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 199 paragraph 5, Article 239, Article 249 paragraph 1 and Article 265 of the Air Transport Law ("Official Gazette of RS", No 73/10, 57/11, 93/12, 45/15, 66/15- other law, 83/18 and 9/20),

Director of 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, 56/18, 12/19, 3/21, 54/21 and 117/21), Article 2 is amended, worded as follows:

"**Article 2**

Certain terms used in this Regulation shall have the following meanings:

(1) *Agency* means European Union Aviation Safety Agency (EASA);

(2) *ECAA agreement* means Multilateral agreement between European Community and its Member States, the Republic of Albania, Bosnia and Herzegovina, the Republic of Bulgaria, the Republic of Croatia, the former Yugoslav Republic of Macedonia, the Republic of Iceland, the Republic of Montenegro, the Kingdom of Norway, Romania, the Republic of Serbia and the United Nations Interim Administration in Kosovo (in accordance with UN Security Council resolution 1244 of 10 June 1999) on the establishment of a European Common Aviation Area;

(3) *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 correction;

(4) *competent authority* means the Civil Aviation Directorate of the Republic of Serbia (hereinafter: the Directorate), pursuant to the Air Transport Law;

(5) *Decision C (2009) 7633* means Commission Decision C (2009) 7633 of 14 October 2009 authorising Austria, Germany, the United Kingdom and Malta to issue Air Operator's Certificates by way of derogation from Council Regulation (EEC) No 3922/1991 on the harmonization of technical requirements and administrative procedures in the field of civil aviation;

(6) *Implementing Regulation (EU) 2018/1976* means Commission Implementing Regulation (EU) 2018/1976 of 14 December 2018 laying down detailed rules for the operation of sailplanes pursuant to Regulation (EU) No 2018/1139 of the European Parliament and of the Council. This Regulation has been applied in the Republic of Serbia by way of Regulation on performing air operations with sailplanes ("Official Gazette of RS", No 54/21);

(7) *Commission Implementing Regulation (EU) 2015/1018* means Commission Implementing Regulation (EU) 2015/1018 of 29 June 2015 laying down a list classifying occurrences in civil aviation to be mandatorily reported according to Regulation (EU) No 376/2014 of the European Parliament and of the Council. This Regulation has been applied in the Republic of Serbia by way of Regulation on occurrence reporting in civil aviation ("Official Gazette of RS", No 142/20);

(8) *Commission Implementing Regulation (EU) No 923/2012* means Commission Implementing Regulation (EU) No 923/2012 of 23 September 2012 laying down detailed rules of the air and operating provisions related to services and procedures in air navigation and amending Implementing Regulation (EU) No 1035/2011 and Regulations (EC) No 1265/2007, (EC) No 1794/2006, (EC) No 730/2006, (EC) No 1033/2006 and (EU) No 255/2010. This Regulation has been applied in the Republic of Serbia by way of Regulation on rules of air and provision of air traffic control, alerting and in-flight information services ("Official Gazette of RS", No 142/20, 10/22 and 84/22);

(9) *Regulation (EU) No 376/2014* means Regulation (EU) No 376/2014 of the European Parliament and of the Council of 3 April 2014 on the reporting, analysis and follow-up of occurrences in civil aviation, amending Regulation (EU) No 996/2010of the European Parliament and of the Council and repealing Directive 2003/42/EC of the European Parliament and of the Council and Commission Regulations (EC) No 1321/2007 and (EC) No 1330/2007. This Regulation has been applied in the Republic of Serbia by Regulation on occurrence reporting in civil aviation ("Official Gazette of RS", No 142/20);

(10) *Regulation No 216/2008* means Regulation (EC) No 216/2008 of the European Parliament and of the Council of 20 February 2008 on common rules in the field of civil aviation and on establishing a European Aviation Safety Agency, and repealing Council Directive 91/670/EEC, Regulation (EC) No 1592/2002 and Directive 2004/36/EC. This Regulation has been applied in the Republic of Serbia by Regulation on common rules in the field of civil aviation and competences of European Union Aviation Safety Agency ("Official Gazette of RS", No 23/12 and 104/17);

(11) *Commission Regulation (EU) No 452/2014* means Commission Regulation (EU) No 452/2014 of 29 April 2014 laying down technical requirements and administrative procedures related to air operations of third country operators pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council;

(12) *Regulation (EU) 2016/679* means Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC;

(13) *Regulation (EU) No 1321/2014* means Commission Regulation (EU) No 1321/2014 of 26 November 2014 on the continuing airworthiness of aircraft and aeronautical products, parts and appliances and on the approval of organisations and personnel involved in these tasks. This Regulation has been applied in the Republic of Serbia by Regulation on the continuing airworthiness of aircraft and aeronautical products, parts and appliances, and on the approval of organizations and personnel involved in these tasks ("Official Gazette of RS", no 5/19, 59/19 and 123/21);

(14) *Commission Regulation (EU) No 1178/2011* means Commission Regulation (EU) No 1178/2011 of 3 November 2011 laying down technical requirements and administrative procedures related to crew members of civil aircraft pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council. This Regulation has been applied in the Republic of Serbia by way of Regulation on licences, training organisations and medical fitness of flight crew ("Official Gazette of RS", No 60/19);

(15) *Regulation No 2111/20*05 means Regulation of the European Parliament and of the Council (EC) No 2111/2005 of 14 December 2005 on establishing the Community list related to air-carriers with operating ban in the Community, notifying air transport passengers on the identity of actual air carriers repealing Article 9 of Directive 2004/36/EC. This Regulation has been applied in the Republic of Serbia by way of Regulation on third country air carriers with operating ban or operational restrictions ("Official Gazette of RS", No 1/20);

(16) *Commission Regulation (EU) No 748/2021* means Commission Regulation (EU) No 748/2012 of 3 August 2012 laying down implementing rules for the airworthiness and environmental certification of aircraft and related products, parts and appliances, as well as for the certification of design and production organisations. This Regulation has been applied by way of Regulation on certification of aircraft and other aeronautical products, parts and appliances and issuing licenses for maintenance organisations for production and design ("Official Gazette of RS", No 5/18 and 1/19);

(17) *Regulation (EU) No 996/2010* means Regulation No 996/2010 of the European Parliament and of the Council (EU) of 20 October 2010 on the investigation and prevention of accidents and incidents in civil aviation. This Regulation has been applied in the Republic of Serbia by way of Law on investigation of accidents in aviation, railways and waterborne transport ("Official Gazette of RS", No 66/15 and 83/18);

(18) *Regulation (EC) No 1107/2006* means Regulation (EC) No 1107/2006 of the European Parliament and of the Council of 5 July 2006 concerning the rights of disabled persons and persons with reduced mobility when travelling by air. This Regulation has been applied in the Republic of Serbia by way of Law on Obligations and the Basic of Property Relations in Air Transport (Official Gazette of RS", No 87/11 and 66/15);

(19) *Regulation (EU) No 2018/1139* means Regulation (EU) No 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91. This Regulation has been transposed in the Republic of Serbia by way of Regulation on common rules of the European Union in the field of civil aviation and the competences of the European Union Aviation Safety Agency ("Official Gazette of RS", No 154/20), nevertheless, until the application of the said Regulation reference to Regulation (EU) No 2018/1139 shall be considered reference to Regulation (EC) No 216/2008;

(20) *Regulation (EU) 2018/395* means Commission Regulation (EU) No 2018/395 of 13 March 2018 laying down detailed rules for the operation of balloons pursuant to Regulation (EC) of the European Parliament and of the Council No 216/2008. This Regulation has been applied in the Republic of Serbia through Regulation on air operations with balloons ("Official Gazette of RS", No 3/21).

Other terms used in this Regulation have the meanings specified in Addendum 1 to this Regulation.

Terms "Community", "Community regulations", "Member State", "Treaty" and "EU operator" which are used in this Regulation shall be interpreted pursuant to points (2) and (3) of

Annex II to ECAA Agreement and relevant provisions of the Lisbon Treaty amending the Treaty on European Union and the Treaty on establishing European Union.”.

Article 2

In Article 3 paragraph 2, full stop at the end of point (13) shall be replaced by semi colon and points (14) and (15) shall be added, worded as follows:

“(14) *Commission Implementing Regulation (EU) No 2019/1384* amending Regulations (EU) No 965/2012 and (EU) No 1321/2014 as regards the use of aircraft listed on an air operator certificate for non-commercial operations and specialised operations, the establishment of operational requirements for the conduct of maintenance check flights, the establishment of rules on non-commercial operations with reduced cabin crew on board and introducing editorial updates concerning air operations requirements;

(15) *Commission Implementing Regulation (EU) No 2019/1387* of 1 August 2019 amending Regulation (EU) No 965/2012 as regards requirements for aeroplane landing performance calculations and the standards for assessing the runway surface conditions, update on certain aircraft safety equipment and requirements and operations without holding an extended range operational approval.”.

Article 3

In Article 7 paragraph 1, words: “1 January 2023” shall be replaced by words: “1 January 2024”.

