Based on Article 16 paragraph 3, Article 86 paragraph 1, Article 87 paragraph 5, Article 96, Article 97 paragraph 2, Article 194 paragraph 2, Article 198 paragraph 4, Article 199 paragraph 5, Article 239, Article 249 paragraph 1 and Article 265 of the Air Transport Law ("Official Gazette of RS", Nos 73/10, 57/11, 93/12, 45/15, 66/15 - other law and 83/18),

Director of the Civil Aviation Directorate of the Republic of Serbia hereby adopts

REGULATION
amending Regulation on the conditions for performing air operations

Article 1

In Regulation on the conditions for performing air operations ("Official Gazette of RS", No 9/18 and 56/18), in Article 2 paragraph 1 after point (2), point (2a) shall be added, worded as follows:

"(2a) *configuration deviation list* means a list established by the organisation responsible for the type design with the approval of the State of Design which identifies any external parts of an aircraft type which may be missing at the commencement of a flight, and which contains, where necessary, any information on associated operating limitations and performance;".

Article 2

In Article 3, paragraph 2, full stop at the end of point (7) shall be replaced by semi colon, and points (8), (9) and (10) shall be added, worded as follows:

"(8) Commission Regulation (EU) No 2015/2338 of 11 December 2015 amending Regulation (EU) No 965/2012 as regards requirements for flight recorders, underwater locating devices and aircraft tracking systems;

(9) Commission Regulation (EU) No 2016/1199 of 22 July 2016 amending Regulation (EU) No 965/2012 as regards operational approval performance-based navigation, certification and oversight of data services providers and helicopter offshore operations, and correcting that Regulation;

(10) Commission Regulation (EU) No 2017/363 of 1 March 2017 amending Regulation (EU) No 965/2012 as regards the specific approvals for single-engined turbine aeroplane operations at night or in instrument meteorological conditions and the approval requirements for the dangerous goods training relating to commercial specialised operations, non-commercial operations of complex motor-powered aircraft and non-commercial specialised operations of complex motor-powered aircraft.".

Paragraph 3 shall be amended, worded as follows:

"Besides the provisions of Addendum 1, the following shall be applied:

(1) Additional conditions for the application of Regulation (EU) No 965/2012 in the Republic of Serbia provided in Addendum 2, printed with this Regulation and forming an integral part thereof;

(2) Acceptable Means of Compliance (AMC) established by European Aviation Safety Agency (EASA) and published in its web pages;

(3) alternative means of compliance the application of which has been approved by the Directorate in accordance with this Regulation."

Article 3

In Addendum 1 (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), in Article 5, paragraph 2, point (e) word: ”and” shall be deleted.

Full stop at the end of point (f) shall be replaced by semi colon and point (g) shall be added, worded as follows:

“(g) helicopters used for offshore operations (HOFO).”.

Article 4

In Addendum 1, Article 6, paragraph 3 and paragraph 4 shall be amended worded as follows:

“3. By way of derogation from Article 5 of this Regulation and without prejudice to Regulation (EC) No 216/2008 and Commission Regulation (EU) No 748/2012 related to the permit to fly, flights related to the introduction or modification of aircraft types conducted by design or production organisations within the scope of their privileges, as well as flights carrying no passengers or cargo where the aircraft is ferried for refurbishment, repair, maintenance checks, inspections, delivery, export or similar purposes shall be operated under the conditions set out in Member States’ national law.

4. Notwithstanding Article 5, Member States may, until 30 June 2018, continue to require a specific approval and additional requirements regarding operational procedures, equipment, crew qualification and training for CAT helicopter offshore operations in accordance with their national law. Member States shall notify the Commission and the Agency of the additional requirements being applied to such specific approvals. Those requirements shall not be less restrictive than those of Annexes III and IV.”.

Paragraph 5 shall be amended, worded as follows:

“Until 2 September 2017, exemptions granted before 22 March 2017 in accordance with Article 8(2) of Regulation (EEC) No 3922/91, as provided for in Article 6(5) of Regulation (EU) No 965/2012 as applicable before 22 March 2017, shall be considered to constitute approvals referred to in point (a) of CAT.POL.A.300 of Annex IV (Part-CAT). After 2 September 2017, those exemptions shall no longer be valid for the operation of single-engined aeroplanes.

If any change to the operation of those aeroplanes that affects the conditions set out in those exemptions is envisaged between 22 March 2017 and 2 September 2017, that envisaged change shall be notified to the Commission and the Agency before it is implemented. The Commission and the Agency shall assess the envisaged change in accordance with Article 14(5) of Regulation (EC) No 216/2008.”

Paragraph 7 shall be amended, worded as follows:

“(7) Deleted.”.

After paragraph 7, paragraph 8 and paragraph 9 shall be added, worded as follows:

“(8) By way of derogation from the first sentence of Article 5(3), operators of complex motor-powered aeroplanes with a maximum certificated take-off mass (MCTOM) at or below 5 700 kg, equipped with turboprop engines, involved in non-commercial operations, shall operate those aircraft only in accordance with Annex VII.

(9) By way of derogation from Article 5(5)(a), training organisations shall when conducting flight training on complex motor-powered aeroplanes with a maximum certificated

take-off mass (MCTOM) at or below 5 700 kg, equipped with turboprop engines, operate those aircraft only in accordance with Annex VII.".

Article 5

In Addendum 1, Article 10 shall be amended, worded as follows:

"Article 10

Entry into force

1. This Regulation shall enter into force on the third day following that of its publication in the *Official Journal of the European Union*.

It shall be applied from 28 October 2012, subject to paragraphs 2,3,4,5 and 6 below.

2. Annexes II and VII shall apply to non-commercial operations with balloons and sailplanes from 25 August 2013, except for Member States that have decided not to apply all or part of them in accordance with the provisions in force at the time of that decision and to the extent they have decided to do so. Those Member States shall apply Annexes II and VII from 8 April 2018 to non-commercial operations with balloons and from 8 April 2019 to non-commercial operations with sailplanes or from the dates indicated in their decision, as the case may be.

3. Annexes II, III, VII and VIII shall apply to specialised operations with balloons and sailplanes from 1 July 2014, except for Member States that have decided not to apply all or part of them in accordance with the provisions in force at the time of that decision, and to the extent they have decided to do so. Those Member States shall apply Annexes II, III, VII and VIII from 8 April 2018 to specialised operations with balloons and from 8 April 2019 to specialised operations with sailplanes or from the dates indicated in their decision, as the case may be.

4. Annexes II, III, VII and VIII shall apply to specialised operations with aeroplanes and helicopters from 1 July 2014, except for Member States that have decided not to apply all or part of them in accordance with the provisions in force at the time of that decision and to the extent they have decided to do so. Those Member States shall apply Annexes II, III, VII and VIII to specialised operations with aeroplanes and helicopters from 21 April 2017 or from the dates indicated in their decision, as the case may be.

5. Annexes II, III and IV shall apply to:

(a) CAT operations starting and ending at the same aerodrome or operating site with Performance class B aeroplanes or non-complex helicopters from 1 July 2014, except for Member States that have decided not to apply all or part of them in accordance with the provisions in force at the time of that decision and to the extent they have decided to do so. Those Member States shall apply Annexes II, III and IV to CAT operations starting and ending at the same aerodrome or operating site with Performance class B aeroplanes or non-complex helicopters from 21 April 2017 or from the dates indicated in their decision, as the case may be;

(b) CAT operations with balloons and sailplanes from 1 July 2014, except for Member States that have decided not to apply all or part of them in accordance with the provisions in force at the time of that decision and to the extent they have decided to do so. Those Member States shall apply Annexes II, III and IV from 8 April 2018 to CAT operations with balloons, and from 8 April 2019 to CAT operations with sailplanes or from the dates indicated in their decision, as the case may be.

(6) The following shall apply during the periods provided for in paragraphs 2,3,4 and 5 of this Article, as applicable:

(a) The competent authorities shall, from the date of entry into force of the requirements of this Regulation, take gradual and effective measures to comply with those requirements, including by adapting their organisation and management system, training of personnel, procedures and manuals and oversight programme;

(b) Operators shall adapt their management system, training programmes, procedures and manuals to be compliant with the requirements of this Regulation, as relevant, no later than the date of application of those requirements;

(c) Until the date of application of the relevant requirements of this Regulation, Member States shall continue to issue, renew or modify certificates, authorisations and approvals in accordance with the rules in force before the entry into force of those requirements or, in the case of CAT operations starting and ending at the same aerodrome or operating site with Performance class B aeroplanes or non-complex helicopters, in accordance with:

-Annex III to Regulation (EEC) No 3922/91 and related national exemptions in accordance with Article 8(2) of Regulation (EEC) No 3922/91, for aeroplanes; and

-national requirements, for helicopters.

(d) Certificates, authorisations and approvals issued by Member States before the date of application of the relevant requirements of this Regulation shall be deemed to have been issued in accordance with those requirements. However, they shall be replaced by certificated, authorisations and approvals, as appropriate, issued in accordance with this Regulation no later than six months from the date of application of the relevant requirements of this Regulation;

(e) Operators subject to a declaration obligation in accordance with this Regulation shall submit their declarations no later than the date of application of the relevant requirements of this Regulation.".

Article 6

In Addendum 1, Annex I (Definitions for terms used in Annexes II to VIII) after point (8) point (8a) and point (8b) shall be added, worded as follows:

"(8a) "aircraft tracking" means a ground based process that maintains and updates, at standardized intervals, a record of the four dimensional position of individual aircraft in flight;

(8b) "aircraft tracking system" means a system that relies in aircraft tracking in order to identify abnormal flight behavior and provide alert;".

Point (69) shall be amended, worded as follows:

"(69) "hostile environment" means:

(a) an area in which:

(i) a safe forced landing cannot be accomplished because the surface is inadequate; or

(ii) the helicopter occupants cannot be adequately protected from the elements; or

(iii) search and rescue response/capability are not provided consistent with anticipated exposure; or

(iv) there is an unacceptable risk of endangering persons or property on the ground;

(b) in any case, the following areas:

(i) for overwater operations, the open sea area north of 45 N and south of 45 S, unless any part is designated as non-hostile by the responsible authority of the State in which the operations take place; and

(ii) those parts of a congested area without adequate safe forced landing areas;".

Point (86) shall be amended, worded as follows:

"(86) "offshore operation" means a helicopter operation that has a substantial proportion of any flight conducted over open sea areas to or from an offshore location;

(86a) "offshore location" means a facility intended to be used for helicopter operations on a fixed or floating offshore structure or a vessel;

(86b) "open sea area" means the area of water to seaward of the coastline;".

After point (103) point (103a) shall be added, worded as follows:

"(103a) "required navigation performance (RNP) specification" means a navigation specification for PBN operations which includes a requirement for on-board navigation performance monitoring and alerting;".

Article 7

In Addendum 1, Annex II (Authority requirements for air operations (Part-ARO)), in Subpart OPS (Air operations), in Section II (Approvals), after point ARO.OPS.235 (Approval of individual flight time specification schemes) a new point ARO.OPS.240 shall be added, worded as follows:

ARO.OPS.240 Specific approval of RNP AR APCH

(a) When compliance with the requirements in SPA.PBN.105 has been demonstrated by the applicant, the competent authority shall grant a generic specific approval or a procedure-specific approval for RNP AR APCH.

(b) In the case of a procedure-specific approval, the competent authority shall:

(1) list the approved instrument approach procedures at specific aerodromes in the PBN approval;

(2) establish coordination with the competent authorities for these aerodromes, if appropriate; and

(3) take into account possible credits stemming from RNP AR APCH specific approval already issued to the applicant.".

Article 8

In Addendum 1, Annex II (Authority requirements for air operations (Part-ARO)), Appendix II (Operations specifications) shall be replaced by a new Appendix II, provided in Addendum 1, printed with this Regulation and forming an integral part thereof.

Article 9

In Addendum 1, Annex III (Organisation requirements for air operations (Part-ORO)), Subpart GEN (General requirements), in Section I (General), point ORO.GEN.110 (Operator responsibilities), paragraph (j) and paragraph (k) shall be amended, worded as follows:

"(j) The operator shall establish and maintain dangerous goods training programmes for personnel as required by the technical instructions. Such training programmes shall be commensurate with the responsibilities of personnel. Training programmes of operators performing CAT, whether they transport dangerous goods or not, and of operators conducting operations other than CAT referred to in points (b), (c) and (d) of point ORO.GEN.005 that transport dangerous goods shall be subject to review and approval by the competent authority.

