPS 3.965(d).		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
various emergency situations.				
v. Emergency and safety equipment training should include joint practice in aircraft evacuations so that all who are involved are aware of the duties other crew members should perform. When such practice is not possible, combined flight crew and cabin/technical crew training should include joint discussion of emergency scenarios.				
vi. Emergency and safety equipment training should, as far as is practicable, take place in conjunction with cabin/technical crew undergoing similar training with emphasis on coordinated procedures and two-way communication between the flight crew compartmentand the cabin.				
c. Crew resource management (CRM)			Appendix 1 to EU-OPS/JAR-OPS 1/3.965, (a)(4)	
i. Elements of CRM should be integrated into all appropriate phases of recurrent training.				
ii. A specific modular CRM training programme should be established such that all major topics of CRM training are covered over a period not exceeding threeyears, as follows:				
A. human error and reliability, error chain, error prevention and detection;				
B. operator safety culture, standard operating procedures (SOPs), organisational factors;				
C. stress, stress management, fatigue and vigilance;				
D. information acquisition and processing, situation awareness, workload management;				
E. decision making;				
F. communication and coordination inside and outside the flight crew compartment;				
G. leadership and team behaviour, synergy;				
H. automation and philosophy of the use of automation (if relevant to the type);				
I. specific type-related differences;				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
J. casestudies; and				
K. additional areas which warrant extra attention, as identified by the safety management system.				
iii. Operators should establish procedures to update their CRM recurrent training programme. Revision of the programme should be conducted over a period not exceeding threeyears. The revision of the programme should take into account the de-identified results of the CRM assessments of crews, and information identified by the safety management system.				
d. Aircraft/FSTD training			Appendix 1 to EU-OPS/JAR-OPS 1/3.965, (a)(3)	
i. General				
A. The aircraft/FSTD training programme should be established in a way that all major failures of aircraft systems and associated procedures will have been covered in the preceding three year period.				
B. When engine-out manoeuvres are carried out in an aircraft, the engine failure should be simulated.				
C. Aircraft/FSTD training may be combined with the operator proficiency check.				
D. When the aircraft/FSTD training is conducted within threecalendar months prior to the expiry of the 12 calendar months period, the next aircraft/FSTD training should be completed within 12 calendar months of the original expiry date of the previous training.				
ii. Helicopters				
A. Where a suitable FSTD is available it should be used for the aircraft/FSTD training programme. If the operator is able to demonstrate, on the basis of a compliance and risk assessment, that using an aircraft for this training provides equivalent standards of training with safety levels similar to those achieved using an FSTD, the aircraft may be used for this training to the extent necessary.		Change is result of acceptance of a comment.		
B. The recurrent training should include the following additional items, which should be		Change is result of acceptance of a comment.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
completed in an FSTD: -settling with power and vortex ring; and -loss of tail rotor effectiveness.				
e. For operations with other-than-complex motor-powered aeroplanes,all training and checking should be relevant to the type of operation and class of aeroplane on which the flight crew member operates with due account taken of any specialised equipment used.		Text changes made to accommodate for Appendix 1 to 1.005(a) of EU-OPS, (b)35. (i).	EU-OPS Appendix 1 to 1.005(a), (b)35.(i)	
2. Recurrent checking				
Recurrent checking should comprise:				
a. Operator proficiency checks				
i. Aeroplanes			Appendix 1 to EU-OPS 1.965, (b)(1)	
Where applicable, operator proficiency checks should include the following manoeuvres as pilot flying:	1 INDIV: Include the requirement to perform the manoeuvres "as pilot flying".	Accepted. Text changed.		
- rejected take-off when anFSTD is available to represent that specific aeroplane, otherwise touch drills only;				
- take-off with engine failure between V_1 and V_2 or, if carried out in an aeroplane, at a safe speed above V_2;		Change made following comment from a review group member.		
- precision instrument approach to minima with, in the case of multi-engine aeroplanes, one-engine-inoperative;				
- non-precision approach to minima;				
- missed approach on instruments from minima with, in the case of multi-engined aeroplanes, one-engine-inoperative; and				
- landing with one-engine-inoperative. For single-engine aeroplanes a practice forced landing is required.				
	1 MS: for A-to-A operators, a person appointed by the company could conduct such checks	The ER for pilot licensing stipulate that checking may only be carried out by qualified examiners.		
ii. Helicopters	1 MS: Add the same text as mentioned for aeroplanes pt. 2.1.1.3. Further add the text from aeroplanes pt. 2.1.1.5.	Accepted. Text changed.	Appendix 1 to JAR-OPS 3.965, (b)(1)	

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
A. Where applicable, operator proficiency checks should include the following abnormal/emergency procedures:	1. 1 IND: Transfer requirement to 2.1.2.2. Requirement is not applicable to VFR flights. 2. 1 MS: include 'operator' before proficiency check 3. 1 IND: The text is imprecise unless the intention is to have all the systems listed in the section tested in each OPC. It must be made clear that the systems listed are part of the 3 year cycle of "major failures of aircraft systems" and only 3 of these listed systems need be checked in each OPC.	1. Text is transposition of JAR-OPS 3. 2. Accepted. Text changed. 3. The text is a transposition of JAR-OPS 3. The check is required to be carried out on all items while for the training everything may be covered in a three year period.		
- engine fire;				
- fuselage fire;				
- emergency operation of under carriage;				
- fuel dumping;				
- engine Failure and relight;				
- hydraulic failure;				
- electrical failure;				
- engine failure during take-off before decision point;				
- engine failure during take-off after decision point;				
- engine failure during landing before decision point;				
- engine failure during landing after decision point;				
- flight and engine control system malfunctions;				
- recovery from unusual attitudes;				
- landing with one or more engine(s) inoperative;				
- IMC autorotation techniques;				
- autorotation to a designated area;				
- pilot incapacitation; and				
- directional control failures and malfunctions.				

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	1 IND: Operator Proficiency Check Helicopters 2.1.2.1 item s. "Settling with power" and t. "Loss of tail rotor effectiveness". These items are additional to current JAR-OPS 3 requirements and are more appropriate to recurrent aircraft/FSTD training than the OPC. They can only be safely practised in an FSTD which has this capability. Since LTE is a combination of aerodynamic and atmospheric effects, not all FSTD will be able to adequately replicate this effect. Remove items s and t from the Helicopter OPC schedule and include in aircraft/FSTD training instead. To accommodate this, restructure of AMC is proposed.	Partially accepted. Paragraphs s. and t moved as proposed. The additional items should be subject to a future rulemaking task and the commenter is asked to submit a substantiated proposal so that a rulemaking task can be started.		
B. For pilots required to engage in IFR operations, proficiency checks include the following additional abnormal/emergency procedures:	1 IND: Item a. specifies that the precision approach must include a simulated engine failure. This is unnecessarily restrictive and not representative of real world conditions, where engine failures may occur during any form of approach. Part-FCL already allows the engine failure to be included in either precision or non-precision approach, and this should be reflected in the OPC. This flexibility is allowed under Part-FCL during the IR recurrent check, and offers more realistic training and checking. The same should also be applied to the aircraft OPC schedule. Amendment proposed.	Accepted. Text changed.		
- precision instrument approach to minima;				
- go-around on instruments from minima with, in the case of multi-engined helicopters, a simulated failure of one engine;				
- non-precision approach to minima;				
- in the case of multi-engined helicopters, a simulated failure of one engine to be included in either the precision or non-precision approach to minima;				
- landing with a simulated failure of one or more engines; and				
- where appropriate to the helicopter type, approach with flight control system/flight director system malfunctions, flight instrument				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
and navigation equipment failures.				
C. Before a flight crew member without a valid instrument rating is allowed to operate VMC at night, he/she should be required to undergo a proficiency check at night. Thereafter, each second proficiency check should be conducted at night.			JAR-OPS 3.965, (b)(2)	
D. Once every 12 months the checks prescribed in sub-paragraph 2.a.ii.A. may be combined with the proficiency check for revalidation or renewal of the aircraft type rating.				
E. Operator proficiency checks should be conducted by a type rating examiner (TRE) or a synthetic flight examiner (SFE), as applicable.				
b. Emergency and safety equipment checks. The items to be checked should be those for which training has been carried out in accordance with sub-paragraph 1.b. above.			Appendix 1 to EU-OPS/JAR-OPS 1/3.965, (b)(2)	
c. Line checks			Appendix 1 to EU-OPS/JAR-OPS 1/3.965, (b)(3)	
i. Line checks should establish the ability to perform satisfactorily a complete line operation including pre-flight and post-flight procedures and use of the equipment provided, as specified in the operations manual.The route chosen should be such as to give adequate representation of the scope of a pilot's normal operations. When weather conditions preclude a manual landing, an automatic landing is acceptable. The commander, or any pilot who may be required to relieve the commander, should also demonstrate his/her ability to 'manage' the operation and take appropriate command decisions.				
ii. The flight crew should be assessed on their CRM skills in accordance with a methodology describedin the operations manual. The purpose of such assessment is to:	1. 1 IND: CRM assessment should not be limited to the line check and an alternative of assessing CRM during FSTD proficiency checks should be allowed. Helicopters in particular have less ability for the CRM assessor to occupy an observer seat or suitable passenger seat due to payload and seat configuration factors. Paragraph 2.3.6 has removed the option of assessing CRM whilst occupying a pilot's seat, which was available in JAR-OPS 3. Helicopter operators therefore need the option to assess CRM during proficiency checks conducted in FSTD.	1. Paragraph 2.3.6 (now 2.c.v) makes reference to the observer seat as in JAR-OPS 3. An alternative means could be proposed. However, the proposal should preferably be subject to a new rulemaking task. The commenter is requested to provide further material in this regard. 2. No proposal was made. The commenter is requested to provide further material so that this may be part of a separate rulemaking task.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	2. 1 MS: An assessment of flight crew cannot be performed on aeroplanes without an observer seat. In that case the person conducting the line check is part of the flight crew and only one crew member will be checked. This seems to be in contradiction to the checking of CRM-skills.			
A. provide feedback to the crew collectively and individually and serve to identify retraining; and				
B. be used to improve the CRM training system.				
iii. CRM assessment alone should not be used as a reason for a failure of the line check.				
iv. When pilots are assigned duties as pilot flying and pilot monitoring they should be checked in both functions.				
	1 IND: delete as already covered in the IR subparagraph (c).	Accepted. Text changed.		
v. Line checks should be conducted by a commander nominated by the operator. The operator should inform the competent authority about the persons nominated. The person conducting the line check, who is described in 4.e.ii., should occupy an observer's seat where installed. His/her CRM assessments should solely be based on observations made during the initial briefing, cabin briefing, flight crew compartmentbriefing and those phases where he/she occupies the observer's seat.	1. 1 MS: The PiC nominated by the operator to conduct the line checks should be acceptable to the authority. 2. 1 IND: Whilst 2.3.6.1 addresses one aspect of long/ultra long haul, nothing addresses the inevitable issue that a long haul operator will have a greater number of F/Os. It is contended that a line check could be carried out on a first officer by a suitably qualified captain from the commander's seat and previous experience has shown that a line check can be properly conducted under these circumstances. This was an acceptable practice until Appendix 1 to JAR-OPS 1.965 was amended on the 01.08.2006. Additionally we were able to continue this practice beyond this date until the introduction of EU-OPS on the 16th July 2008.	1. The operator shall demonstrate that he/she uses qualified persons to carry out the training and checks. The provision to inform the authority is now included. EU-OPS/JAR-OPS didn't contain any specific requirements under which such persons would be acceptable to the authority. Specific requirements should be proposed so that they can be included here. 'Acceptable to the authority' doesn't provide legal certainty to the operator nor an objective requirement of what might be expected. 2. This requires a new rulemaking task. The commenter is asked to submit an appropriate substantiated proposal.		
A. For aeroplanes, in the case of long haul operations where additional operating flight crew are carried, the person may fulfil the function of a cruise relief pilot and should not occupy either pilot's seat during take-off, departure, initial cruise, descent, approach and landing.				
vi. Where a pilot is required to operate as pilot flying and	1 IND (duplicated): Limiting the	The provision stems from AMC OPS 1.965(c).		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
pilot monitoring, he/sheshould be checked on one flight sector as pilot flying and on another flight sector as pilot monitoring. However, where an operator's procedures require integrated flight preparation, integrated cockpit initialisation and that each pilot performs both flying and monitoring duties on the same sector, then the line check may be performed on a single flight sector.	performance of single sector line checks to special operator's procedures is not reasonable. The regulator should aim for a level playing field.	The option to use single-sector line checks is open to any operator who meets the procedural requirements in the last sentence. The proposal is no different to the draft text.		
d. When the operator proficiency check, line check or emergency and safety equipment check are undertaken within the final threecalendar months of validity of a previous check, the period of validity of the subsequent check should be counted from the expiry date of the previous check.				
e. In the case of single-pilot operations with helicopters, the recurrent checks referred to in paragraphs 2.a., 2.b. and 2.cshould be performed in the single-pilot role on a particular helicopter type in an environment representative of the operation.				
3. Flight crewincapacitation training, except single-pilot operations	1 IND: change 'pilot' to 'flight crew'	Accepted. Text changed.	AMC to Appendix 1 to JAR-OPS 1.965	
a. Procedures should be established to train flight crew to recognise and handle flight crewincapacitation. This training should be conducted every year and can form part of other recurrent training. It should take the form of classroom instruction, discussion,audio-visual presentationor other similar means.	1 manufacturer: for consistency purposes, this paragraph should only be applicable if flight crew members is 2 pilots or more	Accepted. Text changed.		
b. If anFSTD is available for the type of aircraft operated, practical training on flight crewincapacitation should be carried out at intervals not exceeding threeyears.				
4. Personnel providing training and checking			EU-OPS/JAR-OPS 1/3.965, (a)(3)&(4)	
Training and checking should be provided by the following personnel:				
a. ground and refresher training by suitably qualified personnel;				
b. flighttraining by a flight instructor (FI), type rating instructor (TRI) or class rating instructor (CRI) or, in the case of the FSTD content, a synthetic flight instructor (SFI), providing that the FI, TRI, CRI or SFI satisfies the operator's experience and knowledge requirements sufficient to instruct on the items specified in paragraphs 1.a.i. A. and B.;	1. 1 IND: Section 4.2. specifies that FSTD content of the training programme must be delivered by an SFI. There is no reason why an FI or TRI cannot deliver FSTD training, either from the instructor station if he/she has completed an IOS course, or from a pilots seat if a qualified IOS operator is also carried.	1. This is a transposition of EU-OPS/JAR-OPS 3. FSTD training may be delivered by FI, TRI, CRI. The SFI privileges are limited to FSTD. 2. The text is a transposition of the applicable EU-OPS/JAR-OPS 3 paragraph on recurrent training.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	2. 1 IND: This text states that flight training must be carried out by a TRI. Please confirm that this is the intended effect of the text. If so, this will prevent a pilot who has failed a Line check from being retrained by a line training captain (LTC) before being re-checked. This imposes an unnecessary expense on an operator as a TRI(A) is a much rarer resource than an LTC. LTCs have completed this type of activity for decades. Confirm that this requirement only applies to flying training associated with recurrent training and checking (if that is the intention). Confirm that line flying training following an operator's conversion course or a type rating may be conducted by an LTC AFTER the student has done the required four or six landings (type rating only) following a type rating which, of course, would be conducted by a TRI(A).			
c. emergency and safety equipment training by suitably qualified personnel; and				
d. CRM:				
i. integration of CRM elements into all the phases of the recurrent training by all the personnel conducting recurrent training. The operator should ensure that all personnel conducting recurrent training are suitably qualified to integrate elements of CRM into this training;				
ii. modular CRM training by at least one CRM trainer who may be assisted by experts in order to address specific areas.				
e. Recurrent checking should be conducted by the following personnel:	1 IND: transfer to IR. It is not acceptable to be checked by any other kind of personnel; so this text must be part of the IR.	This is already covered more generally in OR.OPS.FC.145.		
i. Operator proficiency check by a type rating examiner (TRE), class rating examiner (CRE) or, if the check is conducted in a FSTD, a TRE, CRE or a synthetic flight examiner (SFE), trained in CRM concepts and the assessment of CRM skills. Foroperations of other than complex motor-powered helicopters by day and over routes navigated by reference to visual landmarks andperformance class B aeroplanes, the check may be conducted by a suitably qualified commander		Changes made to accommodate for Appendix 1 to 1.005(a) of EU-OPS, (b)35. (iii). Extended to small helicopter operations.	EU-OPS Appendix 1 to 1.005(a), (b)35.(iii)	

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
nominated by the operator, trained in CRM concepts and the assessment of CRM skills. The operator should inform the competent authority about the persons nominated.				
ii. Line checks by a suitably qualified commander nominated by the operator, trained in CRM concepts and the assessment of CRM skills;				
iii. Emergency and safety equipment checking by suitably qualified personnel.				
5. Use of FSTD a. Training and checking provides an opportunity for the practice of abnormal/emergency procedures which rarely arise in normal operations and is a part of a structured programme of recurrent training. This should be carried out in an FSTD whenever possible. b. The line check is performed in the aircraft. All other training and checking should be performed in an FSTD, or, if it is not reasonably practicable to gain access to such devices, inan aircraft of the same typeor in the case of emergency and safety equipment training, in a representative training device. The type of equipment used for training and checking should be representative of the instrumentation, equipment and layout of the aircraft type operated by the flight crew member. c. Because of the unacceptable risk when simulating emergencies such as enginefailure, icing problems, certain types of engine(s) (e.g. during continued take-off or go-around, total hydraulic failure etc.), or because of environmental considerations associated with some emergencies (e.g. fuel dumping) these emergencies should preferably be covered in an FSTD. If no FSTD is available these emergencies may be covered in the aircraftusing a safe airborne simulation, bearing in mind the effect of any subsequent failure, and the exercise must be preceded by a comprehensive briefing.		Text moved from GM1.		
		Text moved to AMC1-OR.OPS.FC.230 1.a.iii.G.		
	1 MS: Water survival training should include a mandatory requirement to undergo underwater escape training for those operators who predominantly	Accepted. Text changed.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	operate offshore. There is clear evidence that upon ditching, a helicopter is highly likely to overturn and submerge the crew and cabin compartments with an escape being made through emergency exits. It is already a requirement for three-yearly instruction and use of emergency exits but this stops short of a meaningful drill. Likewise, survivability for passengers is predicated upon the crew commencing survival drills, which can only happen if they have escaped the ditched aircraft. Text proposal made.			
AMC2-OR.OPS.FC.230 Recurrent training and checking			Appendix 2 to OPS 1.965	
FLIGHT ENGINEERS	1 IND, 1 MS: change to 'flight engineer' everywhere	Accepted. Text changed.		
1. The recurrent training and checking for flight engineers should meet the requirements for pilots and any additional specific duties, omitting those items that do not apply to flight engineers.				
2. Recurrent training and checking for flight engineers should, whenever possible, take place concurrently with a pilot undergoing recurrent training and checking.				
3. A line check should be conducted by a commander or by a flight engineer nominated by the operator, in accordance with national rules, if applicable.				
GM1-OR.OPS.FC.230 Recurrent training and checking			IEM OPS 1.965 IEM to Appendix 1 to JAR-OPS 3.965	
LINE CHECK AND PROFICIENCY TRAINING AND CHECKING				
1. Line checks, route and aerodrome knowledgeand recent experience requirements are intended to ensure the crew member's ability to operate efficiently under normal conditions, whereas other checks and emergency and safety equipment training are primarily intended to prepare the crew member for abnormal/emergency procedures.				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	1 MS: The phrase…'All other training and checking……' should be changed. Text proposal made. As it is written the phrase has led to endless arguing with operators that don't like simulators for various reasons and prefer proficiency checks on the aeroplane. This deprives their crews of the essential non-normal and emergency drills that, for safety reasons, can't be simulated in flight. The comment is intended to add more emphasis on simulator checking.	Accepted. Text changed. Text moved to AMC1 as new point 5.b.		
2. The line check is considered a particularly important factor in the development, maintenance and refinement of high operating standards, and can provide the operator with a valuable indication of the usefulness of his/her training policy and methods. Line checks are a test of a flight crew member's ability to perform a complete line operation, including pre-flight and post-flight procedures and use of the equipment provided, and an opportunity for an overall assessment of his/her ability to perform the duties required as specified in the operations manual. The line check is not intended to determine knowledgeon any particular route.		Deleted text transferred to AMC1, point 2.c.i.		
3. Proficiency Training and Checking.				
When an FSTD is used, the opportunity should be taken, where possible, to use line oriented flighttraining (LOFT).				
		Already included in AMC2		
	1 MS: The paragraph refers to the use of FSTDs for training but only for helicopters. There are emergency practices in aeroplanes that must not be simulated in the aircraft because of the danger in which they would place the aircraft e.g. rejected take-off, explosive decompression etc. and if it is felt that helicopter training and testing needs a simulator for emergency exercises the same must be true for aeroplanes.	Accepted. Text changed.		
		Text moved to AMC1 as new point 5.a.		
	1 MS: This text relates to safety aspects of training and testing in helicopters that do not have an FSTD and therefore has no place in point5.2 which relates to training	Accepted. Text deleted.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	and testing in an FSTD. Justification: Logical progression of training and testing in an FSTD not the helicopter. Delete paragraph.			
	1 MS: The content of this paragraph applies to any training and testing conducted as part of a proficiency check. It isn't only applicable to FSTD training and testing and therefore should be removed from this particular paragraph and placed in general training & testing at AMC1 OR.OPS.135.FC as a new point 1.3. It is applicable to all forms of training and testing.	Accepted. Text moved.		
		Text moved to AMC1 as new point 5.c.		
	1 IND (duplicated), 1 manufacturer: Add to IR	Contained in AMC1-OR.OPS.FC.230, 2.a.i.C. and 2.a.ii.D.		
AMC1-OR.OPS.FC.235.H (d) Pilot qualification to operate in either pilot's seat SINGLE-ENGINE HELICOPTERS – AUTO-ROTATIVE LANDING In the case of single-engine helicopters, the autorotative landing should be carried out from left- and right-hand seats on alternate proficiency checks.			Appendix 1 to JAR-OPS 3.968, (b)	
GM1-OR.OPS.FC.235(f)&(g)Pilot qualification to operate in either pilot's seat DIFFERENCES BETWEEN LEFT- AND RIGHT-HAND SEATS The differences between left- and right-hand seats may not be significant in cases where for example the autopilot is used.			Appendix 1 to EU-OPS/JAR-OPS 1/3.968, (d)&(e)	
AMC1-OR.OPS.FC.240 Operation on more than one type or variant GENERAL	1. 1 IND: change applicability to all operations 2. 1 IND: upgrade to IR	1. The AMC is based on EU-OPS/JAR-OPS 3. Non-commercial and other commercial operators may elect to use it. 2. The review group does not support the upgrade to IR.		
1. Aeroplanes				
a. When a flight crew member operates more than one aeroplane class, type or variantlisted in Part-FCL and associated procedures for class-single pilot and/or type-single pilot, but not within a single licence endorsement, the	1 IND: Change wording to specify single-pilot and multiple licence endorsements criteria in accordance with EU-OPS.	Accepted. Text changed.	Appendix 1 to OPS 1.980, (a)(1)	

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
operator should ensure that the flight crew member does not operate more than:				
i. three reciprocatingengine aeroplane typesor variants;				
ii. three turbo-propeller aeroplane typesor variants;				
iii. one turbo-propeller aeroplane type or variant and one reciprocatingengine aeroplane type or variant; or				
iv. one turbo-propeller aeroplane type or variant and any aeroplane within a particular class.				
b. When a flight crew member operates more than one aeroplane type or variant within one or more licence endorsement as defined by Part-FCL and associated procedures for type – multi pilot, an operator should ensure that:	1 IND (duplicated): Para 1.2 and 1.4. Provisions for allowance of credit described in this AMC must be contained at IR level. In addition, it is suggested to introduce adequate reference to Part 21 OSC, so as to allow the aircraft manufacturers to demonstrate commonality and have operators taking credit from this work.	OR.OPS.FC.140 contains the link to the OSD in implementing rule.	Appendix 1 to OPS 1.980, (b)	
i. the minimum flight crew complement specified in the operations manual is the same for each type or variant to be operated;				
ii. a flight crew member does not operate more than two aeroplane types or variants for which a separate licence endorsement is required, unless credits related to the training, checking, and recent experience requirements are defined in the operational suitability data (OSD) established in accordance with Part-21 for the relevant types or variants; and	1 manufacturer: This point was a safeguard to avoid a flight crew operating aeroplanes under different licence endorsements for which there was no real commonality concept. With the technological advances within the cockpit and flight characteristics (fly-by-wire) this limitation may not be necessarily justified if aircraft manufacturers under the Operational Suitability process are able to demonstrate that this could be achieved. It is the reason why it is recommended keeping the limitation in the AMC for a combination of aircraft for which no demonstration has been made,but benefit of the newly suggested Operational Suitability Certificate to provide an alternate way.	Accepted. Text changed.		
iii. only aeroplanes within one licence endorsement are flown in any one flight duty period, unless the operator has established procedures to ensure adequate time for preparation.				
c. When a flight crew member operates more than one aeroplane type or variant listed in Part-FCL and associated			Appendix 1 to OPS 1.980, (c)	

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
procedures for type-single pilot and type-multi pilot, but not within a single licence endorsement, an operator should comply with:				
i. paragraph b. above; and				
ii. paragraph d. below.				
d. When a flight crew member operates more than one aeroplane type or variant listed in Part-FCL and associated procedures for type-multi pilot, but not within a single licence endorsement, or combinations of aeroplane types or variants listed in Part-FCL and associated procedures for class-single pilot and type-multi pilot, the operator should comply with the following:			Appendix 1 to OPS 1.980, (d)&(e)	
i. paragraph b. above;				
ii. before exercising the privileges of more than onelicence endorsement:				
A. Flight crew members should have completed two consecutive operator proficiency checks and should have: - 500 hours in the relevant crew position in commercial air transport operations with the same operator; or - for IFR and VFR night operations with performance class B aeroplanes, 100 hours or flight sectorsin the relevant crew position in commercial air transport operations with the same operator, if at least one licence endorsement is related to a class.A check flight should be completedbefore the pilot is released for duties as commander.	1 manufacturer: Before exercising the privileges of twolicence endorsement: this sub-paragraph of this AMC - coming from Appendix 1 to EU/JAR-OPS1.980 - says that "flight crew members […] should have 500 hours in the relevant crew position in commercial air transport operations within the same operator". Our comment is to say that this high number of flight hours (500) within the same operator, and in CAT operations, is too much burdensome, especially in the business aviation world. If a flight crew wants to benefit from this requirement, the constraints "same operator" and "CAT" needs to be relaxed, at least for the business aviation world. Our proposal for this § is to remove "within the same operator" and "CAT" to read "flight crew members should have completed two consecutive operator proficiency checks and should have completed 500 hours in the relevant crew position".	This could be proposed as an alternative means of compliance. Change to accommodate for Appendix 1 to 1.005(a) of EU-OPS, (b)38.(ii)	EU-OPS Appendix 1 to 1.005(a), (b)38.(ii)	
B. In the case of a pilot having experience with an operator and exercising the privileges of more than onelicence endorsement, and then being promoted to command with the same operator on one of those types, the required minimum experience as commander is sixmonths and 300 hours, and the pilot should have completed twoconsecutive operator proficiency checks before again being eligible to exercise more than				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
onelicence endorsement.				
iii. Before commencing training for and operation of another type or variant, flight crew members should have completed threemonths and 150 hours' flying on the base aeroplane which should include at least one proficiency check, unless credits related to the training, checking and recent experience requirements are defined in the OSD established in accordance with Part-21 for the relevant types or variants.				
iv. After completion of the initial line check on the new type, 50 hours' flying or 20 sectors should be achieved solely on aeroplanes of the new type rating, unless credits related to the training, checking and recent experience requirements are defined in the OSD established in accordance with Part-21 for the relevant types or variants.				
v. Recent experience requirements established in Part-FCL for each type operated.				
vi. The period within which line flying experience is required on each type should be specified in the operations manual.				
vii. When credits are defined in the OSDestablished in accordance with Part-21 for the relevant type or variant, this should be reflected in the training required in OR.OPS.FC.230 and:				
A. OR.OPS.FC.230(b) requires two operator proficiency checks every year. When credits aredefined in the operational suitability data established in accordance with Part-21 for operator proficiency checks to alternate between the types, each operator proficiency check revalidates the operator proficiency check for the other type(s). The operator proficiency check may be combined with the proficiency checks for revalidation or renewal of the aeroplane type rating or the instrument rating in accordance with Part-FCL.				
B. OR.OPS.FC.230(c) requires one line check every year. When creditsare defined in the OSD established in accordance for Part-21 for line checks to alternate between types or variants, each line check revalidates the line check for the other type or variant.				
C. Annual emergency and safety equipment	1 MS: Paragraph 8 of Appendix 1 to EU-	This is already included in the paragraphs		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
training and checking should cover all requirements for each type.	OPS 1.980 has been omitted.	above and established through the OSD.		
2. Helicopters				
a. If a flight crew member operates more than one type or variant the following provisions should be met:	1 MS: Although these two pointsare a direct copy from JAR-OPS AMC OPS 3.980 points 2 (c) & (d), they create a safety anomaly. A pilot who flies a Robinson R22 (two-seater reciprocating engineVFR only helicopter) and who also flies an EH101 (a 25 seat multi-engine (3 turbine engines), multi-pilot IFR helicopter) may apply the content of the reference to permit him/her to complete one operator proficiency check (OPC) every sixmonths and this would validate the OPC for the other type. This would meet the rule but at the same time be illogical. A simple addition to the AMC could solve this problem by restricting the alleviation to types and variants within a particular group.	The statement is correct but this will largely be determined in the future through the OSD. The reference to the OSD addresses this particular situation as in the process EH101 will never be comparable to R22. Further changes are made throughout the text to take into account changes made for the aeroplane paragraphs.	AMC OPS 3.980, 2	
i. The recency requirements and the requirements for recurrent training and checking should be met and confirmed prior to commercial air transport operations on any type, and the minimum number of flights on each type within a three-month period specified in the operations manual.				
ii. OR.OPS.FC.230requirements with regard to recurrent training.				
iii. When credits related to the training, checking and recent experience requirements are defined in the OSD established in accordance with Part-21 for the relevant types or variants, the requirements of OR.OPS.FC.230with regard to proficiency checks may be met by a six- monthly check on any one type or variant operated. However, a proficiency check on each type or variant operated should be completed every 12 months.	1 IND: To facilitate and to be able to plan more efficiently the training and checking of crew members, the period of validity should be similar for all kind of checks and extended to 12 months.	This is a transposition from JAR-OPS 3, taking into account the OSD concept providing for further flexibility. A safety justification was not provided to generally change the requirement. An alternative means of compliance could be proposed.		
iv. For helicopters with a maximum certified take-off mass (MCTOM)of more than5700 kg, or with a maximum passenger seating configuration (MPSC) of more than 19:				
A. the flight crew member should not fly more than two helicopter types, unless credits related to the training, checking and recent experience requirements are defined in the OSD established				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
in accordance with Part-21 for the relevant types or variants;				
B. a minimum of threemonths and 150 hours' experience on the type or variant should be achieved before the flight crew member should commence the conversion course onto the new type or variant, unless credits related to the training, checking and recent experience requirements are defined in the OSD established in accordance with Part-21 for the relevant types or variants;				
C. 28 days and/or 50 hours' flying should then be achieved exclusively on the new type or variant, unless credits related to the training, checking and recent experience requirements are defined in the OSD established in accordance with Part-21 for the relevant types or variants; and				
D. a flight crew member should not be rostered to fly more than one type or significantly different variant of a type during a single duty period.				
v. In the case of all other helicopters, a flight crew member should not operate more than three helicopter types or significantly different variants, unless credits related to the training, checking and recent experience requirements are defined in the OSD established in accordance with Part-21 for the relevant types or variants.	1 IND (duplicated): The types shall remain valid as long as the PIC has accomplished a minimum of 15 hours on type, a ppc has been completed and twohours' flight time recency in the last 12 months has been completed. The level of technology, operational procedures, handling characteristics of small helicopters are such that very often operators are using different types for their operations. Threetypes are not acceptable for small operators. As long as training recency is provided, operations with different types of helicopters weighing less than 3175 kg shall be accepted by the National Authority.	This is a transposition from JAR-OPS 3, taking into account the OSD concept providing for further flexibility. A safety justification was not provided to generally change the requirement. An alternative means of compliance could be proposed.		
3. Combination of helicopter and aeroplane	1 IND (duplicated): Provision shall be made for pilots flying both aeroplane and helicopter. No limitation of the number of aircraft type provided the operations with different types are accepted by the National Authority.	Not accepted. Harmonised provisions are required to be established.	AMC OPS 3.980, 2.f	
a. A flight crew member may fly one helicopter type or variant and one aeroplane type irrespective of their maximum certified take-off mass (MCTOM) or the maximum passenger seating configuration (MPSC).	1 IND: To limit the amount of types without considering their neither complexity nor certified take-off mass (MCTOM) or the maximum passenger seating configuration seems not adequate. Proposal made.	The proposal should be subject to a new RM task and the commenter is requested to provide further substantiation.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
b. If the helicopter type is covered by paragraph 2.a.iv. then paragraphs 2.a.iv.B., 2.a.iv.C. and 2.a.iv.D. should also apply in this case.				
AMC2-OR.OPS.FC.240Operation on more than one type or variant				
METHODOLOGY - USE OF OPERATOR DIFFERENCE REQUIREMENT (ODR) TABLES - AEROPLANES				
1. Before assigning flight crew members to operate more than one type or variant of aeroplanes, the operator should conduct a detailed evaluation of the differences and/or similarities of the earoplanesconcerned in order to establish appropriate procedures and/or operational restrictions. This evaluation should be based on the evaluation conducted and defined in the OSD established in accordance with Part-21 and should be adapted to the operator's specific aeroplaneconfigurations. This evaluation should take into account of the following:			EU-OPS 1.980, (b)	
a. the level of technology;				
b. operational procedures; and				
c. handling characteristics.				
The methodology described below should be used as a means of evaluating aeroplane differences and similarities to justify the operation of more than one type or variant, and when credit is sought.			AMC OPS 1.980(b)	
2. ODR tables	1 IND (duplicated), 1 manufacturer: transfer this to GM as it describes a methodology.	This AMC describes an acceptable methodology. Others might be acceptable as well and should in this case be proposed as alternative means of compliance.		
a. Before requiring flight crew members to operate more than one type or variant, operators should first nominate one aeroplane as the base aeroplane from which to show differences with the second aeroplane type or variant, the 'difference aeroplane', in terms of technology (systems), procedures, pilot handling and aeroplane management. These differences, known as operator difference requirements (ODR), preferably presented in tabular format, constitute part of the justification for operating more than one type or variant and also the basis for the associated differences/familiarisation training for the flight crew.				
3. The ODR tables should be presented as follows:				
Table 1 - ODR 1 – general				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance

BASE AEROPLANE: DIFFERENCE AEROPLANE:				COMPLIANCE METHOD		
GENERAL	DIFFERENCES	FLT CHAR	PROC CHNG	Training	Checking	Recent Experience
General description of aircraft (dimensions weight, limitations, etc.)	Identification of the relevant differences between the base aeroplane and the difference aeroplane.	Impact on flight characteristics (performance and/or handling)	Impact on procedures (Yes or No)	Assessment of the difference levels according to Table 4		

Table 2 - ODR 2 - systems

BASE AEROPLANE: DIFFERENCE AEROPLANE:				COMPLIANCE METHOD		
SYSTEM	DIFFERENCES	FLT CHAR	PROC CHNG	Training	Checking	Recent Experience
Brief description of systems and subsystems classified according to the ATA 100 index.	list of differences for each relevant subsystem between the base aeroplane and the difference aeroplane.	Impact on flight characteristics (performance and/or handling)	Impact on procedures (Yes or No)	Assessment of the difference levels according to Table 4		

Table 3 - ODR 3 - manoeuvres

BASE AEROPLANE: DIFFERENCE AEROPLANE:	COMPLIANCE METHOD

A: Rule							B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
MANOEUVRES	DIFFERENCES	FLT CHAR	PROC CHNG	Training	Checking	Recent Experience				
Described according to phase of flight (gate, taxi, flight, taxi, gate)	List of relevant differences for each manoeuvre between the base aeroplane and the difference aeroplane.	Impact on flight characteristics (performance and/or handling)	Impact on procedures (Yes or No)	Assessment of the difference levels according to Table 4						
4. Compilation of ODR Tables										
a. ODR 1 - aeroplane - general										
i. The general characteristics of the difference aeroplane should be compared with the base aeroplane with regard to:										
A. general dimensions and aeroplane design;										
B. cockpit general design;										
C. cabin layout;										
D. engines (number, type and position); and										
E. limitations (flight envelope).										
b. ODR 2 - aeroplane systems										
i. Consideration should be given to differences in design between the difference aeroplane and the base aeroplane. This comparison should be completed using the ATA 100 index to establish system and subsystem classification and then an analysis performed for each index item with respect to main architectural, functional and/or operations elements, including										

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
controls and indications on the systems control panel.				
c. ODR 3 - Aeroplane manoeuvres (operational differences)				
i. Operational differences encompass normal, abnormal and emergency situations and include any change in aeroplane handling and flight management. It is necessary to establish a list of operational items for consideration on which an analysis of differences can be made. The operational analysis should take the following into account:				
A. flight crew compartmentdimensions (e.g. size, cut-off angle and pilot eye height);				
B. differences in controls (e.g. design, shape, location, function);				
C. additional or altered function (flight controls) in normal or abnormal conditions;				
D. procedures;				
E. handling qualities (including inertia) in normal and abnormal configurations;				
F. performance in manoeuvres;				
G. aeroplane status following failure; and				
H. management (e.g. electronic centralised aircraft monitor (ECAM), engine indicating and crew alerting system (EICAS),navaid selection, automatic checklists).				
d. Once the differences for ODR 1, ODR 2 and ODR 3 have been established, the consequences of differences evaluated in terms of flight characteristics (FLT CHAR) and change of procedures (PROC CHNG) should be entered into the appropriate columns.				
e. Difference Levels - crew training, checking and currency				
i. The final stage of an operator’s proposal to operate more than one type or variant is to establish crew training, checking and currency requirements. This may be established by applying the coded difference levels from Table 4 to the compliance method column of the ODR Tables.				
5. Differences items identified in the ODR systems as impacting flight characteristics, and/or procedures, should be analysed in the corresponding ATA section of the ODR manoeuvres. Normal,				

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abnormal and emergency situations should be addressed accordingly.				
Table 4 - Difference Levels versus training				

Difference Level	Method/minimum specification for training device
A: Represents knowledge requirement	Self-instruction through operating bulletins or differences handouts
B: Aided instruction is required to ensure crew understanding, emphasise issues, aid retention of information, or aided instruction with partial application of procedures	Aided instrucion e.g. computer-based training (CBT), classroom instruction or audio-visual presentations. Interactive CBT
C: For variants having part task differences affecting skills or abilities as well as knowledge. Training device required to ensure attainment and retention of crew skills	FSTD (flight trainning device (FTD)(A), Level 1)
D: Full task differences affecting knowledge, skills and/or abilities using FSTDs capable of performing flight manoeuvres.	FSTD (FTD(A), Level 2)
E: Full tasks differences requiring high fidelity environment to attain and maintain knowledge skills and abilities.	FSTD (full flight simulator (FFS), Level C)

a. Levels A and B require familiarisation training, levels C, D and E require differences training. For Level E, the nature and extent of the differences may be such that it is not possible to fly both types or variants with a credit in accordance with AMC1-OR.OPS.FC.235, 1.d.vii..				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
GM1-OR.OPS.FC.240Operation on more than one type or variant	1. 1 IND (duplicated): amend to establish link with OSC and to take into account changes proposed under AMC1-OR.OPS.FC.240. 2. 1 manufacturer: combine AMC2-OR.OPS.FC.240 and this GM into a single GM.	1. GM reviewed and amendments made as seen necessary. Further changes may be made in a follow-up rulemaking task when the final text and CS of the OSD are adopted. 2. AMC2 has the nature of an acceptable means of compliance. A new rulemaking task may look further into the issue also taking account of the final adopted text of the OSD. The commenter is requested to prepare associated rulemaking proposals.		
TERMINOLOGY AND PHILOSOPHY - AEROPLANES				
1. Terminology			AMC OPS 1.980	
a. The terms used in the context of the operation of more than one type or variant have the following meaning:				
i. Base aeroplane meansan aeroplane, or a group of aeroplanes, designated by an operator or manufacturer and used as a reference to compare differences with other aeroplane types/variants within an operator's fleet.				
ii. Aeroplane variant Meansan aeroplane, or a group of aeroplanes, with the same characteristics but which have differences from a base aeroplane which require additional flight crew knowledge, skills, and or abilities that affect flight safety.				
iii. Creditmeans the recognition of training, checking or recent experience on one type or variant as being valid for another type or variant because of sufficient similarities between the two types or variants.				
iv. Differences training. See AMC to FCL.710.				
v. Familiarisation training. See AMC to FCL.710.				
vi. Operator difference requirements (ODRs) meansa formal description of differences between types or variants flown by a particular operator.				
b. Training and checking difference levels				
i. Level A				
A. Training. Level A training can be adequately addressed through self-instruction by a crew member through page revisions, bulletins or differences handouts. Level A introduces a different version of a system or component				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
which the crew member has already shown the ability to use and understand. The differences result in no, or only minor, changes in procedures.				
B. Checking. A check related to differences is not required at the time of training. However, the crew member is responsible for acquiring the knowledge and may be checked during proficiency checking.				
ii. Level B				
A. Training. Level B training can be adequately addressed through aided instruction such as slide/tape presentation, computer-based instruction which may be interactive, aided by audio-visual presentationsor classroom instruction. Such training is typically used for part-task systems requiring knowledge and training with, possibly, partial application of procedures (e.g. fuel or hydraulic systems etc.).				
B. Checking. A written or oral check is required for initial and recurrent differences training.				
iii. Level C				
A. Training. Level C training should be accomplished by use of "hands-on" flight training device (FTD) Level 1 or higher.The differences affect skills, abilities as well as knowledge but do not require the use of "real time" devices. Such training covers both normal and non-normalprocedures (for example for flight management systems).				
B. Checking. An FSTD used for training level C or higher is used for a check of conversion and recurrent training. The check should utilise a "real time" flight environment such as the demonstration of the use of a flight management system. Manoeuvres not related to the specific task do not need to be tested.				
iv. Level D				
A. Training. Level D training addresses differences that affect knowledge, skills and abilities for which training will be given in a simulated flight environment involving "real time" flight manoeuvresfor which the use of anFTD Level 1 would not suffice, but for which motion and visual clues are not required. Such training				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
would typically involve anFTD Level 2.				
B. Checking. A proficiency check for each type or variant should be conducted following both initial and recurrent training. However, credit may be given for manoeuvres common to each type or variant and need not be repeated. Items trained to level D differences may be checked in FTD Level 2. Level D checks will therefore comprise at least a full proficiency check on one type or variant and a partial check at this level on the other.				
v. Level E				
A. Training. Level E provides a realistic and operationally oriented flight environment achieved only by the use of Level C or D fullflight simulators (FFSs) or the aeroplane itself. Level E training should be conducted for types and variants which are significantly different from the base aeroplane and/or for which there are significant differences in handling qualities.				
B. Checking. A proficiency check on each type or variant should be conducted in a level C or D FFS or the aeroplane itself. Either training or checking on each Level E type or variant should be conducted every six months. If training and checking are alternated, a check on one type or variant should be followed by training on the other so that a crew member receives at least one check every six months and at least one check on each type or variant every 12 months.				
2. Philosophy			IEM OPS 1.980(b)	
a. The concept of operating more than one type or variant depends upon the experience, knowledge and ability of the operator and the flight crew concerned.				
b. The first consideration is whether or not the two aeroplanetypes or variants are sufficiently similar to allow the safe operation of both.				
c. The second consideration is whether or not the types or variants are sufficiently similar for the training, checking and recent experience items completed on one type or variant to replace those required on the similar type or variant. If these aeroplanes are similar in these respects, then it is possible to have credit for training, checking and recent experience. Otherwise, all training, checking and recent experience requirements prescribed in this guidance materialshould be completed for each type or variant within				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
the relevant period without any credit.				
3. Differences between aeroplane types or variants				
a. The first stage in any operator's submission for crew multi-type or variant operations is to consider the differences between the types or variants. The principal differences are in the following three areas:				
i. Level of technology. The level of technology of each aircraft type or variant under consideration encompasses at least the following design aspects: A. cockpit layout (e.g. design philosophy chosen by a manufacturer); B. mechanical versus electronic instrumentation; C. presence or absence of flight management system (FMS); D. conventional flight controls (hydraulic, electric or manual controls) versus fly-by-wire; E. side-stick versus conventional control column; F. pitch trim systems;and G. engine type and technology level (e.g. jet/turbo-propeller/reciprocating engine, with or without automatic protection systems.				
ii. Operational differences. Consideration of operational differences involves mainly the pilot-machine interface, and the compatibility of the following: A. paper checklist versus automated display of checklists or messages (e.g. ECAM, EICAS) during all procedures; B. manual versus automatic selection of navaids; C. navigation equipment; and D. aircraft weight and performance.				
iii. Handling characteristics. Consideration of handling characteristics includes control response, crew perspective and handling techniques in all stages of operation. This encompasses flight and ground characteristics as well as performance influences (e.g. number of engines). The capabilities of the autopilot and auto-thrust systems may affect handling characteristics as well as operational procedures.				
4. Training, checking and crew management. Alternating training and proficiency checking may be permitted if the submission to operate more than one type or variant shows clearly that there are sufficient similarities in technology, operational procedures				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance

and handling characteristics.