Article 4

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 2 paragraph 1, point (7) shall be amended, worded as follows:

“(7) ‘specialised operation’ means all operations other than commercial air transport, where the aircraft is used for specialised activities such as agriculture, construction, photography, surveying, observation and patrol, aerial advertisement, maintenance check flights;”.

Article 5

In Addendum 1, Article 6, paragraph 3 point (b) shall be amended, worded as follows:

“(b) flights carrying no passengers or cargo, where the aeroplane or helicopter is ferried for refurbishment, repair, inspections, delivery, export or similar purposes, provided that the aircraft is not listed on an air operator certificate or on a declaration.”.

Article 6

In Addendum 1, after Article 9a, a new Article 9aa shall be added, worded as follows:

“Article 9aa

Flight crew requirements for maintenance check flights

A pilot having acted, before 25 September 2019, as a pilot-in-command on a maintenance check flight that in accordance with the definition in point SPO.SPEC.MCF.100 in Annex VIII is categorised as a Level A maintenance check flight, shall be given credit for the purpose of complying with point SPO.SPEC.MCF.115(a)(1) of that Annex. In that case, the operator shall ensure that the pilot-in-command receives a briefing on any differences identified between the operating practices established before 25 September 2019 and the obligations provided in Section 5 of Subpart E of Annex VIII to this Regulation including those derived from the related procedures established by the operator.".

Article 7

In Addendum 1, Annex I (Definitions for terms used in Annexes II to VIII) point (17) shall be amended, worded as follows:

"(17) 'category A with respect to helicopters' means a multi-engined helicopter designed with engine and system isolation features specified in the applicable certification specification and capable of operations using take-off and landing data scheduled under a critical engine failure concept that assures adequate designated surface area and adequate performance capability for continued safe flight or safe rejected take-off in the event of engine failure;".

After point (22), point (22a) shall be added, worded as follows:

"(22a) 'cockpit voice recorder (CVR)' means a crash-protected flight recorder that uses a combination of microphones and other audio and digital inputs to collect and record the aural environment of the flight crew compartment and communications to, from and between the flight crew members;".

Point (25) shall be amended, worded as follows:

"(25) 'contaminated runway' means a runway of which a significant portion of its surface area (whether in isolated areas or not) within the length and width being used is covered by one or more of the substances listed under the runway surface condition descriptors;".

Point (32) shall be deleted.

Point (42) shall be amended, worded as follows:

"(42) 'dry runway' means a runway whose surface is free of visible moisture and not contaminated within the area intended to be used;".

After point (45), point (45a) shall be added, worded as follows:

"(45a) 'emergency exit' means an installed exit-type egress point from the aircraft that allows maximum opportunity for cabin and flight crew compartment evacuation within an appropriate time period and includes floor level door, window exit or any other type of exit, for instance hatch in the flight crew compartment and tail cone exit;".

After point (48), a new point (48a) shall be added, worded as follows:

"(48a) 'flight crew member' means a licensed crew member charged with duties essential to the operation of an aircraft during a flight duty period;".

After point (49), points (49a), (49b) and (49c) shall be added, worded as follows:

"(49a) 'flight operations officer' or 'flight dispatcher' means a person designated by the operator to engage in the control and supervision of flight operations, who is suitably qualified, who supports, briefs or assists, or both, the pilot-in-command in the safe conduct of the flight;

(49b) ‘flight data recorder (FDR)’ means a crash-protected flight recorder that uses a combination of data sources to collect and record parameters that reflect the state and performance of the aircraft;

(49c) ‘flight recorder’ means any type of recorder that is installed on the aircraft for the purpose of facilitating accident or incident safety investigations;”.

After point (76), point (76a) shall be added, worded as follows:

“(76a) ‘maintenance check flight (“MCF”)’ means a flight of an aircraft with an airworthiness certificate or with a permit to fly which is carried out for troubleshooting purposes or to check the functioning of one or more systems, parts or appliances after maintenance, if the functioning of the systems, parts or appliances cannot be established during ground checks and which is carried out in any of the following situations:

(a) as required by the aircraft maintenance manual (‘AMM’) or any other maintenance data issued by a design approval holder being responsible for the continuing airworthiness of the aircraft;

(b) after maintenance, as required by the operator or proposed by the organisation responsible for the continuing airworthiness of the aircraft;

(c) as requested by the maintenance organisation for verification of a successful defect rectification;

(d) to assist with fault isolation or troubleshooting;”.

After point (95), points (95a) and (95b) shall be added, worded as follows:

“(95a) ‘personnel-carrying device system (PCDS)’ means a system including one or more devices that is either attached to a hoist or cargo hook or mounted to the rotorcraft airframe during human external cargo (HEC) or helicopter hoist operations (HHO). The devices have the structural capability and features needed to transport occupants external to the helicopter e.g. a life safety harness with or without a quick release and strop with a connector ring, a rigid basket or a cage;

(95b) ‘simple personnel carrying device system (simple “PCDS”)’ means a PCDS that complies with the following conditions:

(a) meets a harmonised standard under Regulation (EU) 2016/425 of the European Parliament and of the Council or Directive 2006/42/EC of the European Parliament and of the Council;

(b) is designed to restrain no more than a single person (for instance, hoist or cargo hook operator, task specialist or photographer) inside the cabin, or to restrain no more than two persons outside the cabin;

(c) is not a rigid structure such as a cage, a platform or a basket;”.

After point (103), points (103b) and (103c) shall be added, worded as follows:

“(103b) ‘rules of the air’ means the rules established in Commission Implementing Regulation (EU) No 923/2012;

(103c) ‘runway condition report (RCR)’ means a comprehensive standardised report relating to the conditions of the runway surface and their effect on the aeroplane landing and take-off performance, described by means of runway conditions code;”.

After point (107), point (107a) shall be added, worded as follows:

"(107a) 'specially prepared winter runway' means a runway with a dry frozen surface of compacted snow or ice which has been treated with sand or grit or has been mechanically treated to improve runway friction;".

Point (128) shall be added, worded as follows:

"(128) 'wet runway' means a runway whose surface is covered by any visible dampness or water up to and including 3 mm deep within the area intended to be used.".

Article 8

In Addendum 1, Annex II (Authority requirements for air operations) (Part-ARO)), Subpart GEN (General requirements), Section I (General), point ARO.GEN.120 (Means of Compliance), shall be amended, worded as follows:

"**ARO.GEN.120 Means of compliance**

(a) The Agency shall develop acceptable means of compliance ('AMC') that may be used to establish compliance with Regulation (EU) 2018/1139 and its delegated and implementing acts.

(b) Alternative means of compliance may be used to establish compliance with Regulation (EU) 2018/1139 and its delegated and implementing acts.

(c) The competent authority shall establish a system to consistently evaluate whether the alternative means of compliance used by itself or by organisations and persons under its oversight comply with Regulation (EU) 2018/1139 and its delegated and implementing acts. That system shall include procedures to limit, revoke or amend approved alternative means of compliance, if it has been demonstrated by the competent authority that those alternative means of compliance do not comply with Regulation (EU) 2018/1139 and delegated and implementing acts adopted on its basis.

(d) The competent authority shall evaluate all alternative means of compliance proposed by an organisation in accordance:

(1) with point ORO.GEN.120(b) of Annex III (Part-ORO) to this Regulation;

(2) for balloons with point BOP.ADD.010 of Annex II (Part-BOP) to Commission Regulation (EU) 2018/395.

(3) for sailplanes with point SAO.DEC.100 of Annex II (Part-SAO) to Commission Implementing Regulation (EU) 2018/1976,

by analysing the documentation provided and, if considered necessary, conducting an inspection of the organisation.

When the competent authority finds that the alternative means of compliance are in accordance with the Implementing Rules, it shall without undue delay:

(1) notify the applicant that the alternative means of compliance may be implemented and, if applicable, amend the approval, specialised operation authorisation or certificate of the applicant accordingly; and

(2) notify the Agency of their content, including copies of all relevant documentation;

(3) inform other Member States about alternative means of compliance that were accepted.

(e) When the competent authority itself uses alternative means of compliance to achieve compliance with Regulation (EC) No 216/2008 and its Implementing Rules it shall:

(1) make them available to all organisations and persons under its oversight; and

(2) without undue delay notify the Agency.

The competent authority shall provide the Agency with a full description of the alternative means of compliance, including any revisions to procedures that may be relevant, as well as an assessment demonstrating that the Implementing Rules are met.”.

In point ARO.GEN.135 (Immediate reaction to a safety problem), paragraph (a) shall be amended, worded as follows:

“(a) Without prejudice to Regulation (EU) No 376/2014 of the European Parliament and of the Council, the competent authority shall implement a system to appropriately collect, analyse and disseminate safety information.”

Article 9

In Addendum 1, Annex II (Authority requirements for air operations (Part-ARO)), Subpart GEN (General), Section III (Oversight, certification and enforcement), in point ARO.GEN.300 (Oversight) paragraph (a) point (2) shall be amended, worded as follows:

“(2) continued compliance with the applicable requirements of organisations it has certified, specialised operations it has authorised and organisations from which it received a declaration;”.