(k) Notwithstanding point (j), operators conducting commercial operations with the following aircraft shall ensure that the flight crew has received an appropriate dangerous goods

training or briefing, to enable them to recognize undeclared dangerous goods brought on-board by passengers or as cargo:

(1) a sailplane;

(2) a balloon;

(3) a single-engined propeller-driven aeroplane having a maximum certified take-off mass of 5 700 kg or less and a MOPSC of 5 or less operated in a flight taking off and landing at the same aerodrome or operating site, under VFR by day; or

(4) an other-than complex motor-powered helicopter, single-engined, with a MOPSC of 5 or less operated in a flight taking off and landing at the same aerodrome or operating site, under VFR by day.".

Article 10

In Addendum 1, Annex III (Organisation requirements for air operations (Part-ORO)), in Subpart FC (Flight crew), Section 2 (Additional requirements for commercial air transport operations), point ORO.FC.A.250 (Commanders holding a CPL(A)), paragraph (a) shall be amended, worded as follows:

"(a) The holder of a CPL(A) (aeroplane) shall only act as commander in commercial air transport on a single-pilot aeroplane if either of the following conditions is met:

(1) When carrying passenger under 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;

(2) when operating on a multi-engine type under 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 40 hours 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) when operating on a single-engined aeroplane under IFR, he/she has a minimum of 700 hours of flight time on aeroplanes, including 400 hours as pilot-in-command. Those hours shall include 100 hours under IFR. 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.".

Article 11

In Addendum 1, Annex IV (Commercial air transport operations (Part-CAT)), in Subpart A (General requirements), Section 1 (Motor-powered aircraft), point CAT.GEN.MPA.105 (Responsibilities of the commander) paragraph (a) point (10) shall be amended worded as follows:

"(10) ensure that:

(i) flight recorders are not disabled or switched off during flight;

(ii) in the event of an occurrence other than an accident or a serious incident that shall be reported according to ORO.GEN.160(a), flight recorders' recordings are not intentionally erased; and

(iii) in the event of an accident or a serious incident, or if preservation of recordings of flight recorders is directed by the investigation authority:

(A) flight recorders' recordings are not intentionally erased;

(B) flight recorders are deactivated immediately after the flight is completed; and

(C) precautionary measures to preserve the recordings of flight recorders are taken before leaving the flight crew compartment;".

The title of point CAT.GEN.MPA.195 (Preservation, production and use of flight recorder recordings) shall be amended, worded as follows:

"**CAT.GEN.MPA.195 Handling of flight recorder recordings: preservation, production, protection and use**".

Paragraph (a) shall be amended, worded as follows:

"(a) Following an accident, a serious incident or an occurrence identified by the investigating authority, the operator of an aircraft shall preserve the original recorded data for a period of 60 days or until otherwise directed by the investigating authority."

Paragraph (f) shall be amended, worded as follows:

"(f) Without prejudice to Regulation (EU) No 996/2010 of the European Parliament and of the Council:

(1) Except for ensuring the CVR serviceability, CVR recordings shall not be disclosed or used unless:

(i) a procedure related to the handling of CVR recordings and of their transcript is in place:

(ii) all crew members and maintenance personnel concerned have given their prior consent; and

(iii) they are used only for maintaining or improving safety.

(1a) When a CVR recording is inspected for ensuring the CVR serviceability, the operator shall ensure the privacy of the CVR recording and the CVR recording shall not be disclosed or used for other purposes than ensuring the CVR serviceability.

(2) FDR recordings or data link recordings shall only be used for purposes other than for the investigation of an accident or an incident which is subject to mandatory reporting, if such records are:

(i) used by the operator for airworthiness or maintenance purposes only; or

(ii) de-identified; or

(iii) disclosed under secure procedures.".

After point CAT.GEN.MPA.200 (Transport of dangerous goods) point CAT.GEN.MPA.205 and point CAT.GEN.MPA.210 shall be added, worded as follows:

"**CAT.GEN.MPA.205 Aircraft tracking system**

(a) By 16 December 2018 at the latest, the operator shall establish and maintain, as part of the system for exercising operational control over the flights, an aircraft tracking system, which includes the flights eligible to (b) when performed with the following aeroplanes:

(1) aeroplanes with an MCTOM of more than 27 000 kg, with an MOPSC of more than 19, and first issued with an individual CofA before 16 December 2018, which are equipped with a capability to provide a position additional to the secondary surveillance radar transponder;

(2) all aeroplanes with an MCTOM of more than 27 000 kg, with an MOPSC of more than 19, and first issued with an individual CofA on or after 16 December 2018; and

(3) all aeroplanes with an MCTOM of more than 45 500 kg and first issued with an individual CofA on or after 16 December 2018.

(b) Flights shall be tracked by the operator from take-off to landing, except when the planned route and the planes diversion routes are fully included in airspace blocks where:

(1) ATS surveillance service is normally provided which is supported by ATC surveillance system locating the aircraft at time intervals with adequate duration; and

(2) the operator has provided to competent air navigation service providers necessary contact information.

CAT.GEN.MPA.210 Location of an aircraft in distress - Aeroplanes

The following aeroplanes shall be equipped with robust and automatic means to accurately determine, following an accident where the aeroplane is severely damaged, the location of the point of end of flight:

(1) all aeroplanes with MCTOM of more than 27 000 kg, with an MOPSC of more than 19 and first issued with an individual CofA on or after 1 January 2021; and

(2) all aeroplanes with an MCTOM of more than 45 500 kg and first issued with an individual CofA on or after 1 January 2021.".

Article 12

In Addendum 1, Annex IV (Commercial air transport operations (Part-CAT)), Subpart B (Operating procedures), Section 1 (Motor-powered aircraft) point CAT.OP.MPA.120 (Airborne radar approaches (ARAs) for overwater operations - helicopters) shall be deleted.

After point CAT.OP.MPA.125 (Instrument departure and approach procedures) a new point CAT.OP.MPA.126 shall be added, worded as follows:

"**CAT.OP.MPA.126 Performance-based navigation**

The operator shall ensure that, when performance-based navigation (PBN) is required for the route or procedure to be flown:

(a) the relevant PBN navigation specification is stated in the AFM or other document that has been approved by the certifying authority as part of an airworthiness assessment or is based on such approval; and

(b) the aircraft is operated in conformance with the relevant navigation specification and limitations in the AFM or other document referred above."

In point CAT.OP.MPA.135 (Routes and areas of operation- general) paragraph (a) point (1) shall be amended, worded as follows:

"(1) space-based facilities, ground facilities and services, including meteorological services, adequate for the planned operation are provided;".

Point CAT.OP.MPA.136 Routes and areas of operation- single-engines aeroplanes shall be amended, worded as follows:

"**CAT.OP.MPA.136 Routes and areas of operation- single-engined aeroplanes**

Unless approved by the competent authority in accordance with Annex V (Part-SPA), Subpart L- Single-engined turbine aeroplane operations at night or in IMC (SET-IMC), the operator shall ensure that operations of single-engined aeroplanes are only conducted along

routes, or within areas, where surfaces are available that permit a safe forced landing to be executed."

In point CAT.OP.MPA.175 (Flight preparation) paragraph (b) point (6) shall be amended, worded as follows:

"(6) space-based facilities, ground facilities and services that are required for the planned flight are available and adequate;".

At the end of point (7), point (7a) shall be added, worded as follows:

"(7a) any navigational database required for performance-based navigation is suitable and current; and"

In point CAT.OP.MPA.180 (Selection of aerodromes- aeroplanes) paragraph (a) shall be amended, worded as follows:

"(a) Where it is not possible to use the departure aerodrome as a take-off alternate aerodrome due to meteorological or performance reasons, the operator shall select another adequate take-off alternate aerodrome that is no further from the departure aerodrome than:

(1) for two-engined aeroplanes:

(i) one hour flying time at an OEI cruising speed according to the AFM in still air standard conditions based on the actual take-off mass; or

(ii) the ETOPS diversion time approved in accordance with Annex V (Part-SPA), Subpart F, subject to the AFM in still air standard conditions based on the actual take-off mass;

(2) for three and four-engined aeroplanes, two hours flying time at the OEI cruising speed according to the AFM in still air standard conditions based on the actual take-off mass;

(3) for operations approved in accordance with Annex V (Part-SPA), Subpart L- Single-engined turbine aeroplane operations at night or in IMC (SET-IMC), 30 minutes flying time at normal cruising speed in still air conditions, based on the actual take-off mass.

In the case of multi-engined aeroplanes, if the AFM does not contain an OEI cruising speed, the speed to be used for calculation shall be that which is achieved with the remaining engine(s) set at maximum continuous power.".

Point CAT.OP.MPA.181 (Selection of aerodromes and operating sites- helicopters) shall be amended, worded as follows:

"**CAT.OP.MPA.181 Selection of aerodromes and operating sites- helicopters**

(a) For flights under instrument meteorological conditions (IMC), the commander shall select a take-off alternate aerodrome within one hour flying time at normal cruising speed if it would not be possible to return to the site of departure due to meteorological reasons.

(b) For IFR flights or when flying under VFR and navigating by means other than by reference to visual landmarks, the commander shall specify at least one destination alternate aerodrome in the operational flight plan unless:

(1) for a flight to any other land destination, the duration of the flight and the meteorological conditions prevailing are such that, at the estimated time of arrival at the site of intended landing, an approach and landing is possible under visual meteorological conditions (VMC); or

(2) the site of intended landing is isolated and no alternate is available; in this case, a point of no return (PNR) shall be determined.

(c) The operator shall select two destination alternate aerodromes when:

(1) the appropriate weather reports and/or forecasts for the destination aerodrome indicate that during a period commencing one hour before and ending one hour after the estimated time of arrival, the weather conditions will be below the applicable planning minima; or

(2) the site of intended landing is isolated and no alternate is available; in this case, a point of no return (PNR) shall be determined.

(c) The operator shall select two destination alternate aerodromes when:

(1) the appropriate weather reports and/or forecast for the destination aerodrome indicate that during a period commencing one hour before and ending one hour after the estimated time of arrival, the weather conditions will be below the applicable planning minima; or

(2) no meteorological information is available for the destination aerodrome.

(d) The operator shall specify any required alternate aerodrome(s) in the operational flight plan.".

After point CAT.OP.MPA.181 (Selection of aerodromes and operating sites- helicopters) a new point shall be added CAT.OP.MPA.182 shall be added, worded as follows:

"**CAT.OP.MPA.182 Destination aerodromes- instrument approach operations**

The operator shall ensure that sufficient means are available to navigate and land at the destination aerodrome or at any destination alternate aerodrome in the case of loss of capability for the intended approach and landing operation.

In point CAT.OP.MPA.247 (Meteorological conditions- helicopters) paragraph (b) shall be deleted.

Point CAT.OP.MPA.295 (Use of airborne collision avoidance system (ACAS) shall be amended, worded as follows:

"**CAT.OP.MPA.295 Use of airborne collision avoidance system (ACAS)**

The operator shall establish operational procedures and training programmes when ACAS is installed and serviceable so that the flight crew is appropriately trained in the avoidance of collisions and competent in the use of ACAS II equipment."

Article 13

In Addendum 1, Annex IV (Commercial air transport operations (Part-CAT)), in Subpart C (Aircraft performance and operating limitations), Section 1 (Aeroplanes), Chapter 2 (Performance Class A), point CAT.POL.A.240 (Approval of operations with increased bank angles), paragraph (b) point (4) words: "in accordance with ORO.FC" shall be replace by words: "in accordance with Subpart FC Part ORO".

In Chapter 3 (Performance Class B), point CAT.POL.A.300 (General) paragraph (a) shall be amended, worded as follows:

"(a) Unless approved by the competent authority in accordance with Annex V (Part-SPA), Subpart L- Single-engine turbine aeroplane operations at night or in IMC (SET-IMC), the operator shall not operate a single-engine aeroplane:

(1) at night; or

(2) in IMC, except under special VFR.".