5. An example of completed ODR tables for an operator's proposal for flight crews to operate more than one type or variant may appear as follows:

Table 1 - ODR 1 - AEROPLANE GENERAL

BASE AEROPLANE: 'X' DIFFERENCE AEROPLANE: 'Y'				COMPLIANCE METHOD		
GENERAL	DIFFERENCES	FLT CHAR	PROC CHNG	Training	Checking	Recent Experience
Flight crew compartment	Same cockpit arrangement, 2 observers seats on 'Y'	NO	NO	A	/	/
Cabin	'Y' max certificated passenger capacity: 335, 'X': 179	NO	NO	A	/	/

Table 2 - ODR 2 - SYSTEMS

BASE AEROPLANE: 'X' DIFFERENCE AEROPLANE: 'Y'				COMPLIANCE METHOD		
SYSTEMS	DIFFERENCES	FLT CHAR	PROC CHNG	Training	Checking	Recent Experience
21 Air Conditioning	- Trim air system - packs - cabin temperature	NO NO NO	YES NO YES	B	B	B
22 Auto flight	- FMGS architecture - FMGES functions - reversion	NO NO NO	NO YES YES	B C D	B C D	B B D

A: Rule							B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	modes									
23 Communications										

Table 3 - ODR 3 - MANOEUVRES

BASIC AEROPLANE: 'X' DIFFERENCE AEROPLANE: 'Y'				COMPLIANCE METHOD		
MANOEUVRES	DIFFERENCES	FLT CHAR	PROC CHNG	Training	Checking	Recent Experience
Taxi	- Pilot eye height, turn radius, - two engine taxi (1&4)	YES NO	NO NO	D A	D /	/ /
Take-off	Flight Characteristics in ground law	YES	NO	E	E	E
Rejected take-off	Reverser actuation logic	YES	NO	D	D	D
Take-off engine failure	- V_1/V_r split - Pitch attitude/lateral control	YES(P)* YES(H)*	NO NO	B E	B E	B

*P = Performance, H = Handling

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
AMC1-OR.OPS.FC.245.A Alternative training and qualification programme COMPONENTS AND IMPLEMENTATION 1. Alternative training and qualification programme (ATQP) components. An ATQP should comprise the following: a. Documentation that details the scope and requirements of the programme, including the following: i. The programme should demonstrate that the operator is able to improve the training and qualification standards of flight crew to a level that exceeds the standardsprescribed in OR.OPS.FC and SPA.LVO. ii. The operator's training needs and established operational and training objectives. iii. A description of the process for designing and gaining approval for the operator's flight crew qualification programmes. This should include quantified operational and training objectives identified by the operator's internal monitoring programmes. External sources may also be used. iv. A description of how the programme will: A. enhance safety; B. improve training and qualification standards of flight crew; C. establish attainable training objectives; D. integrate CRM in all aspects of training; E. develop a support and feedback process to form a self-correcting training system; F. institute a system of progressive evaluations of all training to enable consistent and uniform monitoring of the training undertaken by flight crew; G. enable the operator to be able to respond to new aeroplane technologies and changes in the operational environment; H. foster the use of innovative training methods and technology for flight crew instruction and the evaluation of training systems; and I. make efficient use of training resources, specifically to match the use of training media to the training needs. b. A task analysis to determine: i. the knowledge; ii. the required skills;		While transposing Appendix 1 to EU-OPS 1.978, the following changes deserve to be highlighted, which have been discussed and agreed with the review group: 1. Appendix 1 to EU-OPS 1.978 points (b)(7)&(8) on the compliance monitoring system and process for corrective actions is not transposed as it is considered being redundant with the integrated management system and in particular compliance monitoring system requirements of OR.GEN.200. This view is shared by the review group. 2. Appendix 1 to EU-OPS 1.978, the sentence of point (c)(1) allowing to establish an equivalent method other than a formal safety case is not transposed. It could not be established what this alternative might be. A similar sentence was included in ACJ to Appendix 1 to JAR-OPS 1.978(c)(1)(i),point 4. The EU-OPS Appendix is now AMC and the wording of the related ACJ seem to indicate that it would be appropriate use the alternative means of compliance process in order to make such an alternative available to everyone. 3. Appendix 1 to EU-OPS 1.978, (c)(2) is not transposed as this is redundant with the IR itself providing for an approval if compliance with the IR is demonstrated.	Appendix 1 to EU-OPS 1.978 Appendix 1 to EU-OPS 1.978, (b)(1) ACJ to Appendix 1 to JAR-OPS 1.978(b)(1) Appendix 1 to EU-OPS 1.978, (b)(2) ACJ to Appendix 1 to JAR-OPS 1.978(b)(2)	

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
iii. the associated skill-based training;and iv. the validated behavioural markers, where appropriate. For each aeroplane type/class to be included within the ATQP the operator should establish a systematic review that determines and defines the various tasks to be undertaken by the flight crew when operating that type/class. Data from other types/classes may also be used. The analysis should determine and describe the knowledge and skills required to complete the various tasks specific to the aeroplane type/class and/or type of operation. In addition, the analysis should identify the appropriate behavioural markers that should be exhibited. The task analysis should be suitably validated in accordance with 2.c below. The task analysis, in conjunction with the data gathering programme(s) permit the operator to establish a programme of targeted training together with the associated training objectives. c. Curricula.The curriculum structure and content should be determined by task analysis, and should include proficiency objectives including when and how these objectives should be met. i. The training programme should have the following structure: 1. Curriculum, specifying the following elements: 1.1 Entry requirements: A list of topics and content, describing what training level will be required before start or continuation of training. 1.2 Topics: A description of what will be trained during the lesson. 1.3 Targets/Objectives 1.3.1 Specific target or set of targets that have to be reached and fulfilled before the training course can be continued. 1.3.2 Each specified target should have an associated objective that is identifiable both by the flight crew and the trainers. 1.3.3 Each qualification event that is required by the programme should specify the training that is required to be undertaken and the required standard to be achieved. 2. Daily lesson plan. ii. Each lesson/course/training or qualification event should have the same basic structure. The topics related to the lesson should be listed and the lesson targets should be unambiguous. iii. Each lesson/course or training event whether			Appendix 1 to EU-OPS 1.978, (b)(3) ACJ to Appendix 1 to JAR-OPS 1.978(b)(3) Appendix 1 to EU-OPS 1.978(b)(4) ACJ to Appendix 1 to JAR-OPS 1.978(b)(4) Appendix 1 to EU-OPS 1.978, (b)(5)	

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
classroom, CBT or simulator should specify the required topics with the relevant targets to be achieved.			ACJ to Appendix 1 to JAR-OPS 1.978(b)(5)	
d. A specific training programme for:				
i. each aeroplane type/class within the ATQP;				
ii. instructors (class rating instructor rating/synthetic flight instructor authorisation/type rating instructor rating — CRI/SFI/TRI), and other personnel undertaking flight crew instruction; and				
iii. examiners (class rating examiner/synthetic flight examiner/type rating examiner — CRE/SFE/TRE).				
This should include a method for the standardisation of instructors and examiners.			Appendix 1 to EU-OPS 1.978, (b)(6)	
Personnel who perform training and checking of flight crew in an operator's ATQP should receive the following additional training on:			ACJ to Appendix 1 to JAR-OPS 1.978(b)(6)	
- ATQP principles and goals;				
- knowledge/skills/behaviour as learned from task analysis;				
- line oriented evaluation (LOE)/ LOFT scenarios to include triggers / markers / event sets / observable behaviour;				
- qualification standards;				
- harmonisation of assessment standards;				
- behavioural markers and the systemic assessment of CRM;				
- event sets and the corresponding desired knowledge/skills and behaviour of the flight crew;				
- the processes that the operator has implemented to validate the training and qualification standards and the instructors part in the ATQP quality control; and				
line oriented quality evaluation (LOQE).				
e. A feedback loop for the purpose of curriculum validation and refinement, and to ascertain that the programme meets its proficiency objectives.				
i. The feedback should be used as a tool to validate that the curricula are implemented as specified by the ATQP; this enables substantiation of the curriculum, and that proficiency and training objectives have been met. The feedback loop should include data from operations flight data monitoring, advanced FDM programme and LOE/LOQE programmes. In addition, the evaluation process should describe whether the				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
overall targets/objectives of training are being achieved and should prescribe any corrective action that needs to be undertaken. ii. The programme's established quality control mechanisms should at least review the following: A. procedures for approval of recurrent training; B. ATQP instructor training approvals; C. approval of event set(s) for LOE/LOFT; and D. procedures for conducting LOE and LOQE.f. A method for the assessment of flight crew during conversion and recurrent training and checking. The assessment process should include event-based assessment as part of the LOE. The assessment method should comply with OR.OPS.FC.230. i. The qualification and checking programmes should include at least the following elements: A. a specified structure; B. elements to be tested/examined; C. targets and/or standards to be attained; and D. the specified technical and procedural knowledge and skills, and behavioural markers to be exhibited. ii. An LOE event should comprise tasks and sub-tasks performed by the crew under a specified set of conditions. Each event has one or more specific training targets/objectives, which require the performance of a specific manoeuvre, the application of procedures, or the opportunity to practise cognitive, communication or other complex skills. For each event the proficiency that is required to be achieved should be established. Each event should include a range of circumstances under which the crews' performance is to be measured and evaluated. The conditions pertaining to each event should also be established and they may include the prevailing meteorological conditions (ceiling, visibility, wind, turbulence etc.); the operational environment (navigation aid inoperable etc.); and the operational contingencies (non-normal operation etc.). iii. The markers specified under the operator's ATQP should form one of the core elements in determining the required qualification standard. A typical set of markers are shown in the table below:			Appendix 1 to EU-OPS 1.978, (b)(9) ACJ to Appendix 1 to JAR-OPS 1.978(b)(9) Appendix 1 to EU-OPS 1.978, (c)(1) ACJ to Appendix 1 to JAR-OPS 1.978(c)(1)(i)	

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance

EVENT	MARKER
Awareness of Aeroplane Systems:	1. Monitors and reports changes in automation status.
	2. Applies closed loop principle in all relevant situations.
	3. Uses all channels for updates.
	4. Is aware of remaining technical resources.

iv. The topics / targets integrated into the curriculum have to be measurable and progression on any training/course is only allowed if the targets are fulfilled.

g. A data monitoring/analysis programme consisting of.

i. A flight data monitoring (FDM) programme: This programme should include systematic evaluation of operational data derived from equipment that is able to record the flight profile and relevant operational information during flights conducted by the operator's aeroplane. Data collection should reach a minimum of 60% of all relevant flights conducted by the operator before ATQP approval is granted. This proportion may be increased as determined by the competent authority.

ii. An advanced FDM when an extension to the ATQP is requested: An advanced FDM programme is determined by the level of integration with other safety initiatives implemented by the operator, such as the operator's safety management system. The programme should include both systematic evaluations of data from an FDM programme and flight crew training events for the relevant crews. Data collection should reach a minimum of 80% of all relevant flights and training conducted by the operator. This proportion may be varied as determined by thecompetent authority.

The purpose of either an FDM or advanced FDM programme is to enable the operator to:

- provide data to support the programme's implementation and justify any changes to the ATQP;
- establish operational and training objectives based upon an analysis of the operational environment; and

ACJ OPS 1.978

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
- monitor the effectiveness of flight crew training and qualification. iii. Data gathering.FDM programmes should include a system that captures flight data, and then transforms the data into an appropriate format for analysis. The programme should generate information to assist the operations safety personnel in analysing the data. The analysis should be made available to the person responsible for ATQP within the organisation.The data gathered should: A. include all fleets that are planned to be operated under the ATQP; B. include all crews trained and qualified under the ATQP; C. be established during the implementation phase of ATQP; and D. continue throughout the life of the ATQP. iv. Data Handling.The operator should establish a process, which ensures strict adherence to any data handling protocols, agreed with flight crew representative bodies, to ensure the confidentiality of individual flight crew members.The data handling protocol should define the maximum period of time that detailed FDM or advanced FDM programme data, including exceedences, should be retained. Trend data may be retained permanently. v. An operator that has a flight data monitoring programme prior to the proposed introduction of ATQP may use relevant data from other fleets not part of the proposed ATQP. 2. Implementation.An operator should develop an evaluation and implementation process including the following stages: a. Asafety casethat demonstrates equivalency of: i. the revised training and qualification standards compared to the standards of OR.OPS.FCand/or SPA.LVO prior to the introduction of ATQP; and ii. any new training methods implemented as part of ATQP. A safety case is a documented body of evidence that provides a demonstrable and valid justification that the ATQP is adequately safe for the given type of operation. The safety case should encompass each phase of implementation of the programme and be applicable over the lifetime of the programme that is to be overseen.The safety case should: - demonstrate the required level of safety;				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
- ensure the required safety is maintained throughout the lifetime of the programme; and - minimise risk during all phases of the programmes implementation and operation. The elements of a safety case include: - planning: integrated and planned with the operation (ATQP) that is to be justified; - criteria; - safety-related documentationincluding a safety checklist; - programme of implementationto include controls and validity checks; and - oversight, includingreview and audits. Criteria for the establishment of a safety case. The safety case should: - be able to demonstrate that the required or equivalent level of safety is maintained throughout all phases of the programme; - be valid to the application and the proposed operation; - be adequately safe and ensure the required regulatory safety standards or approved equivalent safety standards are achieved; - be applicable over the entire lifetime of the programme; - demonstrate completeness and credibility of the programme; - be fully documented; - ensure integrity of the operation and the maintenance of the operations and training infrastructure; - ensure robustness to system change; - address the impact of technological advance, obsolescence and change; and - address the impact of regulatory change. b. A task analysis as required by paragraph 1.b. to establish the operator's programme of targeted training and the associated training objectives. c. A period of operation whilst data is collected and analysed to validate the safety caseand task analysis. During this period the operator should continue to operate in accordance with OR.OPS.FC and/or SPA.LVO, as applicable. The length of this period should be determined by the competent authority. **GM1-OR.OPS.FC.245.A Alternative training and qualification programme**				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
TERMINOLOGY 1. Line Oriented Evaluation (LOE). LOE is an evaluation methodology used in the ATQP to evaluate trainee performance, and to validate trainee proficiency. LOEs consist of flight simulator scenarios that are developed by the operator in accordance with a methodology approved as part of the ATQP. The LOE should be realistic and include appropriate weather scenarios and in addition should fall within an acceptable range of difficulty. The LOE should include the use of validated event sets to provide the basis for event-based assessment. 2. Line Oriented Quality Evaluation (LOQE). LOQE is one of the tools used to help evaluate the overall performance of an operation. LOQEs consist of line flights that are observed by appropriately qualified operator personnel to provide feedback to validate the ATQP. The LOQE should be designed to look at those elements of the operation that are unable to be monitored by FDM or Advanced FDM programmes. 3. Skill-based training. Skill-based training requires the identification of specific knowledge and skills. The required knowledge and skills are identified within an ATQP as part of a task analysis and are used to provide targeted training. 4. Event-based Assessment. This is the assessment of flight crew to provide assurance that the required knowledge and skills have been acquired. This is achieved within an LOE. Feedback to the flight crew is an integral part of event-based assessment. **AMC1-OR.OPS.FC.245.A(a) Alternative training and qualification programme** OPERATOR EXPERIENCE The appropriate experience should be at least 2 years' continuous operation. **AMC1-OR.OPS.FC.245.A(d)&(e)(2) Alternative training and qualification programme** COMBINATION OF CHECKS 1. The line orientated evaluation (LOE) may be undertaken with other ATQP training. 2. The line check may be combined with a line oriented quality evaluation (LOQE).				
SECTION VI – CABIN CREW			x	x
	IA: create a new paragraph (this should not only apply to CAT)	The requirement to wear a uniform is transposed from EU-OPS only applicable to CAT-A. Besides, confusion between CC and	x	x

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
Chapter 1 **Common Requirements**	"AMC OR.OPS.CC.100 (b) For identification the CC should wear the operator's uniform"	other personnel is not reported as a risk on private flights.		
AMC1-OR.OPS.CC.100-CAT Number and composition of cabin crew DETERMINATION OF THE NUMBER AND COMPOSITION OF CABIN CREW 1. Factors to be taken into account when determining the minimum number of cabin crew required to operate aircraft engaged in commercial air transport operations should include: a. the number of exits; b. the type of exits and their associated slides; c. the location of exits in relation to cabin crew seats and the cabin layout; d. the location of cabin crew seats taking into account direct view requirements and cabin crew duties in an emergency evacuation including: i. opening floor level exits and initiating stair or slide deployment; ii. assisting passengers to pass through exits; and iii. directing passengers away from inoperative exits, crowd control and passenger flow management; e. actions required to be performed by cabin crew in ditching, including the deployment of slide-rafts and the launching of life-rafts; f. additional actions required to be performed by cabin crew members when responsible for a pair of exits; and g. the type and duration of the flight to be operated. 2. When scheduling cabin crew for a flight, an operator should establish procedures which take account of the experience of each cabin crew member such that the required cabin crew includes some cabin crew members who have at least three months operating experience as a cabin crew member.		This AMC was initially AMC to OR.OPS.CC and has been moved as a result of the move of the rule on minimum CC from Chapter 2 to Chapter 1. Reference to the direct view requirement has been added as it is part of the provisions relating to the evacuation requirements of the airworthiness code.		
GM1-OR.OPS.100-CAT Number and composition of cabin crew DETERMINATION OF THE NUMBER AND COMPOSITION OF CABIN CREW 1. The number of cabin crew referred to in OR.OPS.100(b)(1) may be: a. the number of cabin crew who actively participated in the aircraft cabin during the relevant emergency evacuation demonstration, or who were assumed to have taken part in the relevant analysis, carried out by the aircraft		Comments received and feedback from the Review group have shown that GM was needed to further explain the intent of the new wording proposed under OR.OPS.CC.100 (b)(1) to replace the former EU-OPS 1.990(b)(2) in order to ensure that operational rules do not mismatch the evacuation requirements defined as certification specification for a/c carrying passengers.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
manufacturer when demonstrating the maximum passenger seating capacity (MPSC) of the aircraft type at the time of initial type certification; or b. a lower number in the case of other cabin configurations within the same aircraft type for which the aircraft manufacturer, or another approved design organisation, has shown by a demonstration or an analysis that this lower number of cabin crew is sufficient to meet the evacuation requirements of the applicable airworthiness code. 2. An operator intending to determine the minimum required cabin crew for a specific aircraft cabin configuration should: a. take into account the factors specified in AMC1-OR.OPS.CC.100-CAT; and b. consult the organisation responsible for showing compliance with the evacuation requirements of the applicable airworthiness code.				
	IA (comments confirmed by indiv. members): re-phrase title "..for assignment of cabin crew to *safety* duties" (TBD: EASA should only regulate safety, no other elements)	BR, and therefore EASA, regulate only safety, reason why all proposed rules are 'safety' rules, excluding de facto other types of (non safety related) duties. Specifying 'safety'' under each segment would therefore be redundant..	OPS 1.995	x
			x	x
	IA: re-phrase "should" with *"shall"* (TBD: this should be IR material; operator has to take into account CCM's activities with other operators, otherwise all req. in this section are invalidated) MS: amend txt A."..rest requirements including those when his/her services are engaged by another operator." B."..with special regard to the fact that the required training is completed, compliance with other parts of the regulation is shown and the flight and duty time limitations and rest requirements are complied with."	Comment s partially accepted: this segment has been amended accordingly and transferred to rule as for FC and TC and clarified to be in line with the objective of the related EU-OPS rules.	OPS 1.1990(e)	Annex 6, Part-I, Para 12.5

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	MS: create a new paragraph "When in addition to the initial safety training, conversion, differences and familiarization training is provided by an independent training organization this training organization has to show that all operator specific data are available (a/c or simulator in line with the configuration of the operator where the CCM is intended to be assigned for duties)." MS: amend txt "..with all the training required in Part-CC but should *complete at least a type training and familiarization and* be trained iaw.."	AMC has been deleted as such situations are now addressed by OR.OPS.CC.120 'Initial training course' The issue of training organisations (TO) providing CC training independently from an operator is addressed under OR.ATO. and Authority requirements AR.CC. If a TO provides CC training on behalf of an operator, this is done under the responsibility of the operator. Text has been revised, inc. the distribution of rules between Part-CC and OR.OPS.CC		
AMC1 OR.OPS.CC.115 Conduct of training courses and associated checking TRAINING METHODS An operator should establish training methods that take into account the following: 1. training should include the use of mock-up facilities, audio-visual presentations, computer-based training and other types of training,as most appropriate to the training subject; and 2. a reasonable balance between the different training methods should be ensured so that the cabin crew member achieves the level of proficiency necessary for a safe performance of all related cabin crew duties and responsibilities. TRAINING DEVICES When assessing the representative training devices to be used, an operator should: 1. take into account that a representative training device may be used for the training of cabin crew as an alternative to the use of the actual aircraft or required equipment; 2. ensure that those items relevant to the training and checking intended to be given accurately represent the aircraft in the following particulars: a. layout of the cabin in relation to exits, galley areas and safety and emergency equipment stowage as relevant;	No comments	In consultation with the review group, the points on 'Training methods' and 'Training devices' have been transferred back from AR.CC into OR.OPS to realign with EU-OPS. Point on 'Checking' has been transferred from Part-CC (NPA - AMC CC.TRA.115) for consistency with the transfer of the training programmes (except Initial) from Part-CC into Part-OR to realign with EU-OPS as much as possible, as requested by comments. Editorial changes have been made for better clarity of the text.	BR Annex IV (7)(b)(i) AMC OPS 1.1025	Annex 6, Part-II, Para 3.12.4 Annex 6, Part-I, Para 12.4 ICAO Doc 7192-AN/857, Part E-1, Para 1.2.4 + Para 2.1.4

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
b. type and location of passenger and cabin crew seats; c. exits in all modes of operation, particularly in relation to method of operation, their mass and balance and operating forces and including failure of power-assist systems where fitted; and d. safety and emergency equipment of the type provided in the aircraft (such equipment may be 'training use only' items and, for oxygen and protective breathing equipment, units charged with or without oxygen may be used); and 3. assess the following factors when determining whether an exit can be considered to be a variant of another type: a. exit arming/disarming; b. direction of movement of the operating handle; c. direction of exit opening; d. power-assist mechanisms; and e. assist means such as evacuation slides and ropes.				
TRAINING PROGRAMMES When developing the training programmes for aircraft-type specific training required in OR.OPS.CC.125(b), in addition to complying with the standards included in the relevant Operational suitability data for the applicable aircraft type, an operator should also follow any further recommendations contained therein.		This new sub-paragraph has been included to ensure the link with the provisions from the NPA on operational suitability data (as for FC).		
EXAMINATION AND/OR CHECKING 1. Elements of training which require individual practical participation may be combined with practical checks.	No comments		AMC OPS 1.1025 (1)	Refer to the above box
2. Examination and/or checking required for each training course should be accomplished by the method appropriate to the type of training, including: a practical demonstration;b computer based assessment; c in-flight checks; and/or d oral or written tests.	IA (comments confirmed by indiv. members):add *"and/or"* between points; does the operator decide which point is most appropriate?	Text has been realigned with EU-OPS, but avoiding repetitions	AMC OPS 1.1025 (2)	Refer to the above box

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
GM1-OR.OPS.CC.115(a) Conduct of training courses and associated checking EQUIPMENT AND PROCEDURES For the purpose of programme content and conduct of training and checking on equipment and procedures, 1. '*Safetyequipment'* should be understood as equipment installed/carried to be used during day-to-day normal operations for the safe conduct of the flight and protection of occupants (e.g. seatbelts, infant/extension seatbelts, child restraint device, safety card, safety demonstration kit). 2. '*Emergencyequipment'* should be understood as equipment installed/carried to be used in case of abnormal and emergency situations that demand immediate action for the safe conduct of the flight and protection of occupants including life preservation (e.g. drop-out oxygen, axe, fire extinguisher, protective breathing equipment, manual release tool; slide raft). 3. '*Normalprocedures'* should be understood as all procedures established by the operator in the operations manual for day-to-day normal operations (e.g. pre-flight briefing of cabin crew, pre-flight checks, passenger briefing, securing of galleys and cabin, cabin surveillance during flight). 4. '*Emergencyprocedures'* should be understood as all procedures established by the operator in the operations manual for abnormal and emergency situations. For this purpose, *'abnormal'* refers to a situation that is not typical or usual, deviates from normal operation and may result in an emergency.		Different wording are used in EU-OPS for 'safety and/or emergency' equipment', and for 'normal and/or emergency or safety procedures' This has been reconsidered in consultation with the Review group. As a result, the terminology used has been standardised for consistency of the whole Section, as described in this new GM1-OR.OPS.CC.115(a).		
AMC1 OR.OPS.CC.115(e) Conduct of training courses and associated checking CREW RESOURCE MANAGEMENT– CRM INSTRUCTORS AND TRAINING PROGRAMMES	IA (comment confirmed by indiv. members): realign with EU-OPS, Appendix 2 & restore "note" in the table	Comment accepted: the note has been restored under point 1.4. of the CRM Training Table		Annex 6, Part-II, Para 3.12.4.2 Annex 6, Part-I, Para 12.4(f) ICAO Doc 7192-AN/857, Part E-1, Para 7.1, 7.3,7.8
1. CRM Instructor qualifications	No comments			x
a All personnel conducting training should be suitably qualified to integrate elements of CRM into all appropriate training programmes.	No comments		ACJ OPS 1.1005/1.1010/1.1015 (8.1)	x
b A training and standardisation programme for CRM instructors should be established.	No comments		ACJ OPS 1.1005/1.1010/1.1015 (8.2)	x

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
c Cabin crew CRM instructors should: i. have suitable experience of commercial air transport as a cabin crew member; ii. have received instruction on Human Factors Performance Limitations (HPL); iii. have completed an Introductory CRM course and the cabin crew CRM training courses applicable by operators; iv. have received instructions in training skills in order to conduct CRM courses; and v. be supervised by suitably qualified CRM instructors when conducting their first CRM training course.	MS: point (1.3)(a): re-consider requirement of CC CRM instructor to have previous CC operating experience MS: point (1.3)(e): re-phrase txt "..be supervised *to the satisfaction of a* suitably qualified CRM instructor.."	The text has been maintained as transposed from EU-OPS Also, pilots, engineers, or other ground staff experience and expertise are very different from the specific duties and working environment of the CC Their particular experience may not be necessarily the best to train CC on CRM. The text is maintained as in line with EU-OPS and as the proposed alternative wording may create confusion.	ACJ OPS 1.1005/1.1010/1.1015 (8.3)(a)(b)(c)(d)(e)	x
d An experienced non-cabin crew CRM instructor may continue to be a cabin crew CRM instructor, provided that the provisions of points c.ii. to v. are satisfied and that a satisfactory knowledge has been demonstrated of the nature of the operation and the relevant specific aircraft types showing a suitable knowledge of the cabin crew working environment.	No comments		ACJ OPS 1.1005/1.1010/1.1015 (8.4)	x
e Instructors integrating elements of CRM into aircraft type training, recurrent training, or senior cabin crew training should have acquired relevant knowledge of human factors and have completed appropriate CRM training.	No comments		ACJ OPS 1.1005/1.1010/1.1015 (8.5)	x
2. CRM training programmes	No comments		Appendix 2 to OPS 1.1005/1.1010/1.1015	x
a There should be an effective liaison between flight crew and cabin crew training departments. Provision should be made for flight and cabin crew instructors to observe and comment on each others training. Consideration should be given to creating flight deck scenarios on video for playback to all cabin crew during recurrent training, and to providing the opportunity for cabin crew, particularly senior cabin crew, to participate in flight crew line oriented flying training (LOFT) exercises.	IND: re-phrase txt "..between flight crew and cabin*/technical* crew training departments. Provision should be made for *training managers* to observe and comment on *CRM Instructors training.* Consideration should be.." (TBD: it is the managers task to oversee the instructors activities and unify their style & method)	The text is transposed from TGL 44 and does not stop training managers to observe CRM instructors if considered necessary.	ACJ OPS 1.1005/1.1010/1.1015 (9.1)	x
b The programme of each CRM training course, their contents and the level to be achieved, should comply with the relevant elements specified in CRM training Table as applicable to the appropriate training course to be completed.	No comments		Appendix 2 to OPS 1.1005/1.1010/1.1015	x
c.. CRM training for senior cabin crew i. CRM training for senior cabin crew members should be the application of knowledge gained in previous CRM		Point c. is the former point 3 of GM OR.OPS.115.CC on CRM which has been transferred for consistency to also include in		

<table>
<tr><th>A: Rule</th><th>B: Summary of comments</th><th>C: Response</th><th>D: Source ref. and compliance</th><th>E: ICAO ref. and compliance</th></tr>
<tr><td colspan="6">training and operational experience relevant to the specific duties and responsibilities of a senior cabin crew member.
ii. The senior cabin crew member should demonstrate ability to manage the operation and take appropriate leadership/management decisions.</td><td>the programmes detailed in this AMC the aspects that relate to SCC.</td><td></td><td></td></tr>
<tr><td colspan="6"><table>
<tr><td>CRM TRAINING- TABLE
Training Elements</td><td>Operator ‘s CRM Training</td><td>Operator’ s Aircraft Type Training CRM</td><td>Operator’s Annual Recurrent CRM Training</td><td>Senior Cabin Crew Course</td></tr>
<tr><td>Training Elements</td><td></td><td></td><td></td><td></td></tr>
<tr><td colspan="5">General Principles</td></tr>
<tr><td>Human factors in aviation
General instructions on CRM principles and objectives
Human performance and limitations</td><td>Not required</td><td>Not required</td><td>Not required</td><td>Overview</td></tr>
<tr><td colspan="5">Relevant to the individual cabin crew member</td></tr>
<tr><td>Personality awareness, human error and reliability, attitudes and behaviours, self-assessment
Stress and stress management
Fatigue and vigilance
Assertiveness, situation awareness, information acquisition and processing</td><td>Not required</td><td>Not required</td><td>Overview
(3 year cycle)</td><td>Not required</td></tr>
<tr><td colspan="5">Relevant to the entire aircraft crew</td></tr>
<tr><td>Error prevention and detection
Shared situation awareness, information acquisition and processing
Workload management
Effective communication and coordination between all crew members including the flight crew as well as inexperienced cabin crew members, cultural</td><td>In-depth</td><td>Relevant
to the type(s)</td><td>Overview
(3 year cycle)</td><td>Rein-forcement
(relevant to the senior cabin crew duties)</td></tr>
</table></td><td>IA (comment confirmed by indiv. members): realign with EU-OPS, Appendix 2 & restore “Note” in the table “In column (d), if relevant aeroplane type specific case based studies are not available, then case based studies relevant to the scale and scope of the operation shall be considered.”</td><td>Comment accepted: see new para 1.4 in box below</td><td>Appendix 2 to OPS 1.1005/1.1010/1.1015</td><td>ICAO Doc 7192-AN/857, Part E-1, Table 1-1</td></tr>
</table>

A: Rule					B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
differences								
Leadership, cooperation, synergy, decision-making, delegation								
Individual and team responsibilities, decision making, and actions								
Identification and management of the passenger human factors: crowd control, passenger stress, conflict management, medical factors								
Specifics related to aircraft types (narrow/wide bodies, single/multi deck), flight crew	Not required	In-depth						
Relevant to the operator and the organisation								
Company safety culture, SOPs, organisational factors, factors linked to the type of operations Effective communication and coordination with other operational personnel and ground services Participation in cabin safety incident and accident reporting	In-depth	Relevant to the type(s)	Overview (3 year cycle)	Rein-forcement (relevant to the Senior cabin crew duties)				
Case- studies	Required		Required					
GM1 OR.OPS.CC.115(e)Conduct of training courses and associated checking CREW RESOURCE MANAGEMENT (CRM)							ACJ OPS 1.1005/1.1010/1.1015	Annex 6, Part-I, Para 12.4(f); Part-II, Para 3.12.4.2
1 CRM - General					MS: re-phrase text *"1 General"* (TBD: use of the same definition as for FC & avoiding misunderstanding with Introductory CRM contained in Part-CC)	Text has been amended accordingly	ACJ OPS 1.1005/1.1010/ 1.1015(1)	ICAO Doc 7192-AN/857, Part E-1, Para 7.8(a)(1)
a Crew Resource Management should be the effective utilisation of all available resources (e.g. crew members, aircraft systems, and supporting facilities) to achieve safe and efficient operation.							ACJ OPS 1.1005/1.1010/1.1015 (1.1)	Doc 9683 "Human Factors Training Manual" reference provided in Annex 6, Part-I, Para 12.4(f) –

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
				I'm not able to find 9683 ICAO Doc 7192-AN/857, Part E-1, Chapter 7
b The objective of CRM should be to enhance the communication and management skills of the crew member, as well as the importance of effective coordination and two-way communication between all crew members.			(1.2)	Refer to the above box (1.1)
c. Operator's CRM training should reflect the culture of the operator, the scale and scope of the operation together with associated operating procedures and areas of operation which produce particular difficulties. d. Accordingly, where required during CRM training, if relevant aircraft type-specific case studies are not available, then case studies relevant to the scale and scope of the operation should be considered.		Text has bee included to realign with EU-OPS as requested by above comment entered under the CRM training table	(1.3)	Refer to the above box (1.1)
2 General principles for CRM training for cabin crew			(2)	Refer to the above box (1.1)
a Cabin crew CRM training should focus on issues related to cabin crew duties, and therefore, should be different from flight crew CRM training. However, the co-ordination of the tasks and functions of flight crew and cabin crew should be addressed.			(2.1)	Refer to the above box (1.1)
b Whenever it is practicable to do so, combined training should be provided to flight crew and cabin crew, particularly senior cabin crew members, including feedback.			(2.2)	Refer to the above box (1.1)
c Where appropriate, CRM principles should be integrated into relevant parts of cabin crew training.			(2.3)	Refer to the above box (1.1)
d CRM training should include group discussions and the review of accidents and incidents (case- studies).			(2.4)	Refer to the above box (1.1)
e Whenever it is practicable to do so, relevant parts of CRM training should form part of the training conducted in cabin mock-ups or aircraft.			(2.5)	Refer to the above box (1.1)
f CRM training courses should be conducted in a structured and realistic manner.			(2.6)	Refer to the above box (1.1)
g There should be no assessment of CRM skills. Feedback from instructors or members of the group on individual performance should be given during training to the individuals concerned.			(2.9)	Refer to the above box (1.1)

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
		Point 3 has been transferred as point c. of the AMC above. Please refer to the related response.	(7)	Refer to the above box (1.1)
			(7.1)	Refer to the above box (1.1)
			(7.2)	Refer to the above box (1.1)
AMC1-OR.OPS.CC.125(b)Aircraft type-specific training andOperatorconversiontraining TRAINING PROGRAMME– AIRCRAFT TYPE-SPECIFIC TRAINING	IND: amend txt "Operator's a/c type *conversion* training and differences training"	Text amended accordingly See also issue under related rule Differences training is now in a separate rule OR.OPS.CC.130 for clarity purposes as requested by comments and in consultation with the review group	x	ICAO Annex 6 - Part I, Para 12.4 ICAO Doc 7192-AN/857, Part E-1, Para 1.2.3.5 ICAO Doc 7192-AN/857, Part E-1, Para 1.2.3.1
The following aircraft type-specific training elements should be covered as relevant to the aircraft type:		Editorial changes for consistency with IR	x	x
1. Aircraft general description a type of aircraft; principal dimensions; narrow or wide bodied; single or double deck; b typical espeed/altitude/range; c typical passenger seating capacity (certified capacity); d typical flight crew number and typical minimum number of required cabin crew; e cabin doors location and sill height; f cargo and un-pressurised areas as relevant; g aircraft systems – general: auxiliary power unit (APU)/aircraft electrical power/air conditioning and pressurisation; h flight crew compartment presentation- general: pilot seats and their mechanism; cockpit exits; storage; i typical cabin crew stations; j passenger seats-general presentation; k flight crew compartment security-general: door components and use; l access to avionics bay where relevant; m lavatories- general: doors; systems; emergency equipment, calls and signs; n galleys- general: appliances; water and waste; control panels; calls and signs; and	MS: standardize terminology "*aircraft*-aeroplane" IA (comment confirmed by indiv. members): delete the entire part MS: + IND + IA (comment confirmed by indiv. members): delete point 1. 2 or retain only "speed/altitude/range" IA (comment confirmed by indiv. members): delete point 1.4 MS + IA (comment confirmed by indiv. members): delete point 1.6 MS: + IA (comment confirmed by indiv. members): delete point 1.7 or retain only "Aeroplane systems – general" MS + IND: standardize terminology " *flight deck* – cockpit" under points 1. 8 and 1.11	Editorial for consistency with heading in the rule Text amended accordingly Text maintained as general knowledge of the aircraft is required. Accepted – text amended accordingly Text simplified Partially accepted – text revised Not accepted, items relevant to CC, knowledge relevant to their duties and operating environment Accepted – text standardised Partially accepted, text amended	x	ICAO Doc 7192-AN/857, Part E-1, Para 3.1 + Para 3.4

