

Subject: EASA Operations Rulemaking

Meeting: OPS.001 Rulemaking Group Meeting Nov. 20 - 22, 2007

File: EASA

Reported by: Ray Rohr

Summary:

The OPS.001 Rulemaking Group met on November 20 – 22, 2007 to review the first set of the EASA Part OPS rules that had been prepared by the EASA drafters after the work of the Rulemaking Group and Sub-groups concluded in June. In the initial briefing the Group was advised that the Trialogue between the European Parliament, Council and Commission has been concluded and agreement reached on the EASA Extension of Scope and the Essential Requirements for operations and licensing. It is expected that the pursuant legislation will be presented to the Parliament for second reading in mid December and may be passed by the end of the year. If that is the case, the legislation will then go to the Commission for processing and could be published by the end of February. EASA then hopes to be able to publish an OPS NPA in April, however there are those that believe that the April target date may be very optimistic.

The draft rules that were reviewed at the November 20 -22 meeting included a new structural concept that had been developed during the drafting process and is attached as Appendix 1 to this report. One of the key objectives of the structure is to develop a “layered” set of performance based rules that avoids duplication and repetition of provisions in more than one Part. In the presented concept the **Part OPS 0 VFR Day Operations** would be a very simple set of rules, applicable to day VFR flight by aeroplanes, helicopters, gliders and balloons. This was intended to meet the request of the MDM 32 Rulemaking Group for one set of simple rules that would cover all of the material required for VFR non-commercial operation of non-complex aircraft. This rule would also be applicable to operation of all aircraft.

The **Part OPS 1 General Operating and Flight Rules** would be all the general rules governing night and IFR flight by all aircraft involved in both non-commercial and commercial operations. The Part would have appropriate applicability sections that addressed complex and non-complex aircraft involved in both commercial and non-commercial operations, with different sub-sections when required by different classes of aircraft (aeroplane, helicopter, etc.).

Part OPS 2 Special Operations would contain the additional requirements for commercial air transport and aerial work operations, plus special operations such as RVSM, RNP, All Weather Operations, etc.

Part Management System would contain the provisions related to certification of commercial operations, the declaration provisions and associated requirements for complex motor-powered aircraft operations, personnel training, SMS, quality system and security requirements plus those related to manuals, logs and records.

Part Authority Requirements would be the provisions for the national authorities related to the operations rules.

Early in the review a consensus was reached that the proposed split between Part 0 and Part 1 was impractical and the two parts should be amalgamated into one part that would contain all of the common provisions and the provisions related to complex motor-powered aircraft. It should be noted that the scope of these rules is limited to the OPS provision contained in the EASA Essential Requirements, as the rules of the air, pursuant to ICAO Annex 2, will still be the responsibility of each of the EU Member States.

The drafts that were available for review were only a small portion of the total required rule material. In the review of these documents there were numerous anomalies identified that it was agreed need to be resolved in the second draft. EASA staff will now work on making the required revisions and assembling the remainder of the rule material. They hope to complete the second draft by mid December and will distribute it to the Rulemaking Group members for review and comment. Group members will have one month to conduct their review and submit comments. These comments and their proposed resolution will then be discussed at a Rulemaking Group meeting in February 2008. Depending on the degree of maturity of the rules that has been achieved by that time another meeting of the Rulemaking Group may be required before the Notice of Proposed Amendment (NPA) is published.

Implication for Business Aviation:

This is a very important ongoing project that is very significant for business aviation in Europe. Even though business aviation representatives are fully engaged in the regulatory development process, the business aviation community must be prepared to respond to the EASA OPS Notice of Proposed Amendment (NPA) when it is published.

Decisions Required:

Nil at this time.

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EASA Part OPS Structure – Draft of Nov. 2007

Part OPS 0 VFR Day Operations

- Subpart A - General Requirements
- Subpart B - Operational procedures
- Subpart C - Aircraft performance and operating limitations
- Subpart D - Instruments, data and equipment
- Subpart E - Manuals, Logs and Records

Part OPS 1 General Operating and Flight Rules

- Subpart A - General Requirements
- Subpart B - Operational procedures
- Subpart C - Aircraft performance and operating limitations
- Subpart D - Instruments, data and equipment

Part OPS 2 Special Operations

Subpart A - General Requirements

Subpart B - Additional requirements for commercial air transport

- Section 0 - General provisions
- Section 1 - Operational procedures
- Section 2 - Aircraft performance and operating limitations
- Section 3 - Instruments, data and equipment

Subpart C - Additional requirements for aerial work

- Section 0 - General provisions
- Section 1 - Operational procedures
- Section 2 - Aircraft performance and operating limitations
- Section 3 - Instruments, data and equipment

Subpart D - Operations in areas with specified navigation performance requirements (RNP)

Subpart E - Operations with reduced vertical separation minima (RVSM)

Subpart F - Operations with night vision imaging systems (NVIS)

Subpart G - Operations with minimum navigation performance specifications (MNPS)

Subpart H - All weather operations (AWO)

Subpart I - Transport of dangerous goods

Subpart J - Extended range operations with two-engine aeroplanes (ETOPS)

Part Management System

Subpart A - General Requirements

Subpart B - Operations

- Section 0 - General provisions
- Section 1 - Certification of operators
- Section 2 - Declaration
- Section 3 - Operator training
- Section 4 - FTL
- Section 5 - Manuals, logs and records
- Section 6 - Security

Part Authority Requirements

Subpart A - General Requirements

Subpart B - Accountability

Subpart C - Operator certification

Subpart D - Operator declaration

Subpart E - Inspectors

Subpart F - Air operations monitoring