Point CAT.POL.A.320 (En-route- single-engined aeroplanes) shall be amended, worded as follows:

"C**AT.POL.A.320 En-route- single-engined aeroplanes**

(a) In the meteorological conditions expected for the flight, and in the event of engine failure, the aeroplane shall be capable of reaching a place at which a safe forced landing can be made, unless the operator is approved by the competent authority in accordance with Annex V (Part-SPA), Subpart L- Single-engined turbine aeroplane operations at night or in IMC (SET-IMC) and makes use of a risk period.

(b) For the purpose of point (a), it shall be assumed that, at the point of engine failure:

(1) the aeroplane is not flying at an altitude exceeding that at which the rate of climb equals 300 ft per minute, with the engine operating within the maximum continuous power conditions specified; and

(2) the en-route gradient is the gross gradient of descent increase by a gradient of 0.5%.".

Article 12

In Addendum 1, Annex IV (Commercial air transport operations (Part-CAT)), Chapter D (Instruments, data, equipment), Section 1 (Aeroplanes), point CAT.IDE.A.185 (Cockpit voice recorder) shall be amended, worded as follows:

"**CAT.IDE.A.185 Cockpit voice recorder**

(a) The following aeroplanes shall be equipped with a cockpit voice recorder (CVR):

(1) aeroplanes with an MCTOM of more than 5 700 kg; and

(2) multi-engined turbine-powered aeroplanes with an MCTOM of 5 700 kg or less, with an MOPSC of more than nine and first issued with an individual CofA on or after 1 January 1990.

(b) Until 31 December 2018, the CVR shall be capable of retaining the data recorded during at least:

(1) the preceding 2 hours in the case of aeroplanes referred to in (a)(1) when the individual CofA has been issued on or after 1 April 1998;

(2) the preceding 30 minutes for aeroplanes referred to in (a)(1) when the individual CofA has been issued before 1 April 1998; or

(3) the preceding 30 minutes, in the case of aeroplanes referred to in (a)(2).

(c) By 1 January 2019 at the latest, the CVR shall be capable of retaining the data recorded during at least:

(1) the preceding 25 hours for aeroplanes with MCTOM of more than 27 000 kg and first issued with an individual CofA on or after 1 January 2012; or

(2) the preceding 2 hours in all other cases.

(d) By 1 January 2019 at the latest, the CVR shall record on means other than magnetic tape or magnetic wire.

(e) The CVR shall record with reference to a timescale:

(1) voice communications transmitted from or received in the flight crew compartment by radio;

(2) flight crew members' voice communications using the interphone system and the public address system, if installed;

(3) the aural environment of the flight compartment, including without interruption:

(i) for aeroplanes first issued with an individual CofA on or after 1 April 1998, the audio signals received from each boom and mask microphone in use;

(ii) for aeroplanes referred to in (a)(2) and first issued with an individual CofA before 1 April 1998, the audio signals received from each boom and mask microphone, where practicable;

(3) voice or audio signals identifying navigation or approach aids introduced into a headset or speaker.

(f) The CVR shall start to record prior to the aeroplane moving under its own power and shall continue to record until the termination of the flight when the aeroplane is no longer capable of moving under its own power. In addition, in the case of aeroplanes issued with an individual CofA on or after 1 April 1998, the CVR shall start automatically to record prior to the aeroplane moving under its own power and continue to record until the termination of the flight when the aeroplane is no longer capable of moving under its own power.

(g) In addition to (f), depending on the availability of electrical power, the CVR shall start to record as early as possible during the cockpit checks prior to engine start at the beginning of the flight until the cockpit checks immediately following engine shutdown at the end of the flight, in the case of:

(1) aeroplanes referred to in (a)(1) and issued with an individual CofA on or after 1 April 1998; or

(2) aeroplanes referred to in (a)(2).

(h) If the CVR is not deployable, it shall have a device to assist in locating it under water. By 16 June 2018 at the latest, this device shall have a minimum underwater transmission time of 90 days. If the CVR is deployable, it shall have an automatic emergency locator transmitter.".

In point CAT.IDE.A.190 (Flight data recorder) paragraph (e) shall be amended, worded as follows:

"(e) If the FDR is not deployable, it shall have a device to assist in locating it underwater. By 16 June 2018 at the latest, this device shall have a minimum underwater transmission time of 90 days. If the FDR is deployable, it shall have an automatic emergency locator transmitter.".

In point CAT.IDE.A.195 (Data link recording) paragraph (d) shall be amended, worded as follows:

"(d) If the recorder is not deployable, it shall have a device to assist in locating it under water. By 16 June 2018 at the latest, this device shall have a minimum underwater transmission time of 90 days. If the recorder is deployable, it shall have an automatic emergency locator transmitter.".

In point CAT.IDE.A.205 (Seats, seat safety belts, restraint systems and child restraint devices) paragraph (a) point (3) shall be amended, worded as follows:

"(3) a seatbelt with upper torso restraint system on each passenger seat and restraining belts on each berth in the case of aeroplanes with an MCTOM of less than 5 700 kg and with an MOPSC of less than nine, having an individual CofA first issued on or after 8 April 2015;"

Paragraph (b) shall be amended, worded as follows:

"(b) A seat belt with upper torso restraint system shall have:

(1) a single point release;

(2) on the seats for the minimum required cabin crew, two shoulder straps and a seat belt that may be used independently;

and

(3) on flight crew seats and on any seat alongside a pilot's seat:

(i) two shoulder straps and a seat belt that may be used independently; or

(ii) a diagonal shoulder strap and a seat belt that may be used independently for the following aeroplanes:

(A) aeroplanes with MCTOM of less than 5 700 kg and with an MOPSC of less than nine that are compliant with the emergency landing dynamic conditions defined in the applicable certification specification;

(B) aeroplanes with an MCTOM of less than 5 700 kg and with an MOPSC of less than nine that are not compliant with the emergency landing dynamic conditions defined in the applicable certification specification and having an individual CofA first issued before 28 October 2014; and

(C) aeroplanes certified in accordance with CS-VLA or equivalent and CS-LSA or equivalent.".

In point CAT.IDE.A.280 (Emergency locator transmitter) paragraph (a) and paragraph (b) shall be amended, worded as follows:

"(a) With an MOPSC of more than 19 shall be equipped with at least:

(1) two ELTs one of which shall be automatic, or ELT and one aircraft localization means meeting the requirement of CAT.GEN.MPA.210, in the case of aeroplanes first issued with an individual CofA after 1 July 2008; or

(2) one automatic ELT or two ELTs of any type or one aircraft localization means meeting the requirements of CAT.GEN.MPA.210, in the case of aeroplanes first issued with an individual CofA on or before 1 July 2008.

(b) Aeroplanes with an MOPSC of 19 or less shall be equipped with at least:

(1) one automatic ELT or one aircraft localization means meeting the requirement of CAT.GEN.MPA.210, in the case of aeroplanes first issued with an individual CofA after 1 July 2008; or

(2) one ELT of any type or one aircraft localization means meeting the requirement of CAT.GEN.MPA.210, in the case of aeroplanes first issued with an individual CofA on or before 1 July 2008.".

In point CAT.IDE.A.285 (Flight over water) after paragraph (e), paragraph (f) shall be added, worded as follows:

"By 1 January 2019 at the latest, aeroplanes with an MCTOM of more than 27 000 kg and with an MOPSC of more than 19 and all aeroplanes with an MCTOM of more than 45 500 kg shall be fitted with a securely attached underwater locating device that operates at a frequency of 8,8 kHz ± kHz, unless:

(1) the aeroplane is operated over routes on which it is at no point at a distance of more than 180 NM from the shore; or

(2) the aeroplane is equipped with robust and automatic means to accurately determine, following an accident where the aeroplane is severely damaged, the location of the point of end of flight.".

In point CAT.IDE.A.345 (Communication and navigation equipment for operations under IFR or under VFR over routes not navigated by reference to visual landmarks) after paragraph (e), paragraph (f) shall be added, worded as follows:

"(f) For PBN operations the aircraft shall meet the airworthiness certification requirements for the appropriate navigation specification."

Point CAT.IDE.A.355 (Management of aeronautical databases) shall be amended, worded as follows:

"**CAT.IDE.A.355 Management of aeronautical databases**

(a) Aeronautical databases used on certified aircraft system applications shall meet data quality requirements that are adequate for the intended use of data.

(b) The operator shall ensure the timely distribution and insertion of current and unaltered aeronautical databases to all aircraft that require them.

(c) Notwithstanding any other occurrence reporting requirements as defined in Regulation (EU) No 376/2014, the operator shall report to the database provider instances of erroneous, inconsistent or missing data that might be reasonably expected to constitute a hazard to flight.

In such cases, the operator shall inform flight crew and other personnel concerned, and shall ensure that the affected data is not used.".

In Section 2 (Helicopters), in point CAT.IDE.H.185 (Cockpit voice recorder), paragraphs (c), (d), (e), (f) shall be amended, worded as follows:

"(c) By January 2019 at the latest, the CVR shall record on means other than magnetic tape or magnetic wire.

(d) The CVR shall record with reference to a timescale:

(1) voice communications transmitted from or received in the flight crew compartment by radio;

(2) flight crew members' voice communications using the interphone system and the public address system, if installed;

(3) the aural environment of the flight crew compartment, including without interruption:

(i) for helicopters first issued with an individual CofA on or after 1 August 1999, the audio signals received form each crew microphone;

(ii) for helicopters firs issued with an individual CofA before 1 August 1999, the audio signals received from each crew microphone, where practicable;

(4) voice or audio signals identifying navigation or approach aids introduced into a headset or speaker.

(e) The CVR shall start to record prior to the helicopter moving under its own power and shall continue to record until the termination of the flight when the helicopter is no longer capable of moving under its own power.

(f) In addition to (e), for helicopters referred to in (a)(2) issued with an individual CofA on or after 1 August 1999:

(1) the CVR shall start automatically to record prior to the helicopter moving under its own power an continue to record until the termination of the flight when the helicopter is no longer capable of moving under its own power; and

(2) depending on the availability of electrical power, the CVR shall start to record as early as possible during the cockpit checks prior to engine start at the beginning of the flight until the cockpit checks immediately following engine shutdown at the end of the flight.”.

After paragraph (f), paragraph (g) shall be added worded as follows:

“(g) If the CVR is not deployable, it shall have a device to assist in locating it under water. By 1 January 2018 at the latest, this device shall have a minimum underwater transmission time of 90 days. If the CVR is deployable, it shall have an automatic emergency locator transmitter.”

In point CAT.IDE.H.190 (Flight data recorder) paragraph (e) shall be amended, worded as follows:

“(e) If the FDR is not deployable, it shall have a device to assist in locating it under water. By January 2020 at the latest, this device shall have a minimum underwater transmission time of 90 days. If the FDR is deployable, it shall have an automatic emergency locator transmitter.”.

In point CAT.IDE.H.195 (Data link recording) paragraph (d) shall be amended, worded as follows:

“(d) If the recorder is not deployable, it shall have a device to assist in locating it under water. By 1 January 2020 at the latest, this device shall have a minimum underwater transmission time of 90 days. If the recorder is deployable, it shall have an automatic emergency locator transmitter.”.

In point CAT.IDE.H.280 (Emergency locator transmitter (ELT)) paragraph (b) shall be deleted.

Point CAT.IDE.H.295 (Crew survival suits) shall be amended, worded as follows:

“**CAT.IDE.H.295 Crew survival suits**

Each crew member shall wear a survival suit when operating in performance class 3 on a flight over water beyond autorotational distance or safe forced landing distance from land, when the weather report or forecasts available to the commander indicate that the sea temperature will be less than plus 10°C during the flight.”

Point CAT.IDE.H.310 (Additional requirements for helicopters conducting offshore operations in a hostile sea area) shall be deleted.

In point CAT.IDE.H.345 (Communication and navigation equipment for operation under IFR or under VFR over routes not navigated by reference to visual landmarks) after paragraph (d), paragraph (e) shall be added, worded as follows:

“(e) For PBN operations the aircraft shall meet the airworthiness certification requirements for the appropriate navigation specification.”