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
o least risk bomb location.	IA (comment confirmed by indiv. members): delete point 1.12	The comment does not provide justification and this point should be covered when relevant		
2. Safety and emergencyequipment and systems installed Each cabin crew member should receive realistic training on, and demonstration of, the location and use of all aircraft type-specific safety and emergency equipment including the following: a slides, and where non-self-supporting slides are carried, the use of any associated ropes; b liferafts and slideraft, including the equipment attached to, and/or carried in, the raft; c drop-out oxygen system; d communication equipment; and e all other cabin equipment and systems installed relevant to cabin crew duties.	MS + IND:delete 2.1 & 2.2 & 2.3 or move to AMC OR.OPS.CC.125	Accepted : the programme has been transferred to OR.OPS.CC as requested by comments	Appendix 1 to OPS 1.1010 (h)(1)(2)(4)(9)(13)	ICAO Doc 7192-AN/857, Part E-1, Para 5.3 + Para 5.9
		Elements have been deleted as they are already covered in the operator conversion training programmes below	Appendix 1 to OPS 1.1010(i) Appendix 1 to OPS 1.1010(e)(2)(ii)(iii)(iv)	ICAO Doc 7192-AN/857, Part E-1, Para 5.2 + 5.7 +4.3.2 (11)(13)(14)(15) + 4.2 + 4.3
3. Operation of doors and exits 4This training should be conducted in a representative training device or in the actual aircraft and should include failure of power assist systems where fitted and the action and forces required to operate and deploy evacuation slides.The demonstration of the operation of the other doors and exits should include the security door of the flight crew compartment where installed.	MS: 4.1 – amend txt "..evacuation slides and actual opening of each type or variant of normal and emergency exit in the normal and emergency modes"	N/A - This is already covered in the rule, AMC gives more detailed information. 'Windows' have been deleted as already covered in the rule and security doors have been included as agreed in consultation with the review group	Appendix 1 to OPS 1.1010(c)(1)(2)	ICAO Doc 7192-AN/857, Part E-1, Para 2.1.2.9 + Para 5.1.3 + Para 5.3.2(7)
5. Fire and smoke protection equipment Each cabin crew member should be trained in using fire and/or smoke protection equipment where fitted.	MS + IA (comment confirmed by indiv. members):+ IND delete, or clarify "**in** a smoke filled environment" MS: clarify txt – refer to C713/pg.189	The text has been amended to be type-specific This element is covered in the operator conversion training programme below	Appendix 1 to OPS 1.1010(b)(1)(i)(ii) & (e)(2)	Annex 6, Part-I, Para 12.4(b) ICAO Doc 7192-AN/857, Part E-1, Para 1.1.2(b) + 2.1.2.9 + 5.1.3 + 5.4 + 5.5 + 5.3.2(2)(3)(4)
6. Evacuation slide training: a. each cabin crew member should descend an evacuation slide from a height representative of the aircraft main deck sill height; b. the slide should be fitted to a representative training device		The text has been amended to cover the type-specific elements and for consistency with the operator conversion training	Appendix 1 to OPS.1010(d)(1)(2)(3) & (e)(1)	ICAO Doc 7192-AN/857, Part E-1, Para 5.8 + Para 5.9 + Para 5.1.3

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
or to the actual aircraft; and c. a further descent should be made when the cabin crew member qualifies on an aircraft type in which the main deck exit sill height differs significantly from any aircraft type previously operated.		programmes below		+ Para 2.1.2.9
7. Operation of equipment related to pilot incapacitation The training should cover any type-specific elements or conditions relevant to cabin crew actions to be taken in case of pilot incapacitationEach cabin crew member should be trained to operate all equipment that must be used in case of pilot incapacitation.		The text has been amended to cover the type-specific elements and for consistency with the operator conversion training programmes below.	Appendix 1 to OPS 1.1010(g)	
		This element is covered in the operator conversion training programme below.	Appendix 1 to OPS 1.1010(k) + Appendix 2 to OPS 1.1005/1.1010/1.1015, Table 1	Annex 6, Part-I, Para 12.4(f) Annex 6, Part-II, Para 3.12.4.2 ICAO Doc 7192-AN/857, Part E-1, Chapter 7
AMC1-OR.OPS.CC.125(c) Aircraft type-specific training and Operator conversion training TRAINING PROGRAMME – OPERATOR CONVERSION TRAINING	IND: amend txt "Operator's a/c type *conversion* training and differences training"	The text has been amended accordingly See also issue under the rule	x	ICAO Annex 6 - Part I, Para 12.4 ICAO Doc 7192-AN/857, Part E-1, Para 1.2.3.5 ICAO Doc 7192-AN/857, Part E-1, Para 1.2.3.1
The following operator-specific training elements should be covered as relevant to the aircraft type: 1 Description of the cabin configuration The description should cover all elements specific to the operator's cabin configuration and any differences with those previously covered in accordance with AMC1-OR.OPS.CC.125(b), including: a cabin crew seats (including direct view) location/restraint systems/control panels; b passenger seats-presentation; c flight crew compartment security door-components/use; d designated stowage areas; e lavatories location/lavatory doors and lavatory systems/emergency equipment in the lavatory/calls and signs; f galley-location/appliances/water and waste system, including shut off, sinks, drains/stowage/control	IA (comment confirmed by indiv. members): delete; to be left to operator specific training IA: point (1.3): re-phrase txt "practical operation of flight deck security door in both normal and emergency modes"	This is operator-specific training This is covered under a/c type-specific training - *Operation of doors and exits*above. Editorial changes for clarity	Appendix 1 to OPS 1.1010(a)(2)	

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
panels/calls; and where applicable: g crew rest areas- location/systems/controls/safety equipment; h cabindividers/curtains/partitions; i lift location/use/controls; j stowage for the containment of waste; and k passenger hand rail system or alternative means.				
2 Safety and emergency equipment Each cabin crew member should receive realistic training on and demonstration of the location and use of all safety and emergency equipment carried including: a lifejackets, infant lifejackets and flotation cots; b first-aid and drop-out oxygen, including supplementary systems; c fire extinguishers and protective breathing equipment (PBE); d fire axe or crow-bar; e emergency lights including torches; f communication equipment, including megaphones; g sliderafts, liferafts, survival packs and their contents; i. slides, and where non-supporting slides are carried the use of any associated ropes." ii. slideraft, including the equipment attached to and anchored on, or carried in the raft." h pyrotechnics (actual or representative devices); i first-aid kits, emergency medical kits and their contents; and j other portable safety equipment where applicable.	MS + IND: point (2.2): include in txt "first aid and drop out oxygen, including supplementary systems" MS + IND: point (2.7): include "*slide-rafts, life-rafts*, survival packs and their contents" A."Slides, and where non-supporting slides are carried the use of any associated ropes." B."Slide-raft, including the equipment attached to and anchored on, or carried in the raft."	The text has been amended as requested The text has been amended as requested	Appendix 1 to OPS 1.1010(h)(3)(5)(6)(7) (8)(9)(10)(11)(12)(13)	Doc 7192-AN/857, Part E-1, Para 5.3.2: (8) (1) (3) & (4) (5) (6) & Para 5.6 (10) X 5.9.2(8) (9) x
		Point has been deleted as it is already covered in point 4 below.	Appendix 1 to OPS 1.1010(i)	Doc 7192-AN/857, Part E-1, Chapters 4 & 5
3 Normal and emergency procedures Each cabin crew member should be trained to the operator's normal and emergency procedures as applicable with particular emphasis on the following: a passenger briefing, safety demonstration and cabin surveillance; b severe air turbulence; c slow/non pressurisation and sudden decompression,	MS + IA (comment confirmed by indiv. members): correct numbering "*4* iso 3" IA (comment confirmed by indiv. members): point (3.1): delete IA: point (3.3): include "sudden decompression, *non-pressurisation,* including donning.."	The numbering has been checked and updated. Point 3.1. lists normal procedures that must be covered 'Slow/non pressurisation' has been included	Appendix 1 to OPS 1.1010(i) & (e)(ii)(iii)(iv)	ICAO Doc 7192-AN/857, Part E-1, Chapters 4 & 5 4.2.2(7)(8)(9)(12) 4.3.2(11)(13)(14)(15) 4.3.2(9)(10) & Para 5.7 & Para 5.3.2(1)

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
including the donning of portable oxygen equipment by each cabin crew member; and d other in-flight emergencies.		in consultation with the Review group.		Chapter 4 & 5
4 Passenger handling and crowd control Training should be provided on the practical aspects of passenger preparation and handling, as well as crowd control, in various emergency situations as applicable to the operator's aircraft cabin configuration, and should cover the following: a communications between flight crew and cabin crew and use of all communications equipment, including the difficulties of coordination in a smoke-filled environment;b verbal commands; c the physical contact that may be needed to encourage people out of an exit and onto a slide; d the redirection of passengers away from unusable exits; e the marshalling of passengers away from the aircraft; f the evacuation of special categories of passengers with emphasis on passengers with disabilities or reduced mobility; and g authority and leadership.	IA (comment confirmed by indiv. members): delete "passenger handling" (not included in EU-OPS)	The title is generic and introduces the content of the following point in line with EU-OPS.	Appendix 1 to OPS 1.1010(f) + IEM to Appendix 1 to JAR- OPS 1.1005/1.1010/1.1015/1.1020	ICAO Doc 7192-AN/857, Part E-1, Para 5.2.2(4) & 5.8.2(5) & 5.4.2(3) + Para 5.8.2 + Para 1.2.1.5 + Para 5.2.2(7)
5 Fire and smoke training a Each cabin crew member should receive realistic and practical training in the use of all fire-fighting equipment including protective clothing representative of that carried in the aircraft; b Each cabin crew member should: i. be trained in extinguishing an actual fire characteristic of an aircraft interior fire except that, in the case of halon extinguishers, an alternative extinguishing agent may be used; ii. be trained in the donning and use of protective breathing equipment in an enclosed simulated smoke-filled environmentwith particular emphasis on identifying the actual source of fire and smoke; and iii. individually extinguish an actual fire andexercise the donning and use of PBE in an enclosedsimulated smoke-filled environment."	MS+ IND: point (5.2): re-phrase txt (current txt allows various interpretations & could result in training being theoretical with no practical conduct **A.**"Each CCM *actually* extinguishing a fire characteristic of an aircraft interior fire, except that, in the case of Halon extinguishers, an alternative extinguishing agent may be used *and donning and use* of protective breathing equipment in an enclosed smoke filled environment." **B.**"Each CCM is given practical and realistic training in the use of all fire fighting equipment including protective clothing representative of that carried. This training must include: extinguishing a fire of an a/c interior; the actual donning and use of protective breathing equipment in an enclosed, simulated smoke filled environment." **C.**"Each CCM should be trained in: (i) extinguishing an actual fire characteristic of an a/c interior fire, except that in the case of halon extinguishers an alternative extinguishing agent may be	The text has been amended as requested and realigned with EU-OPS.	Appendix 1 to OPS 1.1010(b)(1)(i)(ii)	Annex 6, Part-I, Para 12.4(a)(b) ICAO Doc 7192-AN/857, Part E-1: + Para 5.3.2(3) + Para 5.3.2(4) + Para 5.4 + Para 5.5

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	used. *This training should include the extinguishing of an actual fire by each CCM."* (ii) the donning and use of protective breathing equipment in an enclosed simulated smoke-filled environment. *This training should include the donning of PBE by each CCM in a smoke-filled environment."* conduct)			
6 Evacuation procedures Training should include all operator's procedures applicable to planned or unplanned evacuations on land and water including where relevant the additional actions required from cabin crew members responsible for a pair of exits andthe recognition of when exits are unusable or when evacuation equipment is unserviceable.		Addition has been transferred from point 6 of the aircraft type-specific training above	Appendix 1 to OPS 1.1010(e)	Annex 6, Part-I, Para 12.4(a)(b) ICAO Doc 7192-AN/857, Part E-1, Para 5.8
7 Pilot incapacitation procedures Unless the minimum flight crew is more than two, each cabin crew member should be trained in the procedure for pilot incapacitation.Training in the use of flight crew checklists, where required by the operator's standard operating procedures (SOP's), should be conducted by a practical demonstration.		Editorial changes for consistency with the rule Elements have been deleted as they are already covered in the aircraft type-specific training above	Appendix 1 to OPS 1.1010(g)	x
8 Crew resource management (CRM)	MS + IA (comment confirmed by indiv. members): correct numbering in subparagraphs "*8*… iso 9"	The numbering has been updated as necessary.	x	Annex 6, Part-I, Para 12.4(f) + ICAO Doc 7192-AN/857, Part E-1, Chapter 7
a Each cabin crew member should complete the operator's CRM training covering the applicable training elements specified in AMC1-OR.OPS.CC.115(e)CRM Training Table.	As above		Appendix 1 to OPS 1.1010(k)(1)	Refer to the above box (8 CRM)
b When a cabin crew member undertakes a type training course on another aircraft type, the applicable training elements specified in CRM Training Table should be covered.	As above		Appendix 1 to OPS 1.1010(k)(2)	Refer to the above box (8 CRM)
c The operator's CRM training and aircraft type CRM training should be conducted by at least one cabin crew CRM instructor.	As above		Appendix 1 to OPS 1.1010(k)(3)	x

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
AMC1-OR.OPS.CC.125/OROPS.CC.130 AIRCRAFT TYPE-SPECIFIC TRAINING ANDOPERATORCONVERSION TRAINING/ DIFFERENCES TRAININGTRAINING PROGRAMMES The programmes of aircraft type-specific training,operator conversion training and differences trainingshould be determined taking into account the cabin crew member's previous training as documented in the training records of the cabin crew member concerned.	No comments	Status is realigned with EU-OPS. Editorial changes have been made to ensure consistency with other paragraphs.	X OPS 1.1010 (b)	ICAO Annex 6 - Part I, Para 12.4 + ICAO Doc 7192-AN/857, Part E-1, Para 1.2.3.5 + 1.2.3.1 x
AMC1-OR.OPS.CC.135 Familiarisation	MS : standardise terminology "sector"	Flights and sectors are not used with the same meaning in all parts. Check has been made to make the use as consistent as possible. A 'flight' may include two or more sectors (see GM1-OR.OPS.CC.250 on safety briefing of cabin crew transposed from Section 2 of JAR-OPS1)	OPS 1.1012	ICAO Doc 7192-AN/857, Part E-1, Para 1.2.3.3
FAMILIARISATION FLIGHTS AND AIRCRAFT VISITS	IA (comment confirmed by indiv. members): remove contradictions with OSC (no specified examples) MS: change "familiarisation flying" to "*augmented crew"* MS: create requirements for CCM that is already experienced on an a/c type – when starting operation on the same type with different operator (who has different safety eq. location etc.)	Comment was not understood in the absence of examples and/or justification 'Augmented crew' has a different meaning related to the extension of flight duty period (FDP) and should not be used in this case. This case is covered under 'Differences training' OR.OPS.CC.130	AMC OPS 1.1012	Refer to the above box (AMC OR.OPS.CC.130)
1 For non-commercial operations, the cabin crew member should be assigned to operate at least two familiarisation flights under supervision on the aircraft type to be operated, or comply with one of the following provisions.	No comments	Editorial change for clarity purposes.		
2 For commercial air transport operations, familiarisation of cabin crew to a new aircraft type or variant should be completed in accordance with the following as relevant:	IND: specify number of sectors for CAT (clarify long-haul operators)	The text is aligned with EU-OPS and Section 2 of JAR-OPS. Point a. below indicates that it should be at least two flights (that could be one sector if FDP on long-haul or two or more sectors if it is an FDP on short/medium haul) for new entrant. Point b. indicates that it should be at least one flight (as described just above) for CC assigned to another type. To further specify a number of sectors would require to be considered in a rulemaking task.	x	
a New entrant cabin crew Each new entrant cabin crew member having no previous comparable operating experience should participate:	IND: clarify time frame of "previous flying experience" and whether experienced CCM does not need to do familiarisation flights	This should be determined by the operator depending on the training records and operating experience of each CCM concerned	AMC OPS 1.1012(1)(1.1)(a)(b)	Refer to the above box (AMC OR.OPS.CC.130)

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
i. Pin a visit as described in point 4. to the aircraft to be operated; and ii. in familiarisation flights as described in point 3.				
b Cabin crew operating on a subsequent aircraft type A cabin crew member assigned to operate on a subsequent aircrafttype with the same operator should participateeither: i. in a familiarisation flight as described in point 3; or ii. in a visit as described in point 4 to the aircraft type to be operated.			AMC OPS 1.1012 (2)(2.1)(a)(b)	Refer to the above box (AMC OR.OPS.CC.130)
3. Familiarisation flights			AMC OPS 1.1012(3)	See above box
a During familiarisation flights, the cabin crew member should be additional to the minimum number of cabin crew required by OR.OPS.CC.100, and OR.OPS.CC.200if applicable.			AMC OPS 1.1012(3.1)	Refer to the above box (AMC OR.OPS.CC.130)
b Familiarisation flights should be: i. conducted under the supervision of the senior cabin crew member; ii. structured and involve the cabin crew member in the participation of safety related pre-flight, in-flight and post-flight duties; iii. operated with the cabin crew member wearing the operator's cabin crew uniform; and iv. recorded in the training record of each cabin crew member.			AMC OPS 1.1012 (3.2) (3.3) (3.4) (3.5)	Refer to the above box (AMC OR.OPS.CC.130)
4. Aircraft visits			AMC OPS 1.1012(4)	
a The purpose of aircraft visits is to familiarise the cabin crew member with the aircraft environment and its equipment. Accordingly, aircraft visits should be conducted by suitably qualified persons. The aircraft visit should provide an overview of the aircraft's exterior, interior and systems including the following: i. interphone and public address systems; ii. evacuation alarm systems; iii. emergency lighting; iv. smoke detection systems; v. safety/emergency equipment; vi. flight crew compartment; vii. cabin crew stations;	IND: suitably qualified person should include Senior CCM (whose qualification, knowledge & expertise is acknowledged in 3.2) – see attached proposal IA: senior CCM should not be considered as a suitably qualified person; OR.OPS.260.CC does not include training on how to conduct familiarisation IA: point (f): include "practical operation of the flight deck security door in both normal and emergency modes"	Point 3.2 states only "be conducted under the supervision of the SCCM"; as responsible to the commander for normal and emergency procedures. This is very different from the qualifications required to conduct training as instructor. This element has been included under aircraft type-specific training after consideration in consultation with the Review Group	Appendix 1.1012(4.1) (a)(b)(c)(d)(e)(f)(g)(h) (i)(j)(k)(l)(m)	

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
viii. lavatories; ix. galleys, galley security and water shut-off; x. cargo areas if accessible from the passenger compartment during flight; xi. circuit breaker panels located in the passenger compartment; xii. crew rest areas; and xiii. exit location and its environment.				
b An aircraft familiarisation visit may be combined with aircraft type-specific training or operatorconversion training required by OR.OPS.CC.125.		Editorial changes have been made for consistency with above changes	Appendix 1 to OPS 1.1012(4.2)	x
AMC1-OR.OPS.CC.140Recurrent training			OPS 1.1015 IEM OPS 1.1015 OPS 1.1025 AMC OPS 1.1025	ICAO Doc 7192-AN/857, Part E-1, Para 1.2.3.4 + Chapter 9 + Para 1.2.4 + Para 2.1.4
TRAINING PROGRAMMES	MS + IND: training is not divided into annual and triennial requirement – not in compliance with OR.OPS.135.CC; amend txt "*1.4 In addition to this training CCM shall also be trained on the following within intervals not exceeding 3 years:..*" IA (comment confirmed by indiv. members): create a new paragraph "1.4" (use and content outlined in ICAO Annex 6, Chapter 12) "Training on aero-medical aspects and first aid includes the content and use of the FAK" MS: create a new paragraph (as specified in OR.OPS.135.CC (c)(1)(ii)) "1.6 Pilot incapacitation"	Text has been amended as requested and realigned with EU-OPS. 'Validity' has been transferred to the rule. The text has been clarified and now mentions the 'related equipment' iaw EU-OPS. This element is covered under point 1.2 (new 1.b.) in the box just below.	x	x
1 Elements of annualrecurrent training programme			x	x
a. Training on the location and handling of safety and emergency equipment should include all relevant oxygen systems, and any equipment such as defibrillators if carried on-board.		Editorial changes for clarity and mention of defibrillators as they are increasingly carried. The element deleted is already covered in the rule	Appendix 1 to OPS 1.1015(b)(4)	Annex 6, Part-I, Para 12.4(a)(b)(c) ICAO Doc 7192-AN/857, Part E-1, Para 9.3

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
b. Training on emergency procedures should cover pilot incapacitation procedures and crowd control techniques.			Appendix 1 to OPS 1.1015(b)(1)(2)	Annex 6, Part-I, Para 12.4(d) ICAO Doc 7192-AN/857, Part E-1, Para 9.3(4)
c Crew resource management training should satisfy the following: i. the applicable training elements in AMC1-OR.OPS.CC.115(e)CRM Training Table should be covered within a three year cycle to the level required by Column 'Operator's Annual Recurrent CRM Training'. ii. the definition and implementation of the programme should be managed by a cabin crew CRM instructor. iii. when CRM training is provided by stand-alone modules, it should be conducted by at least one cabin crew CRM instructor.			Appendix 1 to OPS 1.1015(b)(10)(i)(ii)(iii)	Annex 6, Part-I, Para 12.4(f) ICAO Doc 7192-AN/857, Part E-1, Para 9.3(13)
2. Additional triennialelementsof training a Training on operation of normal and emergency exits should be conducted in an aircraft or representative training device; and cover failure of power assist systems where fitted. This is to include the action and forces required to operate and deploy evacuation slides, and additional training when relevant for cabin crew members responsible for a pair of exits.	IND: clarify whether door opening is an annual or triennial requirement; are annual 'touch-drills' acceptable? If yes, 'forces required ..' cannot be simulated in touch drills.	The text has been clarified in line with EU-OPS. Touch-drills cannot simulate 'forces required' but this is what is currently required by EU-OPS Requiring actual operation and opening more frequently, in place of 'touch-drills' would require a rulemaking task subject to RIA	Appendix 1 to OPS 1.1015(c)(1)	ICAO Doc 7192-AN/857, Part E-1: + Para 2.1.2.7 + Para 2.1.2.8 + Para 2.1.2.9
b. Training in the use of all fire-fighting equipment, including protective clothing, representative of that carried in the aircraft should include individual practice by each cabin crew member to extinguish a fire characteristic of an aircraft interior fire except that, in the case of halon extinguishers, an alternative extinguishing agent may be used. Training should place particular emphasis on identifying the actual source of fire or smoke .	IND: clarify the value of increasing the frequency of fire training from a 3-year cycle to an annual requirement	This was not intended: the text has been clarified including to reflect what is required during operator conversion training	Appendix 1 to OPS 1.1015(c)(3) Appendix 1 to OPS 1.1015(c)(3)(i)	x Annex 6, Part-I, Para 12.4(a)(b) + ICAO Doc 7192-AN/857, Part E-1, Para9.3.(3)
	Refer to the above box (1.5)	This element has been deleted as covered in the rule iaw EU-OPS.	Appendix 1 to OPS 1.1015(c)(3)(ii)	Refer to the above box (a.)
	IND: include in rule material rather than AMC or realign with EU-OPS	This paragraph has been transferred to the rule to realign with EU-OPS as much as possible. Please refer to OR.OPS.CC.140.	OPS 1.1015(c)	Annex 6, Part-I, Para 12.4 ICAO Doc 7192-AN/857, Part E-1, Para 1.1.2; 1.2.3.4 + Para 9.1.2

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	Refer to the above box (2)	Please refer to response in box below	Refer to the above box(2)	Refer to the above box (2)
	Refer to the above box (2)	Text has been moved to the rule and realigned with EU-OPS 1.1015 (c) with editorial changes for clarity purposes Please refer to OR.OPS.CC.140.	Refer to the above box(2)	x
AMC1-OR.OPS.CC.145Refresher training	MS: move AMC requirement to Part OR	This is Part-OR.	Appendix 1 to OPS 1.1020	
TRAINING PROGRAMME			x	ICAO Doc 7192-AN/857, Part E-1, Para 1.1.4: Para 2.1.4
1 Training on procedures should include pilot incapacitation and crowd control as applicable to the aircraft type; and		Editorial change	Appendix 1 to OPS 1.1020(1)(2)	
2 Operation of doors and exits by each cabin crew member should include failure of power assist systems where fitted as well as the action and forces required to operate and deploy evacuation slides.	IND: explain requirement to operate doors if recurrent is still valid	Refresher is required to compensate absence from flying duties. It may however be replaced by Recurrent training on the type if still within the validity period, as under EU-OPS. Please refer to revised OR.OPS.CC.145(a)	Appendix 1 to OPS 1.1020(3)	
	See comments in the above box (2)	This element has been moved to the rule (OR.OPS.CC.145(c)(4), as in EU-OPS	Appendix 1 to OPS 1.1020(4)	

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
GM1-OR.OPS.CC.145Refresher training	IA (comment confirmed by indiv. members): delete GM; requirement already stated in OR	This is guidance transposed from (JAR) AMC OPS 1.1020.	x	ICAO Doc 7192-AN/857, Part E-1, Para 1.1.4 + Para 2.1.4
FREQUENCY OF REFRESHER TRAINING For aircraft with complex equipment or procedures, the operator should consider the need for refresher training to be completed by cabin crew members who have been absent of flying duties for less than six months.	IND: withdraw GM due to its vagueness; it can only lead to difficulties to operators A.strange timeframe "less than 6 months" B."operator should consider" – implies that it is not mandatory	This is guidance and the text originates from Section 2 of JAR-OPS 1 (AMC OPS 1.1020).	AMC OPS 1.1020	
Chapter 2 **Additional requirements for commercial air transport**			x	x
	IA (comment confirmed by indiv. members): create new: "AMC OR.OPS.205.CC (d) Unforeseen circumstances" (aim is to bring a/c back to base) IA (comment confirmed by indiv. members): create a new paragraph: "*4 Consideration should be given to include additional cabin crew for special operations"* (it was included in OPS 1.990; number of CC on flights with large number of PRMs could be crucial for survival in accidents)	This case is covered under new OR.OPS.CC.205. This was considered in consultation with the Review group and the conclusion was that this issue should be addressed by RM task 0PS 072 and that, in the meantime, the rule makes clear that it is the responsibility of the operator to take into account the particular circumstances of the flight to be operated and take appropriate measures to ensure the safety of all occupants.	BR Annex IV (7)(a)	Annex 6, Part-I, Para 12.1 + ICAO Doc 7192-AN/857, Part E-1, Para 1.1.1
		The entire AMC has been moved as AMC1-OR.OPS.CC.100	x	x
			IEM OPS 1.990(2)	X
			IEM OPS 1.990(2)(a)	X
			IEM OPS 1.990(2)(b)	X
			IEM OPS 1.990(2)(c)	X
			IEM OPS 1.990(2)(d)(i)(ii)(iii)	X
			IEM OPS 1.990(2)(e)	X

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	IA (comment confirmed by indiv. members): delete to avoid duplication with BR, Annex 4, 7.a (iii)	The reference to duplication on this item is not understood.	x	X
	IA (comment confirmed by indiv. members): delete to avoid duplication with BR, Annex 4, 7.a (iii) IA: in order to achieve legal certainty, harmonized criteria should be recommended (clarify how type & duration of flight shall have an impact on number & composition of CC)	This is part of a list of several factors as listed in JAR-OPS. This issue is subject to the RM task OPS.055 as/if considered relevant	BR Annex IV (7)(a)(iii)	x
	IND: re-phrase "incapacitation" with *"unavailability due to unforeseen circumstances"* (incapacitation is used for illness whilst on duty, there could be other reasons of CC reduction)	The text has been amended iaw comment and realigned with EU-OPS (please refer box below))	IEM OPS 1.990(3)(a)(b)(c)	X
			IEM OPS 1.990(4)	x
AMC1-OR.OPS.CC.205(b) Minimum number of cabin crew in unforeseen circumstances and during ground operations			x	x
IN UNFORESEEN CIRCUMSTANCES When the number of cabin crew is reduced below the applicable minimum required cabin crew, for example in the event of incapacitation or unavailability of cabin crew in case of unforeseen circumstances, the procedures established in the operations manual should take into consideration at least the following: 1. reduction of passenger numbers; 2. reseating of passengers with due regard to exits and other applicable limitations; and 3. relocation of cabin crew taking into account the factors specified in AMC1-OR.OPS.CC.100-CAT and any change of procedures.		This has been moved from segment titled 'Number and composition of cabin crew		
DURING GROUND OPERATIONS WITH PASSENGERS ON BOARD			x	x
During ground operations,when reducing the applicable minimum required number of cabin crew, an operator should ensure thatthe procedures required by OR.OPS.CC.205include at least a specific procedure for the evacuation of passengers with the reduced number of cabin crew and specify that:	MS + IND:– amend txt "reduction of CC when less than 20 pax on board"	This item is alreadycovered by the rule. Points 1 and 2 have been moved as points 5 and 6. Point 3 is covered in the rule, point (a)(3)	OPS 1.311(a)(3)(5)(4)	x

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
			x	Annex 6, Part-I, Para 12.1
	MS: correct *"minimum"*	Typo corrected	x	x
1 electrical power is available on the aircraft; 2 a means of initiating an evacuation is available to the senior cabin crew member or at least one member of the flight crew is in the flight crew compartment; 3 cabin crew stations and associated duties are specified in the operations manual; and 4 cabin crew remain aware of the position of servicing and loading vehicles at and near the exits; Additionally in the case of passengers embarkation, 5 the senior cabin crew member should have performed the pre-boarding safety briefing to the cabin crew; and 6 the pre-boarding cabin checks should have been completed.	IND: re-phrase txt "During ground operations, *including when* the minimum required number of CCM *is reduced,* the operator .." (There is no mention of reducing min. required cc in the subtitle & the procedures that follow this introduction appear to be those that should be in place for all flights, incl. those with reduced min. required CC.)	This segment relates to reduced cabin crew which requires specific procedures, whilst normal procedures 'for all flights' are anyway established in the operations manual. 5 and 6 were initially points 1 and 2 above.	Appendix 1 to OPS 1.311(1)(2)(3)(4)	x
GM1-OR.OPS.CC.210(c)Conditions for assignment to duties UNIFORM The uniform to be worn by operating cabin crew should be such as not to impede the performance of their duties as required for the safety of passengers and flight during operations, and should allow passengers to identify the operating cabin crew including in an emergency situation.		The rule has been revised and simplified as requested by comments and to be realigned with EU-OPS. Further guidance is now provided in this new GM.		
AMC1-OR.OPS.CC.250 Operations on more than one type or variant			OPS 1.1030	x
DETERMINATION OF SIMILARITIES FOR TYPES AND VARIANTS RELATED TO OPERATOR'S SPECIFICS			ACJ OPS 1.1030	x
1 When determining similarity of location and type of portable safety and emergency equipment the following factors should be assessed to justify the finding of similarity:			ACJ OPS 1.1030(2)	x
a all portable safety and emergency equipment is stowed in the same, or in exceptional circumstances, in substantially the same location;	IND: re-phrase txt *"all portable safety equipment is stowed in the same location"*('substantially' does not provide legal certainty)	The text is maintained as transposed from ACJ OPS 1.1030(2)(a)	ACJ OPS 1.1030(2)(a)	x
b all portable safety and emergency equipment requires the same method of operation;	IND: re-phrase txt "all portable safety equipment *should be of the same make"* (iso 'the same method of operation')	The text is maintained as transposed from ACJ OPS 1.1030(2)(b)	ACJ OPS 1.1030(2)(b)	x
c. portable safety and emergency equipment includes: i. fire fighting equipment;	IA + IND: amend & adjust txt "for the purpose of 1.1, portable safety equipment	The text has been maintained as transposed from ACJ OPS 1.1030(2)(c)	ACJ OPS 1.1030(2)(c) (i)(ii)(iii)(iv)(v)(vi)(vii)(vii	x

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
ii. protective breathing equipment (PBE); iii. oxygen equipment; iv. crew lifejackets; v. torches; vi. megaphones; vii. first-aid equipment; viii. survival and signalling equipment; and ix. other safety and emergency equipment where applicable.	requiring immediate action include:" A. torches; other safety equipment where applicable B. fire fighting equipment; PBE; oxygen equipment; crew LJ; torches; other safety eq. where applicable IND: list of equipment appears more restrictive	The list is identical to that of Section 2 of JAR-OPS 1 - ACJ OPS 1.1030 (2)(c) (i) to (ix)	i)(ix)	
2 The emergency procedures should include at least the following: a land and water evacuation; b in-flight fire; c slow/non-pressurisation and decompression; and d pilot incapacitation.		'Slow/non pressurisation' has been added as requested by comments and in consultation with the Review group.	ACJ OPS 1.1030 (3)(a)(b)(c)(d)	x
GM1-OR.OPS.CC.250Operations on more than one type or variant			x	x
SAFETY BRIEFING FOR CABIN CREW When changing aircraft type or variant during a series of flightsectors, the cabin crew safety briefing should include a representative sample of type-specific normal and emergency procedures and safety and emergency equipment applicable to the actual aircraft to be operated for the immediately subsequent flight sector.		It is understood that this paragraph refers to a Flight Duty Period which may include one or more sector(s). After consultation of the Review group, equipment is understood as including both 'safety' and 'emergency' equipment reflecting 'normal ' and 'emergency' procedures (please refer to new GM1-OR.OPS.CC.110	ACJ OPS 1.1030(4)	x
AMC1-OR.OPS.CC.260 (b) Senior cabin crew member			IEM OPS 1.1000	x
TRAINING PROGRAMME			x	x
The senior cabin crew member training course should at least cover all the following elements:			OPS 1.1000(c)	x
1 Pre-flight briefing: a operating as a crew; b allocation of cabin crew stations and responsibilities; and c consideration of the particular flight, including aircraft type, equipment, area and type of operation including ETOPS, and special categories of passengers with particular attention to persons with disability or reduced mobility, infants and stretcher cases.	IA (comment confirmed by indiv. members): point (1.3): delete "area and type of operation including ETOPS" "consideration of the particular flight, including aeroplane type and special categories of passengers with particular attention to disabled persons, persons with reduced mobility, infants and stretcher cases."	The text has been maintained as transposed from IEM OPS 1.1000(c) 'disability' has been added for consistency inc. with Reg. 1107/2008	IEM OPS 1.1000(c) (1)(a)(b)(c)(i)(ii)(iii)(iv)	x

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
2 Cooperation within the crew: a discipline, responsibilities and chain of command; b importance of coordination and communication; and c pilot incapacitation.			IEM OPS 1.1000(c) (2)(a)(b)(c)	x
3 Review of operator requirements and legal requirements: a passenger safety briefing, safety cards; b securing of galleys; c stowage of cabin baggage; d electronic equipment; e procedures when fuelling with passengers on board; f turbulence, and g documentation.			IEM OPS 1.1000(c) (3)(a)(b)(c)(d)(e)(f)(g)	x
4 Accident and incident reporting			IEM OPS 1.1000(c)(5)	x
5 Human factors and crew resource management The operator should ensure that all applicable elements specified in AMC1-OR.OPS.CC.115(e)CRM Training Table are integrated into the training and covered to the level required by Column 'Senior Cabin Crew Course'.		The reference has been added for facilitation.	IEM OPS 1.1000(c)(4)	x
6 Flight and duty time limitations and rest requirements.			IEM OPS 1.1000(c)(6)	x

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
GM1-OR.OPS.CC.260 (b)(5) Senior cabin crew member TRAINING ON HUMAN FACTORS AND CREW RESSOURCE MANAGEMENT (CRM) Whenever practicable, training should include the participation of senior cabin crew members in flight crew line oriented flying training (LOFT) exercises.	IA (comment confirmed by indiv. members): delete GM (CRM training can be performed in classroom, not in LOFT)	The text has been maintained as transposed from IEM OPS 1.1000(c) point (4): minor editorial changes have been made for clarity	OPS 1.1000 IEM OPS 1.1000(c) point (4)	x ICAO Doc 7192-AN/857, Part E-1, Para 7.6.4
AMC1-OR.OPS.CC.260 (c)Senior cabin crew member			OPS 1.1000	x
RESPONSIBILITY TO THE COMMANDER When the level of turbulence so requires, and in the absence of any instructions from the flight crew, the senior cabin crew member should discontinue non-safety-related duties and advise the flight crew of the level of turbulence being experienced and the need for the fasten seat belt signs to be switched on. This should be followed by the cabin crew securing the passenger cabin and other applicable areas.	IA (comment confirmed by indiv. members): re-phrase "should" with *"shall be entitled"* – realign with EU-OPS IA (comment confirmed by indiv. members): delete "security purposes" (turbulence does not pose a security threat) IND: re-phrase txt "When the level of turbulence experienced requires, and in the absence of any instructions from the flight crew, the SCCM should for safety purposes discontinue non-safety related duties, advise the flight crew of the level of turbulence experienced and await further instructions. Sterile cockpit requirements should be respected."	'Shall' cannot be used in AMC. The objective of the rule is unchanged. The text originates from JAR/EU-OPS but has been amended as requested by comments: AMC elaborates on the particular case of turbulence as reports have shown that the level of turbulence in the passenger cabin may not always be fully perceived from the flight crew compartment. The SCCM is responsible to the commander and shall consider each situation accordingly, thus immediately informing the FC of any such action.	OPS 1.1000(b)	ICAO Doc 7192-AN/857, Part E-1, Para 4.3.2(11)(12)(14)
SECTION VII – TECHNICAL CREW MEMBER IN HEMS, HHO OR NVIS OPERATIONS				
GM1-OR.OPS..TC105 Conditions for assignment to duties			ACJ OPS 3.995(a)(2), taking into account the constraints explained below; intent transposed in GM	

