

Subject: EASA Operations Rulemaking

Meeting: OPS.001 Rulemaking Group and Non-Commercial Operations Sub-Group meetings December 12 & 13, 2006

File: EASA

Reported by: Ray Rohr

Summary:

The third meeting of the Non-Commercial Operations with Complex Motor-Powered Aircraft Sub-Group focused on continuing the review of the draft transposition of JAR OPS 2 into EASA OPS 2 that Ray Rohr and the EASA Secretariat had prepared and the identification of issues that would require further work. Two areas that have undergone significant change in EASA and that must be carefully studied by the Sub-Group are:

1. Flight and duty time, and
2. Cabin Attendant qualifications and training

The significant new issue facing the Group is the decision of the Committee of Permanent Representatives (COREPER) of the Council of the European Union to include trop-prop aeroplanes with more than one engine in the definition of Complex Motor-Powered Aircraft. This amended definition will be included in their recommendation to the Council of the European Union and the European Parliament on the extension of scope of EASA and the amendment to EC Regulation 1592/2002. It appears that this recommendation will be adopted and the Sub-Group is proceeding on that assumption. Consequently, the rules for OPS 2 will have to be appropriate for the owner operator of a King Air as well as a flight department with a number of intercontinental aircraft.

Other [agenda](#) items included briefings on the IS-BAO and the Annex 6 part II Modernization project and their relationship to OPS 2. The Sub-Group also finalized the [Work Plan](#) and prepared a list of issues that must be coordinated with other Sub-Groups. The issues include:

1. SMS requirements and guidance material.
2. Content of OPS 0 such as OPS 1 subpart K & L.
3. Certification philosophy of other Sub-Groups.
4. Oversight Philosophy and requirements.

A copy of the [draft meeting](#) minutes are linked to this report.

The next OPS.001 and Non-Commercial Operations meeting is on January 8, 9 & 10.

Implication for Business Aviation:

This is a very important ongoing project with a number of issues that must be resolved. Fortunately progress to date has been positive.

Decisions Required:

Nil at this time.

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European Aviation Safety Agency

TASK OPS.001

SUBGROUP

NON-COMMERCIAL OPERATIONS WITH COMPLEX MOTOR-POWERED AIRCRAFT

6ND MEETING

12 - 13 DECEMBER 2006, 08.30 H-15.30 H

EASA PREMISES, COLOGNE

PROPOSED AGENDA

1. Adoption of Agenda
2. Review of minutes of 9 November 2006 meeting
3. Presentation on IS-BAO – an International Standard for Business Aircraft Operations (Ray Rohr)
4. Presentation on Annex 6 Part II Modernization (Ray Rohr)
5. Review of Transposition of JAR OPS 2
6. Review of Work Plan
7. Identification of Issues, Work to be done and coordination required with other Sub-Groups and Groups
8. AOB

Work Plan
OPS 2 – Non-Commercial Operations with Complex Motor-Powered Aircraft

Number	Activity	OPI	2006		2007									Status 20/12/06	
			Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep		
WP1	Work Plan development														
	a. Start	Ray/Daniela	07												Complete
	b. Provide first draft to Sub-Group	Daniela	23												Complete
	c. Review initial draft	All	28												Complete
	d. Finalize	All		12											Complete
	e. Present to Core Group	Ray		13											
	Pre-development Work														
PD 1	Transpose JAR OPS 2														
	a. Transpose JAR – Ops 2 into OPS2 framework	Ray/Daniela	22												Complete
	b. Provide draft to Sub-Group	Daniela	23												Complete
	c. Review & discuss draft to identify issues and work that needs to be done.	All	29												Complete
	d. Compile first draft of list of issues that need to be coordinated with other sub-groups and Groups.	All	29												Complete
	e. Obtain agreement on structure and numbering		29	13											Complete
	f. Pass to Core Group for concurrence on structure and numbering			13											
PD 2	Ray Rohr presentation on IS-BAO and discuss possible application as an industry standard.	Ray	28	13											Complete
PD 3	Initiate coordination with Authorities Sub-Group to develop a plan to jointly address SMS issues	Daniela/Ray	29												Complete
	Development Work														
Dev 1	Coordination between Sub-Groups & Groups														
	a. Mature list of issues where coordination is required and designate OPIs	All		13	13										
	b. Develop work plan for required coordination	Ray/Daniela			10										
	c. Coordinate as per work plan	As identified						25							
Dev 2	Develop table of Concordance with Annex 6 Part II														
	a. Assign tasks to Sub-Group members	All		13											