After point CAT.IDE.H.350 (Transponder) point CAT.IDE.H.355 shall be added, worded as follows:

“**CAT.IDE.H.355 Management of aeronautical databases**

(a) Aeronautical databases used on certified aircraft system applications shall meet data quality requirements that ate adequate for the intended use of the data.

(b) The operator shall ensure the timely distribution and insertion of current and unaltered aeronautical databases to all aircraft that require them.

(c) Notwithstanding any other occurrence reporting requirements as defined in Regulation (EU) No 376/2014, the operator shall report to the database provider instances of erroneous, inconsistent or missing data that might be reasonably expected to constitute a hazard to flight.

In such cases, the operator shall inform flight crew and other personnel concerned, and shall ensure that the affected data is not used."

Article 15

In Addendum 1, Annex V (Specific approvals (Part-SPA), Subpart B (Performance-based navigation (PBN) operations) point SPA.PBN.100 (PBN operations) and point SPA.PBN.105 (PBN operational approval) shall be amended, worded as follows:

"**SPA.PBN.100 PBN operations**

(a) An approval is required for each of the following PBN specifications:

(1) RNP AR APCH; and

(2) RNP 0.3 for helicopter operation.

(b) An approval for RNP AR APCH operations shall allow operations on public instrument approach procedures which meet the applicable ICAO procedure design criteria.

(c) A procedure-specific approval for RNP AR APCH or RNP 0.3 shall be required for private instrument approach procedures or any public instrument approach procedure that does not meet the applicable ICAO procedure design criteria, or where required by the Aeronautical Information Publication (AIP) or the competent authority.

SPA. PBN.105 PBN operational approval

To obtain a PBN specific approval from the competent authority, the operator shall provide evidence that:

(a) the relevant airworthiness approval, suitable for the intended PBN operation, is stated in the AFM or other document that has been approved by the certifying authority as part of an airworthiness assessment or is based on such approval;

(b) a training programme for the flight crew members and relevant personnel involved in the flight preparation has been established;

(c) a safety assessment has been carried out;

(d) operating procedures have been established specifying:

(1) the equipment to be carried, including its operating limitations and appropriate entries in the minimum equipment list (MEL);

(2) flight crew composition, qualification and experience;

(3) normal, abnormal and contingency procedures; and

(4) electronic navigation data management.

(e) a list of reportable events has been specified; and

(f) a management RNP monitoring programme has been established for RNP AR APCH operations, if applicable.".

Article 16

In Addendum 1, Annex V (Specific approvals (Part-SPA), after Subpart J (Helicopter emergency medical service operations) Subpart K and Subpart L shall be added, worded as follows:

"SUBPART K

HELICOPTER OFFSHORE OPERATIONS

SPA.HOFO.100 Helicopter offshore operations (HOFO)

The requirements of this Subpart apply to:

(a) a commercial air transport operator holding a valid AOC in accordance with Part-ORO;

(b) a specialised operations operator having declared its activity in accordance with Part-ORO; or

(c) a non-commercial operator having declared its activity in accordance with Part-ORO.

SPA.HOFO.150 Approval for helicopters offshore operations

(a) Prior to engaging in operations under this Subpart, a specific approval by the competent authority shall have been issued to the operator.

(b) To obtain such approval, the operator shall submit an application to the competent authority as specified in SPA.GEN.105, and shall demonstrate compliance with the requirements of this Subpart.

(c) The operator shall, prior to performing operations from a Member State other than the Member State that issued the approval under (a), inform the competent authorities in both Member States of the intended operation.

SPA.HOFO.110 Operating procedures

(a) The operator shall, as part of its safety management process, mitigate and minimise risks and hazards specific to helicopter offshore operations. The operator shall specify in the operations manual the:

(1) selection, composition and training of crews;

(2) duties and responsibilities of crew members and other involved personnel;

(3) required equipment and dispatch criteria; and

(4) operating procedures and minima, such that normal and likely abnormal operations are described and adequately mitigated.

(b) The operator shall ensure that:

(1) an operational flight plan is prepared prior to each flight;

(2) the passenger safety briefing also includes any specific information on offshore related items and is provided prior to boarding the helicopter;

(3) each member of the flight crew wears an approved survival suit:

(i) when the weather report or forecasts available to the pilot-in-command/commander indicate that the sea temperature will be less than plus 10 °C during the flight; or

(ii) when the estimated rescue time exceeds the calculated survival time; or

(iii) when the flight is planned to be conducted at night in a hostile environment;

(4) where established, the offshore route structure provided by the appropriate ATS is followed;
(5) pilots make optimum use of the automatic flight control systems (AFCS) throughout the flight;
(6) specific offshore approach profiles are established, including stable approach parameters and the corrective action to be taken if an approach becomes unstable;
(7) for multi-pilot operations, procedures are in place for a member of the flight crew to monitor the flight instruments during an offshore flight, especially during approach or departure, to ensure that a safe flight path is maintained;
(8) the flight crew takes immediate and appropriate action when a height alert is activated;
(9) procedures are in place to require the emergency flotation systems to be armed, when safe to do so, for all overwater arrivals and departures; and
(10) operations are conducted in accordance with any restriction on the routes or the areas of operation specified by the competent authority or the appropriate authority responsible for the airspace.

SPA.HOFO.115 Use of offshore locations

The operator shall only use offshore locations that are suitable in relation to size and mass of the type of helicopter and to the operations concerned.

SPA.HOFO.120 Selection of aerodromes and operating sites

(a) Onshore destination alternate aerodrome. Notwithstanding CAT.OP.MPA.181, NCC.OP.152, and SPO.OP.151, the pilot-in command/commander does not need to specify a destination alternate aerodrome in the operational flight plan when conducting flights from an offshore location to a land aerodrome if either:
(1) the destination aerodrome is defined as a coastal aerodrome, or
(2) the following criteria are met:
(i) the destination aerodrome has a published instrument approach;
(ii) the flight time is less than 3 hours; and
(iii) the published weather forecast valid from 1 hour prior, and 1 hour subsequent to the expected landing time specifies that:
(A) the cloud base is at least 700 feet above the minima associated with the instrument approach, or 1 000 feet above the destination aerodrome, whichever is the higher; and
(B) visibility is at least 2 500 meters.

(b) Offshore destination alternate helideck. The operator may select an offshore destination alternate helideck when all of the following criteria are met:

(1) An offshore destination alternate helideck shall be used only after the point of no return (PNR) and when an onshore destination alternative aerodrome is not geographically available. Prior to the PNR, an onshore destination alternate aerodrome shall be used.

(2) One engine inoperative (OEI) landing capability shall be attainable at the offshore destination alternate helideck.

(3) To the extent possible, helideck availability shall be guaranteed prior to PNR. The dimensions, configuration and obstacle clearance of individual helidecks or other sites shall be suitable for its use as an alternate helideck by each helicopter type intended to be used.

(4) Weather minima shall be established taking into account the accuracy and reliability of meteorological information.

(5) The MEL shall contain specific provisions for this type of operation.

(6) An offshore destination alternate helideck shall only be selected if the operator has established a procedure in the operations manual.

SPA.HOFO.125 Airborne radar approaches (ARAs) to offshore locations — CAT operations

(a) A commercial air transport (CAT) operator shall establish operational procedures and ensure that ARAs are only flown if:

(1) the helicopter is equipped with a radar that is capable of providing information regarding the obstacle environment; and

(2) either:

(i) the minimum descent height (MDH) is determined from a radio altimeter; or

(ii) the minimum descent altitude (MDA) plus an adequate margin is applied.

(b) ARAs to rigs or vessels in transit shall be flown as multi-pilot operations.

(c) The decision range shall provide adequate obstacle clearance in the missed approach from any destination for which an ARA is planned.

(d) The approach shall only be continued beyond decision range or below the minimum descent altitude/height (MDA/H) when visual reference to the destination has been established.

(e) For single-pilot CAT operations, appropriate increments shall be added to the MDA/H and decision range.

(f) When an ARA is flown to a non-moving offshore location (i.e. fixed installation or moored vessel) and a reliable GPS position for the location is available in the navigation system, the GPS/area navigation system shall be used to enhance the safety of the ARA.

SPA.HOFO.130 Meteorological conditions

Notwithstanding CAT.OP.MPA.247, NCC.OP.180 and SPO.OP.170, when flying between offshore locations located in class G airspace where the overwater sector is less than 10 NM, VFR flights may be conducted when the limits are at, or better than, the following:

Minima for flying between offshore locations located in class G airspace

	Day		Night	
	Height (*)	Visibility	Height (*)	Visibility
Single pilot	300 feet	3 km	500 feet	5 km
Two pilots	300 feet	2 km (**)	500 feet	5 km (***)

(*) The cloud base shall allow flight at the specified height to be below and clear of cloud.
(**) Helicopters may be operated in flight visibility down to 800 m, provided the destination or an intermediate structure is continuously visible.
(***) Helicopters may be operated in flight visibility down to 1 500 m, provided the destination or an intermediate structure is continuously visible.

SPA.HOFO.135 Wind limitations for operations to offshore locations

Operation to an offshore location shall only be performed when the wind speed at the helideck is reported to be not more than 60 knots including gusts.

SPA.HOFO.140 Performance requirements at offshore locations

Helicopters taking off from and landing at offshore locations shall be operated in accordance with the performance requirements of the appropriate Annex according to their type of operation.

SPA.HOFO.145 Flight data monitoring (FDM) system

(a) When conducting CAT operations with a helicopter equipped with a flight data recorder, the operator shall establish and maintain a FDM system, as part of its integrated management system, by 1 January 2019.

(b) The FDM system shall be non-punitive and contain adequate safeguards to protect the source(s) of the data.

SPA.HOFO.150 Aircraft tracking system

An operator shall establish and maintain a monitored aircraft tracking system for offshore operations in a hostile environment from the time the helicopter departs until it arrives at its final destination.

SPA.HOFO.155 Vibration health monitoring (VHM) system

(a) The following helicopters conducting CAT offshore operations in a hostile environment shall be fitted with a VHM system capable of monitoring the status of critical rotor and rotor drive systems by 1 January 2019:

(1) complex motor-powered helicopters first issued with an individual Certificate of Airworthiness (C of A) after 31 December 2016;

(2) all helicopters with a maximum operational passenger seating configuration (MOPSC) of more than 9 and first issued with an individual C of A before 1 January 2017;

(3) all helicopters first issued with an individual C of A after 31 December 2018.

(b) The operator shall have a system to:

(1) collect the data including system generated alerts;

(2) analyse and determine component serviceability; and

(3) respond to detected incipient failures.

SPA.HOFO.160 Equipment requirements

(a) The operator shall comply with the following equipment requirements:

(1) Public Address (PA) system in helicopters used for CAT and non-commercial operations with complex motor-powered helicopters (NCC):

(i) Helicopters with a maximum operational passenger seat configuration (MOPSC) of more than 9 shall be equipped with a PA system.

(ii) Helicopters with an MOPSC of 9 or less need not be equipped with a PA system if the operator can demonstrate that the pilot's voice is understandable at all passengers' seats in flight.

(2) Radio altimeter

Helicopters shall be equipped with a radio altimeter that is capable of emitting an audio warning below a pre-set height and a visual warning at a height selectable by the pilot.

(b) Emergency exits

All emergency exits, including crew emergency exits, and any door, window or other opening that is suitable for emergency egress, and the means for opening them shall be clearly marked for the guidance of occupants using them in daylight or in the dark. Such markings shall be designed to remain visible if the helicopter is capsized or the cabin is submerged.

(c) Helicopter terrain awareness warning system (HTAWS)

Helicopters used in CAT operations with a maximum certificated take-off mass of more than 3 175 kg or a MOPSC of more than 9 and first issued with an individual C of A after 31 December 2018 shall be equipped with an HTAWS that meets the requirements for class A equipment as specified in an acceptable standard.

SPA.HOFO.165 Additional procedures and equipment for operations in a hostile environment

(a) Life jackets

Approved life jackets shall be worn at all times by all persons on board unless integrated survival suits that meet the combined requirement of the survival suit and life jacket are worn.

(b) Survival suits

All passengers on board shall wear an approved survival suit:

(1) when the weather report or forecasts available to the commander/pilot-in-command indicate that the sea temperature will be less than plus 10 °C during the flight; or

(2) when the estimated rescue time exceeds the calculated survival time; or

(3) when the flight is planned to be conducted at night.