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
GENERAL	1. 2 MS, IND (duplicated): Delete paragraphs 1 to 4 inclusive. "Best aeromedical practice" (para 2) means applying appropriate standards to minimise risk to flight safety. Incapacitation of these technical members will have no impact on flight safety. Unnecessary regulatory burden. Task orientated occupational assessment is appropriate but technical crew members should not be subject to safety regulation medical requirements. Justification: Paragraph 33 of the explanatory note defines technical crew as passengers. It is inappropriate for medical standards to be set for passengers. A normal annual check shall be authorised in compliance with normal medical checks. 2. 1 MS: To reduce complexity, apply the same medical standards as for cabin crew. The proposed AMC isn't clear enough.	1. These conditions for assignment of technical crew to duties stem from JAR-OPS 3. TC are not passengers, they are crew other than flight or cabin crew. JAR-OPS 3 requires an initial medical examination or assessment and re-assessment. The Agency transposed this requirement in accordance with the ToR of task OPS.001. The material will be established as GM and intent is aligned with JAR-OPS 3. 2. The Basic Regulation establishes the legal basis for cabin crew medical requirements in ER 7.b. There is no comparable requirement for technical crew. Therefore, the requirements have been transposed in accordance with the OPS.001 ToR, as far as possible. This constitutes a difference with JAR-OPS 3, which required an initial medical examination or assessment and re-assessment. The JAR-OPS 3 intent of crew members being medically fit is transposed.		
1. A technical crew member in HEMS, HHO or NVIS operations should undergo an initial medical examination or assessment and, if applicable, a re-assessment before undertaking duties.				
2. Any medical assessment or re-assessment should be carried out according to best aero-medical practice by a medical practitioner who has sufficient detailed knowledge of the applicant's medical history.		Clarification		
3. An operator should maintain a record of medical fitness for each technical crew member.				
4. Technical crew members should: a. be in good health; b. be free from any physical or mental illness which might lead to incapacitation or inability to perform crew duties; c. have normal cardiorespiratory function; d. have normal central nervous system; e. have adequate visual acuity 6/9 with or without glasses; f. have adequate hearing; and g. have normal function of ear, nose and throat.				
		Moved to IR		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
AMC1-OR.OPS.TC.110Training and Checking			ACJ OPS 3.1025	
GENERAL				
1. Elements of training which require individual practice may be combined with practical checks.				
2. The checks should be accomplished by the method appropriate to the type of training including: a. practical demonstration; b. computer-based assessment; c. in-flight checks; and/or d. oral or written tests.				
AMC1-OR.OPS.TC.115Initial training			ACJ OPS 3.1005	
ELEMENTS				
1. The elements of initial training mentioned in OR.OPS.TC.115 should include in particular:				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
a. General theoretical knowledge on aviation and aviation regulations relevant to duties and responsibilities: i. The importance of crew members performing their duties in accordance with the operations manual; ii Continuing competence and fitness to operate as a crew member with special regard to flight and duty time limitations and rest requirements; iii. An awareness of the aviation regulations relating to crew members and the role of the competent and inspecting authority; iv. General knowledge of relevant aviation terminology, theory of flight, passenger distribution, meteorology and areas of operation; v. Pre-flight briefing of the crew members and the provision of necessary safety information with regard to their specific duties; vi. The importance of ensuring that relevant documents and manuals are kept up-to-date with amendments provided by the operator; vii. The importance of identifying when crew members have the authority and responsibility to initiate an evacuation and other emergency procedures; and viii. The importance of safety duties and responsibilities and the need to respond promptly and effectively to emergency situations.		This replaces the point "passenger handling" in the applicable ACJ since the items listed are more related to cabin crew. The list on responsibilities is added in accordance with JAR-OPS 3.		
b. Fire and smoke training: i. reactions to emergencies involving fire and smoke and identification of the fire sources; ii. The classification of fires and the appropriate type and techniques of application of extinguishing agents, the consequences of misapplication, and of use in a confined space; and iii. The general procedures of ground-based emergency services at aerodromes.		Editorial		
c. When conducting extended overwater operations, water survival training, including the use of personal flotation equipment.		Editorial		
d. Before first operating on an aircraft fitted with life-rafts or other similar equipment, training on the use of this equipment, including practice in water.				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
e. Survival training appropriate to the areas of operation, (e.g. polar, desert, jungle, sea or mountain).				
f. Aero-medical aspects and first aid, including: i. Instruction on first aid and the use of first-aid kits; and ii. The physiological effects of flying.		Editorial		
g. Effective communication between technical crew members and flight crew members including common language and terminology.				
		Editorial deletion. Refer to scope.		
g. Relevant CRM elements of AMC1- and AMC2-OR.OPS.FC.115 & .215.				
AMC1-OR.OPS.TC.120Operator conversion training and OR.OPS.TC.125Differences training			ACJ OPS 3.1010	
ELEMENTS				
1. Operator conversion training mentioned in OR.OPS.TC.120 (b) and differences training mentioned in OR.OPS.TC.125 (a) should include:				
a. Fire and smoke training, including practical training in the use of all fire fighting equipment as well as protective clothing representative of that carried in the aircraft. Each technical crew member should: i. extinguish a fire characteristic of an aircraft interior fire except that, in the case of Halon extinguishers, an alternative extinguishing agent may be used; and ii. practise the donning and use of protective breathing equipment (when fitted) in an enclosed, simulated smoke-filled environment.				
b. Practical training on operating and opening all normal and emergency exits for passenger evacuation in an aircraft or representative training device and demonstration of the operation of all other exits.				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
c. Evacuation procedures and other emergency situations, including: i. Recognition of planned or unplanned evacuations on land or water. This training should include recognition of unusable exits or unserviceable evacuation equipment; ii. In-flight fire and identification of fire source; and iii. Other in-flight emergencies.				
d. When the flight crew is more than one, training on assisting if a pilot becomes incapacitated, including a demonstration of: i. The pilot's seat mechanism; ii. Fastening and unfastening the pilot's seat harness; iii. Use of the pilot's oxygen equipment, when applicable; and iv. Use of pilots' checklists.	MS: Clarify what does "use of pilots' checklists" mean in case of incapacitation of the single pilot. The original text (ACJ OPS 3.1010 §5) was adding the following : ", where the flight crew is more than one,"	Text amended.		
e. Training on, and demonstration of, the location and use of safety equipment including the following: i. Life-rafts, including the equipment attached to, and/or carried in, the raft, where applicable; ii. Lifejackets, infant lifejackets and flotation cots, where applicable; iii. Fire extinguishers; iv. Fire axe or crow-bar; v. Emergency lights including portable lights; vi. Communication equipment, including megaphones; vii. Survival packs, including their contents; viii. Pyrotechnics (actual or representative devices); ix. First-aid kits, their contents and emergency medical equipment; and x. Other safety equipment or systems, where applicable.				
f. Training on passenger briefing/safety demonstrations and preparation of passengers for normal and emergency situations.				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
g. Training on the use of dangerous goods, if applicable.	4 MS, 1 IND: It is not clear what the intention of this text is, because training in the use of other dangerous goods is covered elsewhere in this paragraph (i.e. e. i. Life rafts, e. ii. Lifejackets, e. iii. Fire extinguishers, e. viii. Pyrotechnics and e. ix. Emergency medical equipment.	Equipment, eg medical supplies carried in relation to the operation could be classified as dangerous good in accordance with the Technical Instructions. Therefore, the implications of the use of this equipment or supplies on flight safety should be known. The requirement of this training is only in force if applicable. Training on the transport of DG is addressed in CAT.GEN.		
h. Task-specific training.				
AMC2-OR.OPS.TC.120Operator conversion training and OR.OPS.TC.125Differences training				
GENERAL				
1. An operator should determine the content of the conversion or differences training taking account of the technical crew member's previous training as documented in the technical crew member's training records.		Editorial	JAR-OPS 3.1010(b)	
2. Aircraft conversion or differences training should be conducted according to a syllabus and include the use of relevant equipment and emergency procedures and practice on a representative training device or on the actual aircraft.			JAR-OPS 3.1010(a)(2)(ii) + (c)(1)-(3)	
3. The operator should specify in the operations manual the maximum number of types or variants that can be operated by a technical crew member.		No helicopter types or variants are specified for technical crew members. It may be more important to refer to the type of equipment being used and difference in procedures. The applicable provision has therefore been added as an operator responsibility.	JAR-OPS 3.1030	

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
AMC1-OR.OPS.TC.135 Recurrent training			ACJ OPS 3.1015	
ELEMENTS				
1. The 12-month period mentioned in OR.OPS.TC.135 (a) should be counted from the last day of the month when the first checking was made. Further training and checking should be undertaken within the lastthreecalendar months of that period.The new 12-month period should be counted from the original expiry date.		Changes made to reflect JAR-OPS 3 intent as well as to clarify that there is no validity period, nor anything issued.	JAR-OPS 3.1015(c)	
2. The recurrent practical training should include every year: a. emergency procedures including pilot incapacitation; b. evacuation procedures; c. touch-drills by each technical crew member for opening normal and emergency exits for (passenger) evacuation; d. the location and handling of emergency equipment and the donning by each technical crew member of lifejackets and protective breathing equipment (PBE), when applicable; e. first aid and the contents of the first-aid kit(s); f. stowage of articles in the cabin; g. use of dangerous goods, if applicable; h. incident and accident review; i. crew Resource Management. All major topics of the initial CRM training should be covered over a period not exceeding three years.		Aligned with JAR-OPS 3	JAR-OPS 3.1015 (d)(2)	
3. Recurrent training should include every three years:				
a. practical training on operating and opening all normal and emergency exits for passenger evacuation in an aircraft or representative training device and demonstration of the operation of all other exits;				
b. practical training in the use of all fire fighting equipment as well as protective clothing representative of that carried in the aircraft. Each technical crew member should: i. extinguish a fire characteristic of an aircraft interior fire except that, in the case of Halon extinguishers, an alternative extinguishing agent may be used; and ii. practise the donning and use of protective breathing equipment (when fitted) in an enclosed, simulated smoke-filled environment.				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
c. Use of pyrotechnics (actual or representative devices); and				
d. Demonstration of the use of the life-raft, where fitted.				
AMC1-OR.OPS.TC.140Refresher training			ACJ OPS 3.1020	
ELEMENTS				
1. Refresher training may include familiarisation flights.		Editorial		
2. Refresher training should include at least the following: a. Emergency procedures, including pilot incapacitation; b. Evacuation procedures; c. Practical training on operating and opening all normal and emergency exits for passenger evacuation in an aircraft or representative training device and demonstration of the operation of all other exits; and d. The location and handling of emergency equipment, and the donning of lifejackets, and protective breathing equipment, when applicable.				
SECTION IX – SECURITY				
GM OR.OPS.020.SEC Disruptive passenger behaviour		editorial	No ref in EU-OPS	No ref in ICAO
This guidance material is provided with regard to the transportation of passengers by commercial air transport operators where appropriate to the size and type of operation. Operators engaged in non-commercial transportation of passengers with complex motor-powered aircraft may also find this guidance material useful.			No ref in EU-OPS	No ref in ICAO
To address the effects of disruptive passengers on flight safety, operators should manage and reduce these effectsby means of:		1. To be consistent we should stick with the same wording. 2. Wording improvement	No ref in EU-OPS	No ref in ICAO
- a policy and detailed procedures on the handling of disruptive passengers;			No ref in EU-OPS	No ref in ICAO
- restraining devices on board the aircraft;	1. [IND] Restraining devices on board should not be mandatory	1. This is a GM, not a rule. However, use of restraint devices is common practice.	No ref in EU-OPS	No ref in ICAO

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
- clearly stated responsibilities of the crew members;			No ref in EU-OPS	No ref in ICAO
- a warning and reporting system (documents to be on board the aircraft);			No ref in EU-OPS	No ref in ICAO
- a communication system between the ground staff and crew members;	1. [IND Ass] Wording proposal: add "defined" (no justification provided)	1. Not accepted. There is no added value.	No ref in EU-OPS	No ref in ICAO
- a training programme consisting of initial and recurrent training; and			No ref in EU-OPS	No ref in ICAO
- a process for the review of disruptive passenger incidents.		Coherence change	No ref in EU-OPS	No ref in ICAO
1 Disruptive passenger policy			No ref in EU-OPS	No ref in ICAO
The operator should establish a policy and procedures on the handling of disruptive passengers which should be supported by the executive management of the operator. The operator should designate a focal point/personresponsible for the handling of disruptive passenger incidents. The policy should be communicated to all staff members that come in contact with passengers, both on the ground and in the air.	1. [IND Ass] Focal point should be removed and replaced by "a person or a department"	1. Noted. Focal point or person is usually meant to be the same. It should however not be a department because a focal point must be identified. The added suggestion specifies who can be the focal point.	No ref in EU-OPS	No ref in ICAO
1.1 The disruptive passenger policy should include :		End of sentence deleted because it is unnecessary	No ref in EU-OPS	No ref in ICAO
a. the designated focal point/person;		Change made for consistency with the above	No ref in EU-OPS	No ref in ICAO
b. a transparent mechanism to ensure that incidents are well documented;			No ref in EU-OPS	No ref in ICAO
c. aincident reporting system as well as incident management process;	1. [IND Ass] Wording proposal: no justification given	1. Not Accepted. No added value	No ref in EU-OPS	No ref in ICAO
d. the~~recording~~documentation of the number and types of incidents occurring over a set period of time;	1. [IND Ass] Wording proposal: no justification given	1. Not Accepted. Documentation is more [illegible] than recording	No ref in EU-OPS	No ref in ICAO
e. the circumstances when actions should be taken; and			No ref in EU-OPS	No ref in ICAO
f. the definition and communication of actions to be taken.			No ref in EU-OPS	No ref in ICAO
1.2 The disruptive passenger policy should include provisions:			No ref in EU-OPS	No ref in ICAO
a. to empower crew members and ground staff to take reasonable steps to prevent disruptive behaviour and, where it occurs, to deal with it as effectively as practicable;		Deleted to ensure coherence	No ref in EU-OPS	No ref in ICAO

This GM will be addressed by the Commission at a later stage

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
b. to support crew members and ground staff taking such action;			No ref in EU-OPS	No ref in ICAO
c. to provide appropriate training to crew members and ground staff in dealing with conflict and its aftermath;			No ref in EU-OPS	No ref in ICAO
d. to encourage ground staff to detect and report disruptive behaviour at check-in, in the lounges and at the boarding gate in order to prevent such passengers from boarding;			No ref in EU-OPS	No ref in ICAO
e. to keep crew members and ground staff aware of likely disruptive passengers; and		Replaced by 'likely' to ensure coherence change.	No ref in EU-OPS	No ref in ICAO
f. to pay particular attention to and have permanent procedures in place to monitor large groups of travellers	1. [IND Ass] "large group of travellers": wording improvement proposal 2. [IND] No added value in mentioning sporting teams.	1. Accepted. 2. Accepted.	No ref in EU-OPS	No ref in ICAO
1.3 The policy should address the issues of:		Not needed.	No ref in EU-OPS	No ref in ICAO
a. prevention;			No ref in EU-OPS	No ref in ICAO
b. initial and recurrent training in the handling of disruptive passengers;			No ref in EU-OPS	No ref in ICAO
c. handling problematic passengers;			No ref in EU-OPS	No ref in ICAO
d. categorising of incidents;			No ref in EU-OPS	No ref in ICAO
e. reporting of incidents; and			No ref in EU-OPS	No ref in ICAO
f. the responsibilities of the pilot in command, prosecutions and communication.			No ref in EU-OPS	No ref in ICAO
1.4 The policy should include procedures for all phases of flight, including boarding and de-boarding, to address:		Not needed.	No ref in EU-OPS	No ref in ICAO
a. underage passenger issues	1. [IND] Delete this as previous alcohol related issues are relevant for all passengers	1. Accepted. Example is deleted	No ref in EU-OPS	No ref in ICAO
b. alcohol/smoking situations;			No ref in EU-OPS	No ref in ICAO
c. threats and verbal assaults/harassment; and			No ref in EU-OPS	No ref in ICAO
d. co-operation with authorities.			No ref in EU-OPS	No ref in ICAO

A: Rule		B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
2	Communication programme		editorial	No ref in EU-OPS	No ref in ICAO
2.1	The operator should inform all concerned staff members about the contents of the policy and about:	1. [IND] Should be amended to ensure uniformity with section1. Add: "that come into contact, both on the ground and in the air" about.	1. Accepted. The new wording covers those staff members who come in contact with pax.	No ref in EU-OPS	No ref in ICAO
a.	the danger and risks associated with disruptive passenger behaviour;			No ref in EU-OPS	No ref in ICAO
b.	what the operator expects of its staff members, i.e. inform staff members of what actions they are empowered to perform, as well as to ensure that ground staff communicate effectively with crew members on potential problems; and			No ref in EU-OPS	No ref in ICAO
c.	the physical dangers; the need to be trained on preventative measures and become "safety minded" as soon as such a situation presents itself.			No ref in EU-OPS	No ref in ICAO
2.2	Passenger communication and education is a crucial element to the prevention of disruptive passenger incidents. For example, passengers should be informed of the operator's policy on smoking prior to boarding. The operator should determine appropriate means of passenger communication and education.			No ref in EU-OPS	No ref in ICAO
3	Prevention of disruptive passenger behaviour			No ref in EU-OPS	No ref in ICAO
	Disruptive passenger behaviour is primarily a safety issue. The operator should focus on measures regarding the prevention of disruptive passenger behaviour. Dealing firmly and legally with disruptive behaviour may serve as a deterrent, however in case of disruptive incidents, passengers behave irrationally and will not calculate the consequences of their behaviour. The study of disruptive behaviour shows that often a series of events build up to the disruptive behaviour and early signs of potential disruptive behaviour can be observed. The focus of an operator's policy should be first on prevention by acting on these early signs, rather than dealing exclusively with the escalated incident. Research further indicates that many incidents (and those which tend to be particularly violent) are related to excessive alcohol consumption, as well as to nicotine withdrawal symptoms of smokers. The operator should take a responsible approach with regards to the serving of alcohol on board, and may provide alternatives (such as nicotine gum) for smokers.	1. [IND] Wording proposal 2. [IND Ass] Delete the last sentence: it is not the operator's responsibility to provide alternatives for smokers.	1. Accepted: it is not necessarily escalated 2. Noted: the change leaves the opportunity to the operator to act so. However, it could be part of a prevention measure. It is the operator's decision. This § is not binding.	No ref in EU-OPS	No ref in ICAO
3.1	Measures to maximise prevention of incidents			No ref in EU-OPS	No ref in ICAO
	The operator should:			No ref in EU-OPS	No ref in ICAO

This GM will be addressed by the Commission at a later stage

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
a. provide concerned staff with a clear written policy on how to deal with disruptive passenger behaviour, especially in its early stages;		Consistency change.	No ref in EU-OPS	No ref in ICAO
b. minimize passenger frustration that occurs over long waiting times due to bad weather, airport congestion, ATC delays, security screening procedures, the flight being overbooked, lack of information, technical deficiencies, etc.;	1. This § should be withdrawn as it implies air carriers fault only. (Welcome Air, AEA, Austrian, EasyJet, TAP, ERA, Swiss, Lufthansa, IATA)	1. Accepted. Additional examples are provided that are external to air carriers. It is noted that this paragraph comes from IATA AVSEC manual…	No ref in EU-OPS	No ref in ICAO
c. provide training for staff members who are in contact with passengers. This includes instructing crew members and ground staff to learn how to recognise the early signs of disruptive passenger behaviour; ensuring that those who come in contact with passengers have acquired the necessary verbal skills and ensuring they understand the importance of informing other operational areas of the situation to enable them to deal with the passenger effectively (not simply "passing" the passenger onwards without identifying that the passenger is showing early signs of potentially problematic behaviour); and		Coherence change	No ref in EU-OPS	No ref in ICAO
d. maintain accurate and updated reports and statistics of disruptive passenger incidents so as to continually monitor the types of incidents and identify potential training needs, etc.	1. [IND + IND Ass] Delete as this is also a police and airport security issue.	1. Not accepted. This information needed particularly for the operator's SMS. Additionally, It does not prevent the operator to update its statistics.	No ref in EU-OPS	No ref in ICAO
Preventative methods may include denied boarding or removal from the aircraft, or refusal to serve alcohol/removal of drink from passengers, and in the worst case, restraint.			No ref in EU-OPS	No ref in ICAO
Some of the obvious warning signs are:			No ref in EU-OPS	No ref in ICAO
- drunkenness;			No ref in EU-OPS	No ref in ICAO
- unusually loud and boisterous behaviour;			No ref in EU-OPS	No ref in ICAO
- threatening, violent and disruptive behaviour; and			No ref in EU-OPS	No ref in ICAO
- smoking in non-smoking areas.			No ref in EU-OPS	No ref in ICAO
4 Categorising of disruptive passenger incidents			No ref in EU-OPS	No ref in ICAO
The identification and categorisation of incidents is an effective approach. In order for a policy to be created, the organisation needs to categorise the types of incidents that are occurring; for example: smoking, alcohol, seating, delayed flights, etc. There are many types of incidents which can be classified into 4 levels:			No ref in EU-OPS	No ref in ICAO

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
a. Level I (disruptive behaviour – suspicious or threatening), such as disorderly behaviour due to alcohol, drugs etc.; abusive language used by passenger; or acts or body language confirming any suspicious or threatening behaviour.			No ref in EU-OPS	No ref in ICAO
The disruptive passenger complies with crew member instructions and no further action is required.			No ref in EU-OPS	No ref in ICAO
b. Level II (physically abusive behaviour), such as physical abuse (e.g. grabbing, pushing, slapping, kicking another passenger or crew) or deliberate damage to property (e.g. breaking of seats, destroying panels etc.) and the passenger continues the disturbance in spite of crew member instructions.			No ref in EU-OPS	No ref in ICAO
Issuance of a written warning to the passenger. The written warning should clearly state the implications of action that will be taken as a result of continuous disruptive behaviour.			No ref in EU-OPS	No ref in ICAO
See Appendix 2 for sample warnings that could be used in Level II incidents.			No ref in EU-OPS	No ref in ICAO
c. Level III (life-threatening behaviour, use of a 'weapon'):			No ref in EU-OPS	No ref in ICAO
i. passenger disrupts crew member duties due to continuing interference; and/or			No ref in EU-OPS	No ref in ICAO
ii. a passenger or crew member is injured, killed or subjected to a serious threat of injury; and/or			No ref in EU-OPS	No ref in ICAO
iii. a restraint device has to be used; and/or			No ref in EU-OPS	No ref in ICAO
iv. a diversion or unscheduled landing is made.			No ref in EU-OPS	No ref in ICAO
Issuance of a written passenger disturbance report and notification of the appropriate authorities.			No ref in EU-OPS	No ref in ICAO
d. Level IV (attempted or actual breach of the cockpit):			No ref in EU-OPS	No ref in ICAO
Crew members should act early and use all resources available to prevent a disruptive passenger from gaining access to the cockpit.			No ref in EU-OPS	No ref in ICAO
5 Types of offences	xxx		No ref in EU-OPS	No ref in ICAO
Distinguishing the type of offence is important in determining what the legal framework is that governs the response. Offences can be categorised into 3 main categories:			No ref in EU-OPS	No ref in ICAO

A: Rule		B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
a.	Offences classed as acts of terrorism, such as bomb threats, hijacking etc. These are currently covered by existing industry policy and mechanisms are well in place to deal with these occurrences;			No ref in EU-OPS	No ref in ICAO
b.	Offences that are subject to the Tokyo Convention and which could endanger the safety of the aircraft, such as unauthorised cockpit entry, attempting to open exit doors, failure to follow directions of the crew members, smoking in lavatories, threatening with intent to cause bodily harm, abuse of alcohol, sitting on door bustles and unauthorised use of electronic devices;			No ref in EU-OPS	No ref in ICAO
c.	General offences which contravene the common law of the operator's jurisdiction, such as indecent assault (crew and passengers), threatening/abusive behaviour, theft, public order offences, smoking in unauthorised zones (other than lavatories).			No ref in EU-OPS	No ref in ICAO
	In addition, the legal types of offences of incidents should, if possible, have a clear relationship with the "levels" or "categories" of disruption, in order to enable the affected crew members to make a distinction. Furthermore, incidents could be added to the classification which have no bearing from a legal standpoint (e.g. not falling into the category of a general offence) but which from the majority of cases that require the involvement of crew members (e.g. passenger very upset, verbal abuse, etc.).			No ref in EU-OPS	No ref in ICAO
6	The role of the pilot-in-command			No ref in EU-OPS	No ref in ICAO
	When a disruptive passenger incident occurs on board an aircraft, the pilot in command has the ultimate authority on the issue. The pilot in command should ensure that that the required documentation has been filled out, assist with the collection of data, ensure that witness statements are made upon arrival, and be prepared to help with prosecution and internally with the aftermath of the incident.			No ref in EU-OPS	No ref in ICAO
	The pilot in command should be fully aware of the powers bestowed upon him/her by the operator (under the Tokyo Convention of 1963) to assess and deal effectively with disruptive behaviour on board. The operator should provide full support to the pilot in command whenever these powers are legally used. The pilot in command should consider restraint whenever he/she assesses that a situation will in any way affect the safety of the aircraft, its passengers and crew members.			No ref in EU-OPS	No ref in ICAO
6.1	Location of restraint devices			No ref in EU-OPS	No ref in ICAO

A: Rule		B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	When passenger restraints are carried on an aircraft they should be kept in a secure location and only used in consultation with the pilot in command when all the circumstances of the incident are evaluated. Consideration may need to be taken into account when locked cockpit door policies are in place. The pilot in command should communicate his/her decisions to the operations department as soon as possible so that suitable arrangements are made when the aircraft lands.	1. [IND + IND Ass] For safety reasons, restraint devices should not be kept in the cockpit. 2. [IND+IND Ass] To carry restraint devices should not be mandatory.	1. Noted. It is up to the operator to decide where restraint devices are stored on board. In all cases, restraints should not be located where public access is granted. 2. It is not mandatory: "when restraints devices are carried…."	No ref in EU-OPS	No ref in ICAO
7	Reporting of disruptive passenger incidents and required documentation for prosecution			No ref in EU-OPS	No ref in ICAO
	An operator should ensure that incidents are appropriately reported and documented. The reporting of these types of incidents needs to be distinguished from the "normal tripod". The appropriate place for publishing such documentation is the operator's operations manual where procedures are addressed, as well as in the relevant instructions for cabin crew. The operator's policy on the handling of disruptive passengers should be communicated in all relevant documentation, e.g. operations manuals, training manuals etc. The operator should provide clear guidance on the use and completion of the reporting forms. All documentation should meet the specific requirements as defined from a security, crew and legal perspective. The reporting forms should be user-friendly, simple, with clearly defined information requirements. It is important to note that all documentation must link to the overall operator policy on the issue of handling disruptive passengers. A sample Flight Disturbance Incident Report is set out at Appendix 1.			No ref in EU-OPS	No ref in ICAO
7.1	Staff empowerment			No ref in EU-OPS	No ref in ICAO
	Ground support and passenger services staff are often the first to notice a likely disruptive passenger. Their procedures and training should ensure that minor complaints do not escalate into major incidents. On those occasions when tact, reassurance and inter-personal skills fail to resolve an incident, it is vital that staff members have guidance identifying and handling these behaviours. This is also true for crew members. All staff members in direct contact with passengers must have a mandate from the operator to implement the appropriate procedures to protect themselves and other passengers.		Editorial and coherence changes	No ref in EU-OPS	No ref in ICAO
7.2	Training requirements			No ref in EU-OPS	No ref in ICAO

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
As with the reporting of incidents, all training requirements must link to the operator's policy. Operators should identify specific training needs based on the types of incidents that are experienced. Only by training for the worse case scenario e.g. incidents that endanger the safety of the aircraft, passengers or crew members, will the staff members be in a position to fully cope with all potential situations.			No ref in EU-OPS	No ref in ICAO
Some or all of the following issues, if relevant, should be addressed in the operator's training programme:		The amended text addresses the comments for "i" and "j"	No ref in EU-OPS	No ref in ICAO
a. identification of the reasons for training, operator's rationale, risk awareness;			No ref in EU-OPS	No ref in ICAO
b. understanding of legal implications associated with the confrontation with disruptive passengers;			No ref in EU-OPS	No ref in ICAO
c. communication skills/customer service skills;			No ref in EU-OPS	No ref in ICAO
d. conflict management skills/verbal social skills;			No ref in EU-OPS	No ref in ICAO
e. team skills;			No ref in EU-OPS	No ref in ICAO
f. dealing with persons under the influence of drugs/alcohol;			No ref in EU-OPS	No ref in ICAO
g. instruction on how to limit service (e.g. when and how to stop serving alcohol);			No ref in EU-OPS	No ref in ICAO
h. physical breakaway and controlling skills;	1. [1MS] Proposal to change to "neutralization" instead of "physical breakaway"	1. Not accepted. Breakaway techniques are specific techniques meant to manage aggression and prevent violence and handling face-to-face aggression. It will enable the crew to disengage from the most common types of attacks, grabs/holds and understand the principles of de-escalation techniques. Se it goes beyond "neutralisation" which may be considered a French translation issue.	No ref in EU-OPS	No ref in ICAO
i. restraint device training; and	1. [IND Ass] Take into account operators that do not carry restraint devices: add "if appropriate".	1. Noted. See changes above to take into account the comment	No ref in EU-OPS	No ref in ICAO
j. restrained passenger welfare.	1. [IND Ass] Take into account operators that do not carry restraint devices: add "if appropriate".	1. Noted. See changes above to take into account the comment	No ref in EU-OPS	No ref in ICAO
Disruptive passenger training should be provided to ground staff who have direct contact with passengers (e.g. check-in staff, duty managers and station managers) and to crew members.			No ref in EU-OPS	No ref in ICAO

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
A sample operator training programme for crew members and ground staff in the handling of disruptive passengers is set out in Appendix 3.		Editorial change.	No ref in EU-OPS	No ref in ICAO
7.3 Relief programmes			No ref in EU-OPS	No ref in ICAO
When an incident occurs, there can be lasting effects on the staff involved. Relief programmes for victims of disruptive passenger behaviour aim at recovery from those incidents. A distinction can be made between a serious incident (e.g. a physical altercation, being threatened with a knife) and less serious incidents (e.g. verbal abuse). The seriousness of the incident depends on how it was experienced by the victim. Usually serious incidents will be recognised by colleagues and brought to the attention of management. Professional counselling should be considered. Less serious incidents cause less stress and emotional trauma to the victim, and therefore professional counselling may not be called for, and may even be counterproductive in this type of instance. However, if verbal abuse occurs frequently, the normal recovery time will likely be disturbed by these new incidents. There will be a build-up of stress, and recovery time is called for to prevent an extended period of illness. This recovery may take the form of group discussions with colleagues in addition to professional guidance.	x		No ref in EU-OPS	No ref in ICAO
8 Deportees, inadmissible persons and persons in lawful custody	1. [IND] This concept is not legally known	1. Accepted: title changed.	No ref in EU-OPS	No ref in ICAO
8.1 Policies and procedures should be in place for deportees, inadmissible persons and persons in lawful custody who are obliged to travel due to judicial or administrative proceedings.	1. [IND Ass] Wording proposal	1. Accepted	No ref in EU-OPS	No ref in ICAO
8.2 Tickets and other travel documents including baggage identification tag(s), health certificates, etc. of ~~these persons~~persons travelling under special status should be carried ~~by the PiC~~in the charge of a designated crew member until disembarkation	1. [IND] Wording proposal	1. Partially accepted.	No ref in EU-OPS	No ref in ICAO
9 Additional guidance material on the handling of disruptive passengers is contained in			No ref in EU-OPS	No ref in ICAO
9.1	1. [IND Ass] This § is useless as the restricted documents are not available to airlines	1. Noted. Although they are not directly available for airlines, they may be accessible via the competent authority. Airlines' designated security personnel may get these documents.	No ref in EU-OPS	No ref in ICAO
a. ICAO Doc 8973 RESTRICTED – Security Manual for Safeguarding Civil Aviation Against Acts of Unlawful Interference;			No ref in EU-OPS	No ref in ICAO
b. ICAO Doc 9811 RESTRICTED – Manual on the Implementation of the Security Provisions of Annex 6;			No ref in EU-OPS	No ref in ICAO

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
c. ICAO Circular 288 – Guidance Material on the Legal Aspects of Unruly/Disruptive Passengers; and			No ref in EU-OPS	No ref in ICAO
d. ECAC Doc 30 Part II RESTRICTED – ECAC Policy Statement in the Field of Civil Aviation Security.			No ref in EU-OPS	No ref in ICAO
Note This guidance material does not address issues regarding judicial prosecution, such as the need for:			No ref in EU-OPS	No ref in ICAO
a. appropriate documentation of incidents and gathering of evidence (notes, statements, etc); and			No ref in EU-OPS	No ref in ICAO
b. assistance and support to personnel to give witness statements or to appear in court proceedings when passengers are prosecuted.			No ref in EU-OPS	No ref in ICAO

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
Appendix 1 to GM OR.OPS.020.SEC Disruptive Passenger Behaviour			No ref in EU-OPS	No ref in ICAO

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
FLIGHT DISTURBANCE INCIDENT REPORT inform operations – ☎ Flight Number | Aircraft Registration Place of Deparure | Destiation LEVEL II(following Level I - Verbal Warning) Passenger Information Name | Seat Numl Nationality | Passport (Address Description of Incident This GM will be addressed by the Commission at a later stage Name of Pilot in Command | Employee Phone | Signature LEVEL III Witness Information (Witness can be another crewmember) Name | Seat Address Name | Seat Address Pilot in Command (involved) Name | Employee Phone | Signature	1. [IND] The title should be changed in "disruptive passenger report".	1. Not accepted. ECAC and IATA wording. The report is not on why he/she became disruptive but how he/she disturbed the flight.	No ref in EU-OPS	No ref in ICAO

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
Pilot in Command provides this portion to passenger as a Level II warnin Passenger Name | Flight Number			No ref in EU-OPS	No ref in ICAO
Sample – Final Warning Your behaviour may be in violation of the law. Your immediate cooperation is required if you wish to avoid prosecution a arrival. The law and international aviation regulations prohibit e.g. the following: * Smoking in the lavatory or smoking while the no smoking light is * Interference with a crewmember or creating an alcohol related dis * Drinking any alcoholic beverage unless served by a crew member If you do not refrain from these activities, you may be prosecuted. Aviation Law provides for civil monetary fines and in some cases, impriso	1. [IND Ass] Wording proposals:English 2. [IND Ass] Wording proposals: it is not to the PiC or the operator to decide if someone will be prosecuted.	1. Accepted 2. Accepted	No ref in EU-OPS	No ref in ICAO
Appendix 2 to GM OR.OPS.020.SEC – Disruptive Passenger Behaviour			No ref in EU-OPS	No ref in ICAO
Sample warnings		This sub-title was added for clarity purposes.		
1 SMOKING VIOLATION			No ref in EU-OPS	No ref in ICAO
This is a non-smoking flight			No ref in EU-OPS	No ref in ICAO
You have been told not to smoke by the crew members and the "No Smoking" sign is on.			No ref in EU-OPS	No ref in ICAO
If you smoke or attempt to smoke again the pilot in command will request the police/local authority to meet this aircraft on arrival and your conduct will be reported to them for possible prosecution.			No ref in EU-OPS	No ref in ICAO
This notice is given on decision by the pilot in command of the aircraft.	1. [IND] The word "given" should be replaced by "signed" as it leads to confusion- physically given by the PiC.	1. Partially accepted. The warning is decided by the PiC. The amended text reflects this objective.	No ref in EU-OPS	No ref in ICAO
2 VIOLATION UNACCEPTABLE BEHAVIOUR ON BOARD AN AIRCRAFT			No ref in EU-OPS	No ref in ICAO
You have already been told by the crew members that your behaviour on board this aircraft is unacceptable and may have been in violation of applicable law.	1. [IND] The words "and may have been in violation of applicable law" should be deleted as it is not necessarily the case.	1. Not accepted. This paragraph does not say that it is in violation with the law.	No ref in EU-OPS	No ref in ICAO
With immediate effect:			No ref in EU-OPS	No ref in ICAO

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
1. You must not drink any alcohol			No ref in EU-OPS	No ref in ICAO
2. You must hand all alcohol in your possession to a crew member (it will be returned to your when you leave this aircraft)			No ref in EU-OPS	No ref in ICAO
3. You must not behave in a manner likely to:	1. [IND] This point is hardly policeable because no action is defined and it can create discrimination.	1. Noted. The commenter does not propose to delete or to amend the text.	No ref in EU-OPS	No ref in ICAO
- endanger the safety of the aircraft			No ref in EU-OPS	No ref in ICAO
- cause concern to the crew or other passengers.			No ref in EU-OPS	No ref in ICAO
4. You must comply with the crew's instructions.			No ref in EU-OPS	No ref in ICAO
VIOLATION			No ref in EU-OPS	No ref in ICAO
If you fail to comply, the pilot in command may decide to land the aircraft at the nearest available location and off load you. You may be liable for the diversion costs and your ticket could be invalidated for further carriage.	1. [IND] Wording suggestion	1. Accepted	No ref in EU-OPS	No ref in ICAO
On arrival detail of your conduct will also be reported to the police for possible prosecution.			No ref in EU-OPS	No ref in ICAO
This notice is given on decision by the pilot in command of the aircraft.		See change as above	No ref in EU-OPS	No ref in ICAO
3 SAMPLE — FINAL WARNING			No ref in EU-OPS	No ref in ICAO
Your behaviour appears to be in violation of [Country] law. If you fail to control your actions, police authorities will be notified and requested to meet this flight.	1. [IND Ass] Wording suggestion: "if you continue with this behaviour" rather than " if you fail to control your actions"	1. Not Accepted, the original wording is more precise. The commenter did not give any justification.	No ref in EU-OPS	No ref in ICAO
This is a warning that [Country] law prohibits the following:			No ref in EU-OPS	No ref in ICAO
1. Assaults, threats, intimidation or interference with a crewmember performinghis/her s duties	1. [IND Ass] Wording suggestion	1. Accepted	No ref in EU-OPS	No ref in ICAO
2. Disruptive behaviour.	1. [IND Ass] Wording proposal	1. Accepted: It is indeed not restricted to alcohol	No ref in EU-OPS	No ref in ICAO
3. Alcohol-related disturbance created by passenger			No ref in EU-OPS	No ref in ICAO
4. Consumption of alcoholic beverages unless served by a crew member			No ref in EU-OPS	No ref in ICAO

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
5. Alcohol service to passengers who appears to be intoxicated			No ref in EU-OPS	No ref in ICAO
6. Failure to follow instructions given by a crew member regarding compliance with passenger safety regulation such as the following:			No ref in EU-OPS	No ref in ICAO
no smoking in lavatories at any time			No ref in EU-OPS	No ref in ICAO
no smoking when "NO SMOKING" sign is illuminated			No ref in EU-OPS	No ref in ICAO
tampering with, disabling or destroying smoke detector installed in any airplane lavatory			No ref in EU-OPS	No ref in ICAO
requirement to keep seat belt fastened while the "FASTEN SEAT BELT" sign is on			No ref in EU-OPS	No ref in ICAO
operation of an electronic device when prohibited.			No ref in EU-OPS	No ref in ICAO
If you fail to comply, the pilot in command may decide to land the aircraft at the nearest available aerodrome and off load you; you may be liable for the diversion costs and your ticket could be invalidated for further carriage.	1. [IND Ass] Wording suggestion	1. Accepted	No ref in EU-OPS	No ref in ICAO
On arrival detail of your conduct will also be reported to the police for possible prosecution.			No ref in EU-OPS	No ref in ICAO
This notice is given on decision by the pilot in command of the aircraft.		Changes as above	No ref in EU-OPS	No ref in ICAO
Appendix 3 to GM OR.OPS.020.SECDisruptive passenger behaviour		editorial	No ref in EU-OPS	No ref in ICAO
Sample operator training programme for concerned staff in the handling of disruptive passengers.	1. [IND Ass] No distinction between training for ground staff and crew members.	1. Noted. The amended text reflects the comment. However, it is believed that the training differentiate in the content according to the type of personnel.	No ref in EU-OPS	No ref in ICAO
Initial Training: 1 day (8 hours)	1. [IND] Time allocation for training is irrelevant, it should be efficiency-wise.	1. Noted. The training should be competent based and related to the actual risk. However, this is a sample. The operator can extend this time allocation if needed in order for crew members (who anyway undergo recurrent training and checking) to demonstrate their adequate level of proficiency.	No ref in EU-OPS	No ref in ICAO
Annual Recurrent Training: 1/2 day (4 hours)	1. [IND] Time allocation for training is irrelevant, it should be efficiency-wise	Same as above	No ref in EU-OPS	No ref in ICAO

A: Rule		B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
Course Content	Course Objectives			No ref in EU-OPS	No ref in ICAO
Legal position of the crew in dealing with disruptive passengers	Knowledge of national and international legal regulations (e.g. Tokyo Convention) - (30 min)				
Operator policy Guidelines and recommendations for crew members and ground staff on how to handle disruptive passengers	Knowledge of company guidelines - (30 min)				
Reasons for unreasonable or aggressive behaviour of passengers • reasons for aggression • possible causes of aggressive behaviour of passengers (e.g. dissatisfaction, fear of flying, restriction of personal freedom, alcohol and drugs, disposition to use force or violence)	Knowledge of reasons for aggressive behaviour by passengers - (1 hour)				
Appropriate behaviour of crew members and ground personnel (theory)	Situation or conflict avoidance - (1 hour 30 min)	1. [IND] Remove "de-escalation techniques" because not appropriate.	1. Not accepted. Reports and experience show that critical situations have been avoided thanks to this technique.		
• Conflict avoidance/conflict management	De-escalation techniques				
• Use of de-escalation techniques • appropriate measures to contain aggressive behaviour (incl. practical training in the use of restraining devices, if applicable) • Debriefing and documentation of incident (Flight Disturbance Incident Report)	Knowledge of measures to contain aggressions				
Case studies	Knowledge of real incidents - (1 hour 30 min)				
Appropriate behaviour of crew members and ground staff (practical training) Practical training of techniques (role-play) in real situations, with trainees	Capability to use acquired knowledge in practical cases (2 to 3 hours)				
Whenever practicable, the training should be conducted under realistic conditions (e.g. training in cabin mock-up) and with the use of video review after practical exercises (feedback).				No ref in EU-OPS	No ref in ICAO