In point ARO,GEN.350 (Findings and corrective actions- organisations) paragraph (d) point (4) shall be amended, worded as follows:

“(4) The competent authority shall record all findings it has raised or that have been communicated to it in accordance with point (e) and, where applicable, the enforcement measures it has applied, as well as all corrective actions and the date of action closure for findings.”.

Article 10

In Addendum 1, Annex II (Authority requirements for air operations (Part-ARO)), Subpart OPS (Air operations), Section I (Certification of commercial air transport operators) point ARO.OPS.110 shall be amended, worded as follows:

“**ARO.OPS.110 Lease agreements for aeroplanes and helicopters**

(a) The competent authority shall approve a lease agreement when satisfied that the operator certified in accordance with Annex III (Part-ORO) complies with:

(1) ORO.AOC.110(d), for dry leased-in third country aircraft;

(2) ORO.AOC.110(c), for wet lease-in of an aircraft from a third country operator;

(3) ORO.AOC.110(e), for dry lease-out of an aircraft to any operator, except for the cases specified in point ORO.GEN.310 of Annex III;

(4) relevant requirements of continuing airworthiness and air operations, for dry lease-in of an aircraft registered in the EU and wet lease-in of an aircraft from an EU operator.

(b) The approval of a wet lease-in agreement shall be suspended or revoked whenever:

(1) the AOC of the lessor or lessee is suspended or revoked;

(2) the lessor is subject to an operating ban pursuant to Regulation (EC) No 2111/2005 of the European Parliament and of the Council;

(3) the authorisation issued in accordance with Commission Regulation (EU) No 452/2014 has been suspended, revoked or surrendered.

(c) The approval of a dry lease-in agreement shall be suspended or revoked whenever:

(1) the certificate of airworthiness of the aircraft is suspended or revoked;

(2) the aircraft is included in the list of operators subject to operational restrictions or it is registered in a State of which all operators under its oversight are subject to an operating ban pursuant to Regulation (EC) No 2111/2005;

(d) When asked for the prior approval of a dry-lease out agreement in accordance with ORO.AOC.110(e), the competent authority shall ensure:

(1) proper coordination with the competent authority responsible for the continuing oversight of the aircraft, in accordance with Commission Regulation (EU) No 1321/2014, or for the operation of the aircraft, if it is not the same authority;

(2) that the aircraft is timely removed from the operator's AOC except for the cases specified in point ORO.GEN.310 of Annex III.

(e) When asked for prior approval of a dry lease-in agreement in accordance with point ORO.AOC.110(d), the competent authority shall ensure proper coordination with the State of Registry of the aircraft as necessary to exercise the oversight responsibilities of the aircraft.”.

Article 11

In Addendum 1, Annex II (Authority requirements for air operations (Part-ARO)), Subpart OPS (Air operations), Section Ia (Authorisation of high risk commercial specialised operations), point ARO.OPS.150 (Authorisation of high risk commercial specialised operations) paragraph (b) shall be amended, worded as follows:

“(b) When satisfied with the risk assessment and SOP, the competent authority of the operator shall issue the authorisation, as established in Appendix IV. The authorisation may be issued for a limited or for unlimited duration. The conditions under which an operator is authorised to conduct one or more high risk commercial specialised operations shall be specified in the authorisation.”.

Article 12

In Addendum 1, Annex II (Authority requirements for air operations (Part-ARO)), Subpart OPS (Air operations), Section II (Approvals), point ARO.OPS.200 (Specific approval procedure) paragraph (b) point (2) shall be amended, worded as follows:

“(2) the list of specific approvals, as established in Appendix III, for non-commercial operations and specialised operations.”.

Article 13

In Addendum 1, Annex II (Authority requirements for air operations (Part-ARO)), Subpart RAMP (Ramp inspections of aircraft of operators under the regulatory oversight of another state), point ARO.RAMP.105 (Prioritisation criteria) paragraph (b) point (5) shall be amended, worded as follows:

“(5) aircraft used by a third-country operator that operates into, within or out of the territory subject to the provisions of the Treaty for the first time or whose authorisation issued in accordance with Regulation (EU) No 452/2014 is limited or reinstated after suspension or revocation;”.

In point ARO.RAMP.115 (Qualification of ramp inspectors) paragraph (b) point (3) shall be amended, worded as follows:

"(3) maintain the validity of their qualification by undergoing recurrent training and by performing a minimum of 12 inspections per calendar year.".

Point ARO.RAMP.125 shall be amended, worded as follows:

"**ARO.RAMP.125 Conduct of ramp inspections**

(a) Ramp inspections shall be performed in a standardised manner.

(b) When performing a ramp inspection, the inspector(s) shall make all possible efforts to avoid an unreasonable delay of the aircraft inspected.

(c) On completion of the ramp inspection, the pilot-in-command or, in his/her absence, another flight crew member or a representative of the operator shall be informed of the ramp inspection's results.".

In point ARO.RAMP.150 (Agency coordination tasks) paragraph (a) point (1) shall be amended, worded as follows:

"(1) the information referred to in ARO.RAMP.145;".

Article 14

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

Appendices V to VI shall be deleted.

Article 15

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

"The operator shall establish a checklist for each aircraft type to be used by crew members in all phases of flight under normal, abnormal and emergency conditions in order to ensure that the operating procedures in the operations manual are followed. The design and the usage of checklists shall observe human factors principles and take into account the latest relevant documentation from the design approval holder."

In point ORO.GEN.135 (Continued validity of an AOC) paragraph (a) shall be amended, worded as follows:

"(a) The operator's certificate shall remain valid subject to all of the following:

(1) the operator remaining in compliance with the relevant requirements of Regulation (EU) 2018/1139 and its delegated and implementing acts, taking into account the provisions related to the handling of findings as specified under point ORO.GEN.150 of this Annex;

(2) the competent authority being granted access to the operator as defined in point ORO.GEN.140 of this Annex to determine continued compliance with the relevant requirements of Regulation (EU) 2018/1139 and its delegated and implementing acts;

(3) the certificate not being surrendered or revoked.”.

In point ORO.GEN.140 (Access) paragraph (a) shall be amended, worded as follows:

“(a) For the purpose of determining compliance with the relevant requirements of Regulation (EU) 2018/1139 and its delegated and implementing acts, the operator shall grant access at any time to any facility, aircraft, document, records, data, procedures or any other material relevant to its activity subject to certification, SPO authorisation or declaration, whether it is contracted or not, to any person authorised by one of the following authorities:

(1) the competent authority defined in point ORO.GEN.105 of Annex III to this Regulation;

(2) the authority acting under the provisions of points ARO.GEN.300(d), ARO.GEN.300(e) or Subpart RAMP of Annex II to this Regulation.”.

In point ORO.GEN.160 (Occurrence reporting) paragraph (a) shall be amended, worded as follows:

“(a) The operator shall report to the competent authority, and to any other organisation required to be informed by the State of the operator, any accident, serious incident and occurrence as defined in Regulation (EU) No 996/2010 of the European Parliament and of the Council and Regulation (EU) No 376/2014.”.

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

“(c) Without prejudice to Regulation (EU) No 996/2010 and Regulation (EU) No 376/2014, the reports referred to in points (a) and (b) shall be made in a form and manner established by the competent authority and shall contain all pertinent information about the conditions known to the operator.”.

Article 16

In Addendum 1, Annex III (Organisation requirements for air operations (Part-ORO)), Subpart GEN (General requirements), Section II (Management), point ORO.GEN.205 (Contracted activities) paragraph (a) shall be amended., worded as follows:

“(a) When contracting or purchasing any services or products as a part of its activities, the operator shall ensure all of the following:

(1) that the contracted or purchased services or products comply with the applicable requirements;

(2) that any aviation safety hazards associated with contracted or purchased services or products are considered by the operator's management system.”.

After point ORO.GEN.220 (Record-keeping), a new Section 3 shall be added, worded as follows:

“SECTION 3

Additional organisational requirements

ORO.GEN.310 Use of aircraft listed on an AOC for non-commercial operations and specialised operations

(a) Aircraft listed on an operator's AOC may remain on the AOC if it is operated in any of the following situations:

(1) by the AOC holder itself, for specialised operations in accordance with Annex VIII (Part-SPO);

(2) by other operators, for non-commercial operations with motor-powered aircraft or for specialised operations performed in accordance with Annex VI (Part-NCC), Annex VII (Part-NCO) or Annex VIII (Part-SPO), provided that the aircraft is used for a continuous period not exceeding 30 days.

(b) When the aircraft is used in accordance with point (a)(2), the AOC holder providing the aircraft and the operator using the aircraft shall establish a procedure:

(1) clearly identifying which operator is responsible for the operational control of each flight and to describe how the operational control is transferred between them;

(2) describing the handover procedure of the aircraft upon its return to the AOC holder.

That procedure shall be included in the operations manual of each operator or in a contract between the AOC holder and the operator using the aircraft in accordance with point (a)(2). The AOC holder shall establish a template of such contract. Point ORO.GEN.220 shall apply to the record-keeping of those contracts.

The AOC holder and the operator using the aircraft in accordance with point (a)(2) shall ensure that the procedure is communicated to the relevant personnel.