(c) Emergency breathing system

All persons on board shall carry and be instructed in the use of emergency breathing systems.

(d) Life rafts

(1) All life rafts carried shall be installed so as to be usable in the sea conditions in which the helicopter's ditching, flotation, and trim characteristics were evaluated for certification.

(2) All life rafts carried shall be installed so as to facilitate their ready use in an emergency.

(3) The number of life rafts installed:

(i) in the case of a helicopter carrying less than 12 persons, at least one life raft with a rated capacity of not less than the maximum number of persons on board; o

(ii) in the case of a helicopter carrying more than 11 persons, at least two life rafts, sufficient together to accommodate all persons capable of being carried on board and, if one is lost, the remaining life raft(s) having the overload capacity sufficient to accommodate all persons on the helicopter.

(4) Each life raft shall contain at least one survival emergency locator transmitter (ELT(S)); and

(5) Each life raft shall contain life-saving equipment, including means of sustaining life, as appropriate to the flight to be undertaken.

(e) Emergency cabin lighting

The helicopter shall be equipped with an emergency lighting system with an independent power supply to provide a source of general cabin illumination to facilitate the evacuation of the helicopter.

(f) Automatically deployable emergency locator transmitter (ELT(AD))

The helicopter shall be equipped with an ELT(AD) that is capable of transmitting simultaneously on 121,5 MHz and 406 MHz.

(g) Securing of non-jettisonable doors

Non-jettisonable doors that are designated as ditching emergency exits shall have a means of securing them in the open position so that they do not interfere with the occupants' egress in all sea conditions up to the maximum sea conditions required to be evaluated for ditching and flotation.

(h) Emergency exits and escape hatches

All emergency exits, including crew emergency exits, and any door, window or other opening suitable to be used for the purpose of underwater escape shall be equipped so as to be operable in an emergency.

(i) Notwithstanding (a), (b) and (c) above the operator may, based on a risk assessment, allow passengers, medically incapacitated at an offshore location, to partly wear or not wear life jackets, survival suits or emergency breathing systems on return flights or flights between offshore locations.

SPA.HOFO.170 Crew requirements

(a) The operator shall establish:

(1) criteria for the selection of flight crew members, taking into account the flight crew members' previous experience;

(2) a minimum experience level for a commander/pilot-in-command intending to conduct offshore operations; and

(3) a flight crew training and checking programme that each flight crew member shall complete successfully. Such programme shall be adapted to the offshore environment and include normal, abnormal and emergency procedures, crew resource management, water entry and sea survival training.

(b) Recency requirements

A pilot shall only operate a helicopter carrying passengers:

(1) at an offshore location, as commander or pilot-in-command, or co-pilot, when he or she has carried out in the preceding 90 days at least 3 take-offs, departures, approaches and landings at an offshore location in a helicopter of the same type or a full flight simulator (FFS) representing that type; or

(2) by night at an offshore location, as commander or pilot-in-command, or co-pilot, when he/she has carried out in the preceding 90 days at least 3 take-offs, departures, approaches and landings at night at an offshore location in a helicopter of the same type or an FFS representing that type.

The 3 take-offs and landings shall be performed in either multi-pilot or single-pilot operations, depending on the operation to be performed.

(c) Specific requirements for CAT:

(1) The 90-day period presented in points (b)(1) and (2) above may be extended to 120 days as long as the pilot undertakes line flying under the supervision of a type rating instructor or examiner.

(2) If the pilot does not comply with the requirements in (1), he/she shall complete a training flight in the helicopter or an FFS of the helicopter type to be used, which shall include at least the requirements described in (b)(1) and (2) before he or she can exercise his or her privileges.

SUBPART L

SINGLE-ENGINED TURBINE AEROPLANE OPERATIONS AT NIGHT OR IN INSTRUMENT METEOROLOGICAL CONDITIONS (SET-IMC)

SPA.SET-IMC.100 SET-IMC operations

In commercial air transport (CAT) operations, single-engined turbine aeroplanes shall only be operated at night or in IMC if the operator has been granted a SET-IMC approval by the competent authority.

SPA.SET-IMC.105 SET-IMC operations approval

To obtain a SET-IMC approval by the competent authority, the operator shall provide evidence that all the following conditions have been complied with:

(a) an acceptable level of turbine engine reliability is achieved in service by the world fleet for the particular airframe-engine combination;

(b) specific maintenance instructions and procedures to ensure the intended levels of continued airworthiness and reliability of the aeroplane and its propulsion system have been established and included in the operator's aircraft maintenance programme in accordance with Annex I to Regulation (EU) No 1321/2014 (Part-M), including all the following:

(1) an engine trend monitoring programme, except for aeroplanes first issued with an individual certificate of airworthiness after 31 December 2004 that shall have an automatic trend monitoring system;

(2) a propulsion and associated systems' reliability programme;

(c) flight crew composition and a training/checking programme for the flight crew members involved in these operations have been established;

(d) operating procedures have been established specifying all the following

(1) the equipment to be carried, including its operating limitations and appropriate entries in the MEL;

(2) the flight planning;

(3) the normal procedures;

(4) the contingency procedures, including procedures following a propulsion system failure, as well as forced landing procedures in all weather conditions;

(5) the monitoring and incident reporting.

(e) a safety risk assessment has been performed, including the determination of an acceptable risk period if an operator intends to make use of it.

SPA.SET-IMC.110 Equipment requirements for SET-IMC operations

Aeroplanes used for SET-IMC operations shall be equipped with all the following equipment:

(a) two separate electrical generating systems, each one capable of supplying adequate power to all essential flight instruments, navigation systems and aeroplane systems required for continued flight to the destination or alternate aerodrome;

(b) two attitude indicators, powered from independent sources;

(c) for passenger operations, a shoulder harness or a safety belt with a diagonal shoulder strap for each passenger seat;

(d) airborne weather-detecting equipment;

(e) in a pressurised aeroplane, sufficient supplemental oxygen for all occupants to allow descent, following engine failure at the maximum certificated cruising altitude, at the best range gliding speed and in the best gliding configuration, assuming the maximum cabin leak rate, until sustained cabin altitudes below 13 000 ft are reached;

(f) an area navigation system capable of being programmed with the positions of landing sites and providing lateral guidance to the flight crew to reach those sites;

(g) a radio altimeter;

(h) a landing light, capable of illuminating the touchdown point on the power-off glide path from 200 ft away;

(i) an emergency electrical supply system of sufficient capacity and endurance capable of providing power, following the failure of all generated power, to additional loads necessary for all of the following:

(1) the essential flight and area navigation instruments during descent from maximum operating altitude after engine failure;

(2) the means to provide for one attempt to restart the engine;

(3) if appropriate, the extension of landing gear and flaps;

(4) the use of the radio altimeter throughout the landing approach;

(5) the landing light;

(6) one pitot heater;

(7) if installed, the electrical means to give sufficient protection against impairment of the pilot's vision for landing;

(j) an ignition system that activates automatically, or is capable of being operated manually, for take-off, landing, and during flight, in visible moisture;

(k) a means of continuously monitoring the power train lubrication system to detect the presence of debris associated with the imminent failure of a drivetrain component, including a flight crew compartment caution indication;

(l) an emergency engine power control device that permits continuing operation of the engine at a sufficient power range to safely complete the flight in the event of any reasonably probable failure of the fuel control unit.”.

Article 17

In Addendum 1, Annex VI (Non-commercial air operations with complex motor-powered aircraft (Part-NCC), in Subpart A (General requirements), point NCC.GEN.106 (Pilot-in-command responsibilities and authority), in paragraph (a), point (4) (vii) word: “and” shall be deleted.

In paragraph (a), point (4) (viii) after semi colon word “and” shall be added.

After paragraph (a), point (4) (viii), point (ix) shall be added worded as follows:

“(ix) any navigational database required for performance-based navigation is suitable and current.”.

Point (9) shall be amended worded as follows:

“(9) ensuring that:

(i) flight recorders are not disabled or switched off during flight;

(ii) in the event of an occurrence other than an accident or a serious incident that shall be reported according to ORO.GEN.160(a), flight recorders' recordings are not intentionally erased; and

(iii) in the event of an accident or a serious incident, or if preservation of recordings of flight recorders is directed by the investigating authority:

(A) flight recorders' recordings are not intentionally erased;

(B) flight recorders are deactivated immediately after the flight is completed; and

(C) precautionary measures to preserve the recordings of flight recorders are taken before leaving the flight crew compartment."

The title of NCC.GEN.145 (Preservation, production, protection and use of flight recorder recordings:) shall be amended worded as follows:

"NCC.GEN.145 Handling of flight recorder recordings: preservation, production, protection and use".

Paragraph (a) shall be amended worded as follows:

"(a) Following an accident, a serious incident or an occurrence identified by the investigating authority, the operator of an aircraft shall preserve the original recorded data for a period of 60 days or until otherwise directed by the investigating authority.".

Paragraph (f) shall be amended worded as follows:

"(f) Without prejudice to Regulation (EU) No 996/2010:

(1) Except for ensuring the CVR serviceability, CVR recordings shall not be disclosed or used unless:

(i) a procedure related to the handling of CVR recordings and of their transcript is in place;

(ii) all crew members and maintenance personnel concerned have given their prior consent; and

(iii) they are used only for maintaining or improving safety.

(1a) When a CVR recording is inspected for ensuring the CVR serviceability, the operator shall ensure the privacy of the CVR recording and the CVR recording shall not be disclosed or used for other purposes than ensuring the CVR serviceability.

(2) FDR recordings or data link recordings shall only be used for purposes other than for the investigation of an accident or an incident which is subject to mandatory reporting, if such records are:

(i) used by the operator for airworthiness or maintenance purposes only; or

(ii) de-identified; or

(iii) disclosed under secure procedures.".

Article 18

In Addendum 1, Annex VI (Non-commercial air operations of complex motor-powered aircraft (Part-NCC), in Subpart B (Operating procedures), after point NCC.OP.115 (Departure and approach procedure), a new point NCC.OP.116 shall be added, worded as follows:

"**NCC.OP.116 Performance-based navigation - aeroplanes and helicopters**

The operator shall ensure that, when PBN is required for the route or procedure to be flown:

(a) the relevant PBN specification is stated in the AFM or other document that has been approved by the certifying authority as part of an airworthiness assessment or is based on such approval; and

(b) the aircraft is operated in conformance with the relevant navigation specification and limitations in the AFM or other document mentioned above.".

In point NCC.OP.145 (Flight preparation) paragraph (a) shall be amended, worded as follows:

"(a) Before commencing a flight, the pilot-in-command shall ascertain by every reasonable means available that the space-based facilities, ground and/or water facilities, including communication facilities and navigation aids available and directly required on such flight, for the safe operation of the aircraft, are adequate for the type of operation under which the flight is to be conducted.".

In point NCC.OP.152 (Destination alternate aerodromes- helicopters) in point (b)(2)(ii) semi colon shall be replaced by full stop, and word: "and" shall be deleted.

Point (3) shall be deleted.

After point NCC.P.152 (Destination alternate aerodromes- helicopters) a new point NCC.OP.153 shall be added, worded as follows:

"**NCC.OP.153 Destination aerodromes- instrument approach operations**

The pilot-in-command shall ensure that sufficient means are available to navigate and land at the destination aerodrome or at any destination alternate aerodrome in the case of loss of capability for the intended approach and landing operation.".

Point NCC.OP.220 (Airborne collision avoidance system (ACAS)) shall be amended, worded as follows:

"**NCC.OP.220 Airborne collision avoidance system (ACAS)**

The operator shall establish operational procedures and training programs when ACAS is installed and serviceable so that the flight crew is appropriately trained in the avoidance of collisions and competent in the use of ACAS II equipment.".

Article 19

In Addendum 1, Annex VI (Non-commercial flights of motor-powered aircraft (Part-NCC), Subpart D (Instruments, data, equipment), Section 1 (Aeroplanes), point NCC.IDE.A.160 (Cockpit voice recorder) paragraph (b) shall be amended, worded as follows:

"(b) The CVR shall be capable of retaining data recorded during at least:

(1) the preceding 25 hours for aeroplanes with an MCTOM of more than 27 000 kg and first issued with an individual CofA on or after 1 January 2021; or

(2) the preceding 2 hours in all other cases.".