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
AMC OR.OPS.025.SEC Security programme and Security training	1. [IND Ass] General comment: Delete as these are already covered under the national security programme	This issue is subject to discussion with CION	EU-OPS 1.1235 and 1.1240	Annex 6 Part I 13.4
COMMERCIAL AIR TRANSPORT WITH CMPA	xxx			
1 The training programme should include the following elements, if applicable:			No ref in EU-OPS	=Annex 6 part I – 13.4.1 a)
a. determination of the seriousness of any occurrence;			No ref in EU-OPS	=Annex 6 part I – 13.4.1 a)
b. crew communication and coordination;			No ref in EU-OPS	=Annex 6 part I – 13.4.1 b)
c. appropriate self-defence responses;	1. [IND+IND Ass] Remove "self-defence responses" as it is not appropriate or replace it by "neutralising".	1. Not accepted. Reports and experience show that crew members may need to protect themselves. The term "appropriate" implies that such training should only include responses which are not contributing to an escalation of the situation.	No ref in EU-OPS	=Annex 6 part I – 13.4.1 c)
d. use of protective devices;	1. [IND+IND Ass] The term: "authorised protective devices" not defined. Make it explicit what it is.	1. Noted. It was agreed that the word "authorised" was not relevant.	No ref in EU-OPS	=Annex 6 part I – 13.4.1 d)
e. understandings of disruptive and unlawful behaviour so as to facilitate the ability of crew members to cope with such behaviour and passenger responses;		Text change: terrorist and hijacker acts are not covered by EASA rules.	No ref in EU-OPS	=Annex 6 part I – 13.4.1 e)
f. live situational training exercises regarding various threat conditions;	1. [IND+IND Ass] Define "live situational training exercises".	1. Noted. These are exercises in which a realistic scenario is created for simulation.	No ref in EU-OPS	=Annex 6 part I – 13.4.1 f
g. cockpit procedures to protect the aircraft; and			No ref in EU-OPS	=Annex 6 part I – 13.4.1 g)
h. aircraft search procedures and guidance on least-risk bomb locations where practicable.			No ref in EU-OPS	=Annex 6 part I – 13.4.1 h
2 An operator should establish, implement and maintain a training programme to acquaint personnel involved in the operation of aircraft with preventive measures and techniques in relation to passengers, baggage, cargo, mail, equipment, stores and supplies intended for carriage on an aircraft so that they contribute to the prevention of acts of sabotage or other forms of unlawful interference.		Consistency change	=EU-OPS 1.1240	= ICAO Annex 6 part I – 13.4.2 and Annex 6 part III 11.2
GM OR.OPS.025.SEC Security programme and Security training			No ref in EU-OPS	No ref in ICAO
Guidance material on the operator security programme is contained in:			No ref in EU-OPS	No ref in ICAO

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
1 ICAO Doc 8973 RESTRICTED – Security Manual for Safeguarding Civil Aviation Against Acts of Unlawful Interference; and				
2 ECAC Doc 30 Part II RESTRICTED – ECAC Policy Statement in the Field of Civil Aviation Security.			No ref in EU-OPS	No ref in ICAO
The following additional guidance material is provided to assist in particular, operators engaged in non-commercial operations of complex and non-complex motor-powered aircraft with passengers.		This GM could also assist non-commercial operators with other than complex motor-powered aircraft	No ref in EU-OPS	No ref in ICAO
1 Overview			No ref in EU-OPS	No ref in ICAO
A security programme should be proportional to the threat against an operator, their personnel, aircraft and facilities. The security programme should include a threat assessment process, preventive measures designed to deter and prevent the commission of unlawful acts, responsive measures to be taken when an unlawful act has been committed against the operator, appropriate training of personnel involved and testing of the security programme preventative and responsive measures. The security programme should be periodically assessed to ensure that it is appropriate and effective.			No ref in EU-OPS	No ref in ICAO
2 Assessing the Threat and Vulnerability			No ref in EU-OPS	No ref in ICAO
The first step in the development of an effective security programme is to assess the threat against the operator, its personnel, aircraft and facilities and the operator's vulnerabilities. Threats may relate to the nature of business conducted by the operator, the location of the business, the nationality of the operator, the nationality of the operator's aircraft, the profile of passengers carried, and the value of goods carried. Information on the various kinds of threats the operator is subject to, will come from a variety of sources. In developing and maintaining a current threat assessment for areas of operations, the following resources should be used as appropriate:			No ref in EU-OPS	No ref in ICAO
a. national and local security officials;			No ref in EU-OPS	No ref in ICAO
b. national and local law enforcement officials;			No ref in EU-OPS	No ref in ICAO
c. the operator security officer, if applicable;			No ref in EU-OPS	No ref in ICAO
d. national and international trade associations;			No ref in EU-OPS	No ref in ICAO
e. air security assessment and intelligence service providers;			No ref in EU-OPS	No ref in ICAO
f. local and foreign media reports; and			No ref in EU-OPS	No ref in ICAO

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
g. company/organisation officials posted in foreign locations, if applicable.			No ref in EU-OPS	No ref in ICAO
Security professionals can provide assistance in determining and assessing the vulnerabilities.			No ref in EU-OPS	No ref in ICAO
3 Preventive Measures			No ref in EU-OPS	No ref in ICAO
The focus of preventive security measures will be to:			No ref in EU-OPS	No ref in ICAO
a. prevent unauthorized access to aircraft and facilities of the operator;			No ref in EU-OPS	No ref in ICAO
b. prevent the unauthorized introduction of weapons or explosives onto aircraft and into facilities of the operator; and			No ref in EU-OPS	No ref in ICAO
c. prevent the use of aircraft of the operator to commit unlawful acts.			No ref in EU-OPS	No ref in ICAO
The security measures implemented by the operator should be proportional to the threat. Procedures and training should be in place to implement enhanced measures when the threat is increased and to implement reduced measures when the threat is reduced.			No ref in EU-OPS	No ref in ICAO
Preventive security measures should include, as appropriate:			No ref in EU-OPS	No ref in ICAO
a. Global considerations:			No ref in EU-OPS	No ref in ICAO
i. Whenever possible, avoidance of areas where there is an identified security risk;			No ref in EU-OPS	No ref in ICAO
ii. A security programme that is specific to the location and operation;			No ref in EU-OPS	No ref in ICAO
iii. Security programme training for all flight department personnel;			No ref in EU-OPS	No ref in ICAO
iv. Establish security as integral part of all aspects of the flight department and its operation;			No ref in EU-OPS	No ref in ICAO
v. Establish a Security Support function, much like the Safety Officer role; and			No ref in EU-OPS	No ref in ICAO
vi. Maintain a security information programme.			No ref in EU-OPS	No ref in ICAO
b. Persons and Processes			No ref in EU-OPS	No ref in ICAO
i. Require pre-employment screening of flight department personnel;			No ref in EU-OPS	No ref in ICAO

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
ii. Require that crew members display photo IDs at all times;			No ref in EU-OPS	No ref in ICAO
iii. Limit the publication of aircraft itineraries;			No ref in EU-OPS	No ref in ICAO
iv. Establish security threat alerting procedures, such as a code word for use by persons under duress;			No ref in EU-OPS	No ref in ICAO
v. Require an accurate and accessible passenger manifest for all trip legs;			No ref in EU-OPS	No ref in ICAO
vi. Ensure that only operator's personnel and authorized guests, identified in advance, are allowed to board an aircraft;			No ref in EU-OPS	No ref in ICAO
vii. Ensure that passengers or flight department members maintain positive control of luggage; and			No ref in EU-OPS	No ref in ICAO
viii. Positively identify all luggage and match luggage to specific passengers (colour-coded bag tags can be helpful).			No ref in EU-OPS	No ref in ICAO
c. Aircraft			No ref in EU-OPS	No ref in ICAO
i. Check lavatories, baggage compartments and all cavities for unauthorized people or objects prior to every departure;			No ref in EU-OPS	No ref in ICAO
ii. Ensure that designated personnel are present at all times when the aircraft is being serviced (refuelling, catering, etc.)	1. [IND] "Flight department member" to be replaced by "authorized personnel".	1. Partially accepted. This person should not be authorised by / designated by the operator	No ref in EU-OPS	No ref in ICAO
iii. Ensure that a	1. [IND] "aircraft crew member" to be replaced by "authorized personnel".	1. This paragraph is deleted.	No ref in EU-OPS	No ref in ICAO
iv. Use the aircraft's security system (locks and alarms) whenever it is unattended away from facilities of the operator;			No ref in EU-OPS	No ref in ICAO
iv. Apply tamper evidence security tape on doors, panels, etc;	1. [IND Ass] This is of the responsibility of the CION .	1. Noted. However, Reg.300 does not apply to non-commercial operations.	No ref in EU-OPS	No ref in ICAO
v. Post a guard at the aircraft when away from operator facilities at locations where security is a concern; and			No ref in EU-OPS	No ref in ICAO
vi. Consider removing operator identification from the aircraft and facilities.			No ref in EU-OPS	No ref in ICAO
d. Facilities			No ref in EU-OPS	No ref in ICAO
i. Ensure facility perimeter security with effective fencing, lighting, security patrols (as appropriate), gates and limited access areas;			No ref in EU-OPS	No ref in ICAO
ii. Ensure external gates and doors are closed and locked at all times;			No ref in EU-OPS	No ref in ICAO

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
iii. Require positive access control for all external gates and doors;			No ref in EU-OPS	No ref in ICAO
iv. Close hangar doors when that area is unattended;			No ref in EU-OPS	No ref in ICAO
v. Secure all key storage areas (food and liquor, parts and tools, etc.);			No ref in EU-OPS	No ref in ICAO
vi. Have an access control management system for keys and passes;			No ref in EU-OPS	No ref in ICAO
vii. Confirm the identity and authority of each passenger, vendor and visitor prior to allowing access to facilities and aircraft;			No ref in EU-OPS	No ref in ICAO
viii. Accompany all visitors away from secure areas (visitor lounge, etc.);			No ref in EU-OPS	No ref in ICAO
ix. Require a picture ID of any unfamiliar or unaccompanied visitor or vendor;			No ref in EU-OPS	No ref in ICAO
x. Post emergency numbers prominently around facility;			No ref in EU-OPS	No ref in ICAO
xi. Ensure easy access to phones or "panic buttons" in various facility locations (break room, hangar bay, etc.); and			No ref in EU-OPS	No ref in ICAO
xii. Confirm security of destination facilities.			No ref in EU-OPS	No ref in ICAO
4 Responsive Measures			No ref in EU-OPS	No ref in ICAO
In the case of a hijacking, the crew members should attempt to make an assessment of the intent of the hijacker and follow the emergency procedures set out in the operations manual. These procedures should include the making of distress radio calls and transponder settings, to indicate that the aircraft has been hijacked and for adherence to the procedures that have been established and promulgated in ICAO Doc 7030 – Regional Supplementary Procedures in both the cases where the aircraft continues on the assigned track and cruising level or is forced to deviate there from.			No ref in EU-OPS	No ref in ICAO
In the case of bomb threats, the operator should first determine the legitimacy of the threat or whether it is likely to be a hoax. If considered to be legitimate, law enforcement officials should be notified. If the aircraft is in the air, ATS should be notified and the aircraft should land to be searched. If on the ground, the aircraft should be moved, for searching, to the designated isolated parking.			No ref in EU-OPS	No ref in ICAO
In the case of other unlawful acts, the operator should contact the responsible law enforcement authorities.			No ref in EU-OPS	No ref in ICAO

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
5 Training			No ref in EU-OPS	No ref in ICAO
Training programmes should be established with the objective of ensuring that all personnel with security related duties acquire and maintain the competence to perform their duties. The training programmes should include initial and periodic refresher training.			No ref in EU-OPS	No ref in ICAO
6 Testing			No ref in EU-OPS	No ref in ICAO
Testing of the security programme preventative and responsive measures should be undertaken periodically. Scenario based exercises that involve elements of the preventative or responsive measures are an appropriate means of testing. It is very important that the results of such test be recorded and where deficiencies are identified, corrective action plans are developed and implemented and then tracked to ensure that they are appropriate and effective.			No ref in EU-OPS	No ref in ICAO
7 Sample Security Checklist			No ref in EU-OPS	No ref in ICAO
PRIOR TO EVERY FLIGHT			No ref in EU-OPS	No ref in ICAO
Perimeter Awareness MAINTAIN			No ref in EU-OPS	No ref in ICAO
Gates and Doors LOCKED or ATTENDED			No ref in EU-OPS	No ref in ICAO
Storage Areas LOCKED or ATTENDED			No ref in EU-OPS	No ref in ICAO
Hangar Security Systems ACTIVATED IF INSTALLED or ATTENDED			No ref in EU-OPS	No ref in ICAO
Transient Facility Security VERIFIED			No ref in EU-OPS	No ref in ICAO
Suspicious Activity CALL LAW ENFORCEMENT SECURITY AUTHORITY			No ref in EU-OPS	No ref in ICAO
Servicing CREW PRESENT			No ref in EU-OPS	No ref in ICAO
Security Inspection:			No ref in EU-OPS	No ref in ICAO
Refer to AFM guidance and include the following if appropriate:			No ref in EU-OPS	No ref in ICAO
No sign of tampering			No ref in EU-OPS	No ref in ICAO

A: Rule		B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
Externally accessible service compartments				No ref in EU-OPS	No ref in ICAO
Wheel wells				No ref in EU-OPS	No ref in ICAO
System openings and vents				No ref in EU-OPS	No ref in ICAO
Lavatories				No ref in EU-OPS	No ref in ICAO
Internal/external storage compartments				No ref in EU-OPS	No ref in ICAO
Baggage holds				No ref in EU-OPS	No ref in ICAO
Accessible mechanical/ electrical compartments				No ref in EU-OPS	No ref in ICAO
Passenger Manifest	COMPLETE			No ref in EU-OPS	No ref in ICAO
Passengers	IDENTIFIED & VERIFIED			No ref in EU-OPS	No ref in ICAO
Luggage/Cargo	IDENTIFIED & VERIFIED			No ref in EU-OPS	No ref in ICAO
Unmatched Luggage/Cargo	DO NOT LOAD			No ref in EU-OPS	No ref in ICAO
Any Behavioural Changes in Personnel	CHECKED			No ref in EU-OPS	No ref in ICAO
Security Flight Restrictions	CHECK NOTAMS			No ref in EU-OPS	No ref in ICAO
All Itinerary/Manifest Information Retained Only if Required by Regulation or Operator Policy				No ref in EU-OPS	No ref in ICAO
BEFORE LEAVING AIRCRAFT				No ref in EU-OPS	No ref in ICAO
Unattended Aircraft Security:				No ref in EU-OPS	No ref in ICAO
AFM recommendations				No ref in EU-OPS	No ref in ICAO
Close and secure emergency exits				No ref in EU-OPS	No ref in ICAO
Arm alarm systems (if installed)				No ref in EU-OPS	No ref in ICAO

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
Close and lock all keyed access doors			No ref in EU-OPS	No ref in ICAO
Operator specific procedures/alternative means of compliance			No ref in EU-OPS	No ref in ICAO
Note: Procedures specified in the AFM always will precedence.			No ref in EU-OPS	No ref in ICAO
GM OR.OPS.030.SEC Aircraft search procedure checklist	1. [IND+IND Ass] The title should be renamed 'Specific threat event – search procedure checklist'.	1. Not accepted. See OR.OPS.030.SEC	No ref in EU-OPS	No ref in ICAO
COMMERCIAL OPERATORS AND NON-COMMERCIAL OPERATORS OF COMPLEX		Not necessary	No ref in EU-OPS	No ref in ICAO
Guidance material on the operator training programme and aircraft search procedure checklist for commercial operators and operators of complex motor-powered aircraft is contained in:			No ref in EU-OPS	No ref in ICAO
1 ICAO Doc 8973 RESTRICTED – Security Manual for Safeguarding Civil Aviation Against Acts of Unlawful Interference;			No ref in EU-OPS	No ref in ICAO
2 ICAO Doc 9811 RESTRICTED – Manual on the Implementation of the Security Provisions of Annex 6; and			No ref in EU-OPS	No ref in ICAO
3 ECAC Doc 30 Part II RESTRICTED – ECAC Policy Statement in the Field of Civil Aviation Security.			No ref in EU-OPS	No ref in ICAO
Further guidance material is contained in best practices and manuals developed by trade organisations, such as the IATA Security Manual and the IBAC IS-BAO International Standard for Business Aircraft Operations.			No ref in EU-OPS	No ref in ICAO

<table>
<tr><th>A: Rule</th><th>B: Summary of comments</th><th>C: Response</th><th>D: Source ref. and compliance</th><th>E: ICAO ref. and compliance</th></tr>
<tr><td>Subpart ATO - Approved Training Organisations</td><td>IA (1), MS (1)

a.One NAA recommending an editorial change: Change “synthetic training devices” and ”STD” to ”flight simulation training devices” and “FSTD”.

b. An IA comments that this part is clearly written for commercial flight schools only and that it is not suitable for small aero club ATOs. Proposal: “The whole part should be rewritten or there should be an amendment or attachment making it suitable for those schools (Altos) giving courses for PPL or/and lower.”</td><td>a. Accepted. The Agency will replace the term "synthetic training devices" by "flight simulation training devices"

b. Accepted. The Agency is aware that certain elements of the proposed requirements for training organisations would cause some additional administrative burden for the small training organisations approved on a national basis or registered as a training facility.

In order to solve this problem and to allow a small (now called "non-complex") organisation to continue with their activities several requirements will be amended and additional AMCs will be introduced in order to address this. However, it must be stated that all organisations have to comply with the requirements for a management system (described in OR.GEN). This will be a huge change for some of the small (non-complex) training organisations.</td><td></td><td></td></tr>
<tr><td>SECTION I – GENERAL</td><td></td><td></td><td></td><td></td></tr>
<tr><td></td><td>IA(11), IND(7), INDIV(18), MS(1)</td><td></td><td></td><td></td></tr>
<tr><td>AMC1-OR.ATO.105 Application
APPLICATION FORM</td><td>MS(12), IA(19), INDIV(2)</td><td></td><td></td><td></td></tr>
<tr><td>APPLICATION FORM FORAN ATO CERTIFICATE

<table><tr><th>N°</th><th>Question</th><th>Supplementary information</th></tr><tr><td>1.</td><td>Name of training organisation under which the activity is to take place</td><td>address, fax number,
e-mail, URL</td></tr><tr><td>2.</td><td>Training courses offered</td><td>theory and/or flight training</td></tr></table></td><td>a. Three comments from Industry Associations propose to draft a simplified form for “small” ATOs

b. One comment from a Member State proposes to include the organisation number in item 1.

c. Three comments from Industry Associations propose to include the</td><td>a. Not accepted: this is form is flexible enough to cater for “small” and “non-complex” organisations.

b. Not accepted: Since this is an application, an organisation number is not yet attributed.

c. Not accepted. The Agency believes that it is important is to know whether a qualified</td><td></td><td></td></tr>
</table>

A: Rule			B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
3.	Name of head of training	type and number of licence full/part-time	reference to volunteers in item 3.	HT is working full-time (for certain ATOs required) or only part time. The term "part-time" does not mean automatically that he/she is employed and paid by the ATO. The HT might also fulfil his/her tasks on a voluntary basis.		
4.	Name of chief flight instructor	as (3)				
5.	Name of chief theoretical knowledge instructor	as (3)				
6.	Name of flight instructor(s), where applicable	as (3)	d. Three comments from Industry Associations propose to refer to one room only for the purpose of items 8 and 9.	d. Not accepted. This form is not the appropriate place to regulate the dimensions of the training organisation. This is only an application form. The question if a certain ATO might use only one room in order to fulfil the requirements is explained in the appropriate AMC dealing with facilities in OR.GEN.215.		
7.	Aerodrome(s)/ operating site(s) to be used	IFR approaches, if applicable night flying, if applicable air traffic control flight testing facilities, if applicable data reply facilities, if applicable	e. One comment from a Member State proposes to include reference to FNTP III Helicopter. f. Eight comments propose to include in item 11 aircraft insurance and maintenance system.	e. Partially Accepted: For simplification general remark is made "Type of FSTDs" used by the ATO.		
8.	Flight operations accommodation	location, number and size of rooms	g. Two comments propose to delete item 11 for this application form.	f. Not Accepted. The Agency cannot see a safety related reason to incorporate details about insurance or maintenance systems.		
9.	Theoretical instruction facilities	location, number and size of rooms				
10.	Description of training devices(as applicable)	FFS, FNPT I, II and III, FTD 1, 2 and 3, and 3, and BITD	h. Eight comments propose to include organisation manual in item 12.	g. Not accepted: the Agency is of the opinion and it is required that the aircraft used in the training is adequate and it should be accepted by the NAA.		
11.	Description of aircraft	Class/type(s) of aircraft registration of aircraft IFR equipped, if applicable Flight test instrumentation, if applicable		h. Not accepted. As the proposed change for OR.ATO.105 was not agreed this will not be changed. The training and the operations manual will cover the required documentation. A specific organisation manual will not be required by this subpart.		
12.	Proposed administration and manuals : (submit with application if required)	(a) course programmes (b) training records (c) operations manual (d) training manual				
13.	Details of proposed compliance monitoring system					
Note 1: If answers to any of the above questions are incomplete, the applicant should provide full details of alternative arrangements separately.						
I, *(name)*, on behalf of (name of training organisation) certify that all the above named persons are in compliance with the applicable requirements and that all the above information given is complete and correct.						

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
(Date) (Signature)	Four comments propose to include the date of application.	Agreed. Text will be amended.		
	One comment from a Member State proposes to include reference to FNTP III Helicopter	Partially accepted. The Agency has changed the wording concerning the uses of FSTDs in order to make it more general and to cover all kinds of flight simulation devices.		
	IA(5), MS(1), IND(9) a. Several comments from industry and competent authorities propose to delete this AMC based on the fact that most of the issues are covered in Part FCL anyway and do not establish specific additional requirements for ATOs. b. One industry stakeholder has entered an additional comment proposing specifically to delete the required professional pilot licence. One industry association pointed out that the way the requirement for the instructors are written it "sounds like they must have an EASA licence with the particular EASA instructor rating". The following proposals were made: 1. Remove the 3 year requirement. 2. Remove the instructor categories and add certificate relevant to the course. 3. Remove the instructor categories mentioned and add a professional licence "with 1500 hours as pilot on MP airplanes" and "at least 3 hours of instruction on the approved course".	a. Accepted. The Agency agrees with the comments proposing to delete this AMC. This decision is based on the fact that all the privileges of the different instructor categories are covered in Part-FCL. Paragraph FCL.900 states that a person shall only carry out synthetic flight instruction or multi-crew cooperation instruction when he/she holds an instructor certificate appropriate to the instruction given. In the different sections of subpart J the pre-requisites and the privileges of each instructor certificate are explained in detail. The only issue not addressed in Part-FCL is the requirement in 1. asking the instructor to hold (or have held) a professional pilot licence for at least three years prior to the first appointment. But as this is based on the JAR-FCL Appendix 1a to JAR-FCL 1.055 which allowed commercial pilots without holding an instructor rating to provide synthetic flight instruction, this system will no longer be allowed in the future system. A professional licence will no longer be required for these instructors. b. & c. See comment above. Based on the same logic (AMC deleted) these proposals will not be implemented.		
	MS(1) a. One competent authority recommends amending 1 to read: "Instructors	a. Accepted. It was decided to delete this AMC completely as the privileges of the		

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	providing training on an FTD and an FNPT I should have instructional experience appropriate to the training courses they are to conduct and hold or have held for the preceding 3 years a professional pilot licence and associated ratings prior to the first appointment.	different instructor categories are already covered in Part-FCL. All the changes proposed to this AMC will not be addressed as these issues should be covered in the privilege requirement for each instructor category (here: "and associated ratings").		
	MS(1) a. One comment is proposing in 2. to add some more instructor categories (e.g. IRI(H) or TRI(H)).	a. Partially accepted. The comment is right in general but as it was decided to delete this AMC completely no additional instructor category must be mentioned.		
	IA(1) a. One industry association recommends to add in item 3: "'or MCCI(A)' before certificate ".	a. Not accepted. It was decided to delete this AMC completely as the privileges of the different instructor categories are already covered in Part-FCL. All the changes proposed to this AMC are not longer necessary as these issues should be covered in the privilege requirement for each instructor category (here: MCCI(A) - please check FCL.905.MCCI).		
AMC1-OR.ATO.110(a) 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 the HT shall be supported by one or more nominated deputy HT(s) for certain flight training courses in order to assist.		Please see the response provided to OR.ATO.110(a). The Agency agreed to the proposals that some kind of assistance for the Head of Training must be established for the case that an ATO provides training for several aircraft categories. This new AMC was developed based on the input received.		
AMC1-OR.ATO.110(b) Personnel requirements THEORETICAL KNOWLEDGE INSTRUCTORS Theoretical knowledge instructors should, before appointment, prove their competency bygiving a test lecture based on material they have developed for the subjects they are to teach.		The text of this AMC was transferred from an AMC to section 2 in order to address this issue to theoretical knowledge instructors for all kind of ATOs.		
AMC1-OR.ATO.120(a)(1),(2) Record keeping ATOS PROVIDING TRAINING ONLY FOR THE LAPL, PPL, SPL OR BPL		See response provided to the rule OR.ATO.120(a)(1),(2). Based on the input received this additional AMC was developed		

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The details of ground, flight and flight simulationinstruction given to a specific individual student and the detailed progress reports from instructors may be kept also in a student's progress card. This progress card should contain all the exercises of the training syllabus. The instructors should sign this card if a certain exercise has beencompleted or a specific assessmenthas been conducted.		in order to address the issue.		
	For some commentators it was unclear which documentation has to be kept, how long and which format is possible	Additional AMC: See comment and response in OR.ATO.120.(b) The AMC had been amended following internal review. Following a structural decision this AMC has been moved to Section 3.		
AMC1-OR.ATO.125 Training programme GENERAL	IND(1), INDIV(4) a. The comments propose to put details about training programmes into the AMC in Part-FCL in order to avoid duplicity with FCL sections.	a. Not accepted. It seems that these comments should have been addressed to another segment. This AMC1-OR.ATO.125 which contains some general provisions for the training programme is clearly aimed at the training organisation and provides some details about a phased approach regarding practical and theoretical training and a procedure how to solve problems encountered during instruction. The Agency does not understand the comment proposing to put this in an AMC to Part-FCL as the content addresses the ATO. The AMC has been therefore kept in Part-OR.		
1. Flight training in an FSTD and theoretical knowledge instruction should be phased in such a manner as to ensure that students are able to apply to flightexercises the knowledge gained on the ground.	IA(1) According to the commentator the paragraph 1 does not allow an ATO to schedule an FSTD session prior to theoretical instruction. The association proposes to change wording of paragraph 1 to "When practical, theoretical knowledge instruction should take place prior to synthetic flight training." This would allow the ATO more time scheduling flexibility in training.	Not accepted. The statement that an FSTD session would not be allowed in the case that there is no TK session before seems to be based on a misinterpretation of the proposed text, which states that the instruction has to be phased: "In such a manner as to ensure that students should be able to apply to flying exercises the knowledge gained on the ground". This does not imply that a specific TK session should always be conducted before an FSTD session takes place but it clearly requires that the student pilot has received the		

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		necessary instruction to be able to apply the knowledge definitely needed for a certain exercise in the FSTD. As some basic TK instruction can be provided in a detailed briefing and a certain amount of theoretical background is absolutely necessary to do a specific exercise, the Agency can not see the reason why this AMC should be changed in a way that was proposed with the comment. The text will therefore remain unchanged.		
2. Arrangements should be made so that problems encountered during instruction can be resolved during subsequent training.				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
AMC2-OR.ATO.125 Training programme TYPE RATING COURSES - AEROPLANES	IA(13), IND(2), MS(1), INDIV(1) Details about training programmes should be set in the relevant FCL sections in order to avoid duplicity. The proposal is to move this AMC to the relevant FCL AMCs. Nine commentators stated that except for requirement 3.2 and 3.3 everything else should be deleted as there is too much interference with JAR-FCL.	Not accepted. The Agency received several comments proposing to put the content of this AMC in Part-FCL. The content of this AMC was transferred from JAR-FCL. It was published in AMC FCL 1.261(c)(2) and the title was "Guidelines for Approval of an Aeroplane Type Rating Course. The content was not changed when this AMC to Part-OR was developed and as the main addressee of this AMC will be the training organisation trying to receive an approval for the course the Agency does not agree that this AMC containing the course should be moved to Part-FCL. The Agency proposes to study the AMC in order to find issues explained such as: - training programme - sub-contract of elements of the training - objectives of the training - facilities and training aids - course completion certificate - and more These elements are clearly not addressed to the applicant, the instructor or the examiner but to the training organisation. The requirements for the training organisation are to be found in Part-OR. Furthermore some comments propose to change the status of this document and to move this AMC into the Implementing Rule or at least change it into an Appendix. As it was also an AMC under the JAR system and as such requirements need some flexibility for possible short-term changes the Agency decided that the requirements remain as an AMC.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
1. Introduction.				
a. When developing the training programme for a type rating course, in addition to complying with the standards included in the OSD, as establishes in accordance with Part-21 for the applicable type, the ATO should also follow any further recommendations contained therein. b. A type rating course should, as far as possible, provide for a continual process of ground, FSTD and flight training to enable the student to assimilate the knowledge and skills required to operate a specific aircraft type safely and efficiently. The student's ability to do this should be determined by the demonstration of a satisfactory level of theoretical knowledge of the aircraft determined by progressive checking of knowledge and examination, progressive assessment by the ATO during flight training and the successful completion of a practical skill test with an examiner.	IA(1), IND(1), MS(1) The stakeholders suggested deleting the last sentence of the paragraph. One comment stated that a pilot should not be required to have the same level of knowledge as an engineer. Another comment mentioned that the flight engineers are not covered by any of the Implementing rules but by national legislation.	Accepted. This additional sentence seems to be unnecessary. A clarification with a reference to the OSD in Part-21 was added based on the comments received and following an internal review of this issue.		
c. A type rating course should normally be conducted as a single, full-time course of study and training. However, in the situation where the course is intended to enable a pilot to fly a further aircraft type while continuing to fly a current type, such as to enable mixed fleet flying with the same operator, some elements of the theoretical knowledge course conducted by self-study may be undertaken while the student continues to fly the current type.	IA The comment states that this overlap shall be strictly limited to the strict minimum required to fulfil the self-study, and shall not include aspects where confusion is possible between the types. It is proposed to add this text in 1.2. at the end mentioning that some CCQ aspects may be studied while flying the current aircraft (e.g. special operations like ETOPS) but that it shall not be allowed to study technical or procedural items of the new aircraft while flying the current one.	Not accepted. As explained in paragraph 10 of the Explanatory Note of NPA 2008-22a, when adopting its proposal, the Commission recommended, as suggested by the Agency itself, that common requirements to be specified in Implementing Rules be based as much as possible on existing JAA material. The wording discussed here is taken over from JAR-FCL. The Agency sees no safety justification so far that the JAR-FCL requirement which is still in place caused any problem or hazardous situation. Therefore it was decided not to amend the text at this stage.		
2. Variants.				
a. Familiarisation training: Where an aeroplane type rating also includes variants of the same aircraft type requiring familiarisation training, the additional familiarisation training may be included in the theoretical knowledge training of the initial type rating course. Flight training should be conducted on a single variant within the type.	IA The SH suggests to use another wording e.g.: "The familiarization training should be based on the one defined in the operational suitability Certificate issued under Part 21 when available".	Partially accepted. The Agency agrees and amended the text accordingly by inserting an additional paragraph in the beginning of this AMC.		
b. Differences training: Where an aeroplane type rating also includes variants of the same aircraft type for which difference training is required, the initial training course should be directed towards a single variant. Additional training to operate other variants within the same type	IA The SH suggests to use another wording e.g.: "The difference training should be based on the one defined in the	Partially accepted. The Agency agrees and amended the text of this NPA by inserting a reference in the beginning of this AMC.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
rating should be completed after successful completion of the initial type rating course, although elements of this differences training may be undertaken at appropriate stages of the initial course, with the agreement of the competent authority.	operational suitability Certificate issued under Part 21 when available".			
3. Programme of theoretical knowledge and flight training.				
a. The training programme should specify the time allocated to theoretical knowledge training, FSTD training and, if not approved for zero flight-time training (ZFTT), the aeroplane. The initial type rating course should be programmed on the basis that the student has the minimum licensing and experience requirements for entry to the course. For a first type rating on a multi-pilot aeroplane, the course should also provide for consolidation and type-specific training in those elements of basic MCC training relevant to the type or variant.	IA The SH state that the OSC shall also specify pre-requisites for entry to the type rating course. This should be reflected.	Not accepted. The Agency agrees that elements for the training programme should also be part of the OSD but does not see a need to change the wording here.		
b. If an ATO wishes to provide a training course that includes credit for previous experience on similar types of aircraft, such as those with common systems or operating procedures with the new type, the entry requirements to such courses should be specified by the ATO and should define the minimum level of experience and qualification required of the flight crew member.	IA Proposal made by one SH was to reword the paragraph:"… the minimum level of experience and qualification required of the flight crew member in accordance with the Operational Suitability Certificate issued under Part-21."	Partially Accepted. The Agency agrees and added a reference in the first section of this AMC.		
c. An ATO is permitted to contract elements of training to a third party training provider. In such cases the contracted organisation should normally be approved to conduct such training. When the contracted organisation is not an ATO , the competent authority should, within the approval process of the ATO , include the contracted organisation and be satisfied that the standard of training intended to be given meets the requirements. The other obligations of the ATO , such as student progress monitoring and an adequate management system can be exercised by the ATO seeking approval and which retains responsibility for the whole course.	IA(1) Clarification is requested concerning this paragraph on whether responsibility is transferred from the ATO to the sub-contractor or if this is only an administrative procedure. Are there any changes to the present situation and in which cases does it apply?	Not accepted. The Agency would like to clarify that the wording used here was transferred from JAR-FCL (item 3.3. of the AMC FCL 1.1261(C)) and was not changed. This leads to the result that nothing will change compared with the actual situation. As no safety related problem with this procedure in place in the JAA Member States is known the systems seems to work and will be kept.		

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GROUND TRAINING	IA(2) The commentator is of the opinion that the wording should be changed as the phrasing "Ground Training" could be misleading. Should be changed into: procedure training familiarisation aircraft systems training and emergencies as they are only "Flight instructions given on the ground" but "it is not the ground that is trained".	Not accepted. This interpretation is interesting but as JAR-FCL has already introduced the wording most of the "users" are familiar with this expression. The terms proposed seem to cover only certain elements of the full scope of "ground training".		
4. Syllabus.				
The ground training syllabus should provide for the student to gain a thorough understanding of the operation, the function and, if appropriate, the abnormal and emergency operation of all aircraft systems. This training should also include those systems essential to the operation of the aircraft, such as 'fly-by-wire' flight control systems, even if the flight crew have little or no control of their normal or abnormal operation.				
5. Theoretical knowledge instruction.				
The theoretical knowledge instruction training should meet the general objectives of (but not be limited to):				
a. giving the student a thorough knowledge of the aircraft structure, powerplant and systems, and their associated limitations, including mass and balance, aircraft performance and flight planning considerations;				
b. giving the student a knowledge of the positioning and operation of the cockpit controls and indicators for the aircraft and its systems;				
c. giving the student an understanding of system malfunctions, their effect on aircraft operations and interaction with other systems; and				
d. giving the student the understanding of normal, abnormal and emergency procedures				
6. Facilities and training aids.				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
The ATO should provide adequate facilities for classroom instruction and have available appropriately qualified and experienced instructors. Training aids should enable students to gain practical experience of the operation of systems covered by the theoretical knowledge syllabus and, in the case of multi-pilot aeroplanes, enable such practical application of the knowledge to be carried out in a multi-crew environment. Facilities should be made available for student self-study outside the formal training programme.				
7. Computer-based training (CBT).				
CBT provides a valuable source of theoretical instruction, enabling the students to progress at their own pace within specified time limits. Many such systems ensure that syllabus subjects are fully covered and progress can be denied until a satisfactory assimilation of knowledge has been demonstrated. Such systems may allow self-study or distance learning, if they incorporate adequate knowledge testing procedures. When CBT is used as part of the theoretical knowledge instruction phase, the student should also have access to a suitably qualified instructor able to assist with areas of difficulty for the student.	IA: 1 The commentator proposes to delete 7.1 and replace with AMC3 OR.ATO.125, paragraph 8 as this version is much easier to understand. Text proposed: Where CBT aids are used as a training tool, the organisation should ensure that a fully qualified ground instructor is available at all times when such equipment is being used by course students. Other than for revision periods, CBT lessons should be briefed and debriefed by a qualified ground instructor.	The Agency agrees that the text which was transferred from JAR-FCL could be improved. It is also true that in the AMC containing the course contents for the type training on helicopters for certain issues a different wording is used. There should take place a further review of these AMCs in order to ensure a certain consistency but as an item of another rulemaking task. The Agency decided to keep these AMCs for the moment as close as possible to the JAR wording.		
8. Self-study and distance learning.				
Elements of the theoretical knowledge syllabus may be adequately addressed by distance learning, if approved, or self-study, particularly when utilising CBT. Progress testing, either by self-assessed or instructor-evaluated means should be included in any self-study programme. If self-study or distance learning is included in the theoretical knowledge training, the course should also provide for an adequate period of supervised consolidation and knowledge testing.	IA(8), MS(1), INDIV(1), IND(1) a. It is suggested to extend the knowledge supervision to the flight training period in order to implement a sedimentation phase. This is based on the experience with E-learning. b. Other stakeholders are of the opinion to delete "prior to commencement of flight training" should not be required if no aircraft flight training is conducted. The mix of simultaneous flight simulator training and theoretical knowledge training is beneficial to the student and has no impact on safety.	a./b. Accepted. The Agency agrees with the second proposal as a deletion of the last part of the sentence would generalise the issue and solve the problem. Text changed as follows: "....the course should also provide for an adequate period of supervised consolidation and knowledge testing		
9. Progress tests and final theoretical knowledge examination.				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
a. The theoretical knowledge training programme should provide for progressive testing of the assimilation of the required knowledge. This testing process should also provide for retesting of syllabus items so that a thorough understanding of the required knowledge is assured. This should be achieved by intervention by a qualified instructor or, if using CBT with a self-testing facility, and by further testing during the supervised consolidation phase of the ground course.				
b. The final theoretical knowledge examination should cover all areas of the theoretical knowledge syllabus. The final examination should be conducted as a supervised written (including computer-based)knowledge test without reference to course material. The pass mark of 75% assumes the achievement of satisfactory levels of knowledge during the progressive phase tests of the course. The student should be advised of any areas of lack of knowledge displayed during the examination and, if necessary, given remedial instruction.	IA The Association is of the opinion that the word written could be misunderstood as most exams will be conducted computer-based. The following proposal for a text change was made: "The final examination should be conducted as a supervised written or computer- based knowledge test without reference to course material."	Partially accepted. Some comments in Part-FCL aiming in the same direction were answered with: "written" does not mean that tests done using a computer will not count. So far the Agency's explanation and answer on comments like this was always: "There is no need for a text change as the computerised form will be included". But as it seems that the wording used is not clear enough the proposal has been partially accepted and the text amended to read: "written (including computer-based) knowledge test".		
A successful pass of the theoretical knowledge course and final examination should be a pre-requisite for progression to the flight training phase of the type rating course.	INDIV(2) The stakeholders are of the opinion that practical flight training can take place before having finished the theoretical course. It is highlighted that it often helps to have practical experience alongside theoretical knowledge to understand issues taught in class. Proposal: text should be changed to "A successful pass of a theoretical knowledge course and final examination should be a prerequisite for progression to the Skill Test only."	Not accepted. Part-FCL (FCL.030) already defines that a pilot cannot take the skill test before passing the TK examination. Based on this a change like the proposed one is no longer necessary and would create confusion if it stays. Parallel training can be achieved, but it would require further development of this requirement to address synchronisation of the theoretical and the practical training. This could be defined later on but would need some further assessment. For the time being, to simplify the requirement the initial wording should be kept in order to make sure there is no training performed by forcing the trainee to fly without having fully understood what is behind the flying skills required. This is the reason why the original phrasing will be kept.		