(c) The AOC holder shall submit to the competent authority the procedure referred to in point (b) for prior approval.

The AOC holder shall agree with the competent authority on the means and on the frequency of providing it with information about transfers of operational control in accordance with point ORO.GEN.130(c).

(d) The continuing airworthiness of the aircraft used in accordance with point (a) shall be managed by the organisation responsible for the continuing airworthiness of the aircraft included in the AOC, in accordance with Regulation (EU) No 1321/2014.

(e) The AOC holder providing the aircraft in accordance with point (a) shall:

(1) indicate in its operations manual the registration marks of the provided aircraft and the type of operations conducted with those aircraft;

(2) remain informed at all times and keep record of each operator that holds the operational control of the aircraft at any given moment until the aircraft is returned to the AOC holder;

(3) ensure that its hazard identification, risk assessment and mitigation measures address all the operations conducted with those aircraft.

(f) For operations under Annex VI (Part-NCC) and Annex VIII (Part-SPO), the operator using the aircraft in accordance with point (a) shall ensure all of the following:

(1) that every flight conducted under its operational control is recorded in the aircraft technical log system;

(2) that no changes to the aircraft systems or configuration are made;

(3) that any defect or technical malfunction occurring while the aircraft is under its operational control is reported to the organisation referred in point (d);

(4) that the AOC holder receives a copy of any occurrence report related to the flights performed with the aircraft, completed in accordance with Regulation (EU) No 376/2014 and Commission Implementing Regulation (EU) 2015/1018.”.

Article 17

In Addendum 1, Annex III (Organisation requirements for air operations (Part-ORO), Subpart AOC (Aircraft operator certification), point ORO.AOC.110 (Leasing agreement) paragraph (c) shall be amended, worded as follows:

"(c) The applicant for the approval of the wet lease-in of an aircraft from a third-country operator shall demonstrate to the competent authority all of the following:

(1) that the third country operator holds a valid AOC issued in accordance with Annex 6 to the Convention on International Civil Aviation;

(2) that the safety standards of the third country operator with regard to continuing airworthiness and air operations are equivalent to the applicable requirements established by Regulation (EU) No 1321/2014 and this Regulation;

(3) that the aircraft has a standard CofA issued in accordance with Annex 8 to the Convention on International Civil Aviation.".

Point ORO.AOC.125 shall be amended, worded as follows:

"**ORO.AOC.125 Non-commercial operations of an AOC holder with aircraft listed on its AOC**

(a) The AOC holder may conduct non-commercial operations in accordance with Annex VI (Part-NCC) or Annex VII (Part-NCO) with aircraft listed in the operations specifications of its AOC or in its operations manual, provided that the AOC holder describes such operations in detail in the operations manual, including the following:

(1) an identification of the applicable requirements;

(2) a description of any differences between operating procedures used when conducting CAT operations and non-commercial operations;

(3) means of ensuring that all personnel involved in the operations are fully familiar with the associated procedures.

(b) An AOC holder shall comply with:

(1) Annex VIII (Part-SPO) when conducting maintenance check flights with complex motor-powered aircraft;

(2) Annex VII (Part-NCO) when conducting maintenance check flights with other than complex motor-powered aircraft.

(c) An AOC holder conducting operations referred to in points (a) and (b) shall not be required to submit a declaration in accordance with this Annex.

(d) The AOC holder shall specify the type of flight, as listed in its operations manual, in the flight-related documents (operational flight plan, loadsheet and other equivalent documents).".

In point ORO.AOC.135 (Personnel requirements), paragraph (a) shall be amended, worded as follows:

"(a) In accordance with point ORO.GEN.210(b), the operator shall nominate persons responsible for the management and supervision of the following areas:

(1) flight operations;

(2) crew member training;

(3) ground operations;

(4) continuing airworthiness or for the continuing airworthiness management contract in accordance with Regulation (EU) No 1321/2014, as the case may be.”.

Article 18

In Addendum 1, Annex III (Organisation requirements for air operations (Part-ORO)), Subpart SPO (Commercial specialised operations), point ORO.SPO.100 (Common requirements for commercial specialised operators), paragraph (c) shall be amended, worded as follows:

“(c) A commercial specialised operator shall obtain prior approval of the competent authority and comply with the following conditions:

(1) for wet leasing-in an aircraft of a third-country operator:

(i) that the safety standards of a third-country operator with regard to continuing airworthiness and air operations are equivalent to the applicable requirements established by Regulation (EU) No 1321/2014 and this Regulation;

(ii) that the aircraft of a third-country operator has a standard CofA issued in accordance with Annex 8 to the Convention on International Civil Aviation;

(iii) that the duration of the wet lease-in does not exceed seven months in any 12 consecutive month period;

(2) for dry leasing-in an aircraft registered in a third country:

(i) that an operational need that cannot be satisfied through leasing an aircraft registered in the Union has been identified;

(ii) that the duration of the dry lease-in does not exceed seven months in any 12 consecutive month period;

(iii) that the safety standards of the third-country aircraft with regard to continuing airworthiness are equivalent to the applicable requirements established by Regulation (EU) No 1321/2014;

(iv) that the aircraft is equipped in accordance with Annex VIII (Part SPO).”.

Article 19

In Addendum 1, Annex III (Organisation requirements for air operations (Part-ORO)), Subpart SEC (Security), point ORO.SEC.100.A shall be amended, worded as follows:

“**ORO.SEC.100 Flight crew compartment security - aeroplanes**

(a) In an aeroplane which is equipped with a secure flight crew compartment door, that door shall be capable of being locked, and means shall be provided by which the cabin crew can notify the flight crew in the event of suspicious activity or security breaches in the cabin.

(b) All passenger-carrying aeroplanes that are engaged in the commercial transportation of passengers shall be equipped with an approved secure flight crew compartment door that is capable of being locked and unlocked from either pilot's station and designed to meet the applicable airworthiness requirements, where such airplanes fall within any of the following categories:

(1) aeroplanes with an MCTOM that exceeds 54 500 kg;

(2) aeroplanes with an MCTOM that exceeds 45 500 kg and have an MOPSC of more than 19; or

(3) aeroplanes with an MOPSC of more than 60.

(c) In all aeroplanes which are equipped with a secure flight crew compartment door in accordance with point (b):

(1) that door shall be closed prior to engine start for take-off and shall be locked when required so by security procedures or by the pilot-in-command until engine shutdown after landing, except when deemed to be necessary for authorised persons to access or egress in compliance with national civil aviation security programmes;

(2) means shall be provided for monitoring from either pilot's station the entire door area outside the flight crew compartment to identify persons that request to enter and to detect suspicious behaviour or potential threat.".

Title of point ORO.SEC.100.H shall be amended, worded as follows:

"**ORO.SEC.105 Flight crew compartment security — helicopters**".

Article 20

In Addendum 1, Annex III (Organisation requirements for air operations (Part-ORO)), Subpart CC (Cabin crew), Section 1 (Common requirements) point ORO.CC.100 shall be amended, worded as follows:

"**ORO.CC.100 Number and composition of cabin crew**

(a) For the operation of aircraft with an MOPSC of more than 19, at least one cabin crew member shall be assigned when carrying one or more passenger(s).

(b) For the purpose of complying with point (a), the minimum number of cabin crew members shall be the greatest number amongst the following:

(1) the number of cabin crew members established during the aircraft certification process in accordance with the applicable certification specifications, for the aircraft cabin configuration used by the operator;

(2) if the number under point (1) has not been established, the number of cabin crew members established during the aircraft certification process for the maximum certified passenger seating configuration reduced by 1 for every whole multiple of 50 passenger seats of the aircraft cabin configuration used by the operator falling below the maximum certified seating capacity;

(3) one cabin crew member for every 50, or fraction of 50, passenger seats installed on the same deck of the aircraft to be operated.

(c) For operations with more than one cabin crew member, the operator shall nominate one cabin crew member accountable to the pilot-in-command or the commander.

(d) By way of derogation from point (a), non-commercial operations with aircraft with an MOPSC of more than 19 may be performed without an operating cabin crew member, subject to the prior approval by the competent authority. To obtain the approval, the operator shall ensure that all of the following conditions are fulfilled:

(1) there are maximum 19 passengers on board;

(2) the operator has developed procedures for that operation.".

Article 21

In Addendum 1, Annex III (Organisation requirements for air operations (Part-ORO)), Subpart CC (Cabin crew), Section 2 (Additional requirements for commercial air-transport), point ORO.CC.205 shall be amended, worded as follows:

"**ORO.CC.205 Reduction of the number of cabin crew members during ground operations and in unforeseen circumstances**

(a) Whenever passengers are on board an aircraft, the minimum number of cabin crew members required in accordance with point ORO.CC.100 shall be present in the aircraft and ready to act.

(b) By way of derogation from point (a), the minimum number of cabin crew members may be reduced in either of the following cases:

(1) during normal ground operations not involving refuelling or defuelling when the aircraft is at its parking station;

(2) in unforeseen circumstances if the number of passengers carried on the flight is reduced. In this case, a report shall be submitted to the competent authority after completion of the flight;

(3) for the purpose of providing in-flight rest during the cruise phase, either in accordance with point ORO.FTL.205(e) or as a fatigue mitigation implemented by the operator.