Paragraph (f) shall be amended, worded as follows:

"(f) If the CVR is not deployable, it shall have a device to assist in locating it under water. By 1 January 2020 at the latest, this device shall have a minimum underwater transmission time of 90 days. If the CVR is deployable, it shall have an automatic emergency locator transmitter."

In point NCC.IDE.A.165 (Flight data recorder) paragraph (e) shall be amended, worded as follows:

"(e) If the FDR is not deployable, it shall have a device to assist in locating it under water. By 1 January 2020 at the latest, this device shall have a minimum underwater transmission time of 90 days. If the FDR is deployable, it shall have an automatic emergency locator transmitter.".

In point NCC.IDE.A.170 (Data link recording) paragraph (d) shall be amended, worded as follows:

"(d) If the recorder is not deployable, it shall have a device to assist in locating it under water. By 1 January 2020 at the latest, this device shall have a minimum underwater transmission time of 90 days. If the recorder is deployable, it shall have an automatic emergency locator transmitter.".

In point NCC.IDE.A.180 (Seats, seat safety belts, restraint systems and child restraint devices) paragraph (b) shall be amended, worded as follows:

"(b) A seat belt with upper torso restraint system shall have:

(1) a single point release;

(2) on the seats for the minimum required cabin crew, two shoulder straps and a seat belt that may be used independently; and

(3) on flight crew seats and on any seat alongside a pilot's seat:

(i) two shoulder straps and a seat belt that may be used independently; or

(ii) a diagonal shoulder strap and a seat belt that may be used independently for the following aeroplanes:

(A) aeroplanes with an MCTOM of less than 5 700 kg and with an MOPSC of less than nine that are compliant with the emergency landing dynamic conditions defined in the applicable certification specification;

(B) aeroplanes with an MCTOM of less than 5 700 kg and with an MOPSC of less than nine that are not compliant with the emergency landing dynamic conditions defined in the applicable certification specification and having an individual CofA first issued before 25 August 2016."

In point NCC.IDE.A.2015 (Emergency locator transmitter (ELT)) paragraph (a) shall be amended worded as follows:

"(a) Aeroplanes shall be equipped with:

(1) an ELT of any type or an aircraft localization means meeting the requirement of Annex IV (Part CAT), CAT.GEN.MPA.210, to Regulation (EU) No 965/2012, when first issued with an individual CofA on or before 1 July 2008;

(2) an automatic ELT or an aircraft localization means meeting the requirement of Annex IV (Part-CAT), CAT.GEN.MPA.210, to Regulation (EU) No 965/2012, when first issued with an individual CofA after 1 July 2008.".

In point NCC.IDE.A.250 (Navigation equipment) after paragraph (c), paragraph (d) shall be added worded as follows:

"(d) For PBN operations the aircraft shall meet the airworthiness certification requirements for the appropriate navigation specification."

Point NCC.IDE.A.260 (Management of aeronautical databases) shall be amended worded as follows:

"**NCC.IDE.A.260 Management of aeronautical databases**

(a) Aeronautical databases used on certified aircraft system applications shall meet data quality requirements that are adequate for the intended use of the data.

(b) The operator shall ensure the timely distribution and insertion of current and unaltered aeronautical databases to all aircraft that require them.

(c) Notwithstanding any other occurrence reporting requirements as defined in Regulation (EU) No 376/2014, the operator shall report to the database provider instances of erroneous, inconsistent or missing data that might be reasonably expected to constitute a hazard to flight.

In such cases, the operator shall inform flight crew and other personnel concerned, and shall ensure that the affected data is not used.".

In Section 2 (Helicopters), point NCC.IDE.H.160 (Cockpit voice recorder) paragraph (f) shall be amended worded as follows:

"(f) If he CVR is not deployable, it shall have a device to assist in locating it under water. By 1 January 2020 at the latest, this device shall have a minimum underwater transmission time of 90 days. If the CVR is deployable, it shall have an automatic emergency locator transmitter.".

In point NCC.IDE.H.165 (Flight data recorder) paragraph (e) shall be amended worded as follows:

"(e) If the FDR is not deployable, it shall have a device to assist in locating it under water. By 1 January 2020 at the latest, this device shall have a minimum underwater transmission time of 90 days. If the FDR is deployable, it shall have an automatic emergency locator transmitter.".

In point NCC.IDE.H.170 (Data link recording) paragraph (d) shall be amended worded as follows:

"(d) If the recorder is not deployable, it shall have a device to assist in locating it under water. By 1 January 2020 at the latest, this device shall have a minimum underwater transmission of 90 days. If the recorder is deployable, it shall have an automatic emergency locator transmitter.".

In point NCC.IDE.H.215 (Emergency locator transmitter (ELT)) paragraph (b) shall be deleted.

Point NCC.IDE.H.226 (Crew survival suits) shall be amended worded as follows:

"**NCC.IDE.H.226 Crew survival suits**

Each crew member shall wear a survival suit when so determined by the pilot-in-command based on a risk assessment taking into account the following conditions:

(a) flights over water beyond autorotational distance or safe forced landing distance from land, where in the case of a critical engine failure, the helicopter is not able to sustain level flight; and

(b) the weather report or forecasts available to the commander-pilot-in-command indicate that the sea temperature will be less than plus 10 °C during the flight.".

Point NCC.IDE.H.231 (Additional requirements for helicopters conducting offshore operations in a hostile sea area) shall be deleted.

In point NCC.IDE.H.250 (Navigation equipment) after paragraph (c) paragraph (d) shall be added worded as follows:

"(d) When PBN is required the aircraft shall meet the airworthiness certification requirements for the appropriate navigation specification.".

After point NCC.IDE.H.225 (Transponder) a new point NCC.IDE.H.260 shall be added worded as follows:

"**NCC.IDE.H.260 Management of aeronautical data bases**

(a) Aeronautical databases used on certified aircraft system application shall meet data quality requirements that are adequate for the intended use of the data.

(b) The operator shall ensure the timely distribution and insertion of current and unaltered aeronautical databases to all aircraft that require them.

(c) Notwithstanding any other occurrence reporting requirements as defined in Regulation (EU) No 376/2014, the operator shall report to the database provider instances of erroneous, inconsistent or missing data that might be reasonably expected to constitute a hazard to flight.

In such cases, the operator shall inform flight crew and other personnel concerned, and shall ensure that the affected data is not used.".

Article 20

In Addendum 1, Annex VII (Non-commercial air operations with other than complex motor-powered aircraft (Part-NCO)), Subpart A (General requirements), point NCO.GEN.103 (Introductory flights), words: "in Article 6(5)(c) of this Regulation" shall be replaced by words: "in Article 6(4a)(c) of this Regulation".

In point NCO.GEN.105 (Pilot-in-command responsibilities and authority) paragraph (a)(4)(vi) after semi colon word "and" shall be added.

After point (vi), point (vii) shall be added worded as follows:

"(vii) any navigational database required for PBN is suitable and current;"

In point NCC.GEN.140 (Transport of dangerous goods) after paragraph (e) paragraph (f) shall be added worded as follows:

"(f) Reasonable quantities of articles and substances that would otherwise be classified as dangerous goods and that are used to facilitate flight safety, where carriage aboard the aircraft is advisable to ensure their timely availability for operational purposes, shall be considered authorised under paragraph 1;2.2.1(a) of the Technical Instructions. This is regardless of whether or not such articles and substances are required to be carried or intended to be used in connection with a particular flight.

The packing and loading on board of the above-mentioned articles and substances shall be performed, under the responsibility of the pilot in command, in such a way as to minimise the risks posed to crew members, passengers, cargo or the aircraft during aircraft operations.".

Article 21

In Addendum1, Annex VII (Non-commercial air operations with other than complex motor-powered aircraft (Part-NCO)), in Subpart B (Operational procedures), after point

NCO.OP.115 (Procedures of arrival and departure- aeroplanes and helicopters) a new point NCO.OP.116 shall be added worded as follows:

"**NCO.OP.116 Performance-based navigation- aeroplanes and helicopters**

The pilot-in-command shall ensure that, when PBN is required for the route or procedure to be flown:

(a) the relevant PBN navigation specification is stated in the AFM or other document that has been approved by the certifying authority as part of an airworthiness assessment or is based on such approval; and

(b) the aircraft is operated in conformance with the relevant navigation specification and limitations in the AFM or other document mentioned above.".

In point NCO.OP.135 (Flight preparation) paragraph (a) shall be amended worded as follows:

"(a) Before commencing a flight, the pilot-in-command shall ascertain by every reasonable means available that the space-based facilities, ground and/or water facilities, including communication facilities and navigation aids available and directly required on such flight, for the safe operation of the aircraft, are adequate for the type of operation under which the flight is to be conducted.".

After point NCO.OP.141 (Destination alternate aerodromes- helicopters) a new point shall NCO.OP.142 shall be added worded as follows:

"**NCO.OP.142 Destination aerodromes- instrument approach operations**

The pilot-in-command shall ensure that sufficient means are available to navigate and land at the destination aerodrome or at any destination alternate aerodrome in the case of loss of capability for the intended approach and landing operation."

Point NCO.OP.190 (Use of supplemental oxygen) shall be amended worded as follows:

"**NCO.OP.190 Use of supplemental oxygen**

(a) The pilot-in-command shall ensure that all flight crew members engaged in performing duties essential to the safe operation of an aircraft in flight use supplemental oxygen continuously whenever he/she determines that at the altitude of the intended flight the lack of oxygen might result in impairment of the faculties of crew members, and shall ensure that supplemental oxygen is available to passengers when lack of oxygen might harmfully affect passengers.

(b) In any other case when the pilot-in-command cannot determine how the lack of oxygen might affect all occupants on board, he/she shall ensure that:

(1) all crew members engaged in performing duties essential to the safe operation of an aircraft in flight use supplemental oxygen for any period in excess of 30 minutes when the pressure altitude in the passenger compartment will be between 10 000 ft and 13 000 ft; and

(2) all occupants use supplemental oxygen for any period that the pressure altitude in the passenger compartment will be above 13 000 ft.".

After point NCO.OP.215 (Operating limitations- hot-air balloons) a new point NCO.OP.220 shall be added worded as follows:

"**NCO.OP.220 Airborne collision avoidance system (ACAS II)**

When ACAS II is used, pilot-in-command shall apply the appropriate operational procedures and be adequately trained.”.

Article 22

In Addendum 1, Annex VII (Non-commercial air operations with other than complex motor-powered aircraft (Part-NCO)), Subpart D (Instruments, data, equipment), Section 1 (Aeroplanes), point NCO.IDE.A.140 (Seats, seat safety belts, restraint systems and child restraint devices) paragraph (a) point (4) shall be amended worded as follows:

“(4) a seat belt with upper torso restraint system on each flight crew seat, having a single point release for aeroplanes having a CofA first issued on or after 25 August 2016.”.

Point NCO.IDE.A.155 (Supplemental oxygen non-pressurised aeroplanes) shall be amended worded as follows:

“**NCC.IDE.A.155 Supplemental oxygen- non-pressurised aeroplanes**

Non-pressurised aeroplanes operated when an oxygen supply is required in accordance with NCO.OP.190 shall be equipped with oxygen storage and dispensing apparatus capable of storing and dispensing the required oxygen supplies.”

In point NCO.IDE.A.195 (Navigation equipment) after paragraph (c) paragraph (d) shall be added worded as follows:

“(d) For PBN operations the aircraft shall meet the airworthiness certification requirements for the appropriate navigation specification.”

After point NCO.IDE.A.200 (Transponder) a new point NCO.IDE.A.205 shall be added worded as follows:

“**NCO.IDE.A.205 Management of aeronautical databases**

(a) Aeronautical databases used on certified aircraft system applications shall meet data quality requirements that are adequate for the intended use of the data.

(b) The pilot-in-command shall ensure that timely distribution and insertion of current and unaltered aeronautical databases to the aircraft that require them.

(c) Notwithstanding any other occurrence reporting requirements as defined in Regulation (EU) No 376/2014, the pilot-in-command shall report to the databases provider instances of erroneous, inconsistent or missing data that might be reasonably expected to constitute a hazard to a flight.