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FLIGHT TRAINING	IA The stakeholder is of the opinion that too many topics are under the same name. It should be clearly differentiated between "flight training", "FSTD", "ZFTT" as mainly FSTD is the topic in this paragraph. The title "Flight Training" is criticised as it would be the wrong name for the content.	Not accepted. This title was taken over from JAR-FCL and the Agency is not aware of any problems with the wording used or the structure. At this stage the wording will be kept.		
10. Flight simulation training devices (FSTDs).	IA(2) The stakeholders suggest to add a definition of the complexity of the a/c for instance twin turbine or twin jet should be considered to receive a minimum of 32 hrs FSTD training.	Noted. The Agency is of the opinion that it is not mandatory to mention twin jet and twin turbine a/c as they are already included as they are usually multi pilot aeroplanes.		
A type rating course for a multi-pilot aeroplane should include FSTD training.	IA The association suggests deleting the part "FSTD provide the most effective flight training…" as this can be interpreted as an opinion. Opinions should not appear in a regulatory document.	Accepted. The Agency agrees that the wording which was transferred from the JAR-FCL AMC does not clarify any requirement or does not provide any factual evidence needed. As the Agency on one hand tries to stay as close as possible with the JARs but also has to establish a certain consistency between the AMCs for the helicopter training and the ones for the training on aeroplanes this section (and some others) has been deleted.		
The amount of training required when using FSTDs will depend on the complexity of the aeroplane concerned, and to some extent on the previous experience of the pilot. Except for those courses giving credit for previous experience (3.b.), a minimum of 32 hours of FSTD training should be programmed for a crew of a multi-pilot aeroplane, of which at least 16 hours should be in a FFS operating as a crew. FFS time may be reduced if other qualified FSTDs used during the flight training programme accurately replicate the cockpit environment, operation and aeroplane response. Such FSTDs may typically include FMC training devices using hardware and computer programmes identical to those of the aeroplane.	IA(3), INDIV(2), MS(1) a. Two stakeholders mentioned the necessity of FFS as it is closer to real operations and therefore they suggest deleting the last two sentences stating a reduction of full flight simulation time that may be adequate if other qualified simulators are used. b. Another comment proposes to maintain the minimum training in an FFS should not be less than 16 hours for multi-pilot aeroplanes and 10 hours for single-pilot aeroplanes. The stakeholder suggests that this should be defined via the OSC, based on an evaluation of the specific aircraft requirements. c. Proposed wording made by one commentator:"…Except for those courses giving credit for previous experience as defined in the OSC issued under Part-21	a. Partially accepted. As explained in paragraph 10 of the Explanatory Note of NPA 2008-22a, when adopting its proposal, the Commission recommended, as suggested by the Agency itself, that common requirements to be specified in implementing rules or AMCs should be based as much as possible on existing JAA material. The wording discussed here is taken over from JAR-FCL. The Agency sees no safety justification so far that the JAR-FCL requirement which is still in place caused any problem or hazardous situation. Therefore it was decided not to amend the text at this stage. Based on another comment the reference to an FNPT II in the last sentence has been deleted. b. Not accepted. As explained in paragraph 10 of the Explanatory Note of NPA 2008-22a, when adopting its proposal, the Commission recommended, as suggested by the Agency itself, that common requirements to be specified in implementing rules or AMCs		

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	(para.3.2)…", when NPA 2009-1 on Operational Suitability Certificate is adopted. d. One MS suggests to amend the text as follows: Minimum of 32 hours of FSTD training should be programmed for a crew of a multi-pilot aeroplane, 16 hours for single-pilot multi-engine aeroplanes (SP ME) and 10 hours for single pilot single-engine (SP SE) aeroplanes, of which at least 16 hours 50% should be in a Full Flight Simulator operating as a crew.	should be based as much as possible in existing JAA material. The Agency sees no safety justification for amending the text of this paragraph. c. Not accepted. The Agency does not agree with the statement that a reference to the Operational Suitability Data should be made as such credits will not be defined in the OSD but established in Part-FCL. d. Not accepted. The Agency does not see a reason for such a significant change concerning type rating courses for SP ME and SP SE aircraft.		
	e. One stakeholder proposes to add here the definition of aeroplane complexity by suggesting: "all twin-turbine and twin-jet should be considered to receive a minimum of 32 hrs of FSTD training". f. One IA proposes to delete: "Full Flight Simulator time may be reduced…or type specific FNPT IIs" based on the principle that FFS time should not be reduced. g. One MS proposes to delete "or type specific FNPT IIs" pointing out that an FNPT II is not type specific.	e. & f. Not accepted. This requirement was established already under JAR-FCL (item 10.2 of the AMC FCL 1.261) and the Agency has not received any information that this requirement caused any safety related problem. Therefore the requirement will be kept. g. Accepted. This wording was taken over from JAR-FCL. However, as the comment is correct the Agency will amend the text accordingly.		
11. Aeroplane training with full flight simulator.				
a.With the exception of courses approved for ZFTT, certain training exercises normally involving take-off and landing in various configurations should be completed in the aeroplane rather than an FFS. For multi-pilot aeroplanes where the student pilot has more than 500 hours of MPA experience in aeroplanes of similar size and performance, these should include at least four landings of which at least one should be a full-stop landing, unless otherwise specified in the OSD established in accordance with Part-21, when available. In all other cases the student should complete at least six landings. This aeroplane training may be completed after the student pilot has completed the FSTD training and has	IND (3) a. The stakeholder does not agree with the fact that the flight training course is limited to two hours mentioning that there is no safety reason to set a time limit.	a. Not accepted. As explained in paragraph 10 of the Explanatory Note of NPA 2008-22a, when adopting its proposal, the Commission recommended, as suggested by the Agency itself, that common requirements to be specified in implementing rules or AMCs should be based as much as possible in existing JAA material. The Agency sees no safety justification for amending the text of this paragraph and will		

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successfully undertaken the type rating skill test, provided it does not exceed two hours of the flight training course.	b. Another stakeholder suggested amending the wording to "… should include at least 4 landings of which at least one should be a full stop landing, unless otherwise specified in the Operational Suitability certificate issued under Part-21." This is because some manufacturers are of the opinion that the number of landings required may be less than four as similar types of aircraft can be used that may not require intensive training.	keep the JAR-FCL wording. b. Accepted. As the OSD might define a different amount of training than mentioned here the Agency agrees and will incorporate as an alternative the proposed reference to the OSD.		
b. Courses approved for ZFTT				
During the specific simulator session before line lying under supervision (LIFUS), consideration should be given to varying conditions, for example: i. runway surface conditions; ii. runway length; iii. flap setting; iv. power setting; v. crosswind and turbulence conditions; and vi MTOW and MLW.				
a. The landings should be conducted as full-stop landings. The session should be flown in normal operation.				
b. Special attention should be given to the taxiing technique.				
c. A training methodology should be agreed with the competent authority that ensures the trainee is fully competent with the exterior inspection of the aeroplane before conducting such an inspection un-supervised.				
d. The LIFUS should be performed as soon as possible after the specific FFSsession.				
e. The licence endorsement should be entered on the licence after the skill test, but before the first four4 take-offs and landings in the aeroplane. At the discretion of the competent authority, provisional or temporary endorsement and any restriction should be entered on the licence.	One MS comments that this "has evidently been lifted from JAR FC" and refers to one of the privileges of a Senior TRE by stating: "Senior TRE is mentioned in Part-FCL…..but not in these rules."	Not accepted. The privileges of the examiners and the obligations are covered in Part-FCL. The requirements for examiners were amended and changed during the review phase in order to address some additional issues. The Agency does not see a		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
		need to change the given text in this AMC.		
Where a specific arrangement exists between the ATO and the commercial air transport operator, the operator proficiency check (OPC) and the ZFTT specific details should be conducted using the operator's standard operational procedures (SOPs).				
12. Aeroplane without full flight simulator.				
a. Flight training conducted solely in an aeroplane without the use of FSTDs cannot cover the crew resource management (CRM) and multi-crew cockpit (MCC) aspects of MPA flight training, and for safety reasons cannot cover all emergency and abnormal aircraft operation required for the training and skill test. In such cases, the ATOshould demonstrate to the competent authority that adequate training in these aspects can be achieved by other means. For training conducted solely on a multi-pilot aeroplane where two pilots are trained together without the use of a flight simulator, a minimum of 8 hours of flight training as pilot flying (PF) for each pilot should normally be required. For training on a single-pilot aeroplane, 10 hours of flight training should normally be required. It is accepted that for some relatively simple single or multi-engine aircraft without systems such as pressurisation, FMS or electronic cockpit displays, this minimum may be reduced.				
b Aeroplane training normally involves an inherent delay in achieving an acceptable flight situation and configuration for training to be carried out in accordance with the agreed syllabus. These could include ATC or other traffic delay on the ground prior to take-off, the necessity to climb to height or transit to suitable training areas and the unavoidable need to physically reposition the aircraft for subsequent or repeat manoeuvres or instrument approaches. In such cases it should be ensured that the training syllabus provides adequate flexibility to enable the minimum amount of required flight training to be carried out.	IA The organisation supposes that "It is widely accepted that" is an editorial opinion. Proposal to remove this wording.	Accepted. As this expression provides no further information but is more a wording used in GM the Agency decided to delete it.		
SKILL TEST				
13. Upon completion of the flight training, the pilot will be required to undergo a skill test with an examiner to demonstrate adequate competency of aircraft operation for issue of the type rating. The skill test should be separate from the flight training syllabus, and provision for it cannot be included in the minimum requirements or training hours of the agreed flight training programme. The skill test may be conducted in a flight simulator, the aeroplane or, in exceptional circumstances, a combination of both.	IA The stakeholder proposes that some credit of prior experience shall be given to the pilot. Therefore a change of wording is suggested: "When defined in the Operational Suitability Certificate issued under Part-21, credit may be given for skill test items common with other types for which the pilot is qualified."	Not accepted. As explained in paragraph 10 of the Explanatory Note of NPA 2008-22a, when adopting its proposal, the Commission recommended, as suggested by the Agency itself, that common requirements to be specified in implementing rules or AMCs should be based as much as possible in existing JAA material.	NPA 2009-1 IR FCL Appendix 9	

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
		The Agency sees no safety justification for amending the text of this paragraph and has kept the JAR-FCL wording		
COURSE COMPLETION CERTIFICATE				
14. The HT, or a nominated representative, should certify that all training has been carried out before an applicant undertakes a skill test for the type rating to be included in the pilot's licence. If an ATO is unable to provide certain elements of the training that is required to be carried out on an aircraft the ATO may issue such a certificate confirming the completion of the ground training orthe training in an FSTD.	IA(3) The comment suggests to include the ability to issue the Course Completion Certificate before the landings are completed in the aircraft as many ATO do not have aircraft and the pilot has to take training using a third party aircraft and instructor.	Accepted. An amendment of this text seems to be necessary as the wording in the JAR AMC FCL 1.26(c)(2) allowed such a procedure if the approving authority agreed.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
AMC3-OR.ATO.125 Training programme TYPE RATING COURSES - HELICOPTERS	IND(5), IA(1), MS(1) a. The same comment was sent by five industry stakeholders. This comment suggests transferring "Details about training programmes" to the applicable FCL sections in order to avoid duplicity. Another industry organisation focuses on the same issue but stresses that the material should not be in an Implementing Rule. All other courses (the reference the comment provides is Appendix to JAR-FCL 1.261 which does not contain the content of this AMC) are in FCL as an IR but this important one was left as AMC. In the opinion of this stakeholder the AMC level would allow that most of the issues are left at "the discretion of the operators" which should not be the case. b. A competent authority proposed to amend this AMC and argues that "in aeroplanes clear guidance about recommended minimum hours shall be specified".	a. Not accepted. The Agency received several comments proposing to put the content of this AMC in Part-FCL or at least to move it to the Implementing Rules. The content of this AMC was transferred from JAR-FCL. It was published in an AMC FCL 2.261(c)(2) and the title was "Guidelines for Approval of a Helicopter Type Rating Course". The content was not changed when this AMC to Part-OR was developed. As the main addressee of this AMC is the training organisation trying to receive an approval for the course the Agency does not agree that this course should be moved to Part-FCL. The Agency proposes to study the AMC and the following topics: - training programme - sub-contract of elements of the training - objectives of the training - facilities and training aids - course completion certificate - and more. These elements are clearly not addressing the applicant for a type rating, the instructor or the examiner but to the training organisation. The requirements for the training organisation are to be found in Part-OR. Furthermore some comments propose to change the status of this document and to move this AMC into the Implementing Rule or at least change it into an Appendix. As it was also an AMC under the JAR system and as such requirements contain some flexibility for possible short-term changes the Agency has kept this as an AMC. b. Accepted. The Agency agrees that there are some specific minimum hours for the aeroplane type rating course provided in AMC2-OR.ATO.125 regarding the amount of flight training required when using FSTDs (see items 10. and 11.a.). In the appropriate section of this AMC for the helicopter course no specific number of hours is mentioned. The Agency carefully reviewed the content of the JAR-FCL AMC and came to the conclusion that the numbers provided in the AMC should be included also in this AMC. As	AMC FCL 2.261(c)(2)	

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
		it was decided to stay as close as possible with the JARs this change would have to be introduced at this stage.		
1. Introduction.				
a. When developing the training programme for a type rating course, in addition to complying with the standards included in the OSD as established in accordance with Part-21 for the applicable type, the ATO should also follow any further recommendations contained therein. b. The course should, as far as possible, provide for integrated ground, flight simulator and flight training designated to enable the student to operate safely and qualify for the grant of a type rating. The course should be directed towards a helicopter type, but where variants exist, all flying and ground training forming the basis of the course should relate to a single variant.		Based on several comments received and an internal review by the Agency a reference to the OSD as established in accordance with Part-21 was incorporated.		
2. Variants.				
a. Familiarisation training: where a helicopter type rating also includes variants of the same aircraft type requiring familiarisation training, the additional familiarisation training may be included in the theoretical knowledge training of the initial type rating course. b. Differences training: where a helicopter type rating also includes variants of the same aircraft type for which difference training is required, the initial training course should be directed towards a single variant. Additional training to operate other variants within the same type rating should be completed after successful completion of the initial type rating course, although elements of this differences training may be undertaken at appropriate stages of the initial course, with the agreement of the competent authority.	MS The MS states that this § is totally different from what is foreseen in the AMC 2 (Aeroplanes) "...in accordance with Part-FCL", where can that be found?	Accepted. The comment is right when stating that this section about "Variants" is written differently to the section about variants in AMC2 for aeroplane courses. In JAR-FCL 2 a reference to JAR-FCL 2.235(c) was used which was a requirement containing the following: (c) Variants. If the variant has not been flow within a period of two years following the differences training, further differences training or a proficiency check in that variant will be required. (1) Differences training requires additional knowledge and training on an appropriate training device or helicopter. The differences training shall be entered in the pilot's logbook or equivalent document and signed by a TRI/SFI(H) or FI(H) as appropriate. (2) Familiarisation training requires the acquisition of additional knowledge. This differences training shall be entered in the pilot's logbook or equivalent document and signed	Wording used in AMC 2 to OR.ATO.125 was transferred.	

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		by a TRI/SFI(H) or FI(H) as appropriate. As this is covered in Part-FCL (as the reference so far used already indicates / GM 1 to FCL.710) and is also different to the content in AMC2 the Agency decided to transfer the content of this section in AMC2 also to AMC3.		
3. Training in helicopter and FSTDs				
The training programme should specify the amounts of flight training in the helicopter type and in FSTDs (FFSs, flight training devices (FTDs), or other training devices (OTDs)). Where a suitable FFS is geographically remote from the normal training base, the competent authority may agree to some additional training being included in the programme at a remote facility.	IA The stakeholder states that the last sentence should be removed as there is no safety reason to include this if the base training is being conducted in a member state or somewhere in a "remote" area.	Not accepted. This requirement dealing with training being provided in a remote area was already in place with JAR-FCL. The Agency did not receive any justification why this should be changed. In order to stay as close as possible with the former JAR requirements the Agency has kept the wording unchanged.		
4. Skill Test.				
The content of the flight training programme should be directed towards the skill test for that type. The practical training given in Part-FCL should be modified as necessary. The skill test may be completed in a helicopter, in anFFS or partially in a helicopter and in an FSTD. The use of an FSTD for skill tests is governed by the level of approval of the flight simulator and the previous experience of the candidate. Where a flight simulator is not available, abnormal operations of systems should not be practised in a helicopter other than as allowed for in the skill test form for the type.				
5. Phase progress tests and final theoretical knowledge examination.				
Prior to the final theoretical knowledge examination covering the whole syllabus, the training programme should provide for phase progress tests associated with each phase of theoretical knowledge instruction. The phase progress tests should assess the candidate's knowledge on completion of each phase of the training programme.				
6. Facilities: ground school equipment, training facilities and aids.				
An ATO should provide, as a minimum, facilities for classroom instruction. Additional classroom training aids and equipment including, where appropriate, computers, should reflect the content of the course and the complexity of the helicopter. For multi-engine and multi-pilot helicopters, the minimum level of ground training aids should include equipment that provides a				

A: Rule		B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	realistic cockpit working environment. Task analysis and the latest state-of–the-art training technology is encouraged and should be fully incorporated into the training facilities wherever possible. Facilities for self and supervised testing should be available to the student.				
7.	Training devices.				
	AnFTD or OTD may be provided to supplement classroom training in order to enable students to practice and consolidate theoretical instruction. Where suitable equipment is not available, or is not appropriate, a helicopter or flight simulator of the relevant variant should be available. If an FTD represents a different variant of the same helicopter type for which the student is being trained, then differences and/or familiarisation training is required.				
8.	Computer-based-training (CBT).				
	Where CBT aids are used as a training tool, the ATO should ensure that a fully qualified ground instructor is available at all times when such equipment is being used by course students. Other than for revision periods, CBT lessons should be briefed and debriefed by a qualified ground instructor.				
9.	Theoretical knowledge instruction.	MS A competent authority commented that the training course should cover handling characteristics of the aircraft, particularly near the edge of the handling envelope. It was specified that "in particular, some helicopter types are susceptible to a phenomenon called 'servo transparency' or 'jack stall'. This should be specifically mentioned in the AMC. (See reference to a safety recommendation). The Safety recommendation says: It is recommended that the Civil Aviation Authority, in conjunction with the European Aviation Safety Agency, require an awareness of the causes, symptoms, hazards, and recovery actions relating to 'servo transparency' or 'jack stall' encounters to be covered as a ground study item as part of the mandatory training for those helicopter types likely to be affected. The following text proposal is provided: e. giving the student the understanding of potential control problems near the edge of the handling envelope. In particular,	Accepted. The Agency reviewed the issue and came to the conclusion that the proposed wording should be added. An additional item e. has been added under 9 "Theoretical Knowledge Instruction".		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	the phenomenon of 'servo transparency' (also known as 'jack stall') should be covered for those helicopter types where it is a known problem.			
The theoretical knowledge instruction training should meet the general objectives of giving the student:				
a. a thorough knowledge of the helicopter structure, transmissions, rotors and equipment, powerplant and systems, and their associated limitations;		See comment and response in the general segment for this AMC.		
b. a knowledge of the positioning and operation of the cockpit controls and indicators for the helicopter and its systems; c. a knowledge of performance, flight planning and monitoring, weight and balance, servicing and optional equipment items;	See comment under item 9. general above.			
d. an understanding of system malfunctions, their effect on helicopter operations and interaction with other systems;				
e. the understanding of normal, abnormal and emergency procedures andgiving the student the understanding of potential control problems near the edge of the handling envelope. In particular, the phenomenon of 'servo transparency' (also known as 'jack stall') should be covered for those helicopter types where it is a known problem.	See comment under item 9. general above.			
The amount of time and the contents of the theoretical instruction will depend on the complexity of the helicopter type involved and, to some extent, on the previous experience of the student.				
10. Flight Training.				
a. FSTDs				
The level of qualification and the complexity of the type will determine the amount of practical training that may be accomplished in an FSTD, including completion of the skill test. Prior to undertaking the skill test, a student should demonstrate competency in the skill test items during the practical training.				
b. Helicopter (with flight simulator)				
With the exception of courses approved for ZFTT the amount of flight time in a helicopter should be adequate for completion of the skill test.	See comment in the general section for this AMC.			

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
c. Helicopters (without flight simulator)				
Whenever a helicopter is used for training, the amount of flight time practical training should be adequate for the completion of the skill test. The amount of flight training will depend on the complexity of the helicopter type involved and, to some extent, on the previous experience of the applicant.	See comment in the general section for this AMC.			

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
AMC4-OR.ATO.125 Training programme – Flight Test training FLIGHT TEST TRAINING COURSES – AEROPLANE AND HELICOPTERS 1. Introduction. a. A flight test training course should, as far as possible, provide for a continuous process of ground and flight training to enable the student to assimilate the knowledge and skills required to conduct flight testing safely and efficiently. The student's ability to do this should be determined by the demonstration of a satisfactory level of theoretical knowledge of flight testing determined by progressive checking of knowledge and examination and progressive assessment by the ATOduring flying training. There should be no difference in the level of knowledge or competency required of the student, irrespective of the intended role of the student as test pilot or other flight test personnel (for example, flight test engineer) within the flight crew. b. A flight test training course should normally be conducted as a single, full-time course of study and training. 2. Programme of theoretical knowledge and flight training. a. The training programme should specify the time allocated to theoretical knowledge training and flying training. b. If an ATO wishes to provide a flight test training course that includes credit for previous experience on flight testing activity, the entry requirements to such courses should be specified by the ATO and should define the minimum level of experience and qualification required of the flight test crew member. GROUND TRAINING 3. Syllabus. a. The ground training syllabus should provide for the student to gain a thorough understanding of flight testing techniques. 4. Theoretical knowledge instruction. a. The theoretical knowledge instruction training should give the student a thorough knowledge of the academic requirements of flight testing. 5. Facilities and training aids. a. The ATO should provide adequate facilities for classroom instruction and have available appropriately qualified and experienced instructors. Training aids should enable students to gain practical experience of flight testing covered by the theoretical knowledge syllabus and enable such practical application of the knowledge to be carried out in a multi-crew environment. Facilities should be made available for student self-study outside the formal training		Based on the comments received dealing with specific requirements for training organisations providing courses only for flight test ratings the Agency decided to develop an additional set of rules and AMCs for this kind of training organisation. See comments and responses in other segments.		

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programme. 6. Computer-based training (CBT). a. CBT provides a valuable source of theoretical instruction, enabling the student to progress at his own pace within specified time limits. Many such systems ensure that syllabus subjects are fully covered and progress can be denied until a satisfactory assimilation of knowledge has been demonstrated. Such systems may allow self-study or distance learning, if they incorporate adequate knowledge testing procedures. When CBT is used as part of the theoretical knowledge instruction phase, the student should also have access to a suitably qualified instructor able to assist with areas of difficulty for the student. 7. Self-study and distance learning. a. Elements of the theoretical knowledge syllabus may be adequately addressed by distance learning, if approved, or self-study, particularly when utilising CBT. Progress testing, either by self-assessed or instructor-evaluated means should be included in any self-study programme. If self-study or distance learning is included in the theoretical knowledge training, the course should also provide for an adequate period of supervised consolidation and knowledge testing prior to the commencement of flight training. 8. Progress tests and final theoretical knowledge examination. a. The theoretical knowledge training programme should provide for progressive testing of the assimilation of the required knowledge. This testing process should also provide for retesting of syllabus items so that a thorough understanding of the required knowledge is assured. This should be achieved by intervention by a qualified instructor or, if using CBT with a self-testing facility, and by further testing during the supervised consolidation phase of the ground course. b. The theoretical knowledge examinations should cover all areas of the theoretical knowledge syllabus. The examinations should be conducted as supervised written or oral knowledge tests without reference to course material. The pass mark (as defined by the ATO assumes the achievement of satisfactory levels of knowledge during the progressive phase tests of the course. The student should be advised of any areas of lack of knowledge displayed during the examination and, if necessary, given remedial instruction. FLIGHT TRAINING 9. Aeroplane/helicopter training. a. It is widely accepted that flying training normally involves inherent delay in achieving an acceptable flight situation and configuration for training to be carried out in accordance with the agreed syllabus. These could include				

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ATC or other traffic delay on the ground prior to take off, the necessity to climb to height or transit to suitable training areas and the unavoidable need to physically reposition the aircraft for subsequent or repeat manoeuvres or instrument approaches. In such cases it should be ensured that the training syllabus provides adequate flexibility to enable the minimum amount of required flight training to be carried out. FINAL IN-FLIGHT EXERCISE 10. Upon completion of the flight test training, the test pilot and/or flight test engineer will be required to undergo in-flight exercise with an FTI to demonstrate adequate competency of flight testing for issue of the flight test rating. The final in-flight exercise must be conducted in an appropriate aeroplane/helicopter. COURSE COMPLETION CERTIFICATE 11. The HT is required to certify that the applicant has successfully completed the training course.				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
AMC1-OR.ATO.135 Training aircraft and FSTDs ALL ATOS, EXCEPT THOSE PROVIDING FLIGHT TEST TRAINING	IA(1), IND(3), INDIV(1), MS(1) a. The stakeholders are of the opinion that details about the equipment of testing aircraft and flight simulation training devices belong to the relevant FCL sections. They claim that this should be done in order to avoid duplicity. They propose to move this AMC to the relevant AMC in Part-FCL. b. The stakeholder (MS) noticed that the user approval for FSTD is missing. Proposal to add the following text: 4. Each FSTD should be: a. equipped as required in the training specifications concerning the course in which it is used.	a. Not accepted. The Agency does not agree. Part-OR contains the requirements and the AMCs for the organisations whereas Part-FCL contains the requirements for the licence holders, instructors and examiners. The content of this AMC about the training aircraft or FSTDs used is clearly linked to the organisation (in this case the ATO). This is the reason why it should stay in Part-OR. b. Partially accepted. The alignment of the training specifications (training course) with the used FSTD will become part of the ATO Approval Certificate. The Agency follows the proposal by adding the text.		
1. The number of training aircraft may be affected by the availability of FSTDs.				
2. Each aircraft should be: a. except in the case of balloons, fitted with duplicated primary flight controls for use by the instructor and the student. Swing-over flight controls should not be used; b. equipped as required in the training specifications concerning the course in which it is used.	INDIV (1), MS(1) The stakeholders noticed an editorial mistake "… a. except in the case of balloons, …"	Accepted. The Agency agrees and has amended the text accordingly.		
3 The fleet should include, as appropriate to the courses of training:	MS(2), IA(2) a. The comment (MS) recommends adding on the basis of the training syllabi in Part-FCL (AMC FCL.930.LAFI for (A) and for (S) and AMC FCL.930.FI): d. for FI training, aircraft suitable for spin recovery at the developed stage. b. Two stakeholders (IA) support the wording used ("the fleet should include, as appropriate to the courses of training") and explain that this must stay as it shows clearly that not all aircraft used for training need to fulfil the mentioned criteria.	a. Partially accepted. The Agency decided to accept the proposal but to add an additional c. where the stalling and spinning characteristics of the training aircraft are already mentioned. b. Accepted. The Agency agrees with the interpretation.		

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a. aircraft suitably equipped to simulate instrument meteorological conditions and for the instrument flight training required. For flight training and testing for the instrument rating, an adequate number of IFR-certificated aircraft should be available;	One comment proposes to amend this paragraph in order to better define the IMC simulation equipment. Their statement: "Partially darkened goggles are not accepted. The window cover should prevent the student from seeing to his/her sides, but allow the instructor to have quite good visibility on both sides."	Not accepted. The Agency does not agree to define so detailed equipment issues here in this AMC. If introduced this should be on GM basis on a later stage.		
b. in the case of aeroplanes and sailplanes, aircraft suitable for demonstrating stalling and spin avoidance; c. for the light aircraft flight instructor (LAFI) and flight instructor (FI) training courses on aeroplanes and sailplanes, aircraft suitable for spin recovery at the developed stage.	IA(1), MS(1) a. One stakeholder suggests that the rule related to the "availability of an aeroplane suitable for demonstrating stalling and spin avoidance should be adapted and clarified, as many "Very small" and "Small ATOs" are not operating aerobatic aeroplanes "suitable for demonstrating stalling and spin avoidance". The Industry Organisation asks for a change to this requirement in 3b and proposes the following wording: "In case of aeroplanes and sailplanes, aircraft suitable for demonstrating stalling avoidance and, if available, spin avoidance." b. One stakeholder proposed deletion of the paragraph.	a. Not accepted. As the stalling and spinning avoidance is clearly part of the LAPL or PPL training the Agency does not understand why this change is proposed. Only with an aircraft fulfilling the proposed characteristics can the training programme be demonstrated and the skill test be conducted (see AMC containing the skill test details for the LAPL(S) and it can be discovered that spin avoidance is required). Therefore the wording has been kept. It should be highlighted that "Spin avoidance" is different from "Spin recovery". b. Not accepted. The Agency will not follow this proposal and intends to keep this requirement. The text is quite clear when using expressions which are also used in the AMCs containing the training programme for the LAPL or the PPL. The term used here: "suitable for demonstrating stall and spin avoidance" clearly does not require the ATO to have available an aircraft with full spinning characteristics. In order to clarify this, an additional paragraph c. has been added to clarify that for instructor courses an aircraft has to be available "suitable for spin recovery at the developed stage".		
d. in the case of helicopters, helicopters suitable for autorotation demonstration;				

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e. in a non-complex ATO one aircraft fulfilling all the required characteristics for a training aircraft might be sufficient; and f. each FSTD should be equipped as required in the training specifications concerning the course in which it is used.		See responses provided above. The Agency agrees with a comment placed in the Implementing Rule that the term "adequate fleet" might be misinterpreted in the case of small training organisations operating only one or two aircraft (e.g. one hot-air balloon or hot-air airship). It was decided to keep the text of this Implementing Rule but to revise the text of the AMC and to amend it in order to make clear that one training aircraft (e.g. one gas balloon) might be sufficient to fulfil these requirements. The additional sentence was developed in order to clarify this. See 3.a.	See stakeholder proposal to AMC OR.ATO.130.	
AMC1-OR.ATO.140 Aerodromes and operating sites GENERAL	MS(1), IA(1) a. The MS proposes to change the title in order to read: "Aerodromes and sites". b. The IA supposes it might be better if regulations are not written too prescriptively. Basic flight training and most of the training operations do not require facilities matching with the proposed criteria. MTOM operations could be conducted, as well as familiarisation with ATC, on other aerodromes than the home base.	a. Not accepted as the rule title is also only "Aerodromes". b. Partially accepted. As explained in paragraph 10 of the Explanatory Note of NPA 2008-22a, when adopting its proposal, the Commission recommended, as suggested by the Agency itself, that common requirements to be specified in implementing rules be based as much as possible on existing JAA material. Most of the elements mentioned here in this AMC are based on the JAR Appendix 1a to 1.055. The Agency does not see any safety justification for deleting the text of this AMC but will amend the text in order to make it less prescriptive. The Agency realised that some of the elements transferred from the JARs will cause problems for a lot of small non-complex ATOs operating on small airstrips or operating sites whereas the detailed criteria provided with the NPA is not needed to ensure a high level of safety during training operations. The Agency has therefore amended some of the requirements accordingly.		
1. Except in the case of balloons, the base aerodrome or operating site and any alternative base aerodromes at which flight training is being conducted should have at least the following facilities:				
a. at least one runway or take-off area that allows training aircraft to make a normal take-off or landing within the performance limits ofall the aircraft used for the training	MS(2), IA(8), INDIV(1) a. A lot of stakeholders highlighted that the requirements in a. which require the	a. & b. Partially accepted. These comments are aimed at the requirement in 1.a. defining		

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flights.	ATOS to have a runway fulfilling the given criteria is not at all acceptable and would result in many ATOs having to cease operations. One stakeholder mentions that it does not make sense to limit the use of an aircraft to its MTOM. It is explained that: "If a Cessna 172 (one of the most common training aircraft) is used by a student for solo training, the performance is as such that much shorter runways may be used than under MTOM." This comment proposes to withdraw this section of the text. b. Another comment addressed by an Industry Association proposes to reduce the requirement in 1.a.(i) by saying that to take the hottest month of the year and a fully loaded aircraft is simply not reasonable.	the runway characteristics for certain aircraft used for the training. It should be clarified that this requirement was transferred from JAR-FCL (Appendix 1a to 1.055). It should further be pointed out that this requirement aimed at the runway available and not at a specific aircraft performance when the aeroplane is used for solo flights. These aircraft can also be used for dual training flight under different conditions and the requirement takes different factors into account when defining the minimum length of the runway. Based on several other comments received the Agency has reviewed this requirement carefully which asks the ATO to operate on airfields where at least one runway allows training aircraft to operate with the maximum take-off mass authorised under the given meteorological conditions and for a certain take-off procedure. The Agency agrees with this interpretation that the wording used would restrict or even stop the operation of many existing training organisations which have been operating safely on a specific aerodrome or operating site for several years, as the wording used is quite restrictive. As for every flight, a pre-flight preparation has to be made (and will be required by the future OPS rules) taking into account the actual meteorological conditions, the aircraft performance data and the specific conditions at the aerodrome or operating site; therefore this additional requirement is questionable. The Agency therefore decided to change the text in such a way that it should always be the responsibility of the ATO and their instructing staff if a certain aerodrome or runway can be used under the actual given circumstances.		
	c. Regarding 1.a.(ii) this comment and a reasonable amount of other comments (five in total) stated that this is not practical for towing operations and proposes to exempt glider towing. Proposals for a rewording of (ii) are made: "1.a.(v): for glider towing, a clearance of 50 ft over obstacle is not mandatory. But	c. Partially accepted. The Agency realised that the requirement in (ii) will cause problems for towing operations. However, based on other comments received it was already decided to redraft the item completely.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	obstacles should be overflown with a correct tow-speed appropriate to the performance of the tow-plane and the glider." d. Some stakeholders (also MS) are of the opinion that those requirements are so specific that they may be ignored by the ATO. e. One IA is of the opinion to change the requirement from making it a necessity for the ATOs to have a runway that fulfils all the requirements but not to require that the ATO home base and all the airfields used have to fulfil all these requirements.	d. & e. See the other responses to this segment.		
b. a wind direction indicator that is visible at ground level from the ends of each runway or at the appropriate holding points;	IA(1) The IA has the opinion that this paragraph is too prescriptive. The wording "a wind direction indicator that is visible at ground level from the ends of each runway" should be substituted by "A wind indicator shall be installed and visible from the apron and/or the holding points". The IA thinks that this AMC is not applicable to "small aerodromes" and should only apply to "large aerodromes". (A reference is added mentioning that EASA is not responsible for small aerodromes which would mean that this AMC applies only to "Large aerodromes and other ATOs")	Partially accepted. The Agency agrees that the wording used is a very general wording in order to cover the different type of operations (gliding sites have no apron or holding points). However, the Agency believes that the wording used ("from the ends of each runway") does fit for certain purposes and must be only amended by adding the term "or holding points". The text will be revised accordingly. As these rules are requirements for training organisations and not specific criteria for aerodromes the AMC is also valid for small ATOs providing training for the LAPL or PPL and operating on small airfields.		
c. adequate runway electrical lighting if used for night training; and				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
d. an air traffic service, except for uncontrolled airfields or operating sites where the training requirements may be satisfied safely by another acceptable means of air-to-ground communication.	MS(6), IA(25), INDIV(2) a. Many comments highlight that item d) is not applicable for small ATOs that provide training for LAPL, SPL, BPL, PPL on a small uncontrolled airfield or an operating site and that this requirement is definitely not necessary. Because this requirement if it stays would lead to the closure of many currently registered ATOs, they propose to delete d) completely or leave it only for the ATOs providing training for commercial licences. Some other comments dealing with the same issue propose to revert to the JAR-FCL text and to add: "except where, with the approval of the Competent Authority, the training requirements may be satisfied safely by another acceptable means of air to ground communication" b. A Member State proposes to change the wording in order to read: "Air Traffic Service". The comment provides the following explanation: "The change gives the possibility of training at aerodromes where FIS/AFIS is provided". c. Another MS is proposing to amend the text in order to read: "at least part of the training shall be conducted from an aerodrome with ATC service".	a. Accepted. The Agency agrees that for a high number of aerodromes or operating sites used for providing training for the LAPL or the PPL, SPL or BPL an "air traffic control service" is not needed and will also not be available. The text of the AMC has been reviewed carefully and the term used already under JAR-FCL has been added. b. Not accepted. The Agency already decided to include an alternative wording which will allow ATOs to operate also on airfields which are not equipped with ATC or ATS. This proposal is not accepted as FIS is not meant with this requirement and will not be available from the ground. c. The Agency agrees in general that for the PPL or LAPL on aeroplanes or helicopters some parts of the training must be conducted from or to an aerodrome with ATC service. This is also required by the training syllabus contained in Part-FCL. However, this AMC contains the minimum standards for the training sites used by an ATO. The Agency does therefore not agree that the proposed text should be mentioned here as it is not an organisational but a training requirement.		
2. Except in the case of ATOs providing flight test training, in addition to 1, for helicopters, training sites should be available for: a. confined area operation training; b. simulated engine off autorotation; and c. sloping ground operation.	IND(1) a. One stakeholder comments: "Para 2a. consideration must be given to allowing this exercise to be completed in an unlicensed area, dual only and without fire cover. The practical reality of being able to establish a meaningful confined area in a licensed environment is almost	a. Partially accepted. As the approval or authorisation of operating sites is still regulated at a national level and is slightly different in each Member State these rules are not the right requirements to harmonise the different systems. However, the Agency agrees that for certain training scenarios and specific needs the aerodromes and "licensed		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	impossible and commercially not viable.”	areas" are not the best place for providing the training. Member States must keep this in mind when approving the training organisations.		
3. In the case of balloons, the take-off sites used by the ATO should allow a normal take-off and clearing of all obstacles in the take-off flight path by at least 50 ft.				
AMC1-OR.ATO.145 Pre-requisites for training ENTRANCE REQUIREMENTS		Based on the comments received on OR.ATO.140 (now OR.ATO.145) the Agency decided to reintroduce the requirement established already under JAR-FCL and requiring the ATO to check the theoretical knowledge of the student before starting the training.		
An ATO providing training for other than LAPL, PPL, SPL or BPL should establish entrance requirements for students in their procedures. The entrance requirements should ensure that the students have enough knowledge, particularly of physics and mathematics, to be able to follow the courses.				
SECTION II - ADDITIONAL REQUIREMENTS FOR ATOS PROVIDING TRAINING FOR LICENCES AND RATINGS OTHER THAN THE LAPL , PPL, SPL AND BPL				
AMC1-OR.ATO.210 Personnel requirements	IA (3), IND (27), MS (7), INDIV (2)			
GENERAL	There are a few comments asking for greater clarify in the wording of the paragraphs 1 to 4.	Not accepted. As explained in paragraph 10 of the Explanatory Note of NPA 2008-22a, when adopting its proposal, the Commission recommended, as suggested by the Agency itself, that common requirements to be specified in implementing rules be based as much as possible in existing JAA material. All the requirements are exactly the same, so the Agency sees no need to clarify the text.	Appendix 1a to JAR-FCL 1.055, 10-11 and Appendix 1a to JAR-FCL 2.055, 10-11	
1. The management structure should ensure supervision of all grades of personnelby persons having the experience and qualities necessary to ensure the maintenance of high standards. Details of the management structure, indicating individual responsibilities, should be included in the training organisation’s operations manual.				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
2. The training organisation should demonstrate to the competent authority that an adequate number of qualified, competent staff is employed.				
3. In the case of an ATO offeringintegrated courses, the HT, the CFI and the CGI should be employed full-time.				
	There is one comment stating that paragraphs 4 and 5 conflict with each other over the use of a part-time employed HT, CFI or CGI for modular training courses. Paragraph 4 is too onerous for an organisation that may offer only a few courses on an occasional basis each year. They propose to delete paragraph 4 and renumber remaining paragraphs.	Accepted. The Agency carefully reviewed the issue raised and further discussed it with the experts involved in the review. It seems that the comment is right by stating that items 4 and 5 are in conflict with each other although they are based on the requirements in paragraph 11 from Appendix 1a to JAR-FCL 1.055 and Appendix 1a to JAR-FCL 2.055. The Agency therefore decided to delete item 4 but to add in item 5 the requirement for the extensive experience of these persons.		
4. In the case of an ATO offering: a.modular courses only; or b.type rating courses only; or c.theoretical knowledge instruction only the positions of HT, CFI and CGI may be combined and filled by one or two personswith extensive experience in the training conducted by the training organisation, full-time or part-time, depending upon the scope of training offered.		It was decided to delete item 4 as the items 4 and 5 were conflicting items. However, the Agency decided to keep the part of the requirement detailing the experience of the personnel. This was added here. Based on the comments received on the Implementing Rule OR.ATO.210 stating that for the TRTOs under the JAR system only the HT function was required the Agency decided to amend the text of this AMC slightly in order to address this possibility not only for ATOs providing modular courses only but also for relatively small non-complex ATOs providing only a limited amount of type rating courses and for the ATOs providing only theoretical knowledge instruction. It should be highlighted that this alleviation is depending upon the scope of training offered.		
5. The ratio of all students to flight instructors, excluding the HT, should not exceed 6:1.	Almost all the comments on this section are concerning paragraph 6 and 7. There are some comments coming from the helicopter sector who want to delete paragraph 6 and 7. There are also some comments on paragraph 6, saying that mentioning a ratio is too rigid. This is dependant on the	As explained in paragraph 10 of the Explanatory Note of NPA 2008-22a, when adopting its proposal, the Commission recommended, as suggested by the Agency itself, that common requirements to be specified in Implementing Rules be based as much as possible on existing JAA material. The Agency sees no safety justification for amending the text of this paragraph.	Appendix 1a to JAR-FCL 1.055, 13 and Appendix 1a to JAR-FCL 2.055, 13	

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	organisation structure, training structure etc and should therefore be left at the approval of the competent authority (in consultation with the operator).			
6. Class numbers in ground subjects involving a high degree of supervision or practical work should not exceed 28 students.	There are some comments that in certain cases the maximum of 12 students may be problematic (for example at universities).	Accepted. The text has been amended to be aligned with Part-147 – 147.A.100 to allow the maximum of 28 students.		
THEORETICAL KNOWLEDGE INSTRUCTORS	The Agency received some comments on paragraph 8, 9 and 10 concerning the Theoretical Knowledge Ground Instructors. According to these comments, the requirements for ground instructors are defined in the IR and need not be repeated in the AMC. They therefore suggest removing paragraphs 8 and 10 of AMC 1. They have the opinion that paragraph 9 sufficiently addresses the requirements for a Theoretical Knowledge Ground Instructor.	The requirement in paragraph 9 of the AMC1-OR.ATO.210 Personnel requirements is an exact copy taken from the requirement in paragraph 19, from Appendix 1a to JAR-FCL 1.055 and Appendix 1a to JAR-FCL 2.055. Based on the input received it was decided to transfer this item to the appropriate AMC in Section 1 as this seems to be a general requirement for all kind of TK instructors. The requirements in paragraph 8 and 10 seem to repeat the IR but both requirements contain further elements not addressed in the IR. The Agency has therefore kept items 8 and 10.	Paragraph 19 Appendix 1a to JAR-FCL 1.055 and Appendix 1a to JAR-FCL 2.055.	
7. The theoretical knowledge instruction for type or class ratings should be conducted byinstructors holding the appropriate type/class rating, or having appropriate experience in aviation and knowledge of the aircraft concerned.				
8. For this purpose, a flight engineer, a maintenance engineer or a flight operations officer should be considered as having appropriate experience in aviation and knowledge of the aircraft concerned.				
AMC2OR.ATO.210 Personnel requirements QUALIFICATION OF HEAD OF TRAINING AND CHIEF FLIGHT INSTRUCTOR	INDIV (4), MS (6), IND (3) a. One comment deals with balloon organisations and the personnel requirements for these organisations. b. One comment suggests that this AMC should not apply to military organisations providing flight test today.	a. Noted. Paragraph OR.ATO.210 and the AMCs to this paragraph are in Section 2. This is the section for 'other than the LAPL, PPL, SPL and BPL'. b. Noted. Please refer to similar comments in Part-FCL. An organisation providing training for Part-FCL ratings / qualifications needs to comply with civil rules.		
1. *Head of training (HT)*. The nominated HT should hold or have held in the three years prior to first appointment as a HT, a professional pilot licence and associated ratings or certificates	a. There are several comments who want to replace "Part-FCL" by "ICAO Annex 1",	a. Not accepted. The HT needs to have 'a professional pilot licence and rating(s) issued in accordance with Part-FCL. This is based on	Paragraph 14, last sentence, from Appendix 1a to JAR-FCL 1.055 and	

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
issued in accordance with Part-FCL, related to the flight training courses conducted.	as in the JAR-FCL. b. One comment requests to delete this paragraph, because the requirement for HT are defined in the IR	Article 7 of the Basic Regulation b. Not accepted. The requirement in paragraph 1 of AMC2-OR.ATO.210 Personnel requirements is a copy from the requirement in paragraph 14, last sentence, from Appendix 1a to JAR-FCL 1.055 and Appendix 1a to JAR-FCL 2.055. This requirement is now put in the AMC, and is not covered in OR.ATO.210 itself.	Appendix 1a to JAR-FCL 2.055.	
2. Chief flightinstructor (CFI). The CFI should: a. hold the highest professional pilot licence andassociated ratings or certificates related to the flight training courses conducted; and b. except in the case of ATOs providing flight test training, have completed 1000 hours of flight time as pilot-in-command of which at least 500 hours should be on flying instructional duties related to the flying courses conducted, of which 200 hours may be instrument ground time.	There are some comments requesting to change the text of subparagraph (b).	Not accepted. As explained in paragraph 10 of the Explanatory Note of NPA 2008-22a, when adopting its proposal, the Commission recommended, as suggested by the Agency itself, that common requirements to be specified in implementing rules be based as much as possible on existing JAA material. The Agency sees no safety justification for amending the text of this paragraph.	15(a) and (d), from Appendix 1a to JAR-FCL 1.055, 15(a) & (d) and Appendix 1a to JAR-FCL 2.055, 15(a) & (d).	