(c) For the purposes of points (b)(1) and (b)(2), the operator's procedures of the operations manual shall ensure that:

(1) an equivalent level of safety is achieved with the reduced number of cabin crew members, in particular for evacuation of passengers;

(2) despite the reduced number of cabin crew members a senior cabin crew member is present in accordance with point ORO.CC.200;

(3) at least one cabin crew member is required for every 50, or fraction of 50, passengers present on the same deck of the aircraft;

(4) in the case of normal ground operations with aircraft requiring more than one cabin crew member, the number determined in accordance with point (3) shall be increased by one cabin crew member per each pair of floor level emergency exits.

(d) For the purposes of point (b)(3), the operator shall:

(1) conduct a risk assessment to determine the number of cabin crew members who are to be present and ready to act at all times during cruise;

(2) identify measures to mitigate the effects of having a lower number of cabin crew members being present and ready to act during cruise;

(3) establish in the operations manual specific procedures, including for the in-flight rest of the senior cabin crew member, that ensure at all times appropriate passenger handling and efficient management of any abnormal or emergency situations;

(4) specify, in the flight time specification scheme in accordance with point ORO.FTL.125, the conditions under which in-flight rest may be provided to the cabin crew members.".

Article 22

In Addendum 1, Annex III (Organisation requirements for air operations (Part-ORO)), Appendix 1 (Declaration) shall be replaced by new Appendix 1, provided in Addendum 1, printed with this Regulation and forming an integral part thereof.

Article 23

In Addendum 1, Annex IV (Commercial air-transport (Part-CAT)), Subpart A (General requirements), Section 1 (Motor-powered aircraft), point CAT.GEN.MPA.105 (Responsibilities of commander), in paragraph (a), point (12) shall be amended, worded as follows:

"(12) ensure that the pre-flight inspection has been carried out in accordance with the requirements of Annex I (Part-M) to Regulation (EU) No 1321/2014;".

Full stop at the end of point (13) shall be replaced by semi colon and new point (14) shall be added, worded as follows:

"(14) record, at the termination of the flight, utilisation data and all known or suspected defects of the aircraft in the aircraft technical log or journey log of the aircraft to ensure continued flight safety."

After paragraph (d), paragraph (e) shall be added, worded as follows:

"(e) The commander shall, as soon as possible, report to the appropriate air traffic services (ATS) unit any hazardous weather or flight conditions encountered that are likely to affect the safety of other aircraft.".

Point CAT.GEN.MPA.150 shall be amended, worded as follows:

"**CAT.GEN.MPA.150 Ditching - aeroplanes**

The operator shall only operate an aeroplane with a passenger seating configuration of more than 30 on overwater flights at a distance from land suitable for making an emergency landing, greater than 120 minutes at cruising speed, or 400 NM, whichever is less, if the aeroplane complies with the ditching provisions prescribed in the applicable certification specification or specifications."

In point CAT.GEN.MPA.180 (Documents, manuals and information to be carried), in paragraph (a), point (10) shall be amended, worded as follows:

"(10) the aircraft technical log, in accordance with Annex I (Part-M) to Regulation (EU) No 1321/2014;".

Point CAT.GEN.MPA.195 shall be amended, worded as follows:

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

(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 of the flight recorders for a period of 60 days or until otherwise directed by the investigating authority.

(b) The operator shall conduct operational checks and evaluations of the recordings to ensure the continued serviceability of the flight recorders which are required to be carried under this Regulation.

(c) The operator shall ensure that the recordings of flight parameters and data link communication messages required to be recorded on flight recorders are preserved. However, for the purpose of testing and maintaining those flight recorders, up to 1 hour of the oldest recorded data at the time of testing may be erased.

(d) The operator shall keep and maintain up to date documentation that presents the necessary information to convert raw flight data into flight parameters expressed in engineering units.

(e) The operator shall make available any flight recorder recordings that have been preserved, if so determined by the competent authority.

(f) Without prejudice to Regulation (EU) No 996/2010 and Regulation (EU) 2016/679 of the European Parliament and of the Council:

(1) Except for ensuring flight recorder serviceability, audio recordings from a flight recorder shall not be disclosed or used unless all of the following conditions are fulfilled:

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

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

(iii) such audio recordings are used only for maintaining or improving safety.

(1a) When inspecting flight recorder audio recordings to ensure flight recorder serviceability, the operator shall protect the privacy of those audio recordings and make sure that they are not disclosed or used for purposes other than for ensuring flight recorder serviceability.

(2) Flight parameters or data link messages recorded by a flight recorder shall not be used for purposes other than for the investigation of an accident or an incident which is subject to mandatory reporting, unless such recordings meet any of the following conditions:

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

(ii) are de-identified;

(iii) are disclosed under secure procedures.

(3) Except for ensuring flight recorder serviceability, images of the flight crew compartment that are recorded by a flight recorder shall not be disclosed or used unless all of the following conditions are fulfilled:

(i) a procedure related to the handling of such image recordings is in place;

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

(iii) such image recordings are used only for maintaining or improving safety.

(3a) When images of the flight crew compartment that are recorded by a flight recorder are inspected for ensuring the serviceability of the flight recorder, then:

(i) those images shall not be disclosed or used for purposes other than for ensuring flight recorder serviceability;

(ii) if body parts of crew members are likely to be visible on the images, the operator shall ensure the privacy of those images.”.

Point CAT.GEN.MPA.210 shall be amended, worded as follows:

“**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 during which the aeroplane is severely damaged, the location of the point of end of flight:

(1) 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 1 January 2023;

(2) all aeroplanes with an MCTOM of more than 45 500 kg and first issued with an individual CofA on or after 1 January 2023.".

Article 24

In Addendum 1, Annex IV (Commercial air transport (Part-CAT)), Subpart B (Operating procedures), Section 1 (Motor-powered aircraft), point CAT.OP.MPA.140 shall be amended, worded as follows:

"**CAT.OP.MPA.140 Maximum distance from an adequate aerodrome for two-engined aeroplanes without an ETOPS approval**

(a) Unless approved by the competent authority in accordance with Subpart F of Annex V (Part-SPA), the operator shall not operate a two-engined aeroplane over a route that contains a point further from an adequate aerodrome, under standard conditions in still air, than the appropriate distance for the given type of aeroplane among the following:

(1) for performance class A aeroplanes with a maximum operational passenger seating configuration (MOPSC) of 20 or more, the distance flown in 60 minutes at the one-engine-inoperative (OEI) cruising speed determined in accordance with point (b);

(2) for performance class A aeroplanes with an MOPSC of 19 or less, the distance flown in 120 minutes or, subject to approval by the competent authority, up to 180 minutes for turbojet aeroplanes, at the OEI cruising speed determined in accordance with point (b);

(3) for performance class B or C aeroplanes, whichever is less:

(i) the distance flown in 120 minutes at the OEI cruising speed determined in accordance with point (b);

(ii) 300 NM.

(b) The operator shall determine a speed for the calculation of the maximum distance to an adequate aerodrome for each two-engined aeroplane type or variant operated, not exceeding VMO (maximum operating speed) based upon the true airspeed that the aeroplane can maintain with one engine inoperative.

(c) The operator shall include the following data, specific to each type or variant, in the operations manual:

(1) the determined OEI cruising speed; and

(2) the determined maximum distance from an adequate aerodrome.

(d) To obtain the approval referred to in point (a)(2), the operator shall provide evidence that:

(1) procedures have been established for flight planning and dispatch;

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

(i) an engine oil consumption programme;

(ii) an engine condition monitoring programme.”.

In CAT.OP.MPA.170 (Passenger briefing), point (b) shall be amended, worded as follows:

“(b) provided with a safety briefing card on which picture-type instructions indicate the operation of safety and emergency equipment and emergency exits likely to be used by passengers.”

Point CAT.OP.MPA.300 shall be amended, worded as follows:

“**CAT.OP.MPA.300 Approach and landing conditions - aeroplanes**

Before commencing an approach to land, the commander shall:

(a) be satisfied that, according to the information available to him or her, the weather at the aerodrome and the condition of the runway intended to be used would not prevent a safe approach, landing or missed approach, having regard to the performance information contained in the operations manual (OM);

(b) carry out a landing distance assessment in accordance with point CAT.OP.MPA.303.”.

After point CAT.OP.MPA.300, new points CAT.OP.MPA.301 and CAT.OP.MPA.303 shall be added, worded as follows:

“**CAT.OP.MPA.301 Approach and landing conditions - helicopters**

Before commencing an approach to land, the commander shall be satisfied that according to the information available to him or her, the weather at the aerodrome and the condition of the final approach and take-off area (FATO) intended to be used would not prevent a safe approach, landing or missed approach, having regard to the performance information contained in the operations manual (OM).