In such cases, the pilot-in-command shall not use the affected data.”.

In Section 2 (Helicopters) point NCO.IDE.H.155 (Supplemental oxygen- non pressurised helicopters) shall be amended worded as follows:

“**NCO.IDE.H.155 Supplemental oxygen- non pressurised helicopters**

Non-pressurised helicopters operated when an oxygen supply is required in accordance with NCO.OP.190 shall be equipped with oxygen storage and dispensing apparatus capable of storing and dispensing the required oxygen supplies.”.

In point NCO.IDE.H.195 (Navigation equipment) after paragraph (c) paragraph (d) shall be added worded as follows:

“(d) For PBN operations the aircraft shall meet the airworthiness certification requirements for the appropriate navigation specification.”.

After point NCO.IDE.H.200 (Transponder) a new point NCO.IDE.H.205 shall be added worded as follows:

"**NCO.IDE.H.205 Management of aeronautical databases**

(a) Aeronautical databases used on certified aircraft system applications shall meet data quality requirements that are adequate for the intended use of the data.

(b) The operator shall ensure the timely distribution and insertion of current and unaltered aeronautical databases to the aircraft that require them.

(c) Notwithstanding any other occurrence reporting requirements as defined in Regulation (EU) No 376/2014, the operator shall report to the database provider instances of erroneous, inconsistent or missing data that might be reasonably expected to constitute a hazard to flight.

In such cases, the pilot-in-command shall not use the affected data.".

In Section 3 (Sailplanes) point NCO.IDE.S.130 (Supplemental oxygen) shall be amended worded as follows:

"**NCO.IDE.S.130 Supplemental oxygen**

Sailplanes operated when an oxygen supply is required in accordance with NCO.OP.190 shall be equipped with oxygen storage and dispensing apparatus capable of storing and dispensing the required oxygen supplies." .

Article 23

In Addendum 1, Annex VII (Non-commercial air operations with other than complex motor-powered aircraft (Part-NCO)), in Subpart E (Specific requirements), in Section 1 (General), point NCO.SPEC.110 (Pilot-in-command responsibilities and authority) point (f) shall be amended worded as follows:

"(f) ensure that task specialist and crew members use supplemental oxygen continuously whenever he/she determines that at the altitude of the intended flight the lack of oxygen might result in impairment of the faculties of crew members or harmfully affect task specialists. If the pilot-in-command cannot determine how the lack of oxygen might affect the occupants on board, he/she shall ensure that risk specialists and crew members use supplemental oxygen continuously whenever the cabin altitude exceeds 10 000 ft for a period of more than 30 minutes and whenever the cabin altitude exceeds 13 000 ft.".

Article 24

In Addendum 1, Annex VIII (Specialised operations (Part-SPO)), Subpart A (General requirements), point SPO.GEN.107 (Pilot-in-command responsibilities and authority), paragraph (a) point (4) subpoint (vi) after semi colon word: "and" shall be added.

After subpoint (vi) a subpoint (vii) shall be added worded as follows:

"(vii) any navigational database required for PBN is suitable and current.".

Point (9) shall be amended worded as follows:

"(9) ensuring that:

(i) flight recorders are not disabled or switched off during flight;

(ii) in the event of an occurrence other than an accident or a serious incident that shall be reported according to ORO.GEN.160(a), flight recorders' recordings are not intentionally erased; and

(iii) in the event of an accident or a serious incident, or if preservation of recordings of flight recorders is directed by the investigating authority:

(A) flight recorders' recordings are not intentionally erased;

(B) flight recorders are deactivated immediately after the flight is completed; and

(C) precautionary measures to preserve the recordings of flight recorders are taken before leaving the flight crew compartment.".

The title of SPO.GEN.145 (Preservation, production, protection and use - operations with complex motor-powered aircraft) shall be amended worded as follows:

"**SPO.GEN.145 Handling of flight recorder recordings: preservation, production, protection and use - operations with complex motor-powered aircraft".**

Paragraph (a) shall be amended worded as follows:

"(a) Following an accident, a serious incident or an occurrence identified by the investigating authority, the operator of an aircraft shall preserve the original recorded data for a period of 60 days or until otherwise directed by the investigating authority.".

Paragraph (f) shall be amended worded as follows:

"(f) Without prejudice to Regulation (EU) No 996/2010 and except for ensuring the CVR serviceability, CVR recordings shall not be disclosed or used unless:

(i) a procedure related to the handling of CVR recordings and of their transcript is in place;

(ii) all crew members and maintenance personnel concerned have given their prior consent; and

(iii) they are used only of maintaining or improving safety.

When a CVR recording is inspected for ensuring the CVR serviceability, the operator shall ensure the privacy of the CVR recording and the CVR recording shall not be disclosed or used for other purposes than ensuring the CVR serviceability.".

Article 25

In Addendum 1, Annex VIII (Specialised operations (Part-SPO)), Subpart B (Operational procedures), after point SPO.OP.115 (Departure and approach procedures- aeroplanes and helicopters) a new point shall SPO.OP.116 shall be added worded as follows:

"**SPO.OP.116 Performance-based navigation- aeroplanes and helicopters**

The operator shall ensure that, when PBN is required for the route or procedure to be flown:

(a) the relevant PBN specification is stated in the AFM or other document that has been approved by the certifying authority as part of an airworthiness assessment or is based on such approval; and

(b) the aircraft is operated in conformance with the relevant navigation specification and limitations in the AFM or other document mentioned above.".

In point SPO.OP.140 (Flight preparation) paragraph (a) shall be amended worded as follows:

"(a) Before commencing a flight, the pilot-in-command shall ascertain by every reasonable means available that the space-based facilities, ground and/or water facilities, including communication facilities and navigation aids available and directly required on such

flight, for the safe operation of the aircraft, are adequate for the type of operation under which the flight is to be conducted.".

In point SPO.OP.151 (Destination alternate aerodromes- helicopters), point (b) subpoint (2)(ii) semi colon shall be replaced by full stop, and word: "and" shall be deleted.

Subpoint (3) shall be deleted.

After point SPO.OP.151 (Destination alternate aerodromes-helicopters) a new point shall be added SPO.OP.152 worded as follows:

"**SPO.OP.152 Destination aerodromes- instrument approach operations**

The pilot-in-command shall ensure that sufficient means are available to navigate and land at the destination aerodrome or at any destination alternate aerodrome in the case of loss of capability for the intended approach and landing operation."

In point SPO.OP.205 (Airborne collision avoidance system (ACAS)) paragraph (a) shall be amended worded as follows:

"(a) The operator shall establish operational procedures and training programmes when ACAS is installed and serviceable so that the flight crew is appropriately trained in the avoidance of collisions and competent in the use of ACAS II equipment.".

Article 26

In Addendum 1, Annex VIII (Specialised operations (Part-SPO)), Subpart D (Instruments, data, equipment), Section 1 (Aeroplanes), in point SPO.IDE.A.140 (Cockpit voice recorder) paragraph (b) shall be amended worded as follows:

"(b) The CVR shall be capable of retaining data recorded during at least:

(1) the preceding 25 hours for aeroplanes with an MCTOM of more than 27 000 kg and first issued with an individual CofA on or after 1 January 2021; or

(2) the preceding 2 hours in all other cases.".

Paragraph (f) shall be amended worded as follows:

"(f) If the CVR is not deployable, it shall have a device to assist in locating it under water. By 1 January 2020 at the latest, this device shall have a minimum underwater transmission time of 90 days. If the CVR is deployable, it shall have an automatic emergency locator transmitter.".

In point SPO.IDE.145 (Flight data recorder) paragraph (e) shall be amended worded as follows:

"(e) If the FDR is not deployable, it shall have a device to assist in locating it under water. By 1 January 2020 at the latest, this device shall have a minimum underwater transmission time of 90 days. If the FDR is deployable, it shall have an automatic emergency locator transmitter.".

In point SPO.IDE.A.150 (Data link recording) paragraph (d) shall be amended as follows:

"(d) If the recorded is not deployable, it shall have a device to assist in locating it underwater. By 1 January 2020 at the latest, this device shall have a minimum underwater transmission time of 90 days. If the recorder is deployable, it shall have an automatic emergency locator transmitter.".

In point SPO.IDE.A.160 (Seats, seat safety belts and restraint systems) point (c), and (d) shall be amended worded as follows:

"(c) for other-than-complex motor-powered aeroplanes, a seat belt with upper torso restraint system on each flight crew seat, having a single point release for aeroplanes having a CofA first issued on or after 25 August 2016;

(d) for complex motor-powered aeroplanes, a seat belt with upper torso restraint system, incorporating a device that will automatically restrain the occupant's torso in the event of rapid decelaration:

(1) on each flight crew seat and in any seat alongside a pilot's seat; and

(2) on each observer's seat located in the flight crew compartment.".

After point (d) a new point (e) shall be added worded as follows:

"(e) The seat belt with upper torso restraint system required by (d) shall have:

(1) a single point release;

(2) on flight crew seats and on any seat alongside a pilot's seat:

(i) two shoulder straps and a seat belt that may be used independently; or

(ii) a diagonal shoulder strap and a seat belt that may be used independently for the following aeroplanes:

(A) aeroplanes with an MCTOM of less than 5 700 kg and with an MOPSC of less than nine that are compliant with the emergency landing dynamic conditions defined in the applicable certification specification;

(B) aeroplanes with an MCTOM of less than 5 700 kg and with an MOPSC of less than nine that are not compliant with the emergency landing dynamic conditions defined in the applicable certification specification and having an individual CofA first issued before 25 August 2016.".

In point SPO.IDE.A.190 (Emergency locator transmitter (ELT)) paragraph (a) shall be amended worded as follows:

"Aeroplanes shall be equipped with:

(1) an ELT of any type or an aircraft localization means meeting the requirement of Annex IV (Part CAT), CAT.GEN.MPA.210, to Regulation (EU) No 965/2012, when first issued with an individual CofA on or before 1 July 2008;

(2) an automatic ELT or an aircraft localization means meeting the requirement of Annex IV (Part CAT), CAT.GEN.MPA.210, to Regulation (EU) No 965/2012, when first issued with an individual CofA after 1 July 2008; or

(3) a survival ELT (ELT(S)) or a personal locator beacon (PLB), carried by a crew member or a task specialist, when certified for a maximum seating configuration of six or less."

In point SPO.IDE.A.220 (Navigation equipment) after point (c) point (d) shall be added worded as follows:

"(d) For PBN operations the aircraft shall meet the airworthiness certification requirements for the appropriate navigation specification.".

After point SPO.IDE.A.225 (Transponder) a new point SPO.IDE.A.230 shall be added worded as follows:

"**SPO.IDE.A.230 Management of aeronautical databases**

(a) Aeronautical databases used on certified aircraft system applications shall meet data quality requirements that are adequate for intended use of the data.

(b) The operator shall ensure the timely distribution and insertion of current and unaltered aeronautical databases to all aircraft that require them.

(c) Notwithstanding any other occurrence reporting requirements as defined in Regulation (EU) No 376/2014, the operator shall report to the database provider instances of erroneous, inconsistent or missing data that might be reasonably expected to constitute a hazard to flight.

In such cases, the operator shall inform flight crew and other personnel concerned, and shall ensure that the affected data is not used.".

In Section 2 (Helicopters), point SPO.IDE.H.140 (Cockpit voice recorder) paragraph (f) shall be amended worded as follows:

"(f) If the CVR is not deployable, it shall have a device to assist in locating it underwater. By 1 January 2020 at the latest, this device shall have a minimum underwater transmission time of 90 days. If the CVR is deployable, it shall have an automatic emergency locator transmitter.".

In point SPO.IDE.H.145 (Flight data recorder) paragraph (e) shall be amended as follows:

"(e) If the FDR is not deployable, it shall have a device to assist in locating it under water. By 1 January 2020 at the latest, this device shall have a minimum underwater transmission time of 90 days. IF the FDR is deployable, it shall have an automatic emergency locator transmitter.".

In point SPO.IDE.H.150 (Data link recording) paragraph (d) shall be amended worded as follows:

"(d) If the recorder is not deployable, it shall have a device to assist in locating it under water. By 1 January 2020 at the latest, this device shall have a minimum underwater transmission time of 90 days. If the recorder is deployable, it shall have an automatic emergency locator transmitter.".