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
AMC1OR.ATO.230(c)Training manual and operations manual	IND (11), MS (6), INDIV (1)			
TRAINING MANUAL	There are a few comments asking for greater clarity in the wording of the text of the paragraphs. There are also a few comments stating that: "to make sure that a student makes progress, it is often important to have the opinion of another flight instructor. The student may want to change the instructor for personal preferences or other reasons, a flight instructor is leaving, one student takes lessons with various FIs etc. In any case, the changing of an instructor may occur in many circumstances and is not negative for a student. Therefore, it should be possible to change instructors effortlessly. What is important, however, is the communication between the instructors to make sure there aren't any duplicities in the training programme of the student. This shall be achieved with the training records." Their Proposition: Delete "Procedure for changing instructors" Delete "Maximum number of instructor changes per student"	Not accepted. As explained in paragraph 10 of the Explanatory Note of NPA 2008-22a, when adopting its proposal, the Commission recommended, as suggested by the Agency itself, that common requirements to be specified in implementing rules be based as much as possible on existing JAA material. The Agency sees no safety justification for amending the text of this paragraph.	IEM No. 3 to JAR-FCL 1.055 and to JAR-FCL 2.055. IEM No. 3 to JAR-FCL 1.055 and to JAR-FCL 2.055.	
Training manuals for use at an ATO conducting integrated or modular flight training courses should include the following:				
1. The Training Plan				
The aim of the course (ATP, CPL/IR, CPL, etc as applicable) — A statement of what the student is expected to do as a result of the training, the level of performance, and the training constraints to be observed.	One comment states that the aim of this course is restricted to aeroplane courses. There is no equivalent for helicopters. Justification: consistency across all categories of aircraft.	Accepted. The Agency agrees with the proposal and the text has been changed accordingly.		

A: Rule		B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
Pre-entry requirements	Minimum age, educational requirements (including language), medical requirements. Any individual Member State requirements.				
Credits for previous experience	To be obtained from the competent authority before training begins.				
Training Syllabi	As applicable, the flying syllabus (single-engine or multi-engined, as applicable), the flight simulation training syllabus and the theoretical knowledge training syllabus.				
The time scale and scale, in weeks, for each syllabus	Arrangements of the course and the integration of syllabi time.				
Training programme	The general arrangements of daily and weekly programmes for flying, ground training and training in FSTDs, if applicable Bad weather constraints. Programme constraints in terms of maximum student training times, (flying, theoretical knowledge, on FSTDs), e.g. per day/week/month. Restrictions in respect of duty periods for students. Duration of dual and solo flights at various stages. Maximum flying hours in any day/night; maximum number of training flights in any day/night. Minimum rest period between duty periods.				
Training records	Rules for security of records and documents. Attendance records. The form of training records to be kept. Persons responsible for checking records and students' log books. The nature and frequency of record checks. Standardisation of entries in training records. Rules concerning log book entries.				
Safety training	Individual responsibilities. Essential exercises. Emergency drills (frequency). Dual checks (frequency at various stages). Requirement before first solo day/night/navigation etc, if applicable.				

A: Rule		B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
Tests and examinations	Flying a. progress checks; b. skill tests. Theoretical Knowledge a. progress tests; b. theoretical knowledge examinations. Authorisation for test. Rules concerning refresher training before retest. Test reports and records. Procedures for examination paper preparation, type of question and assessment, standard required for 'Pass'. Procedure for question analysis and review and for raising replacement papers. Examination resit procedures.				
Training effectiveness	Individual responsibilities. General assessment. Liaison between departments. Identification of unsatisfactory progress (individual students). Actions to correct unsatisfactory progress. Procedure for changing instructors. Maximum number of instructor changes per student. Internal feedback system for detecting training deficiencies. Procedure for suspending a student from training. Discipline. Reporting and documentation.				
Standards and Level of performance at various stages	Individual responsibilities. Standardisation. Standardisation requirements and procedures. Application of test criteria.				
2. Briefing and Air Exercises					
Air Exercise	A detailed statement of the content specification of all the air exercises to be taught, arranged in the sequence to be flown with main and sub-titles.				

A: Rule		B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
Air exercise reference list	An abbreviated list of the above exercises giving only main and subtitles for quick reference, and preferably in flip-card form to facilitate daily use by instructors.				
Course structure – Phase of training	A statement of how the course will be divided into phases, indication of how the above air exercises will be divided between the phases and how they will be arranged to ensure that they are completed in the most suitable learning sequence and that essential (emergency) exercises are repeated at the correct frequency. Also, the syllabus hours for each phase and for groups of exercises within each phase should be stated and when progress tests are to be conducted, etc.				
Course structure integration of syllabi	The manner in which theoretical knowledgeand flight training in an aircraft or an FSTD will be integrated so that as the flying training exercises are carried out students will be able to apply the knowledge gained from the associated theoretical knowledge instruction and flight training.				
Student progress	The requirement for student progress and include a brief but specific statement of what a student is expected to be able to do and the standard of proficiency he/she must achieve before progressing from one phase of air exercise training to the next. Include minimum experience requirements in terms of hours, satisfactory exercise completion, etc. as necessary before significant exercises, e.g. night flying.				
Instructional methods	The ATO requirements, particularly in respect of pre- and post-flying briefing, adherence to syllabi and training specifications, authorisation of solo flights, etc.				
Progress tests	The instructions given to examining staff in respect of the conduct and documentation of all progress tests.				
Glossary of terms	Definition of significant terms as necessary.				

A: Rule		B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
Appendices	Progress test report forms. Skill test report forms. ATO certificates of experience, competence, etc. as required.				
3. Flight training in an FSTD, if applicable					
Structure generally as for 2.					
4. Theoretical knowledge instruction					
Structure of the theoretical knowledge course	A statement of the structure of the course, including the general sequence of the topics to be taught in each subject, the time allocated to each topic, the breakdown per subject and an example of a course schedule. Distance learning courses should include instructions of the material to be studied for individual elements of the course.				
Lesson Plans	A description of each lesson or group of lessons including teaching materials, training aids, progress test organisation and inter-connection of topics with other subjects.				
Teaching materials	Specification of the training aids to be used (e.g. study materials, course manual references, exercises, self-study materials, demonstration equipment).				
Student progress	The requirement for student progress, including a brief but specific statement of the standard that must be achieved and the mechanism for achieving this, before application for theoretical knowledge examinations.				
Progress testing	The organisation of progress testing in each subject, including topics covered, evaluation methods and documentation.				
Review procedure	The procedure to be followed if the standard required at any stage of the course is not achieved, including an agreed action plan with remedial training if required.				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
AMC1-OR.ATO.230(d) Training manual and operations manual– all ATOs, except those providing flight test training	IND (5), MS (1), INDIV (1)			
OPERATIONS MANUAL	There are a few comments asking for greater clarity in the wording of the text of the paragraphs.	Not accepted. As explained in paragraph 10 of the Explanatory Note of NPA 2008-22a, when adopting its proposal, the Commission recommended, as suggested by the Agency itself, that common requirements to be specified in implementing rules be based as much as possible on existing JAA material. The Agency sees no safety justification for amending the text of this paragraph.	Operations Manual of the IEM No. 3 to JAR-FCL 1.055 and to JAR-FCL 2.055.	
The operations manual for use at an ATO conducting integrated or modular flight training courses should include the following:				
1. General a. a list and description of all volumes in the Operations Manual; b administration (function and management); c. responsibilities (all management and administrative staff); d. student discipline and disciplinary action; e. approval/authorisation of flights; f. preparation of flying programme (restriction of numbers of aircraft in poor weather); g. command of aircraft; h. responsibilities of pilot-in-command; i. carriage of passengers; j. aircraft documentation; k. retention of documents; l. flight crew qualification records (licences and ratings); m. revalidation (medical certificates and ratings); n. flight duty period and flight time limitations (flying instructors); o. flight duty period and flight time limitations (students); p. rest periods (flightinstructors); q. rest periods (students); r. pilots' log books;				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
s. flight planning (general); and t. safety (general) – equipment, radio listening watch, hazards, accidents and incidents (including reports), safety pilots etc..				
2. Technical a. aircraft descriptive notes; b. aircraft handling (including checklists, limitations, maintenance and technical logs, in accordance with relevant requirements, etc.); c. emergency procedures; d. radio and radio navigation aids; and e. allowable deficiencies (based on MMEL, if available).				
3. Route a. performance (legislation, take-off, route, landing etc.); b. flight planning (fuel, oil, minimum safe altitude, navigation equipment etc.); c. loading (loadsheets, mass, balance, limitations); d. weather minima (flying instructors); e. weather minima (students – at various stages of training); and f. Training routes/areas.				
4. PersonnelTraining a. appointments of persons responsible for standards/competence of flightpersonnel; b. initial training; c refresher training; d standardisation training; e proficiency checks; f. upgrading training; and g. ATO personnelstandards evaluation.				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
SECTION III – ADDITIONAL REQUIREMENTS FOR ORGANISATIONS OPERATINGFLIGHT SIMULATION TRAINING DEVICES (FSTDS) AND THE QUALIFICATION OF FSTDS	[MS:1; IND:0; INDIV:0] Organisations which operate FSTDs but do not themselves offer training programmes should not be excluded	Accepted. Title is changed to adapt the regulations to FSTD operators not providing training programmes.		
Chapter 1 - Requirements for organisationsoperating FSTDs				
AMC1-OR.ATO.300General	[MS:1; IND:5; INDIV:1]			
COMPLIANCE MONITORING PROGRAMME –ORGANISATIONS OPERATING FSTDS	1. It is proposed to use ISO terminology. 2. A commentator suggests to have only one set of CMS guidance for ATOs and for ATOs operating FSTD.	1. Noted. ATOs are not required to hold an ISO certificate so an alignment with the ISO terminology could be beneficial but is not necessary. 2. Noted. It will be kept unchanged because (as mentioned by the commentator as well) the AMC/GM related to OR.ATO.300 provides special in-depth guidance to organisations operating FSTD.		
1. Introduction.				
a. The purpose of this AMC is to provide additional and specific information and guidance to an organisationoperating FSTDs on how to establish a compliance monitoring programme (CMP) that enables compliance with the applicable requirements.				
2. Compliance Monitoring Programme.				
a. Typical subject areas for inspections are: i. Actual FSTD operation; ii. Maintenance; iii. Technical Standards; and iv. FSTD safety features.				
3. Audit Scope.				
a. Organisations operating FSTDs are required to monitor compliance with the procedures they have designed to ensure specified performance and functions.				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
In doing so they should as a minimum, and where appropriate, monitor: i. Organisation; ii. Plans and objectives; iii. Maintenance procedures; iv. FSTD qualification level; v. Supervision; vi. FSTD technical status; vii. Manuals, logs, and records; viii. Defect deferral; ix. Personnel training; x. Aircraft modifications; and xi. FSTD configuration management.	The need to monitor "Aircraft modification management" is incorrect in relation to an ATO with FSTD privileges.	Aircraft modifications have to be monitored but not its management. The need to monitor the FSTD configuration management is added.		
AMC2-OR.ATO.300 General	[MS:0; IND:3; INDIV:0]			
COMPLIANCE MONITORING PROGRAMME –ORGANISATIONS OPERATING FSTDS				
Standard Measurements for Full Flight Simulator Compliance				
One acceptable means of measuring FSTD performance is contained in ARINC report 433 (May 15th, 2001 or as amended) *Standard Measurements for Flight Simulator Quality*.	A commentator states that the first sentence should be removed because it is editorial opinion and is not backed by factual evidence. Furthermore the statement "agreed by the industry" is not correct	Accepted. First sentence is removed and the second modified and corrected.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
AMC3-OR.ATO.300General	[MS:1; IND:1; INDIV:0]			
COMPLIANCE MONITORING PROGRAMME –ORGANISATIONS OPERATING BASIC INSTRUMENT TRAINING DEVICES (BITD)	A question is raised regarding the purpose of these BITD specific requirements.	Noted. An organisation only operating BITD(s) often has a structure and size that may not justify the completion of a complex CM function. This AMC describes an appropriate way for a BITD operator to comply with the requirements.		
1. A compliance monitoring programme together with a statement acknowledging completion of a periodic review by the accountable manager should include the following:	The paragraph numbering is in error. Points 2 to 4 are bullet points relating to the first paragraph rather than points on their own.	Accepted. The paragraph numbering is corrected.		
a. a maintenance facility which provides suitable BITD hardware and software test and maintenance capability;				
b. a recording system in the form of a technical log in which defects, deferred defects and development work are listed, interpreted, actioned and reviewed within a specified time scale; and				
c. planned routine maintenance of the BITD and periodic running of the qualification test guide (QTG) with adequate manning to cover BITD operating periods and routine maintenance work.				
2. A planned audit schedule and a periodic review should be used to verify that corrective action was carried out and that it was effective. The auditor should have adequate knowledge of BITDs..				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
GM1-OR.ATO.300 General	[MS:16; IND:36; INDIV:1]			
COMPLIANCE MONITORING - ORGANISATIONS OPERATING FSTDS-GENERAL	1. A general comment was made that this section of GM has been cut and pasted from JAA TGL 9 and should be carefully re-assessed for appropriateness and to eliminate duplication with other parts of AMC and guidance material. 2. A general proposal is made to: - delete superfluous text and add explaining text for clarity - correct syntax errors - to check text for consistency	1. Partially accepted. A re-assessment has been carried out and the text has been modified to eliminate and correct parts of the text. 2. Accepted and carried out by reviewing the text.		
1. The concept of compliance monitoring is a fundamental requirement for organisationsoperating FSTDs. An effective CM function is vitally important in supporting operation of the devices, in a structured way, to ensure they remain in compliance with the technical standards of CS-FSTD(A) and CS-FSTD (H) and continue to be effective training tools. An effective CM function is also essential to support any level of extended recurrent evaluation periodas permitted by OR.ATO.375(b).	There are some comments from the industry to delete parts of this GM because it is considered to be "editorial opinion"	Not accepted. As this is guidance material and not a binding rule the Agency has reviewed again the addressed parts and decides to retain the original text. It supports understanding and provides background information to all, especially for new stakeholders who are less familiar with CM.		
2. OR.ATO.375(b) provides the requirements on what is expected ofa CM function. The following guidance has been developed to provide additional material to help both organsiations operating FSTDs and competent authorities in developing effective CM that satisfy the applicable requirements and ensure the highest standards of training are maintained.		Sentence deleted as it is not appropriate to regulatory material.		
3. For ease of use this guidance material has been laid out in the same way as AMC2- OR.GEN.200(a)(7). This guidance is equally applicable to other levels of FSTDs and both aeroplanes and helicopters. Where the expected standard differs this has been detailed in the guidance material.				
4. Also included, as appendices to this guidance material are acompliance checklist for organisations operating FSTDs (GM2-OR.ATO.300) and guidancedetailing the preparation for an evaluation by the competent authority (GM3-OR.ATO.300). The compliance checklist should be used by the authorities as a standardised checklist for the elements that are expected in the CM function of an organisation operating FSTDs. The organisationshould complete as a minimum the secondcolumn of the checklist by providing appropriate manual or procedure references for each of the identified elements of the CM function. Additional information can be provided in the third column to aid assessment of the checklist as appropriate. This would then be provided to the competent authority. Use of this checklist should assist in ensuring a consistent approach by the competent authoritiesand also provide organisations operating FSTDs with additional guidance on all the elements of a CM function that the competent authorities will expect . The guidance is provided to help organisations operating FSTDs to prepare for authority visits.		Modified after internal review		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
5. The documentation of the CM may be electronic, provided the necessary controls can be demonstrated. This should include control of any paper copies that may be downloaded for use by individuals. It is recommended that any such copies are automatically designated as uncontrolled as part of the download process. Whilst electronic signatures on master documents may be accepted, with appropriate protections, a hardcopy master of the CM manual should be provided, with wet-ink signatures to be held by the applicant.	Proposals are made to omit wet-ink signatures as there are electronic control measures to allow electronic signatures only.	Not accepted. The Agency will require at least a wet ink signature for the hardcopy master of the CM manual.		
6. It should be recognised that whatever CM is developed, it will not be effective unless it becomes an integral part of the way in which the organisation works. It includes both the necessary procedures for maintaining compliance with all the applicable requirements and a compliance monitoring programme (CMP) to monitor the execution of these procedures. A successful CM will ensure that the highest training tool is available at all times. If the CM is viewed as an add-on to existing processes it will become a burden and it will never be wholly effective. It should also be noted that compliance control or inspection is only a small part of a CM. If the CM is working effectively, inspections such as fly-outs should become routine revealing little beyond day-to-day unserviceabilities. Systematic defects should be captured by the CMP.	It is suggested to replace "…and a Compliance Monitoring Programme (CMP) to monitor the execution of these procedures" by "…and an Audit Programme to monitor the execution of these procedures" and to use the international terms defined in 3.9.2 ISO 9000:2000, to provide legal certainty to the stakeholders and avoid confusion. If the term is maintained, it should be defined clearly what is a CMP.	Not accepted. CMP is explained in more detail in GM1-OR.ATO.300 12 The Agency decided to keep the text unchanged as it is in compliance with other parts of the regulation.		
7. The competent authorityshould be satisfied that the accountable manager is able to adequately provide the required level of resources to properly support the FSTD. Detailed knowledge of FSTD requirement standards are not necessary, only sufficient to understand his/her responsibility for ensuring the FSTD is properly supported. The assessment of the compliance monitoringmanager should concentrate on establishing that the nominee has sufficient knowledge and experience of both compliance monitoring management and FSTD operations to operate a CMS within an organisation operating FSTDs. This is likely to require experience of working in the compliance monitoring field and sufficient knowledge of FSTDs and the technical standards with which they should comply.	1. It is proposed to replace the term "Safety Manager" by "Compliance Manager". 2. It is mentioned that EASA should add the possibility for ATO operating FSTDs to appoint a Compliance Monitoring Manager.	1. Partially accepted. The term is changed to "compliance monitoring manager" for consistency. 2. Noted. There is a requirement in OR to appoint a compliance monitoring manager.		
8. If an organisation operating FSTDs is certified under any international quality standard it should assure that it fully covers the applicable organisation requirements (OR) and the qualification basis.	It is proposed to use the term "ISO 9001" instead of "ISO 9000".	Not accepted. Text is changed for more clarity and to avoid the naming of any international quality standard. ISO standard could be a baseline, but ISO certification is not required.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
9. For small organisations, it is perfectly acceptable to combine the roles of compliance monitoring manager and Accountable Manager. For other organisations that hold multiple certificates and may cover multiple sites, it is advantageous to have a common CM function with an overall compliance monitoring manager. However, it is essential, particularly where sites may be significantly separated geographically, that there is a nominated representative/focal at each site and possibly for each certificate. These representatives should hold the delegated responsibility of the compliance monitoring manager for the day-to-day compliance monitoring role at their site and in their function and have the necessary direct reporting lineto the overall compliance monitoring manager. It will also be necessary to ensure that local representatives are also acceptable to the local NAA. In many cases the local representatives may perform other functions in addition to this role. This is acceptable provided the necessary independence of any compliance monitoring activity is maintained.	1. Confirmation is needed that local representatives have to be acceptable to the local NAA even if the competent authority is with another NAA. 2. The direct reporting line should be guaranteed with the hierarchical dependence. The compliance monitoringmanager is the one who reports the accountable manager with operational incidents and non-compliances. 3. One commentator stated that the representative who holds the delegated responsibility of the compliance monitoring manager must not be acceptable to the competent authority.	1. Partially accepted. Text is modified. Agreements between different NAAs could be made via cooperative oversight. 2. Accepted. The text is modified. 3. Not accepted. If sites hold multiple certificatesand may cover multiple sites which may be significantly separated geographically, the nomination of localrepresentatives/focalsshould be acceptable to the competent authority.		
10. CM, as a whole, begins with the requirements with which the system seeks to comply. These include both the technical standards, in this case the relevant parts of CS-FSTD plus any other specific standards, for example Health and Safety regulations, and the compliance monitoring objectives, such as defect rates and rectification intervals and FSTD reliability targets. The CM should define the process by which these standards are made available to those who require them.	A commentator states that health and safety is beyond the scope of a CMS. Furthermore he suggests to eliminate, or change the term "CMS" to "compliance management system (CMS)"	Not accepted. The paragraph addresses the CM function as a whole. Compliance with health &safety is a requirement (OR.ATO.315). The competent authority is not asked to check directly the compliance with health and safety requirements but to check if compliance is approved by a competent organisation. For consistency the term CM (compliance monitoring) will be kept as quoted within OR as part of the required management system.		
11. The next part of CM is that part which defines the day-to-day procedures or working practices by which the standards will be achieved. These procedures should include as a minimum defect reporting systems, defect rectification processes, tracking mechanisms, preventative maintenance programmes, spares handling, equipment calibration and configuration management of the device. They should include checks to assess the compliance of the performed actions. These procedures and standards should be made readily available to anybody involved in the maintenance and day-to-day operation of the FSTD.				
12. The third part of CM is the method by which the organisationoperating an FSTD confirms the device is maintained in compliance with the defined standards and is being operated in accordance with the defined procedures. This is the compliance monitoring programme (CMP) and includes the audit methods, reporting and corrective action procedures and feedback, management reviews and schedules for audits of all aspects of the FSTD operation.				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
13. Across all aspects of CM, and most important to it, are the people. CM includes the definition of the responsibilities of all staff and should include a declaration of the minimum levels of resource proposed for the direct support of the FSTD plus the levels of support and managerial staff proposed. The levels of resource can be affected by factors such as local health and safety regulations, existence of weekend and/or night usage of the device(s), etc. CM also includes definition of the skills and experience required for staff and leads to definition of any required training programmes. Training needs cover both technical training and audit training, including QTG running and checking and fly-out techniques for flight crew.		Sentence deleted after internal review to avoid duplication.		
14. The documentation of CM may be provided in any number of documents provided there are appropriate cross-references in all documents such that the system is fully traceable in both directions from end to end. For all but small organisations at least two documents would be expected:	It is proposed to remove the traceability requirement as it provides no useful information for operators of a CMS.	Not accepted. When the organisation uses more than one manual to explain its management structure and CM, all of the referenced manuals presented to gain approval must have cross-references between them so that the flow of information presented to NAAs is logical. This in turn serves to the operator as a proof of match of its own system to assure compliance.		
a. Firstly, a CM manual containing the policy, terminology, organisational charts and responsibilities, an overview of all processes, within the system, including those for maintaining regulatory compliance such as QTG running and fly-outs (function and subjective testing), CMP including the audit schedule and audit procedures including reporting and corrective action procedures. In addition, the CM manual should include, either directly or by reference, the identification of skills and experience and associated training.	1. It is proposed to change the requirement to have "an overview of all processes" to having "a list or index of all processes" because there is no definition of what an overview should contain, and therefore it is open to an auditor's interpretation. The CMS manual consists of all the relevant processes so no overview is necessary. A list or index is sufficient. 2. It is proposed to remove the requirement for the CMS manual to include"either directly or by reference, the identification of skills and experience and associated training" because it forces an operator to make available what in many countries is considered confidential personal information. In addition, with changes of personnel, the CMS manual would be in a constant cycle of revision and approval.	1. Not accepted. This section is part of the guidance material for CM. It is necessarily constructed in such a way as to offer maximum flexibility. Depending upon how the FSTD operator's CM is structured and delivered, it might be as simple as a list of applicable processes, or it could even be the full suite of working procedures. It depends on how the organisation wants to address the need within the context of their overall CM subject to agreement of the competent authority. 2. Not accepted. The identification of skills and experience directly or by reference within the CM manual does not identify persons but just quotes what would be the minimum requirements for staff fulfilling this function.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
b. Secondly, a procedures manual containing, as a minimum, software and hardware control procedures, configuration control procedures including, for example, control of training loads, updates to visual models, navigation and IOS databases, QTG running and checking procedures, fly-out procedures, maintenance procedures including both defect rectification and preventative maintenance processes. Any standard forms and checklists should also be included.				
15. The CM documentation also includes all records such as technical logs, QTG runs, fly-out reports and maintenance job cards.	It is suggested to mention that the CMS documentation should include also all forms for the records.	Noted. Those forms are considered as part of the description of procedures as mentioned in 14.b. above.		
16. For organisationswith several certificates, separate and modular procedures manuals with a single CMmanual covering all approvals, may be acceptable.				
17. It is important to understand the difference between compliance assurance and compliance control. An effective CM will contain elements of both. Compliance control is normally done by inspection of the product; it provides confirmation at the time of the inspection that the product conforms to a defined standard.	The term "product inspections" is used which is considered by the commentator as undefined. He proposes a change to "FSTD inspections"to clarify the intent of the requirement.	Partially accepted. The term "product inspections" is used related to the general explanation in section 17. In the context of section 18. the term is changed to: "product (FSTD) inspections"		
18. The compliance assurance element is essential to ensure the standard is maintained throughout the periods between product (FSTD) inspections. Within a CMP, the processes are defined that are necessary to provide confidence that the FSTD(s) is being supported and maintained to the highest possible standard and in compliance with the relevant requirements. A programme of internal audits is then set in place to confirm that the processes are being followed and are effective. The competent authoritywould normally oversee a certified organisation by process and system audit, however, in the case of FSTDs, authority oversight includes an inspection element in the form of the recurrent FSTD evaluation.	Comment: change last word from " simulator fly-out" to "FSTD evaluation".	Text is changed because the annual visit from the competent authority is an evaluation, not just a fly-out.		
19. In addition to the normal process and system audits, the compliance assurance audit schedule should include the schedule for each FSTD for fly-outs and QTG running through the audit year.	Proposal made by one commentator from the industry: Remove the requirement that fly-outs and QTG running be included in the compliance audit schedule because they are part of the process for maintaining qualification of the FSTD. That process is audited according to the compliance audit schedule. Breaking down processes and adding individual elements of processes to the audit schedule would result in a massive scheduling document that would be so detailed and complex as to make it unmanageable.	Not accepted. Point19 is a reminder for operators to include FSTD fly-outs and the QTG running process in the audit schedule. Both are more related to product audits than to system audits. If they are already included by the operator within the system audits then there is no need to add them.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
20. The audit procedure should include, at least, the following: statement of scope, planning, initiation of audit, collection of evidence, analysis, reporting of findings, identification and agreement of corrective actions and feedback, including reporting significant findings to the competent authority, where appropriate. The review of published material could include, in addition to the CM and procedures manuals, QTG records, fly-out reports, technical log sheets, maintenance records and configuration control records.				
21. In addition to basic knowledge of FSTD requirements and operation, it is expected that auditors have received training in CM and audit techniques.	It is the opinion of one commentator that the requirement contradicts other statements within the rule, and the professional auditor training the personnel of the commenter's company has received.Therefore he proposes to change the requirement to state: "Auditors must have training in CMS and audit techniques and an introduction to FSTD requirements and operation. They are not required to have an FSTD support or operations background."	Partially accepted. Auditors may be trained according to any international standards but there are specific requirements regarding the auditing standards for FSTD operations. This does not imply that these auditors must have specific background or specific qualification or job role. After reviewing the paragraph, "knowledge of FSTD requirements and operation" is changed to "basic knowledge of FSTD requirements and operation"		
22. The routine fly-outs of the device are a specialised part of the audit programme. It is essential that the pilots tasked with carrying out these fly-outs are adequately experienced. They would be expected to be TRI/TRE qualified on the type, and should have experience of simulator evaluations carried out by the competent authority. The assignment of such pilots can present difficulties, particularly for the independent organisation operating FSTDs not directly associated with an airline. It is vital for the organisation to ensure their users are aware of the importance of the fly-outs as part of the continued qualification of the device and the need to assist in the provision of suitably qualified pilots to carry them out. It is worth noting that simulator users are required to satisfy themselves that the training devices they use are assessed for continued suitability, as part of there own CMP. Involvement in fly-outs assists in meeting this need.	A commentator proposes to delete the last part of the paragraph beginning with "The assignment of such pilots…."	Not accepted. The Agency considers this as useful guidance information.		
23. Whilst it is accepted that the number of audits required in an organisationwith a single device will be significantly less than those in larger organisationswith multiple devices, the CMP should still meet the same criteria, and cover all aspects of the operation within a twelve-month period. The independence of the audit personnel should be maintained at all times. The audit programme, whether by full audit or by using a checklist system should still be sufficiently comprehensive to provide the necessary level of confidence that the device is maintained and operated to the highest possible standard. This includes monitoring and review of corrective actions and feedback processes.				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
	1. It is proposed by one commentator to remove the requirement that obsolete documents should be retained, because it imposes an unnecessary financial and resource burden on operators. Obsolete documents are by definition, no longer useful. Storage of them serves no useful purpose. 2. Another commentator proposes the deletion of this paragraph subject to amendment of OR.ATO.120.	1. Not accepted. If records like QTG, audit reports and findings etc. are to be retained for a period of five years, then obsolete documents and procedures which might have been used to produce such records must also be retained for the same period so that all the information could be retrieved for further investigation if needed to and linked together. 2. The paragraph is deleted here but the content, modified and more clear, is contained in OR.ATO.120(b) and AMC1-OR.ATO.120(b).		
24. The successful use of sub-contractors who play a significant role in the provision of services, such as maintenance or engineering services, to an organisation operating FSTDs is reliant on the sub-contractor operating under the CM of the organisation. All requirements that an organisation is expected to meet are equally applicable to his/her sub-contractor. It is the organisation's responsibility to ensure that the sub-contractor complies with its CM.	One commentator states that in this section vendors (providing a device) are confused with sub-contractors (providing a service) who perform CMS services for the FSTD operator and a revenue stream is given to the competent authority for auditing outside the ATO.	Partially accepted. There is no confusion in the description as the paragraph only quotes subcontractors and not vendors. Requirement OR.GEN.205 (b) clearly states a provision for competent authorities to access any contracted party to assure compliance with the requirements. The Agency does not accept your proposal for a new text but modifies this section to avoid the mentioned confusion.		
25. It is essential that a proper understanding of the CMand how it applies to each and every staff member is provided by appropriate training to all, not just those directly involved in operating the CM, such as the accountable manager, the compliance monitoringmanager, representatives and the auditors. The training given to those directly involved in CM should cover the CM, audit techniques and applicable technical standards. CM familiarisation training should be an integral part of any induction training and recurrent training. Update training on technical standards for audit personnel, is also of particular importance.	An amendment and deletion of text is proposed in areas where it adds no value. More clarification of the persons involved is requested.	Partially accepted. Text is modified after internal review. The additional text is to identify the Accountable Manager and to clarify the "representative" as being the local representative for compliance monitoring.		
26. Any effective CM will include measurement of its effectiveness. The organisationshould develop performance measures that can be monitored against objectives. Such measures, often referred to as metrics, should be reviewed by the competent authorityas part of its oversight of the CM within the organisation and during recurrent evaluations. In addition they should form part of the data reviewed during scheduled management reviews as part of the CM.	Amendment proposed to refer to management reviews.	Accepted. Text is modified by inserting an amendment as guidance. Apart from a review by the competent authority, the prime purpose of the metrics is to allow analysis and trend monitoring as part of the management evaluation and feedback system to the accountable manager. This needs to be reflected in the GM.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
27. ARINC 433 provides good guidance on simulator compliance measurement. Metrics should monitor not only individual simulator performance but, for larger organisations, how each simulator is performing within the fleet. It is also recommended that metrics data be shared, regularly, with the simulator manufacturers to allow monitoring for generic problems such as design issues, which may be best addressed with a fleet-wide solution.	One commentator proposes to change this section to read: "ARINC Report 433 provides guidance on simulator quality metrics." There are concerns that the comparison suggested by this section, though it may have business decision benefits, in no way provides data regarding the ability of the particular FSTD to comply with the requirements of the Rule. The attempt to insert the authority into business decisions of the ATO is not appreciated by the operators.	Not accepted.This paragraph just quotes ARINC 433 and within such a document a comparison metric is recommended.		
GM 2 to OR.ATO.300 General	[MS:5; IND:11; INDIV:1]			
COMPLIANCE MONITORING – ASSESSMENT FOR ORGANISATIONSOPERATING FSTDS	Recommendation to keep the regulatory reference column in the table to have a track of requirements met	Noted. It could be of some benefit to keep the column in as laid down in TGL 9 but generally all items listed in the table are based on a reference in the regulation. In case of not meeting a requirement and if there is a need to provide a reference (to the FSTD operator) the relevant paragraph can be subsequently identified.		

COMPLIANCE MONITORING ASSESSMENT
FOR ORGANISATIONS OPERATING FSTDs

Organisation:	
Site Assessed:	
Date of Assessment:	
Accountable Manager:	
Compliance MonitoringManager:	
Number and Type of FSTDs:	
CM Manual Reference:	

A: Rule				B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
Audit Area	**CM/Proc Ref**	**Comments**	**Satis Y/N**				
1. ACCOUNTABLE MANAGER							
Has an accountable manager with overall responsibility for compliance monitoring (CM) been nominated?							
Does the accountable manager have corporate authority to ensure all necessary activities can be financed and carried out to the standard required by the competent authority?							
Has a formal written compliance policy statement been established, included in the CMmanual and signed by the accountable manager?							

A: Rule				B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
2. COMPLIANCE MONITORINGMANAGER							
Has a compliance monitoringmanager (CM manager) been nominated?							
Are the posts of CM managerand AM combined? If so, is the independence of Compliance Audits assured?							
Does the CM manager have overall responsibility and authority to: a) verify that standards are met and b) ensure that the compliance monitoring programme is established, implemented and maintained?							
Does the CM manager have direct access to the AM?							
Does the CM manager have access to all parts of the organisation operating an FSTD and as necessary any subcontractor’s organisation?							

A: Rule				B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
3. COMPLIANCE MONITORING (CM)							
Has CM been established by the operator?							
Is CM properly documented? (see Section 4)							
Is the CM structured according to the size and complexity of the operator?							
Does the CM include the following as a minimum: a. Monitoring of compliance with required technical standards b. Identification of corrective actions and person responsible for rectification c. Feedback system to accountable manager to ensure corrective action are promptly addressed d. Reporting of significant non-compliances to the competent authority e. A compliance monitoring programme to verify continued compliance with applicable requirements, standards and procedures		a. b. c. d. e.					

A: Rule				B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
Are the responsibilities of the CM manager defined to include, as a minimum: a) Monitoring of corrective action programme b) To ensure that the corrective actions contain the necessary elements c) Provide management with an independent assessment of corrective action, implementation and completion d) Evaluation of the effectiveness of the corrective action programme		a) b) c) d)		1. Last Box page 61 refers to management reviews and asks if they are carried out and how often: Proposal is made to change the text to set criteria for management review at least quarterly.Based on audit experience, quarterly seems to be the maximum period that can be tolerated to assure that management review can identify trends quickly enough to be corrected in a timely manner (as required from a CMS). The current text asks for a period but gives no guidance on what could be considered as being appropriate.	1. Accepted.		
Are adequate financial, material and human resources in place to support CM?							
Are management evaluations/reviews of CM held at least quarterly?							
Does the management evaluation ensure that the CMS is working effectively and is it comprehensive and well documented?							

A: Rule				B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
Does the compliance monitoring programme identify the processes necessary and the persons within the organisation who have the training, experience, responsibility and authority to carry out the following: a. Schedule and perform quality inspections and audits, including unscheduled audits when required b. Identify and record any concerns or findings, and the evidence necessary to substantiate such concerns or findings; c. Initiate or recommend solutions to concerns or findings through designated reporting channels; d. Verify the implementation of solutions within specific timescales;		a. b. c. d.		1. A commentator proposes to amend the text of bullet point (a) in the second box on this page to clearly allow compliance to be shown	1. Accepted. The GM is designed to ensure the compliance monitoring programmeis in place. There is no need therefore to ask for any results from a system that may not yet be in full effect.		
Is there sufficient auditor resource available and can their required level of independence be demonstrated?							
Do the auditors report directly to the compliance monitoringmanager?							