CAT.OP.MPA.303 In-flight check of the landing distance at time of arrival - aeroplanes

(a) No approach to land shall be continued unless the landing distance available (LDA) on the intended runway is at least 115 % of the landing distance at the estimated time of landing, determined in accordance with the performance information for the assessment of the landing distance at time of arrival (LDTA) and the approach to land is performed with performance class A aeroplanes that are certified in accordance with either of the following certification specifications, as indicated in the type-certificate:

(1) CS-25 or equivalent;

(2) CS-23 at level 4 with performance level ‘High speed’ or equivalent.

(b) For performance class A aeroplanes other than those referred to in point (a), no approach to land shall be continued, except in either of the following situations:

(1) the LDA on the intended runway is at least 115 % of the landing distance at the estimated time of landing, determined in accordance with the performance information for the assessment of the LDTA;

(2) if performance information for the assessment of the LDTA is not available, the LDA on the intended runway at the estimated time of landing is at least the required landing distance determined in accordance with point CAT.POL.A.230 or point CAT.POL.A.235, as applicable.

(c) For performance class B aeroplanes, no approach to land shall be continued, except in either of the following situations:

(1) the LDA on the intended runway is at least 115 % of the landing distance at the estimated time of landing, determined in accordance with the performance information for the assessment of the LDTA;

(2) if performance information for the assessment of the LDTA is not available, the LDA on the intended runway at the estimated time of landing is at least the required landing distance determined in accordance with point CAT.POL.A.330 or point CAT.POL.A.335, as applicable.

(d) For performance class C aeroplanes, no approach to land shall be continued, except in either of the following situations:

(1) the LDA on the intended runway is at least 115 % of the landing distance at the estimated time of landing, determined in accordance with the performance information for the assessment of the LDTA;

(2) if performance information for the assessment of the LDTA is not available, the LDA on the intended runway at the estimated time of landing is at least the required landing distance determined in accordance with point CAT.POL.A.430 or point CAT.POL.A.435, as applicable.

(e) Performance information for the assessment of the LDTA shall be based on approved data contained in the AFM. When approved data contained in the AFM are insufficient in respect of the assessment of the LDTA, they shall be supplemented with other data which are either determined in accordance with the applicable certification standards for aeroplanes or determined in line with the AMCs issued by the Agency.

(f) The operator shall specify in the OM the performance information for the assessment of the LDTA and the assumptions made for its development, including other data that, in accordance with point (e), may be used to supplement that contained in the AFM.".

After point CAT.OP.MPA.310 (Operating procedures - threshold crossing height - aeroplanes), point CAT.OP.MPA.311 shall be added, worded as follows:

"**CAT.OP.MPA.311 Reporting on runway braking action**

Whenever the runway braking action encountered during the landing roll is not as good as that reported by the aerodrome operator in the runway condition report (RCR), the commander shall notify the air traffic services (ATS) by means of a special air-report (AIREP) as soon as practicable."

Point CAT.OP.MPA.320 shall be amended, worded as follows:

"**CAT.OP.MPA.320 Aeroplane categories**

(a) Aeroplane categories shall be based on the indicated airspeed at threshold (VAT) which is equal to the stalling speed (V_{SO}) multiplied by 1,3 or one-g (gravity) stall speed (V_{S1g}) multiplied by 1,23 in the landing configuration at the maximum certified landing mass. If both VSO and VS1g are available, the higher resulting VAT shall be used.

(b) The aeroplane categories specified in the table below shall be used:

Table 1: Aeroplane categories corresponding to V_{AT} values

Aeroplane category	V_{AT}
A	Less than 91 kt
B	From 91 to 120 kt
C	From 121 to 140 kt
D	From 141 to 165 kt
E	From 166 to 210 kt

(c) The landing configuration that is to be taken into consideration shall be specified in the operations manual.

(d) The operator may apply a lower landing mass for determining the VAT if approved by the competent authority. Such a lower landing mass shall be a permanent value, independent of the changing conditions of day-to-day operations.".

Paragraph (e) shall be deleted.

Article 26

In Addendum 1, Annex IV (Commercial air transport (Part-CAT)), Subpart C (Aircraft performance and operating limitations), Section 1 (Aeroplanes), Chapter 2 (Performance class A), point CAT.POL.A.215 and CAT.POL.A.220 shall be amended, worded as follows:

"**CAT.POL.A.215 En-route - one-engine-inoperative (OEI)**

(a) The OEI en-route net flight path data shown in the AFM, appropriate to the meteorological conditions expected for the flight, shall allow demonstration of compliance with (b) or (c) at all points along the route. The net flight path shall have a positive gradient at 1 500 ft above the aerodrome where the landing is assumed to be made after engine failure. In meteorological conditions requiring the operation of ice protection systems, the effect of their use on the net flight path shall be taken into account.

(b) The gradient of the en-route net flight path shall be positive at least 1 000 ft above all terrain and obstructions along the route within 9,3 km (5 NM) on either side of the intended track.

(c) The en-route net flight path shall permit the aeroplane to continue flight from the cruising altitude to an aerodrome where a landing can be made in accordance with point CAT.POL.A.230 or CAT.POL.A.235, as appropriate. The en-route net flight path shall clear vertically, by at least 2 000 ft, all terrain and obstructions along the route within 9,3 km (5 NM) on either side of the intended track, taking into account the following elements:

(1) the engine is assumed to fail at the most critical point along the route;

(2) account is taken of the effects of winds on the flight path;

(3) fuel jettisoning is permitted to an extent consistent with reaching the aerodrome where the aeroplane is assumed to land after engine failure with the required fuel reserves in accordance with point CAT.OP.MPA.150, appropriate for an alternate aerodrome, if a safe procedure is used;

(4) the aerodrome, where the aeroplane is assumed to land after engine failure, shall meet the following criteria:

(i) the performance requirements for the expected landing mass are met;

(ii) weather reports or forecasts and runway condition reports indicate that a safe landing can be accomplished at the estimated time of landing;

(5) if the AFM does not contain en-route net flight path data, the gross OEI en-route flight path shall be reduced by a climb gradient of 1,1 % for two-engined aeroplanes, 1,4 % for three-engined aeroplanes, and 1,6 % for four-engined aeroplanes.

(d) The operator shall increase the width margins provided for in points (b) and (c) to 18,5 km (10 NM) if the navigational accuracy does not meet at least navigation specification RNAV 5.

CAT.POL.A.220 En route - aeroplanes with three or more engines, two engines inoperative

(a) An aeroplane that has three or more engines shall not be away from an aerodrome at which the requirements of points CAT.POL.A.230 or CAT.POL.A.235(a) for the expected landing mass are met accordingly, at any point along the intended track for more than 90 minutes, with all engines operating at cruising power or thrust, as appropriate, at standard temperature in still air, unless points (b) to (f) of this point are complied with.

(b) The two-engines-inoperative en-route net flight path data shall allow the aeroplane to continue the flight, in the expected meteorological conditions, from the point where two engines are assumed to fail simultaneously to an aerodrome at which it is possible to land and come to a complete stop when using the prescribed procedure for a landing with two engines inoperative. The en-route net flight path shall clear vertically, by at least 2 000 ft, all terrain and obstructions along the route within 9,3 km (5 NM) on either side of the intended track. At altitudes and in meteorological conditions that require ice protection systems to be operable, the effect of their use on the en-route net flight path data shall be taken into account. If the navigational accuracy does not meet at least navigation specification RNAV 5, the operator shall increase the prescribed width margin provided for in the second sentence to 18,5 km (10 NM).

(c) The two engines shall be assumed to fail at the most critical point of that portion of the route where the aeroplane is operated for more than 90 minutes, with all engines operating at cruising power or thrust, as appropriate, at standard temperature in still air, away from the aerodrome referred to in point (a).

(d) The net flight path shall have a positive gradient at 1 500 ft above the aerodrome where the landing is assumed to be made after the failure of two engines.

(e) Fuel jettisoning shall be permitted to an extent consistent with reaching the aerodrome with the required fuel reserves referred to in point (f), if a safe procedure is used.

(f) The expected mass of the aeroplane at the point where the two engines are assumed to fail shall not be less than that which would include sufficient fuel to proceed to an aerodrome where the landing is assumed to be made, and to arrive there at an altitude of at least 450 m (1 500 ft) directly over the landing area and thereafter to fly for 15 minutes at cruising power or thrust, as appropriate."

Point CAT.POL.A.230 and CAT.POL.A.235 shall be amended, worded as follows:

"**CAT.POL.A.230 Landing - dry runways**

(a) The landing mass of the aeroplane determined in accordance with point CAT.POL.A.105(a) for the estimated time of landing at the destination aerodrome and at any alternate aerodrome shall allow a full-stop landing from 50 ft above the threshold:

(1) for turbojet-powered aeroplanes, within 60 % of the landing distance available (LDA);

(2) for turbopropeller-powered aeroplanes, within 70 % of the LDA;

(3) by way of derogation from points (a)(1) and (a)(2), for aeroplanes that are approved for reduced landing distance operations under point CAT.POL.A.255, within 80 % of the LDA.

(b) For steep approach operations, the operator shall use the landing distance data factored in accordance with point (a)(1) or (a)(2), as applicable, based on a screen height of less than 60 ft, but not less than 35 ft, and shall comply with point CAT.POL.A.245.

