



# Explanatory Note to Decision 2021/012/R

## Regular update of the Certification Specifications for Operational Suitability Data (OSD) Flight Crew Data (CS-FCD)

RELATED NPA/CRD 2020-08 — RMT.0509

### EXECUTIVE SUMMARY

The objective of this Decision is to reflect, within the scope of regular updates, the best practices and experience gained since the first implementation of the Certification Specifications for Operational Suitability Data (OSD) for Flight Crew (CS-FCD) (CS-FCD Initial Issue was published on 31 January 2014).

This Decision amends CS-FCD to:

- update the description of the type rating evaluation process for setting up type rating requirements and training programmes;
- harmonise CS-FCD with the ongoing revision of the Certification Specifications for Aeroplane Flight Simulation Training Devices (CS-FSTD(A)), to take on board the updated FSTD capability signature and difference level of training for FSTD features;
- develop definitions for ‘checking’, ‘evaluation subjects’, ‘modification’, and ‘type of aircraft’ for the purpose of CS-FCD;
- harmonise CS-FCD with the update of Subpart FC ‘Flight Crew’ of Annex III (Part-ORO) to Regulation (EU) No 965/2012 (Air OPS);
- clarify the concept of training areas of special emphasis (TASE); and
- correct editorial errors.

The amendments are expected to facilitate the applicants’ compliance with the OSD requirements for flight crew and therefore increase efficiency by rendering the type rating evaluation process easier to understand. Overall, the amendments are expected to bring a moderate safety benefit and have no social or environmental impacts.

<b>Domain:</b>	Systemic safety and competence of personnel		
<b>Related rules:</b>	CS-FCD		
<b>Affected stakeholders:</b>	Design organisations of aircraft and other design organisations dealing with changes or supplemental type certificates (STCs) to these aircraft		
<b>Driver:</b>	Efficiency/proportionality	<b>Rulemaking group:</b>	No
<b>Impact assessment:</b>	No	<b>Rulemaking Procedure:</b>	Standard

● EASA rulemaking process



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## Table of contents

<b>1. About this Decision .....</b>	<b>3</b>
<b>2. In summary — why and what .....</b>	<b>4</b>
2.1. Why we need to amend the CS — issue/rationale .....	4
2.2. What we want to achieve — objectives .....	4
2.3. How we want to achieve it — overview of the amendments .....	4
2.4. What are the stakeholders' views? .....	5
2.5. What are the benefits and drawbacks? .....	5
<b>3. How do we monitor and evaluate the rules? .....</b>	<b>6</b>
<b>4. References .....</b>	<b>7</b>
4.1. Related EU regulations .....	7
4.2. Related EASA decisions .....	7
4.3. Other reference documents .....	7
<b>5. Related document .....</b>	<b>8</b>



## 1. About this Decision

The European Union Aviation Safety Agency (EASA) developed ED Decision 2021/012/R in line with Regulation (EU) 2018/1139<sup>1</sup> ('Basic Regulation') and the Rulemaking Procedure<sup>2</sup>.

This Rulemaking Task (RMT.0509) is included in the [European Plan for Aviation Safety \(EPAS\) 2021-2025](#). The scope and timescales of the task were defined in the related [Terms of Reference \(ToR\)](#).

EASA developed the *draft* text of this Decision. All the interested parties were consulted through [Notice of Proposed Amendment \(NPA\) 2020-08](#)<sup>3</sup>. Overall, 152 comments were received from all the interested parties, including industry, from which 73 were accepted, 18 partially accepted, 29 noted, and 32 not accepted.

EASA reviewed the comments received during the public consultation. The comments received and EASA's responses to them are presented in Comment-Response Document (CRD) 2020-08<sup>4</sup>.

EASA developed the *final* text of this Decision with the certification specifications (CSs) and guidance material (GM) based on the input of the public consultation, and published the Decision on the Official Publication<sup>5</sup> of EASA.

The major milestones of this RMT are presented on the cover page.

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

<sup>2</sup> EASA is bound to follow a structured rulemaking process as required by Article 115(1) of Regulation (EU) 2018/1139. Such a process has been adopted by the EASA Management Board (MB) and is referred to as the 'Rulemaking Procedure'. See MB Decision No 18-2015 of 15 December 2015 replacing Decision 01/2012 concerning the procedure to be applied by EASA for the issuing of opinions, certification specifications and guidance material (<http://www.easa.europa.eu/the-agency/management-board/decisions/easa-mb-decision-18-2015-rulemaking-procedure>).

<sup>3</sup> In accordance with Article 115 of Regulation (EU) 2018/1139 and Articles 6(3) and 7 of the Rulemaking Procedure.

<sup>4</sup> <https://www.easa.europa.eu/document-library/comment-response-documents>

<sup>5</sup> <https://www.easa.europa.eu/official-publication>



## 2. In summary — why and what

### 2.1. Why we need to amend the CS — issue/rationale

The aviation industry is complex and rapidly evolving. Since the first issuance of the Certification Specifications for Operational Suitability (OSD) Flight Crew Data (CS-FCD), in January 2014, EASA has gained experience on its implementation. After having considered all the relevant items, EASA identified those falling within the scope of this RMT, while verifying that they are cost-effective and reflect the best practices.