Point SPO.IDE.H.198 (Crew survival suits) shall be amended worded as follows:

"**SPO.IDE.H.198 Survival suits- complex motor-powered helicopters**

Each person on board shall wear a survival suit when so determined by the pilot-in-command based on a risk assessment taking into account the following conditions:

(a) flights over water beyond autorotational distance or safe forced-landing distance from land, where, in the case of a critical engine failure, the helicopter is not able to sustain level flight; and

(b) the weather report or forecasts available to the pilot-in-command indicate that the sea temperature will be less than 10 °C during the flight.".

Point SPO.IDE.H.201 (Additional requirements for helicopters conducting offshore operations in a hostile sea areas- complex motor-powered helicopters) shall be deleted.

In point SPO.IDE.H.220 (Navigation equipment) after paragraph (c) paragraph (d) shall be added worded as follows:

"(d) For PBN operations the aircraft shall meet the airworthiness certification requirements for the appropriate navigation specification.".

After point SPO.IDE.H.225 (Transponder) a new point shall be added SPO.IDE.H.230 worded as follows:

"**SPO.IDE.H.230 Management of aeronautical databases**

(a) Aeronautical databases used on certified aircraft system applications shall meet data quality requirements that are adequate for the intended use of the data.

(b) The operator shall ensure the timely distribution and insertion of current and unaltered aeronautical databases to all aircraft that require them.

(c) Notwithstanding any other occurrence reporting requirements as defined in Regulation (EU) No 376/2014, the operator shall report to the database provider instances of erroneous, inconsistent or missing data that might be reasonably expected to constitute a hazard to flight.

In such cases, the operator shall inform flight crew and other personnel concerned, and shall ensure that the affected data is not used.".

Article 27

After Addendum 1 a new Addendum 2 shall be added, provided in Addendum 2 to this Regulation and forming an integral part thereof.

Article 28

Aircraft operators shall comply with this Regulation within the period of time of six months from the day of entry into force of this Regulation.

Within the timeframe from paragraph 1, the Civil Aviation Directorate of the Republic of Serbia shall change aircraft operator certificates and lists of special authorizations issued prior to entry into force of this Regulation, in accordance with legal duty, for aircraft operator certificates, or lists of special authorizations, in compliance with the provisions of this Regulation.

Article 29

This Regulation shall enter into force on the eighth day following the day of its publication in the "Official Gazette of the Republic of Serbia".

No: 5/1-01-0006/2019-0001

In Belgrade, 8 February 2019

Director

Mirjana Cizmarov

Addendum 1

Appendix II

OPERATIONS SPECIFICATIONS (subject to the approved conditions in the operations manual)				
Issuing authority contact details: Phone (1): _____; Fax: _____; E-mail: _____				
AOC (2): Operator Name (3): Date (4): Signature: Dba Operations specifications:				
Aircraft model (5): Registration marks (6):				
Types of operations: Commercial air transport □ Passengers □ Cargo □ Others (7): _____				
Area of operation (8):				
Special limitations (9):				
Specific approvals:	Yes:	No:	Specification (10)	Remarks
Dangerous goods	□	□		
Low visibility operations Take-off Approach and landing	□	□	CAT (11) RVR (12): m DA/H: ft RVR: m	
RVSM (13) □ N/A	□	□	Maximum diversion time (15): min	
ETOPS (14) □ N/A	□	□		(17)
Complex navigation specifications for PBN operations (16)	□	□		
Minimum navigation performance specification				
Operations of single-engined turbine aeroplane at night or in IMC (SET-IMC)	□	□	(18)	
Helicopter operations with the aid of night vision imaging systems	□	□		
Helicopter hoist operations	□	□		
Helicopter emergency medical service operations	□	□		
Helicopter offshore operations	□	□		
Cabin crew training (19)	□	□		
Issue of CC attestation (20)	□	□		
Continuing airworthiness	□	□	(21)	
Other (22)				

(1) Telephone and fax contact details of the competent authority, including the country code. Email to be provided if available.
(2) Insertion of associated air operation certificate (AOC) number.
(3) Insertion of the operator's registered name and the operator's trading name, if different. Insert "Dba" before the trading name "Doing business as").
(4) Issue date of the operations specifications (dd-mm-yyyy) and signature of the competent authority representative.
(5) Insertion of ICAO designation of the aircraft make, model and series, or master series, if a series has been designated (e.g. 737-3K2 or Boeing 777-232).
(6) Either the registration marks are listed in the operations specifications or in the operations manual. In the latter case, the operations specifications must male a reference to the related page in the operation manual. In case not all specific approvals to the aircraft model, the registration marks of the aircraft may be entered in the remark column to the related specific approval to the aircraft model, the registration marks of the aircraft may be entered in the remark column to the related specific approval.
(7) Other type of transportation to be specified (e.g. emergency medical service).
(8) Listing of geographical area(s) of authorised operation (by geographical coordinates or specific routes, flight information national or regional boundaries).
(9) Listing of applicable special limitations (e.g. VFR only, Day only, etc.).
(10) List in this column the most permissive criteria for each approval or the approval type (with appropriate criteria).
(11) Insertion of applicable precision approach category: LTS CAT I, CAT II, OTS CAT II, CAT IIIA, CAT IIIB or CAT IIIC. In minimum runway visual range (RVR) in meters and decision height (DH) in feet. One line is used per listed approach category.
(12) Insertion approved minimum take-off RVR in meters. One line per approval may be used if different approvals are granted.
(13) Not applicable (N/A) box may be checked only if the aircraft maximum ceiling is below FL290.
(14) Extended range operations (ETOPS) currently applies only two-engined aircraft. Therefore, the not applicable (N/A) box may be checked if the aircraft model has more or less than two engines.
(15) The threshold distance may also be listed (in NM), as well as the engine type.
(16) Performance-based navigation (PBN): one line is issued for each complex PBN specific approval (e.g. RNP AR APCH), with approved limitations listed in the "Specifications" and/ or "Remarks" columns. Procedure-specific approvals or specific RNP AR APCH procedures may be listed in the operations specifications or in the operations manual. In the latter case, the related operations specifications must have a reference to the related page in the operations manual.
(17) Specify if the specific approval is limited to certain runway ends and/or aerodromes.
(18) Insertion of the particular airframe/engine combination.
(19) Approval to conduct the training course and examination to be completed by applicants for a cabin crew attestation as specified in Annex V (Part-CC) to Regulation (EU) No 1178/2011.
(20) Approval to issue cabin crew attestations as specified in annex V (Part-CC) to Regulation (EU) No 1178/2011.

(21) The name of the person/organisation responsible for ensuring that the continuing airworthiness of the aircraft is maintained reference to the regulation that requires the work, i.e. Subpart G of Annex I (Part-M) to Regulation (EU) No 1321/2014.
(22) Other approvals or data may be entered here, using one line (or one multi-line block) per authorisation (e.g. short landing operations, steep approach operations, helicopter operations to/from a public interest site, helicopter operations over a hostile environment located outside a congested area, helicopter operations without a safe forced landing capability, operations with increased angles, maximum distance from an adequate aerodrome for two-engined aeroplanes without an ETOPS approval, aircraft conducting non-commercial operations).

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Addendum 2.

Additional conditions for the application of Regulation (EU) No 965/2012 in the Republic of Serbia

1. Additional conditions for the application of Annex III (Part-ORO), Subpart GEN, point ORO.GEN.110 (Operator responsibilities) paragraph (c) and Subpart AOC, point ORO.AOC.135 (Personnel requirements) paragraph (b)

The operator conducting commercial air transport operations shall assign the person who holds a valid flight dispatcher licence for the purpose of exercising operational control over its operations.

Before assigning responsibilities to the flight dispatcher, the operator shall ensure that:

(1) the flight dispatcher has satisfactorily completed on-the-job training (OJT) and check organized by the operator; and

(2) the flight dispatcher has satisfactorily completed at least one operating familiarization.

The content of operator's OJT programme shall comply with the training programme listed in ICAO Doc 7192 D-3, and it must be adjusted to operator's activities and the experience of the trainees.

The check conducted by the operator after the OJT has been completed shall include:

(1) knowledge of the content of operations manual;

(2) navigation and communication equipment used on board;

(3) seasonal meteorological conditions for areas under the operational control, and meteorological data sources;

(4) effect of meteorological conditions on the reception of communication signal on board;

(5) specifications and limitations of each navigation system used by the operator;

(6) loading instruction;

(7) human performance relevant to flight dispatch duties;

(8) capability to conduct flight dispatch duties (flight preparation under supervision).

OJT and examination, conducted by the operator, shall be conducted by the person who is a flight dispatcher instructor, in accordance with regulation governing the process of obtaining flight dispatcher licence, or the person with a valid flight dispatcher licence and minimum three years of experience on flight dispatcher tasks at the said operator.

Operating familiarization shall be conducted by flight dispatcher from the flight deck or, for aeroplanes without an observer seat on the flight deck, from the forward passenger seat for the purpose of following radio-communication and flight crew actions. Operating familiarization shall be conducted in an aircraft for at least one sector in flight area the operator has been authorized for and for the operational control the flight dispatcher has been assigned. The flight dispatcher shall perform operating familiarization each 12 months.

2. Additional conditions for the application of Annex III (Part-ORO), Subpart CC (Cabin crew), point ORO.CC.115 (Conduct of training courses and associated checking) paragraph (c) and paragraph (d)

The operator shall authorize persons for the conduct of cabin crew training courses and associated checking, listed in point ORO.CC.125, ORO.CC.130, ORO.CC.135, ORO.CC.140, ORO.CC.145 and ORO.CC.200.

The operator shall establish the procedure for selecting person to be authorized for the conduct of cabin crew training courses and associated checking, taking into account their knowledge, experience and qualifications.

For the purpose of demonstrating compliance with the requirements, the person authorized for the conduct of cabin crew training course shall:

(1) hold a valid cabin crew licence;

(2) have at least three years of working experience on cabin crew tasks, including at least one year acting as a senior cabin crew member;

(3) have finished OJT organized by the operator for the conduct of cabin crew training course.

For the purpose of demonstrating compliance with the requirements, the person authorized for the conduct of cabin crew checks shall:

(1) be authorized to conduct cabin crew training course;

(2) have finished OJT for the conduct of cabin crew training course organized by the operator.

OJT for the conduct of cabin crew training course shall include, as minimum, the following essentials:

(1) ensuring safety during the conduct of training course;

(2) preparation of facilities, equipment and documentation for the conduct of training course;

(3) guidance and support for the applicants during the training course;

(4) techniques for the conduct of training course;

(5) assessmenr of the applicant’s capability;

(6) training evaluation procedure;

(7) training improvement procedure;

(8) the conduct of training course in practice.

During the conduct of training course in practice, the operator shall assess whether the applicant will be authorized for the conduct of cabin crew training course.

OJT for the conduct of cabin crew training course shall include, as minimum, the following essentials:

(1) usage of assessment methodology;

(2) monitoring applicant’s behavior and reactions;

(3) the conduct of objective evaluation;

(4) ability to make accurate and clear analyses;

(5) creating documentation as regards the training process and check, and the report on applicant's behavior and reaction;

(6) the conduct of training course in practice.

During the conduct of training course in practice, the operator shall assess whether the applicant will be authorized for the conduct of cabin crew check.

The operator shall keep records of all persons who have been authorized for the conduct of cabin crew training course and the associated checks. The records shall include the areas the authorization has been issued for, and the privileges granted (the privilege to conduct the training course and/or the privilege to conduct checks).

The person who has been authorized to conduct cabin crew training courses and/or checks, shall undergo recurrent OJT for the conduct of cabin crew training course or cabin crew check every five years.

3. Additional conditions for the application of Annex IV (Part-CAT), Subpart A (General requirements), Section 1 (Motor-powered aircraft), point CAT.GEN.MPA.180 (Documents, manuals and information on board)

Apart from the documentation listed in point CAT.GEN.MPA.180, the following must be on board during flight:

(a) bomb threat checklist;

(b) checklist for inspecting aircraft for concealed weapons, explosives and other dangerous items.