(c) For short landing operations, the operator shall use the landing distance data factored in accordance with point (a)(1) or (a)(2), as applicable, and shall comply with point CAT.POL.A.250.

(d) When determining the landing mass, the operator shall take into account the following:

(1) not more than 50 % of the headwind component or not less than 150 % of the tailwind component;

(2) corrections as provided in the AFM.

(e) For dispatching the aeroplane, the aeroplane shall either:

(1) land on the most favourable runway, in still air;

(2) land on the runway most likely to be assigned, considering the probable wind speed and direction, the ground-handling characteristics of the aeroplane and other conditions such as landing aids and terrain.

(f) If the operator is unable to comply with point (e)(2) for the destination aerodrome, the aeroplane shall only be dispatched if an alternate aerodrome is designated that allows full compliance with one of the following:

(1) points (a) to (d), if the runway at the estimated time of arrival is dry;

(2) points CAT.POL.A.235(a) to (d), if the runway at the estimated time of arrival is wet or contaminated.

CAT.POL.A.235 Landing - wet and contaminated runways

(a) When the appropriate weather reports or forecasts, or both, indicate that the runway at the estimated time of arrival may be wet, the LDA shall be one of the following distances:

(1) a landing distance provided in the AFM for use on wet runways at time of dispatch, but not less than that required by point CAT.POL.A.230(a)(1) or (a)(2), as applicable;

(2) if a landing distance is not provided in the AFM for use on wet runways at time of dispatch, at least 115 % of the required landing distance, determined in accordance with point CAT.POL.A.230(a)(1) or (a)(2), as applicable;

(3) a landing distance shorter than that required by point (a)(2), but not less than that required by point CAT.POL.A.230(a)(1) or (a)(2), as applicable, if the runway has specific friction-improving characteristics and the AFM includes specific additional information for landing distance on that runway type;

(4) by way of derogation from points (a)(1), (a)(2) and (a)(3), for aeroplanes that are approved for reduced landing distance operations under point CAT.POL.A.255, the landing distance determined in accordance with point CAT.POL.A.255(b)(2)(v)(B).

(b) When the appropriate weather reports or forecasts indicate that the runway at the estimated time of arrival may be contaminated, the LDA shall be one of the following distances:

(1) at least the landing distance determined in accordance with point (a), or at least 115 % of the landing distance determined in accordance with approved contaminated landing distance data or equivalent, whichever is greater;

(2) on specially prepared winter runways, a landing distance shorter than that required by point (b)(1), but not less than that required by point (a), may be used if the AFM includes specific additional information about landing distances on contaminated runways. Such landing distance shall be at least 115 % of the landing distance contained in the AFM.

(c) By way of derogation from point (b), the increment of 15 % needs not to be applied if it is already included in the approved landing distance data or equivalent.

(d) For points (a) and (b), the criteria of points CAT.POL.A.230(b), (c) and (d) shall apply accordingly.

(e) For dispatching the aeroplane, the aeroplane shall either:

(1) land on the most favourable runway, in still air;

(2) land on the runway most likely to be assigned, considering the probable wind speed and direction, the ground-handling characteristics of the aeroplane and other conditions such as landing aids and terrain.

(f) If the operator is unable to comply with point (e)(1) for a destination aerodrome where the appropriate weather reports or forecasts indicate that the runway at the estimated time of arrival may be contaminated and where a landing depends upon a specific wind component, the aeroplane shall only be dispatched if two alternate aerodromes are designated.

(g) If the operator is unable to comply with point (e)(2) for the destination aerodrome where the appropriate weather reports or forecasts indicate that the runway at the estimated time of arrival may be wet or contaminated, the aeroplane shall only be dispatched if an alternate aerodrome is designated.

(h) For points (f) and (g), the designated alternate aerodrome or aerodromes shall allow compliance with one of the following:

(1) points CAT.POL.A.230(a) to (d), if the runway at the estimated time of arrival is dry;

(2) points CAT.POL.A.235(a) to (d), if the runway at the estimated time of arrival is wet or contaminated.”.

In point CAT.POL.A.250 (Approval of short landing operations), paragraph (b) point (11), words: “in the direction of landing; and” shall be replaced by: “in the direction of landing;”.

After point (11), point (11a) shall be added, worded as follows:

“(11a) reduced required landing distance operations in accordance with CAT.POL.A.255 are prohibited;”.

After point CAT.POL.A.250 (Approval of short landing operations), a new point CAT.POL.A.255 shall be added, worded as follows:

“**CAT.POL.A.255 Approval of reduced required landing distance operations**

(a) An aeroplane operator may conduct landing operations within 80% of the landing distance available (LDA) if it complies with the following conditions:

(1) the airplane has an MOPSC of 19 or less;

(2) the airplane has an eligibility statement for reduced required landing distance in the AFM;

(3) the airplane is used in non-scheduled on-demand commercial air transport (CAT) operations;

(4) the landing mass of the aeroplane allows a full-stop landing within that reduced landing distance;

(5) the operator has obtained a prior approval of the competent authority.

(b) To obtain the approval referred to in point (a)(5), the operator shall provide evidence of either of the following circumstances:

(1) that a risk assessment has been conducted to demonstrate that a level of safety equivalent to that intended by point CAT.POL.A.230(a)(1) or (2), as applicable, is achieved;

(2) that the following conditions are met:

(i) special-approach procedures, such as steep approaches, planned screen heights higher than 60 ft or lower than 35 ft, low-visibility operations, approaches outside stabilised approach criteria approved under point CAT.OP.MPA.115(a), are prohibited;

(ii) short landing operations in accordance with point CAT.POL.A.250 are prohibited;

(iii) landing on contaminated runways is prohibited;

(iv) an adequate training, checking and monitoring process for the flight crew is established;

(v) an aerodrome landing analysis programme (ALAP) is established by the operator to ensure that the following conditions are met:

(A) no tailwind is forecast at the expected time of arrival;

(B) if the runway is forecast to be wet at the expected time of arrival, the landing distance at dispatch shall either be determined in accordance with point CAT.OP.MPA.303(a) or (b) as applicable, or shall be 115 % of the landing distance determined for dry runways, whichever is longer;

(C) no forecast contaminated runway conditions exist at the expected time of arrival;

(D) no forecast adverse weather conditions exist at the expected time of arrival;

(vi) all the equipment that affects landing performance is operative before commencing the flight;

(vii) the flight crew is composed of at least two qualified and trained pilots that have recency in reduced required landing distance operations;

(viii) based on the prevailing conditions for the intended flight, the commander shall make the final decision to conduct reduced required landing distance operations and may decide not to do so when he or she considers that to be in the interest of safety;

(ix) additional aerodrome conditions, if specified by the competent authority that has certified the aerodrome, taking into account orographic characteristics of the approach area, available approach aids, missed-approach and balked-landing considerations.”.

Article 27

In Addendum 1, Annex IV (Commercial air transport (Part-CAT)), Subpart C (Aircraft performance and operating limitations), Section 1 (Aeroplanes), Chapter 3 (Performance class B) points CAT.POL.A.330 and CAT.POL.A.335 shall be amended, worded as follows:

“**CAT.POL.A.330 Landing - dry runways**

(a) The landing mass of the aeroplane determined in accordance with point CAT.POL.A.105(a) for the estimated time of landing at the destination aerodrome and at any alternate aerodrome shall allow a full-stop landing from 50 ft above the threshold within 70 % of the LDA.

(b) By way of derogation from point (a), and where point CAT.POL.A.355 is complied with, the landing mass of the aeroplane determined in accordance with point CAT.POL.A.105(a) for the estimated time of landing at the destination aerodrome shall be such as to allow a full-stop landing from 50 ft above the threshold within 80 % of the LDA.

(c) When determining the landing mass, the operator shall take the following into account:

(1) the altitude at the aerodrome;

(2) not more than 50 % of the headwind component or not less than 150 % of the tailwind component;

(3) the type of runway surface;

(4) the runway slope in the direction of landing.

(d) For steep approach operations, the operator shall use landing distance data factored in accordance with point (a), based on a screen height of less than 60 ft, but not less than 35 ft, and comply with point CAT.POL.A.345.

(e) For short landing operations, the operator shall use landing distance data factored in accordance with point (a), and comply with point CAT.POL.A.350.

(f) For dispatching the aeroplane, the aeroplane shall either:

(1) land on the most favourable runway, in still air;

(2) land on the runway most likely to be assigned considering the probable wind speed and direction, the ground-handling characteristics of the aeroplane and other conditions such as landing aids and terrain.

(g) If the operator is unable to comply with point (f)(2) for the destination aerodrome, the aeroplane shall only be dispatched if an alternate aerodrome is designated that permits full compliance with points (a) to (f).