This Decision addresses the relevant non-complex, non-controversial, and mature issues of CS-FCD.

### 2.2. What we want to achieve — objectives

The overall objectives of the EASA system are defined in Article 1 of the Basic Regulation. This Decision will contribute to achieving the overall objectives by addressing the issue(s) outlined in Section 2.1.

The specific objectives of this Decision are, therefore, to:

- improve the overall content of CS-FCD based on lessons learned since the implementation of the operational suitability data (OSD), and increase efficiency, thus rendering the type rating evaluation process easier to understand;
- harmonise CS-FCD with Issue 3 of the Certifications Specifications for Aeroplane Flight Simulation Training Devices (CS-FSTD(A)), in particular regarding the assignment of devices when defining difference levels for ‘training, checking and currency’;
- harmonise CS-FCD with the update of Regulation (EU) No 965/2012<sup>6</sup> (‘Air OPS’) by including ‘equipment and procedure training’ as part of the difference requirement (DR) tables; and
- clarify the concept of training areas of special emphasis (TASE) as a mandatory element for the end user, when required by the type certificate (TC) holder.
- review of editorials of CS FCD.

### 2.3. How we want to achieve it — overview of the amendments

Objective 1: the amendments clarify the objectives and context of the type rating evaluation process for initial and reduced type rating training as follows:

- the descriptions of the six standard type rating evaluations (T1, T2, T3, T4, T5, and T6) are reviewed to facilitate understanding;
- the evaluation process is reviewed: the purpose of the T2 evaluation test is further developed, and the conditions for completing the T2 test by analysis are clarified;
- the diagram for the type rating evaluation process is reviewed; and

<sup>6</sup> Commission Regulation (EU) No 965/2012 of 5 October 2012 laying down technical requirements and administrative procedures related to air operations pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council (OJ L 296, 25.10.2012, p. 1) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32012R0965&qid=1621255685184>).

new guidance material (GM) is introduced into the stages of the type rating evaluation process, describing the purpose of each test in terms of the type rating requirements and of the level of the training and checking requirements.

Objective 2: the evaluation process is reviewed to reflect the latest FSTD capability signature: the classification of FSTDs into difference levels of ‘training, checking and currency’ is updated in CS FCD.415.

Objective 3: the scope of CS FCD.050 was revised to include the completion of ‘equipment and procedure training’ in the determination of the initial and recurrent training when these types of training interface with OSD.

Objective 4: the amendments introduce new GM to clarify the concept of TASE: the GM explains the rationale behind the TASE concept, provides the types of TASE, the elements that may create a TASE, and the link between TASE and difference training levels.

#### **2.4. What are the stakeholders’ views?**

The AeroSpace and Defence Industries Association of Europe (ASD) addressed to the EASA Certification Director a letter, which included 22 suggestions for the related NPA 2020-08. Out of these issues, thirteen were addressed in CS-FCD Issue 2.

Furthermore, following proposals by EU original equipment manufacturers (OEMs) to contribute to the drafting of NPA 2020-08, an expert group composed of Airbus, Airbus helicopters, Leonardo Helicopters, ATR and Dassault representatives was invited to submit their suggestions in writing. In addition, two meetings with industry were organised to collect and discuss their views.

Subsequently, EASA noted their comments and took them on board whenever they fell within the scope of regular updates.

Finally, EASA also collected the comments through the public consultation. Most of them were supportive of this regular update, proposing clarifications and improvements.

Full details are provided in **CRD 2020-08**.

#### **2.5. What are the benefits and drawbacks?**

The amendments are expected to facilitate compliance with the OSD requirements by clarifying the data to be provided by the applicant for the purpose of OSD certification.

As the amendments address non-complex, non-controversial, and mature issues, there was no need to develop a regulatory impact assessment (RIA).



### 3. How do we monitor and evaluate the rules?

In the context of this RMT, no specific monitoring action is recommended. EASA will use the feedback gathered from certification projects in the next few years to assess the benefits gained through the revision of CS-FCD as well as the possible need for improvements.



## 4. References

### 4.1. Related EU regulations

N/a

### 4.2. Related EASA decisions

Decision 2014/008/R of the Executive Director of the Agency of 31 January 2014 adopting Certification Specifications and Guidance Material for Flight Crew Data ('CS-FCD — Initial Issue')

### 4.3. Other reference documents

- Commission Regulation (EU) No 965/2012 of 5 October 2012 laying down technical requirements and administrative procedures related to air operations pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council (OJ L 296, 25.10.2012, p. 1) (Air OPS)
- Certification Specifications for Aeroplane Flight Simulation Training Devices (CS-FSTD(A))
- Commission Regulation (EU) No 1178/2011 of 3 November 2011 laying down technical requirements and administrative procedures related to civil aviation aircrew pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council (OJ L 311, 25.11.2011, p. 1)<sup>7</sup> (Aircrew)
- Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91 (OJ L 212, 22.8.2018, p. 1), (Basic Regulation)

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<sup>7</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32011R1178&qid=1621255896351>

## 5. Related document

CRD 2020-08 'Regular update of the Certification Specifications for Operational Suitability Data (OSD) Flight Crew Data (CS-FCD)'.