Work Plan
OPS 2 – Non-Commercial Operations with Complex Motor-Powered Aircraft

Number	Activity	OPI	2006		2007									Status 20/12/06	
			Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep		
	b. Prepare table and review to ensure completeness and consistency	All			10										
	c. Review with MDM.032 as per Dev 1.b	TBA							25						
Dev 3	Develop SMS AMC and related material														
	a. Joint task with Authorities Sub-Group and others as required as commenced in PD 3.	TBA						14							
Dev 4	Develop OPS 2 rules														
	a. Add in provisions as required from Tasks Dev 1, 2 & 3								25						
	b. Review with other sub-Groups and Groups									16					
Dev 5	Develop AMC material														
	a. Identify provisions where AMC material should be provided	All						14							
	b. Identify and review AMC material	All							25						
	c. integrate AMC material into OPS 2	All								16					
	d. Present to Core Group for review.									16					
	e. Revise as required										27				
	f. Complete AMC material											27			
Dev 6	RIA development														
	a. Identify issues that must be addressed in RIA.									16					
	b. Develop RIA									16					
	c. Present to Core Group for review									16					
	d. Revise as required										27				
	e. Complete AMC material										27				
Comp 1	Complete OPS 2														
	a. Assemble the package											13			
	b. Complete the final review												25		

Work Plan
OPS 2 – Non-Commercial Operations with Complex Motor-Powered Aircraft

List of Issues for Discussion with Core Group & other Sub-Groups

1. SMS requirements and guidance material.
2. Content of OPS 0 such as OPS 1 subpart K & L.
3. Certification philosophy of other Sub-Groups.
4. Oversight Philosophy and requirements.

European Aviation Safety Agency

TASK OPS.001 RULEMAKING GROUP**SUBGROUP NON-COMMERCIAL OPERATIONS
WITH COMPLEX MOTOR-POWERED AIRCRAFT**

MEETING MINUTES OF

12 DECEMBER 2006, 10.30 H – 18.00 H

13 DECEMBER 2006, 08.30 H – 14:30 H

EASA PREMISES, COLOGNE

Attendees:

Mike Hamlin (MHA), ECOGAS
Dick Nederlof (DNE), CAA Netherlands (13/12/2006)
Geoff Parker (GPA), UK CAA
Ray Rohr (RRO), EBAA
Daniela Defossar (DDE), EASA Rulemaking Officer

Excused:

Karl Brady (KBR), ECA
Douglas Carr (DCA), GAMA
Josef Maurer (JMA), ETF
Jacob T. Pedersen (JTP), IAOPA

1. RRO opened the meeting and welcomed all participants.
2. Following the core group pre-briefing a new agenda item 5. Briefing on COREPER document was added.
3. The meeting minutes of the previous meeting were adopted without changes.
4. RRO gave a presentation on the IS-BAO (International Standard for Business Aircraft Operation) addressing the following:
 - Designed to be used by any size and type of flight department;
 - Developed by IBAC (International Business Aviation Council), its member associations and flight departments;
 - Basic principles: uses principles of ISO 9000 standards, structured for aviation, performance based and process orientated, extensive guidance material;
 - has flexibility and fits a broad range of fleets and operations, integrates safety, security, efficiency and effectiveness, meets ICAO SARPs, caters for optional registration;
 - IS-BAO contents: Safety Management System, organisation and personnel requirements, training and proficiency, flight operations,

international operations, equipment requirements, maintenance requirements, operations manual, emergency response plan, environmental management, occupational health and safety, transportation of dangerous goods, security, flight and duty time limitations;

- Annual update and regular information on changes.