A: Rule				B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
Does the defined audit schedule cover the following areas, within each 12 month period? a. Organisation b. Plans and objectives c. Maintenance procedures d. FSTD qualification level; e. Supervision f. FSTD technical status g. Manuals, logs, and records h. Defect deferral i. Personnel training j. Aircraft and simulator configuration management, including Airworthiness Directives		a) b) c) d) e) f) g) h) i) j)		1. Several deletions of audit items are proposed because it is not relevant to ask if follow-on audits have actually been carried out, whether audit non-compliances have been found, or if corrective actions implemented. The answers can only be yes or no and add no value to the responses. It is proposed to delete the boxes that ask those questions.	1. Accepted. This GM is designed to assure that a compliance monitoring programmeis in place having the right procedures or controls. To look at the outcome is a function of the routine auditing. Whatever the answer, it gives no evidence as to the compliance with, or effectiveness of, the system.		
How are audit non-compliances recorded?							
Are procedures in place to ensure that corrective actions are taken in response to findings?							

A: Rule				B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
Are records of the compliance monitoring programme: a) accurate b) complete and c) readily accessible		a) b) c)		1. Proposal to eliminate: "Is there an acceptable and effective procedure for providing a briefing on the CMS to all personal" and replacement by: "Do all personal know the safety management system policy and the applicable procedures? 2. A proposal is made to limit CMS training content and to omit"reporting, recording, and continuous improvement"as it is part of the CMS, and no specific training is required.	1. Not accepted. The proposed text would not bein line with what is stated in GM1-OR.ATO.300 § 28 2. Not accepted. Training is required for all parts and elements of the CMS.		
Is there an acceptable and effective procedure for providing a briefing on the CM to all personnel?							
Is there an acceptable and effective procedure for ensuring that all those responsible for managing the CM receive training covering: a) An introduction to the concept of the CM b) Compliance management c) The concept of Compliance Assurance d) CM manuals e) Audit Techniques f) Reporting and recording g) How the CM supports continuous improvement within the organisation		a) b) c) d) e) f) g)					

A: Rule				B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
Are suitable training records maintained?							
Are activities within the CM sub-contracted out to external agencies?							
Do written agreements exist between the organisationand the sub-contractor clearly defining the services and standard to be provided?							
Are the procedures in place to ensure that the necessary authorisations/approval when required are held by a sub-contractor?							
Are the procedures in place to establish that the sub-contractor has the necessary technical competence?							

A: Rule				B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
4. CM MANUAL				1. The audit checklist item covering document retention policy would be better placed on page 66 after the box talking about content of the CMS manual that relates to the retention policy. 2. A comment is made to replace "Is the CMS manual signed by the accountable manager and the compliance monitoring manager?" by "Is the CMS manual approved by an authorized person from the organisation?	1. Moved here from section 3. of the table because it is more logical to identify the need for retention policy and then ask what it consists of rather than to define it first and then subsequently ask if it is a policy. With its placement in section 4. of the table it will ease the review and makes the flow of information more logical. 2. The accountable manager has ultimate responsibility for the implementation of the CM. His/her signature implies the commitment quoted within the comment. The CM manager must sign also as responsible for monitoring of the CM programme.		
What is the current status of the CMmanual – amendment and issue date?							
Is there a procedure in place to control copies and the distribution of the CMmanual?							
Is the CMmanual signed by the accountable manager and the compliance monitoringmanager?							
Does the CMmanual include, either directly or by reference to other documents, the following: a) A description of the organisation b) Reference to appropriate FSTD technical standards c) Allocation of duties and responsibilities d) Audit procedures e) Reporting procedures f) Follow-up and corrective action procedures g) Document retention policy h) Training records		a) b) c) d) e) f) g) h)					
Is there a document retention policy covering a) Audit schedules a) Inspection and audit reports b) Responses to findings c) Corrective action reports d) Follow-up and closure reports e) Management evaluation reports		a) b) c) d) e) f)					

A: Rule				B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
Does the CMmanual include, either directly or by reference to other documents, the following procedures for day to day operation of the FSTD: a) Defect reporting systems b) Defect rectification processes c) Tracking mechanisms d) Preventative maintenance programmes e) Spares handling f) Equipment calibration g) Configuration management of the device including visual, IOS and navigation databases. h) Configuration control system to ensure the continued integrity of the hardware and software qualified. i) QTG running and function and subjective tests.		a) b) c) d) e) f) g) h) i)		1. Commenton item d) "major failures of a qualified device" has resulted in much confusion about what constitutes a major failure, and when, how, and who is to be notified. It is proposed to remove the requirement to report major failures of a qualified device.	1. Not accepted. At least any serious failure which affects flight crew training, testing and checking in that way that negative training would be provided if the device would continue its operation; or if the failure affects the level of qualification and the failure cannot be rectified in a reasonable time so that not only one but different missions will be affected; and in any case if the FSTD operator/instructor is uncertain if given credits will be affected, should be considered as a "major failure".		
Does the CMmanual include, either directly or by reference to other documents, procedures for notification of the competent authorities of the following: a) Any change in the organisation including Company name, location, management b) Major changes to a qualified device c) Deactivation or relocation of a qualified device d) Major failures of a qualified device e) Major safety issue associated with the installation		a) b) c) d) e)					

A: Rule				B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
Does the CMmanual define acceptable and effective procedures to ensure compliance with applicable health and safety regulations, including: a) Safety briefings b) Fire/Smoke detection and suppression c) Protection against electrical, mechanical, hydraulic and pneumatic hazards d) Other items as defined in AMC1-OR.ATO.315		a) b) c) d)		2. A proposal is made to delete the item "Does the CMS manual define procedures to ensure compliance with health and safety regulations?	Not accepted. This item in the checklist merely calls to assure that operator complies with regulated H&S at the place of operation. Compliance with health & safety is a requirement. (OR.ATO.315).		
Does the CMmanual include acceptable and effective procedures for regularly checking FSTD safety features such as emergency stops and emergency lighting, and are such tests recorded?							
5. COMPLIANCE MEASURES				1. Proposal: text box starting with "Have compliance monitoring objectives been.." to be moved from section 4. to section 5. of this table because this topic is better placed there.	1. Accepted. Text box is moved because this box asks if compliance measures and objectives have been established. The rest of section 5. follows logically from that question.		
Have compliance monitoring objectives been developed from the Policy statement, and included either directly or by reference in the CMS manual?							
Does the CMS include processes to produce and review appropriate metrics data?							
Do these compliance measures track the following: a) FSTD availability b) Numbers of defects c) Open defects d) Defect closure rates e) Training session interrupt rates f) Training session compliance rating		a) b) c) d) e) f)					
Do the compliance measures support the Compliance objectives?							

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
Required actions/Comments				
Signature:…… Date:…….				
GM3-OR.ATO.300 General	[MS:3; IND:4; INDIV:1]			
COMPLIANCE MONITORING SYSTEM – GUIDANCE FOR ORGANISATIONSOPERATING FSTDS TO PREPARE FOR A COMPETENT AUTHORITY EVALUATION				
1. Introduction.				
The following materialprovides guidance on what is expected by the competent authorities to support the discussion during the preliminary briefing which is a first step of any initial or recurrent evaluation of an FSTD carried out by an competent authority.				
This document has been developed as well to standardise working methods throughout Member States and to develop effective CM spot checks to satisfy the applicable requirements and therefore to ensure the highest standards of training are attained.				
2. Document form.				
Different document forms can be considered. Nevertheless, it appears that the best solution is a dossier, which includes all the information required by the Authorities.				
3. Contents of the dossier for an initial evaluation:				
a. type of FSTD and qualification level requested;				
b. evaluation agenda: including date of evaluation, name of people involved for the competent authority, contact details for the FSTD operator, schedules for the subjective flight profile, QTG rerun;				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
c. FSTD identification including, type of FSTD, manufacturer, registration number, date of entry into service, host computer, visual system, motion system, type of IOS, simulated version(s), standards of all the aircraft computers (if applicable);				
d. planned modifications;	Proposal to delete the requirement for a dossier for initial evaluations containing recent and planned modifications because itis not appropriate for an initial evaluation. An initial evaluation reviews a standard for the first time and therefore an FSTD being presented for an initial qualification cannot be considered as "modified". Planned future modifications are part of the normal CMS controls and irrelevant directly to the initial evaluation.	Partially accepted. There might be cases where "*planned modifications*" would be of interest at an initial evaluation.		
e. subjective open defect(s);				
f. airport visual databases including for each visual scene, name of the airport, IATA and ICAO codes, type of visual scene (specific or generic), additional capabilities (e.g. snow model, WGS 84 compliance, EGPWS); and				
g. QTG status: the list should include for each QTG test available the status of the tests following the FSTD operator and competent authority reviews;				
h.				
4. Contents of the dossier for a recurrent evaluation:				
a. type of FSTD and qualification level requested;				
b. evaluation agenda, including date of evaluation, name of people involved for the competent authority, contact details for the operator, schedules for the subjective flight profile, QTG rerun and QTG review;				
c. FSTD identification, including type of FSTD, manufacturer, registration number, date of entry into service, host computer, visual system, motion system, type of IOS, simulated version(s), standards of all the aircraft computers (if applicable);				
d. status of items raised during the last evaluation and date of closure;				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
e. reliability data: training hours month by month during the past year, numbers of complaints mentioned in the technical log, training hours lost, availability rate;	It proposed to clarify the meaning of the text to prevent FSTD operators from presenting sometimes commercial data and rates which are much less relevant than the technical ones.	Noted. It is the opinion of the Agency that the meaning of "*reliability data*" is clear in this context with the given examples and that item 5 addresses the technical reliability (an authority is interested in). A change of the wording would not preclude an FSTD operator from presenting commercial data and rates as well.		
f. operational data: a list of FSTD users overthe previous 12 months should be provided, with number of training hours;	A commentator states that this item requires the operator to provide confidential business data and therefore to delete this requirement.	Not accepted. Since all data supplied to the competent authority are confidential it is not a problem to release such a list.		
g. failure tabulation including categorisation of failures (by ATA chapter and Pareto diagram, ARINC classification);	Suggestion is made to delete this point as it is not relevant/useful all the times to FSTDs and it puts a further burden on operators to tabulate this.	Not accepted. The Agency does not see a burden when asking for a sorted presentation of failures. As it is guidance material take the way of classification in parantheses as an example. Especially for recurrent evaluations all parties involved benefit from a quick but effective evaluation. It would be a burden for all of them if this time has to be extended due to work which falls under "preparatory work".		
h. details of main failures leading to training interruption or multiple occurrences of some failures;				
i. recent and planned modifications;				
j. subjective open defect(s);				
k. airport visual databases including for each visual scene, name of the airport, ATA and ICAO codes, type of visual scene (specific or generic), additional capabilities (Snow model, WGS 84 compliance, EGPWS); and				
l. QTG status: the list should include for each QTG test available, the date of run during the past year, any comment, and the status of the tests.				

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
AMC1-OR.ATO.310(a)Modifications **GENERAL**	[MS:3; IND:3; INDIV:0]			
1. The FSTD, where applicable, should be maintained in a configuration that accurately represents the aircraft being simulated. This may be a specific aircraft tail number or may be a representation of a common standard.				
2. Users of the device should always establish a differences list for any device they intend to use, and to identify how any differences should be covered in training. In order to ensure each device is maintained in the appropriate configuration, the organisation operating an FSTD should have a system that ensures that all relevant airworthiness directives (ADs) are introduced where applicable on affected FSTDs.	It is proposed to delete the text relating to users and differences list because these requirements are solely aimed at the ATO. Users of the device will be customer airlines with defined aircraft standards.	Not accepted. If an ATO operating an FSTD is itself a userthere may be differences to the used aircraft. There may be differences as well between the type of aircraft operated by an airline and the used FSTD (simulator) as there are variants of types. So the Agency decides to keep the text in as it is.		
3. Organisations are reminded that ADs from both the State of Design of the aircraft and the State where the FSTD is located need to be monitored. ADs from the State of Design of an aircraft are usually automatically applicable, unless specifically varied by the aircraft's State of Registry.	It is proposed to change the text for clarity.	Accepted. Text is changed		
4. It may also be necessary to monitor ADs issued by States where users of the device have aircraft registered. In addition to ADs, the FSTDoperator also needs to put in place processes that ensure all aircraft modifications are reviewed for any effect on training, testing and checking. This should usually require review of the aircraft manufacturers service bulletins and may require a specific link to the aircraft manufacturer to be developed. In practice this link is often established through aircraft operators who use the device.	A proposal is made to add text to § 4 and delete 5 as it is speculative.	Accepted. Test is modified and 5. has been deleted.		

A: Rule	B: Summary of comments	C: Response	D: Source ref. and compliance	E: ICAO ref. and compliance
AMC1-OR.ATO.310(b) Modifications EXAMPLES OF MAJOR MODIFICATIONS	[MS:1; IND:2; INDIV:0]			
1. The following are examples of modifications that *should* be considered as major. This list is not exhaustive and modifications need to be classified on a case-by-case basis: a. any change that affects the QTG; b. introduction of new standards of equipment such as flight management and guidance computer (FMGC) andupdated aerodynamic data packages; c. re-hosting of the FSTD software; d. introduction of features that model new training scenarios; e.g. traffic alert and collision avoidance system (TCAS), enhanced ground proximity warning system (EGPWS); e. aircraft modifications which could affect the FSTD qualification; and f. FSTD hardware or software modifications that could affect the handling qualities, performance or system representation.	Different changes to this paragraph are proposed because: - it has proven difficult to define what is a major change i. the format is erroneous ii. rewording makes it more clear	Accepted. The AMC has been redrafted.		
2. Organisationsoperating FSTDs are reminded that the requirement is for the competent authority to be notified of such changes.	A commentator mentions that no timelines are provided and suggests that prescribed time lines are specified for notification and approval.	Noted. Timelines should be agreed with the competent authority. If the authority will be notified too late and an evaluation is considered by the competent authority as necessary, there will be a period between the implementation of the change and this special evaluation where the FSTD has no valid qualification and no credits can be granted.		
3. This does not imply that the competent authority will always wish to directly evaluate the change. The competent authority should be mindful of the potential burden placed on the organisation by a special evaluation and should always consider that burden when deciding if such an evaluation is necessary.				
4. The organisation operating FSTDs should have an internal acceptance process for modifications, to be used when implementing all modifications, even if the competent authority has made a decision to carry out an evaluation.				

AMC1-OR.ATO.315 Installations MINIMUM ELEMENTS FOR SAFE OPERATION	[MS:0; IND:0; INDIV:1] One comment which is irrelevant and without any information or proposal			
1. Introduction.				
a. This AMC identifies those elements that are expected to be addressed, as a minimum, to ensure that the FSTD installation provides a safe environment for the users and operators of the FSTD under all circumstances.				
2. Expected Elements.				
a. Adequate fire/smoke detection, warning and suppression arrangements should be provided to ensure safe passage of personnel from the FSTD.				
b. Adequate protection should be provided against electrical, mechanical, hydraulic and pneumatic hazards,including those arising from the control loading and motion systems, to ensure maximum safety of all personsin the vicinity of the FSTD.				
c. Other areas that should be addressed include:				
i. a two-way communication system that remains operational in the event of a total power failure;				
ii. emergency lighting;				
iii. escape exits and escape routes;				
iv. occupant restraints (seats, seat belts etc.);				
v. external warning of motion and access ramp or stairs activity;				
vi. danger area markings;				
vii. guard rails and gates;				
viii. motion and control loading emergency stop controls accessible from either pilot or instructor seats; and				
ix. a manual or automatic electrical power isolation switch.				
GM1-OR.ATO.315 Installations GENERAL	[MS:2; IND:1; INDIV:0]			
1. The intent of OR.ATO.315 is to establish that the organisation operating an FSTD has all the necessary procedures in place to ensure that the FSTD installation remains in compliance with all requirements affecting the safety of the device and its users.				

	It is commented that this paragraph places obligations on a competent authority, which would form part of the normal CMS auditing process and thus to delete the text.	Accepted. Text deleted.		
2. Based on experience, the competent authority should pay particular attention to the quality of safety briefings on the FSTD provided to users and instructors,and to the execution of regular checks on the FSTD safety features.				
3. It is recognised that certain checks, such as that of the emergency stop, can have adverse impact on the FSTD if carried out in full.				
4. It is acceptable to develop a procedure that protects elements of the device by shutting them down in advance, in a more controlled manner, provided it can be shown that the procedure still demonstrates the whole device can be shut down by the operation of a single emergency stop button, when required.	It is proposed to amend the text by adding an exception for projectors saying "Exception can be made for projectors as shutting them down before the end of the cooling fan cycle can result in a fire.", because projector manufacturers themselves usually prescribe to not shut down projectors before the end of the cooling fan cycle because of this fire risk.	Not accepted. That could end up in a more or less philosophical discussion - saving life or saving material. In an emergency case when hydraulic or electrical power has to be cut off to save lives and to evacuate the crew the possible fire (not necessarily) caused by an overheated projector may be negligible. The instruction manual of the projector manufacturer gives advice on how to operate the projectors but does not consider an emergency case in the FSTD.		
Chapter 2 -Requirements for the qualification of FSTDs				
AMC1-OR.ATO.350 Application for FSTD qualification	[MS:2; IND:4; INDIV:1]			
LETTER OF APPLICATION FOR INITIAL QUALIFICATION OF AN FSTD; EXCEPT BASIC INSTRUMENT TRAINING DEVICE (BITD)				
A sample of letter of application is provided overleaf.				
Part A				
To be submitted not less than three months prior to requested qualification date				
(Date)				
	It is proposed to delete "Principle Inspector" because the use of the term "Principal Inspector" is	Accepted. Text deletedbecause this is not a term that is used elsewhere, and the addressee of the application		

							questioned.	will vary between authorities.		
(Office – Competent Authority)										
(Address)…….										
(City)……..										
(Country)…….										
Type of FSTD	Aircraft Type/class	Qualification Level Sought								
Full Flight Simulator FFS		A	B	C	D	Sp./Cat				
Flight Training Device FTD		1	2	3						
Flight and Navigation Procedures Trainer FNPT		I	II	III	II MCC	III MCC				
							Proposal made: In Part A, the two text lines just below the table (*Grandfather rights* ….,and *Interim Qualification Level*…) should be deleted, because the applicant seeks for a qualification in general. It is under the responsibility of the authority to provide grandfather rights or an interim qualification level.	Partially accepted. The second line (Interim Qualification..) will be retained to prompt a dialogue between the authority and the party submitting the application.		
Interim Qualification Level requested: YES/NO										
Dear,										
<*Name of Applicant*> requests the evaluation of its flight simulation training device<*operator's identification of the FSTD*> for qualification. The <*FSTD manufacturer'sname*> FSTD with its <*visual system and manufacturer'sname, if applicable*>visual system.							To be coherent with the following paragraph where it is noted that "*The QTG will be submitted….*" it is proposed to delete the last part of this paragraph.	Accepted. Text deleted.		

Evaluation is requested for the following configurations and engine fits as applicable:				
e.g. 767 PW/GE and 757RR				
1……..				
2……..				
3……..				
Dates requested are: <*date(s)*> and the FSTD will be located at <*place*>.				
The objective tests of the QTG will be submitted by <*date*> and in any event not less than 30 days before the requested evaluation date unless otherwise agreed with the competent authority.	It is commented that the "*30 days*" are in conflict with the "*21 days*" quoted in AMC 1 to AR.ATO.200(a)(1) Initial evaluation procedure paragraph 2.	Noted. In AMC 1 to AR.ATO.200 (a)(1) "21 days" has been changed back to "30 days".		
Comments:				
…… …… …….				
Signed				
……				
Print name: ……..				
Position/appointment held: ……..				
Email address: ……..				
Telephone number: ……..				
Part B				
To be completed with attached QTG results				
(Date) …….				
We have completed tests of the FSTD and declare that it meets all applicable requirements except as noted below.		Deleted after internal review.		
The following QTG tests are outstanding:				

Tests	Comments

(Add boxes as required)

It is expected that they will be completed and submitted three weeks prior to the evaluation date.

Signed

Print name: …….

Position/appointment held: …….

E-mail address: …….

Telephone number: …….

Part C

To be completed not less than seven days prior to initial evaluation

(Date) …….

The FSTD has been assessed by the following evaluation team:

..... (Name) ..... Qualification .....

..... (Name) ..... Qualification .....

..... (Name) ..... Qualification				
..... (Name) ..... Pilot's Licence Nr.....				
..... (Name) ..... Flight Engineer's Licence Nr (if applica				
☐ FFS/FTD: This team attests that the<*type of FSTD*>conforms to the aeroplane flight deck/helicopter cockpit configuration of <*name ofaircraft operator (if applicable)*, *type of aeroplane/helicopter*>aeroplane/helicopter within the requirements for <*type of FSTD and level*> and that the simulated systems and subsystems function equivalently to those in that aeroplane/helicopter. The pilot of this evaluation team has also assessed the performance and the flying qualities of the FSTD and finds that it represents the designated aeroplane/helicopter. ☐ FNPT: This team attest(s) that the<type of FSTD>represents theflight deck or cockpit environment of a <*aeroplane/helicopter or class of aeroplane/type of helicopter*>within the requirements for <*type of FSTD and level*>and that the simulated systems appear to function as in the class of aeroplane/type of helicopter. The pilot of this evaluation team has also assessed the performance and the flying qualities of the FSTD and finds that it represents the designated class of aeroplane/type of helicopter.		Modified after internal review to address the different types of FSTD.		
(Additional comments as required)				
…….				
…….				
Signed				
……				
Print name: ……..				
Position/appointment held: ……..				
E-mail address: ……..				
Telephone number: ……..				
GM1-OR.ATO.350 Application for FSTD qualification	[MS:0; IND:3; INDIV:0]			
USE OF FOOTPRINT TESTS IN QUALIFICATION TEST SUBMISSION				

1.	Introduction				
	a. Recent experience during initial qualification of some full flight simulators (FFS) has required acceptance of increasing numbers of footprint tests. This is particularly true for FFSsof smaller or older aircraft types, where there may be a lack of aircraft flight test data. However, the large number of footprint tests offered in some QTGshas given rise to concern.				
	b. This guidance is applicable to FFS aeroplane,FTD aeroplane, FFS helicopter and FTD helicopter qualifications.	A commentator mentions that there is a contradiction within the sentence with regard to the different types of devices.	Accepted. The text is modified to avoid the contradiction and for clarity.		
2.	Terminology				
	a. Footprint test - footprint test data are derived from a subjective assessment carried out on the actual FSTD requiring qualification. The assessment and validation of thesedata are carried out by a pilot appointed by the competent authority. The resulting data are the footprint validation data for the FSTD concerned.				
3.	Recommendation				
	a. It is permitted to use footprint data where flight test data is not available. Only when all other alternative possible sources of data have been thoroughly reviewed without success may a footprint test be acceptable, subject to a case-by-case review with the competent authorities concerned, and taking into consideration the level of qualification sought for the FSTD.				
	b. Footprint test data should be:				
	i. constructed with initial conditions and FFS set up in the appropriate configuration (e.g. correct engine rating) for the required validation data;				
	ii. a manoeuvre representative of the particular aircraft being simulated;				
	iii. manually flown out by a type rated pilot who has current experience on type (see Note 1) and is deemed acceptable by the competent authority (see Note 2);				
	iv. constructed from validation data obtained from the footprint test manoeuvre and transformed into an automatic test;				
	v. an automatic test run as a fully integrated test with pilot control inputs; and				
	vi. automatically run for the initial qualification and recurrent evaluations.				

Note 1: In this context, "current" refers to the pilot experience on the aircraft, and not to the Part-FCL standards.				
Note 2: The same pilot should sign off the complete test as being fully representative.				
c. A clear rationale should be included in the QTG for each footprint test. These rationales should be added to and clearly recorded within thevalidation data roadmap (VDR) in accordance with and as defined in Appendix 2 to AMC1-CS-FSTD(A).300.				
d. Where the number of footprint tests is deemed by the competent authority to be excessive, the maximum level of qualification may be affected. The competent authority should review each area of validation test data where the use of footprint tests as the basis for the validation data is proposed. Consideration should be given to the extent to which footprint tests are used in any given area. For example, it would be unacceptable if all or the vast majority of take-off tests were proposed as footprint tests, with little or no flight test data being presented. It should be recognised, therefore, that it may be necessary for new flight test data to be gathered if the use of footprint tests becomes excessive, not just overall, but also in specific areas.	One commentator states that the term "excessive" referring to the acceptable number of footprint tests is undefined and proposes to change the statement to define an acceptable number of footprint tests or percentage of the total number of tests that would be considered acceptable.	Not accepted. The text remains unchanged because a guideline is given in the same paragraph and it should be left to the discretion of the competent authority to determine an acceptable number of footprint tests on a case-by-case basis.		
e. For recurrent evaluation purposes an essential match is to be expected. Validation tests using footprint data which do not provide an essential match should be justified to the satisfaction of the competent authority.				
f. The competent authority should be consulted at the point of definition of the aircraft data for qualification prior to the procurement of the device if footprint tests need to be used.	One commentator states that the words "well in advance" are entirely subjective and proposes to define a certain deadline until when the competent authority should be consulted in advance of the QTG submission if footprint tests are to be used (e.g. 30 days)	Partially accepted. The text has been modified to make more clear when the competent authority should be consulted.		
AMC1-OR.ATO.370 Interim FSTD qualification				
NEW AIRCRAFT FULL FLIGHT SIMULATOR/FLIGHT TRAINING DEVICE (FFS/FTD) QUALIFICATION – ADDITIONAL INFORMATION				
1. Aircraft manufacturers'final data for performance, handling qualities, systems or avionics are seldom available until well after a new or derivative aircraft has entered service. Because itis often necessary to begin flight crew training and certification several months prior to the entry of the first aircraft into service,it may be necessary to use aircraft manufacturer-provided preliminary data for interim qualification of FSTDs. This is consistent with the possible interim approval of operational suitability data (OSD) relative to FFS in the type certification process under Part-21.				
2. In recognition of the sequence of events that should occur and the time				

	required for final data to become available, the competent authority may accept the use of certain partially validated preliminary aircraft and systems data, and early release (‘red label’) avionics in order to permit the necessary programme schedule for training, certification and service introduction.				
3.	Organisations seeking qualification based on preliminary data should, however, consult the competent authority as soon as it is known that special arrangements will be necessary, or as soon as it is clear that preliminary data will need to be used for FSTD qualification. Aircraft andFSTD manufacturers should also be made aware of the needs and agree on the data plan and FSTD qualification plan. There should be periodic meetings to keep the interested parties informed of the project’s status.				
4.	The precise procedure to be followed to gain competent authority acceptancetouse preliminary data should vary from case to case and between aircraft manufacturers. Each aircraft manufacturer’s new aircraft development and test programme is designed to suit the needs of the particular project and may not contain the same events or sequence of events as another manufacturer’s programme or even the same manufacturer’s programme for a different aircraft. Hence, there cannot be a prescribed invariable procedure for acceptance to use preliminary data, but instead there should be a statement describing the final sequence of events, data sources, and validation procedures agreed by the FSTD operator, the aircraft manufacturer, the FSTD manufacturer, and the competent authority.The approval by the Agency of the definition of scope of the aircraft validation source data to support the objective qualification as part of the OSD can also be an interim approval in case of preliminary data. The preliminary data to be used should be based on this interim approval.				
5.	There should be assurance that the preliminary data are the manufacturer’s best representation of the aircraft and reasonable certainty that final data will not deviate to a large degree from these preliminary, but refined, estimates. First of all there should be an interim approval of operational suitability data (OSD) relative to flight simulators in the type certification process under Part-21. Furthermore, the data derived from these predictive or preliminary techniques should be validated by available sources including, at least, the following:				
	a. *Manufacturer’s engineering report*. Such reports explain the predictive method used and illustrate past successes of the method on similar projects. For example, the manufacturer could show the application of the method to an earlier aircraft model or predict the characteristics of an earlier model and compare the results to final data for that model.				
	b. *Early flight tests results*. Such data will often be derived from aircraft certification tests, and should be used to maximum advantage for early FSTD validation. Certain critical tests, which would normally be done early in the aircraft certification programme, should be included to validate essential pilot training and certification manoeuvres. These include cases in which a pilot is expected to cope with an aircraft failure mode, including engine failures. The early data available will, however, depend on the aircraft manufacturer’s flight test programme design and may not be				

the same in each case. However it is expected that the flight test programme of the aircraft manufacturer includes provisions for generation of very early flight tests results for FSTD validation.				
6. The use of preliminary data is not indefinite. The aircraft manufacturer's final data should be available within sixmonths after the aircraft's first 'service entry' or as agreed by the competent authority, the organisation and the aircraft manufacturer, but usually not later than oneyear. When an organisation applies for an interim qualification using preliminary data, the organisation and the competent authority should agree upon the update programme. This should normally specify that the final data update will be installed in the FSTD within a period of sixmonths following the final data release unless special conditions exist and a different schedule agreed. The FSTD performance and handling validation would then be based on data derived from flight tests. Initial aircraft systems data should be updated after engineering tests. Final aircraft systems data should also be used for FSTD programming and validation.				
7. FSTD avionics should stay essentially in step with aircraft avionics (hardware andsoftware) updates. The permitted time lapse between aircraft and FSTD updates is not a fixed time but should be minimal. It may depend on the magnitude of the update and whether the QTG and pilot training and certification are affected. Permitted differences in aircraft and FSTD avionics versions and the resulting effects on FSTD qualification should be agreed between the organisation and the competent authority. Consultation with the FSTD manufacturer is desirable throughout the agreement of the qualification process.				
8. The following describes an example of the design data and sources which might be used in the development of an interim qualification plan:				
a. The plan should consist of the development of a QTG based upon a mix of flight test and engineering simulation data. For data collected from specific aircraft flight tests or other flights, the required designed model and data changes necessary to support an acceptable proof of match(POM) should be generated by the aircraft manufacturer.				
b. In order that the two sets of data are properly validated, the aircraft manufacturer should compare their simulation model responses against the flight test data, when driven by the same control inputs and subjected to the same atmospheric conditions as were recorded in the flight test. The model responses should result from a simulation where the following systems are run in an integrated fashion and are consistent with the design data released to the FSTD manufacturer:				
i. Propulsion				
ii. Aerodynamics				
iii. Mass properties				
iv. Flight controls				
v. Stability augmentation				

vi. Brakes and landing gear.				
9. For the qualification of FSTD of new aircraft types, it may be beneficial that the services of a suitably qualified test pilot are used for the purpose of assessing handling qualities and performance evaluation.				
GM1- OR.ATO.370 Interim FSTD qualification				
NEW AIRCRAFT FFS/FTD QUALIFICATION – ADDITIONAL INFORMATION				
1. A description of aircraft manufacturer-provided data needed for flight simulator modelling and validation is to be found in the IATA Document *Flight Simulator Design and Performance Data Requirements* (Edition 6 2000 or as amended).				
2. The proof of match should meet the relevant tolerances in AMC-1-CS-FSTD(A).300respectively AMC1-CS-FSTD(H).300.				
AMC1 – OR.ATO.375(b)(4) Duration and continued validity EXPERIENCE OF THE ASSIGNED PERSON				
The assigned person should have experience in FSTDs and training. The person may have FSTD experience or training experience with an education in FSTD evaluation procedures only, provided the other element of expertise is available within the organisation and a procedure for undertaking the annual review and reporting to the competent authority is documented within the compliance monitoring function.		Moved from OR.ATO.375(b)(4)		
AMC1- OR.ATO.380(b) Changes to the qualified FSTD				
UPDATING AND UPGRADING EXISTING FSTDS				
1. An update is a result of a change to the existing device where it retains its existing qualification level.The change may be certified through a recurrent inspection or an extra inspection if deemed necessary by the competent authority according to the applicable requirements in effect at the time of initial qualification.				
2. If such a change to an existing device would imply that the performance of the device could no longer meet the requirements at the time of initial qualification, but that the result of the change would, in the opinion of the competent authority, clearly mean an improvement to the performance and training capabilities of the device altogether, then the competent authority might accept the proposed change as an update while allowing the device to retain its original qualification level.				
3. An upgrade is defined as the raising of the qualification level of a device, or an increase in training credits, which can only be achieved by undergoing an initial qualification according to the latest applicable				

requirements.				
4. As long as the qualification level of the device does not change, all changes made to the device should be considered to be updates pending approval by the competent authority.				
5. An upgrade, and consequent initial qualification according to the latest applicable requirements, is only applicable when the organisation requests another qualification level (recategorisation) for the FSTD.				
AMC1-OR.ATO.390 Record keeping FSTD RECORDS FSTD records to be kept: 1. for the lifetime of the device: a. the MQTG of the intial evaluation b. the qualification certificate of the initial evaluation c. the initial evaluation report 2. for a period of at **least five** years (in paper or electronic format): a. recurrent QTG runs b. recurrent evaluation reports c. reports of internal functions and subjective testing d. Technical log e. CMS report f. Audit schedule g. Evaluation programme h. Management evaluation reports **i.** Obsolete procedures and forms				
SECTION IV - ADDITIONAL REQUIREMENTS FOR ATOS PROVIDING SPECIFIC TYPES OF TRAINING				
Chapter 1 – General distance learning courses				
AMC1 OR.ATO.400 General DISTANCE LEARNING	MS(2)			

1.	A variety of methods is open to ATOs to present course material. It is, however, necessary for ATOs to maintain comprehensive records in order to ensure that students make satisfactory academic progress and meet the time constraints laid down in Part-FCL for the completion of modular courses.		Not accepted. As explained in paragraph 10 of the Explanatory Note of NPA 2008-22a, when adopting its proposal, the Commission recommended, as suggested by the Agency itself, that common requirements to be specified in implementing rules be based as much as possible on existing JAA material. The Agency sees no safety justification for amending the text of this paragraph.	AMC to JAR-FCL 1.055(a) and to JAR-FCL 2.055(a).	
2.	The following are given as planning guidelines for ATOs developing the distance learning element of modular courses:				
	a. an assumption that a student will study for at least 15 hours per week;	One comment asks to delete 'at least' in this paragraph in order to excessive self-study hour growth	See under 1.	See under 1.	
	b. an indication throughout the course material of what constitutes a week's study;				
	c. a recommended course structure and order of teaching;				
	d. one progress test for each subject for every 15 hours of study, which should be submitted to the ATO for assessment. Additional self-assessed progress tests should be completed at intervals of five to 10 study hours;				
	e. appropriate contact times throughout the course when a student can have access to an instructor by telephone, fax, email or the Internet;				
	f. measurement criteria to determine whether a student has satisfactorily completed the appropriate elements of the course to a standard that, in the judgement of the HT, or CGI, will enable them to be entered for the Part-FCL theoretical examinations with a good prospect of success; and	One comment states that the criteria should be determined so that no subjective judgement is necessary. The criteria should be clear and easy to evaluate with a set measurable standard. This would be beneficial for both the student and the school.	See under 1.	See under 1.	
	g. if the ATO provides the distance learning by help of IT solutions, for example the Internet, instructors should monitor students' progress by appropriate means.				

Chapter 2 -Zero Flight-Time Training (ZFTT)				
AMC1-OR.ATO.430 General INITIAL APPROVAL	IA(1), INDIV(3)			
For an initial approval to conduct ZFTT, the operator should have held an air operator's certificate for commercial air transport for at least one year. This period may be reduced where the operator and the ATO have experience of type rating training.	a. One comment states that the requirements in this AMC should be in the IR. b. The other comments are asking for clarifications of the wording of the text.	a. Not accepted. As explained in the Explanatory note it is imperative that only essential safety elements are contained in the rule, leaving non-essential implementation aspects to certification specifications or AMCs. The Agency considers this requirement to be of a non-binding nature. b. Not accepted. As explained in paragraph 10 of the Explanatory Note of NPA 2008-22a, when adopting its proposal, the Commission recommended, as suggested by the Agency itself, that common requirements to be specified in implementing rules be based as much as possible on existing JAA material. The Agency sees no reason to clarify the text.	Appendix 1 to JAR-FCL 1.261(c)(2), 2(d) and Appendix 1 to JAR-FCL 2.261(c)(2), 2(d).	
AMC1-OR.ATO.435 Full Flight Simulator UNSERVICEABLE EQUIPMENT	IA(1), INDIV(1)			
Some equipment may be unserviceable provided that it is not required during the FFS lesson.	One comment recommends deleting this AMC; one other comment states that this guidance is very ambiguous.	Not accepted. As explained in the Explanatory note it is imperative that only essential safety elements are contained in the rule, leaving non-essential implementation aspects to certification specifications or AMCs. The Agency considers this requirement to be of a non-binding nature. Paragraph OR.ATO.435 (b) has been transferred from the rule to this AMC.	Appendix 1 to JAR-FCL 1.261(c)(2), 2(b) and Appendix 1 to JAR-FCL 2.261(c)(2), 2(b).	

		The Agency sees no reason to delete this AMC while these requirements come from the JAR-FCL.		
SUBPART AeMC –AERO-MEDICAL CENTRES				
SECTION I - GENERAL				
AMC1-OR.AeMC.115Application GENERAL	Several NAAs recommended to delete subparagraph (2). 1 NAA proposed to replace "hospital or medical institution" by "technical facilities and individual specialists".	Editorial changes to align with OR.AeMC.015.	JAR-FCL 3.085	N/A
1. The documentation for the approval of an AeMC should include the names and qualifications of all medical staff, a list of medical and technical facilities for initial class 1 aero-medical examinations and of supporting specialist consultants.				
2. Clinical attachments to hospitals or medical institutions should consist of a formal agreement with the hospital or medical institution.				
AMC1-OR.AeMC.135 Continued validity EXPERIENCE		This new AMC has been introduced because the pilot population in some Member States is so small that AME experience cannot only be defined via examination numbers. While it is recognised that performing aero-medical examinations may be the best way to gain and maintain sufficient experience, other means have to be found for these Member States.		
1. At least 200 class 1 aero-medical examinations and assessmentsshould be performed at the AeMC every year.				
2. In Member States where the number of aero-medical examinations and assessments mentioned in 1. cannot be reached duea low number of professional pilots, a proportionate number of class 1 aero-medical examinations and assessments should be performed.				
3. In these cases, the continuing experience of the head of the AeMC and aero-medical examiners on staff should also be ensured by them performing aero-medical examinations and assessments for:				
a. class 2medical certificates as established in Part-MED; and/or				

b. third country class 1 medical certificates.				
4. Aero-medical research including publication in peer reviewed journalsmay also be accepted as contributing to the continued experience of the head of, and aero-medical examiners at, an AeMC.				
SECTION II –MANAGEMENT				
GM1-OR.AeMC.200Management system RESEARCH		This new paragraph was introduced following comments by stakeholders. See OR.AeMC.200.	N/A	N/A
1. If aero-medical research is conducted at an AeMC, its management system should include processes to conduct that research and publish the results.				
AMC1-OR.AeMC.210Personnel requirements GENERAL	6 MS proposed to either delete "500" in (1) or to replace it by "100". 1 MS recommended introducing a requirement that all AMEs of the AeMC must be qualified to perform class 1 examinations.	Minimum number of class 1 medical examinations of 200 hundred class 1 examinations is considered to be adequate before being nominated as head of AeMC. No minima apply to the AME on staff.	JAR-FCL 3.085	N/A
1. An aero-medical examiner (AME) should have held class 1 privileges for at least fiveyears and have performed at least 200aero-medical examinations for a class 1 medical certificate before being nominated as head of an AeMC.				
2. An AeMC may provide practical AME training for persons fully qualified and licensed in medicine.				
AMC1-OR.AeMC.215Facility requirements MEDICAL-TECHNICAL FACILITIES	MS proposed to allow other forms of colour vision testing and allow contracting clinical laboratories and ultrasound facilities.	Following recommendations provided with the comments, text changes were made allowing more flexibility with regard to the colour vision testing, clinical laboratory and ultrasound facilities.	JAR-FCL 3.085	N/A
The medical-technical facilities of an AeMC should consist of the equipment of a general medical practice and, in addition, of:				

1.	Cardiology. Facilities to perform: a. 12-lead resting ECG; b. stress ECG; c. 24-hour blood pressure monitoring; and d. 24-hour heart rhythm monitoring.				
2.	Ophthalmology. Facilities for the examination of: a. near, intermediate and distant vision; b. external eye, anatomy, media and fundoscopy; c. ocular motility; d. binocular vision; e. colour vision (anomaloscopy or equivalent); f. visual fields; g. refraction; and h. heterophoria.				
3.	Hearing a. pure-tone audiometer				
4.	Otorhinolaryngology. Facilities for the clinical examination of mouth and throat and: a. otoscopy; b. rhinoscopy; c. tympanometry or equivalent; and d. clinical assessment of vestibular system.				
5.	Examination of pulmonary function. a. spirometry				
6.	The following facilities should be available at the AeMC or on a contractual basis: a. clinical laboratory facilities; and b. ultrasound of the abdomen.				