5. RRO continued with a presentation on the ICAO Annex 6 Part II proposal. It will be published as an ICAO State Letter in January 2007. He outlined the following:

- Guiding principles: consistency with Annex 6 Part I and other relevant Annexes, proportionality, performance based rules, allow for technological change, recognise use of industry codes of practice, address roles of PiC and operator;
- Three sections: 1. General, 2. Basic General Aviation Operations, 3. Corporate - Large and Turbojet Operations, layered approach, fractional ownership can be added;
- 1. General: paragraphs added to forward to explain revision, definitions added where required, applicability revised to reflect the new sections;
- 2. Basic GA operations: applicable to all international GA operations, most provisions from current Annex 6 Part II, modernised and made performance based where appropriate, responsibilities assigned to PiC;
- 3. Corporate, large and turbojet operations: applicable to large and turbojet aeroplanes, recommended when configured with more than 9 seats or 3 or more aircraft are operated by pilots employed to fly them, most responsibilities assigned to operator, requires management systems including operations manual, SMS, training programme, fatigue management programme, security programme recommended, notification of State where operation is based.

6. The group briefly discussed the COREPER document, namely the change to the definition of complex motor-powered aircraft and paragraph 6b on air operations.

7. Group members discussed the review of JAR-OPS 1 (Amdt. 12) Subpart B and D paragraphs that was prepared for this meeting:

- JAR-OPS 1.095 Authority to taxi an aeroplane: This requirement should be addressed in OPS 0. OPS 2 needs to identify the operator responsibility.
- JAR-OPS 1.308 Push back and towing: A Paragraph has been introduced in OPS 2 general provisions requiring the operator to specify procedures in the operations manual.
- JAR-OPS 1.390 Cosmic radiation: Paragraph has been copied into OPS 2. The level of detail needs further review.
- JAR-OPS 1.398 Use of Airborne Collision Avoidance System (ACAS): Paragraph has been copied into OPS 2.

8. The group continued reviewing the working paper ver. 1.2:

- MEL: A paragraph has been drafted to specify the essential requirements. The MEL shall be based on the MMEL and shall not be

- less restrictive. Where no MMEL is available an equivalent document shall be developed describing how the aircraft is to be operated with equipment unserviceable or removed. The unserviceable or removed equipment shall not be part of the type certification instruments and equipment, or required for operations conducted, prescribed in the applicable airworthiness regulations under which the aircraft was type certificated. Paragraph may need some rewording.
- Additional crew members: The wording of JAR-OPS 2 has been copied.
 - Ditching: Seems to be more an airworthiness requirement than an operations requirement. JAR-OPS 0 App. International H should be placed in OPS 0. No requirement in OPS 2.
 - Dangerous Goods: The group proposed a paragraph stating that the operator shall comply with the DG requirements in OPS 0, when carrying DG. Additionally, the operator shall take appropriate measure to not carry DG inadvertently.
 - Technical Log to be carried: Needs to be discussed at the next meeting.
 - Power to inspect: Paragraph from JAR-OPS 2 copied and slightly modified.
 - Leasing: Sufficiently addressed by OPS 0.
 - Establishment of procedures: RRO questioned the change from "for all types of operation" to "safety related activities" as this notion seems to be too narrow. Paragraph (a) and (b) were changed back to previous JAR-OPS 2 wording.
 - Specific operations: should be addressed in OPS 0. OPS 0 needs to be expanded to cater for all of these operations.
 - Performance General: Operating conditions should be taken into account as well. Needs to be reviewed.
 - Mass and Balance: Origin of 4 year weighing interval was re-checked and originates probably from national legislation. The paragraph was changed. Detailed provisions on weighing should be encompassed in the maintenance rules. RRO will review draft JAR-OPS 2 Subpart J and draft a proposal for the OPS 2 rule.
 - Subpart K and L: The issue was postponed to the January meeting to await DCA's input.
 - Maintenance: covered by Part-M requirements.
 - Flight crew: DDE was asked to clarify what would be an "equivalent standard" to FCL. At least the licence of the state of registry of an aircraft should be accepted without endorsement. Social issues should be taken into account when asking for endorsement.
 - Cabin crew: Usually cabin crew is contracted from a cabin crew company. That cabin crew is often employed by commercial operators. The group decided to take the proposal from the CAT subgroup and transfer it to Part OPS 2. Minor adjustments may be needed, i.e. no authority approval.
 - Operations manual: RRO will redraft the OPS 2 requirements regarding the content and structure of an OM by taking into account Attachment A of the ICAO Annex 6 Part II proposal. Industry codes of practices may be specified. A paragraph on human factor

principles to be observed for the design of the OM will be added to it.

- Operational flight plan: The applicable paragraph of JAR-OPS 1 has been copied. Group members agreed to review paragraph (d) when discussing the extent of oversight with the authority subgroup.
- FTL: RRO will review EU-OPS Subpart Q and draft proposal for OPS 2 for the next meeting. RRO will present some FTL schemes at the next meeting.
- Security programme: RRO will circulate the IS-BAO checklist for guidance material. Needs further review.

9. The group reviewed the questions to be send to Member States and adopted the final version.

10. The group reviewed and finalised the work plan for the core group debriefing. DDE was asked to compile a list of concordance with ICAO Annex 6 Part II for the next meeting.

11. It was agreed to start with the discussion on the certification at the next meeting. DDE asked the group to conduct a RIA on this issue.

12. Coordination with other subgroups was requested whether requirements should be placed in OPS 0 or the specific Part.

ACTION LIST

No.	Meeting No. / Date	Task	Resp.	Timeframe	Status
1.	1 09/11/06	Presentation on IS-BAO	RRO	Meeting 23 28-29/11/06 12-13/12/06	c
2.	1 09/11/06	Circulate meeting documentation of last meeting of the ECAC Task Force on fractional ownership	DDE	asap	c
3.	1 09/11/06	Put link to FAR 91 Subpart K on circa website	DDE	asap	c
4.	1 09/11/06	Prepare WP on the basis of JAR-OPS 0 and 2	RRO+ DDE	Meeting 2 28-29/11/2006	c
5.	2 28-29/11/06	Distribute copy of ICAO Annex 6 Part II proposal	RRO	asap	c
6.	2 28-29/11/06	NBAA Management Guide to be put on circa	DDE	asap	c
7.	2 28-29/11/06	Presentation on FAR 91K and on	DCA	Meeting 4 9-10/01/2006	o

		ICAO discussions when drafting the proposal Annex 6 II regarding fractional ownership			
8.	2 28-29/11/06	Check ICAO SARPs for approval requirements	DDE	asap	c
9.	2 28-29/11/06	Conduct RIA on requirements regarding determination of mass	Group	Meeting 3 12-13/12/2006 See action item 11.	o
10.	2 28-29/11/06	Review JAR-OPS 1 Subparts	GPA, DCA, DDE, JTP, JMA	Meeting 3 12-13/12/2006	o for K, L, N
11.	3 12-13/12/06	Review draft JAR-OPS 2 Subpart J and draft a proposal for the OPS 2 rule	RRO	Meeting 4 09-10/01/2007	o
12	3 12-13/12/06	Clarify "equivalent standard" to FCL	DDE	Meeting 4 09-10/01/2007	o
13	3 12-13/12/06	Redraft OPS 2 requirements regarding the content and structure of an OM	RRO	Meeting 4 09-10/01/2007	o
14	3 12-13/12/06	Review EU-OPS Subpart Q and draft proposal for OPS 2; present FTL schemes	RRO	Meeting 4 09-10/01/2007	o
15	3 12-13/12/06	Circulate IS-BAO checklist for guidance material	RRO	asap	o
16.	3 12-13/12/06	ICAO cross reference list	DDE	Meeting 4 09-10/01/2007	o

DDE
13/12/2006