CAT.POL.A.335 Landing - wet and contaminated runways

(a) When the appropriate weather reports or forecasts indicate that the runway at the estimated time of arrival may be wet, the LDA shall be one of the following distances:

(1) a landing distance provided in the AFM for use on wet runways at time of dispatch, but not less than that required by point CAT.POL.A.330;

(2) if a landing distance is not provided in the AFM for use on wet runways at time of dispatch, at least 115 % of the required landing distance, determined in accordance with point CAT.POL.A.330(a);

(3) a landing distance shorter than that required by point (a)(2), but not less than that required by point CAT.POL.A.330(a), as applicable, if the runway has specific friction improving characteristics and the AFM includes specific additional information for landing distance on that runway type;

(4) by way of derogation from points (a)(1), (a)(2) and (a)(3), for aeroplanes that are approved for reduced landing distance operations under point CAT.POL.A.355, the landing distance determined in accordance with point CAT.POL.A.355(b)(7)(iii).

(b) When the appropriate weather reports or forecasts indicate that the runway at the estimated time of arrival may be contaminated, the landing distance shall not exceed the LDA. The operator shall specify in the operations manual the landing distance data to be applied.".

After point CAT.POL.A.350 (Approval of short landing operations), a new point CAT.POL.A.355 shall be added, worded as follows:

"**CAT.POL.A.355 Approval of reduced required landing distance operations**

(a) Operations with a landing mass of the aeroplane that allows a full-stop landing within 80 % of the landing distance available (LDA) require prior approval by the competent authority. Such approval shall be obtained for each runway on which operations with reduced required landing distance are conducted.

(b) To obtain the approval referred to in point (a), the operator shall conduct a risk assessment to demonstrate that a level of safety equivalent to that intended by point CAT.POL.A.330(a) is achieved and at least the following conditions are met:

(1) the State of the aerodrome has determined a public interest and operational necessity for the operation, either due to the remoteness of the aerodrome or to physical limitations relating to the extension of the runway;

(2) short landing operations in accordance with point CAT.POL.A.350 and approaches outside stabilised approach criteria approved under point CAT.OP.MPA.115(a) are prohibited;

(3) landing on contaminated runways is prohibited;

(4) a specific control procedure of the touchdown area is defined in the operations manual (OM) and implemented; this procedure shall include adequate go-around and balked-landing instructions when touchdown in the defined area cannot be achieved;

(5) an adequate aerodrome training and checking programme for the flight crew is established;

(6) the flight crew is qualified and has recency in reduced required landing distance operations at the aerodrome concerned;

(7) an aerodrome landing analysis programme (ALAP) is established by the operator to ensure that the following conditions are met:

(i) no tailwind is forecast at the expected time of arrival;

(ii) if the runway is forecast to be wet at the expected time of arrival, the landing distance at dispatch shall either be determined in accordance with point

CAT.OP.MPA.303(c), or shall be 115 % of the landing distance determined for dry runways, whichever is longer;

(iii) no forecast contaminated runway conditions exist at the expected time of arrival;

(iv) no forecast adverse weather conditions exist at the expected time of arrival;

(8) operational procedures are established to ensure that:

(i) all the equipment that affects landing performance and landing distance is operative before commencing the flight;

(ii) deceleration devices are correctly used by the flight crew;

(9) specific maintenance instructions and operational procedures are established for the aeroplane's deceleration devices to enhance the reliability of those systems;

(10) the final approach and landing are conducted under visual meteorological conditions (VMC) only;

(11) additional aerodrome conditions, if specified by the competent authority that has certified the aerodrome, taking into account orographic characteristics of the approach area, available approach aids, missed-approach and balked-landing considerations.".

Article 28

In Addendum 1, Annex IV (Commercial air transport (Part-CAT)), Subpart C (Aircraft performance and operating limitations), Section 1 (Aeroplanes), Chapter 4 (Performance class C), point CAT.POL.A.415 (En-route- OEI)) paragraphs (d) a (e) shall be amended, worded as follows:

"(d) The width margins provided for in point (a) shall be increased to 18,5 km (10 NM) if the navigational accuracy does not meet at least navigation specification RNAV 5.

(e) Fuel jettisoning is permitted to an extent consistent with reaching the aerodrome where the aeroplane is assumed to land after engine failure with the required fuel reserves in accordance with point CAT.OP.MPA.150, appropriate for an alternate aerodrome, if a safe procedure is used.".

Point CAT.POL.A.420 shall be amended, worded as follows:

"**CAT.POL.A.420 En route - aeroplanes with three or more engines, two engines inoperative**

(a) An aeroplane that has three or more engines shall not be away from an aerodrome at which the requirements of point CAT.POL.A.430 for the expected landing mass are met, at any point along the intended track for more than 90 minutes with all engines operating at cruising power or thrust, as appropriate, at standard temperature in still air, unless points (b) to (e) of this point are complied with.

(b) The two-engines-inoperative flight path shall permit the aeroplane to continue the flight, in the expected meteorological conditions, clearing all obstacles within 9,3 km (5 NM) on either side of the intended track by a vertical interval of at least 2 000 ft, to an aerodrome at which the performance requirements applicable for the expected landing mass are met.

(c) The two engines shall be assumed to fail at the most critical point of that portion of the route where the aeroplane is operated for more than 90 minutes, with all engines operating at cruising power or thrust, as appropriate, at standard temperature in still air, away from the aerodrome referred to in point (a).

(d) The expected mass of the aeroplane at the point where the two engines are assumed to fail shall not be less than that which would include sufficient fuel to proceed to an aerodrome where the landing is assumed to be made and to arrive there at an altitude of at least 450 m (1 500 ft) directly over the landing area and thereafter to fly for 15 minutes at cruising power or thrust, as appropriate.

(e) The available rate of climb of the aeroplane shall be 150 ft per minute less than that specified.

(f) The width margins provided for in point (b) shall be increased to 18,5 km (10 NM) if the navigational accuracy does not meet at least navigation specification RNAV 5.

(g) Fuel jettisoning is permitted to an extent consistent with reaching the aerodrome with the required fuel reserves in accordance with point (d), if a safe procedure is used.".

In point CAT.POL.A.435 (Landing - wet and contaminated runways) paragraph (a) shall be amended, worded as follows:

"(a) When the appropriate weather reports or forecasts indicate that the runway at the estimated time of arrival may be wet, the LDA shall be one of the following distances:

(1) a landing distance provided in the AFM for use on wet runways at time of dispatch, but not less than that required by point CAT.POL.A.430;

(2) if a landing distance is not provided in the AFM for use on wet runways at time of dispatch, at least 115 % of the required landing distance, determined in accordance with point CAT.POL.A.430.".

Article 29

In Addendum 1, Annex IV (Commercial air transport (Part-CAT)), Subpart D (Instruments, data, equipment), Section 1 (Aeroplanes), point CAT.IDE.A.100 paragraph (b) shall be amended, worded as follows:

"(b) Instruments and equipment not required under this Annex (Part-CAT) as well as any other equipment which is not required under this Regulation, but carried on a flight, shall comply with the following requirements:

(1) the information provided by those instruments, equipment or accessories shall not be used by the flight crew members to comply with Annex II to Regulation (EU) 2018/1139 or points CAT.IDE.A.330, CAT.IDE.A.335, CAT.IDE.A.340 and CAT.IDE.A.345 of this Annex;

(2) the instruments and equipment shall not affect the airworthiness of the aeroplane, even in the case of failures or malfunction.".

In point CAT.IDE.A.105 (Minimum equipment for flight), point (b) shall be amended, worded as follows:

"(b) the operator is approved by the competent authority to operate the aeroplane within the constraints of the master minimum equipment list ('MMEL') in accordance with point ORO.MLR.105(j) of Annex III.".

In point CAT.IDE.A.185 (Cockpit voice recorder) after paragraph (h), a new paragraph (i) shall be added, worded as follows:

"(i) Aeroplanes with an MCTOM of over 27 000 kg and first issued with an individual CofA on or after 5 September 2022 shall be equipped with an alternate power source to which the CVR and the cockpit-mounted area microphone are switched automatically in the event that all other power to the CVR is interrupted.".

After point CAT.IDE.A.190 (Flight data recorder), a new point CAT.IDE.A.191, shall be added, worded as follows:

"**CAT.IDE.A.191 Lightweight flight recorder**

(a) Turbine-engined aeroplanes with an MCTOM of 2 250 kg or more and aeroplanes with an MOPSC of more than 9 shall be equipped with a flight recorder if all of the following conditions are met:

(1) they are not within the scope of point CAT.IDE.A.190(a);

(2) they are first issued with an individual CofA on or after 5 September 2022.

(b) The flight recorder shall record, by means of flight data or images, information that is sufficient to determine the flight path and aircraft speed.

(c) The flight recorder shall be capable of retaining the flight data and the images recorded during at least the preceding 5 hours.

(d) The flight recorder shall automatically start to record prior to the aeroplane being capable of moving under its own power and shall stop automatically after the aeroplane is no longer capable of moving under its own power.

(e) If the flight recorder records images or audio of the flight crew compartment, then a function shall be provided which can be operated by the commander and which modifies image and audio recordings made before the operation of that function, so that those recordings cannot be retrieved using normal replay or copying techniques.".

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

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

In paragraph (b) point (3) shall be amended, worded as follows:

"(3) on flight crew members' seat and on any seat alongside a pilot's seat, either of the following:

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

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

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

(B) aeroplanes with an MCTOM of 5 700 kg or less and with an MOPSC of nine or less that are not compliant with an emergency landing dynamic conditions defined in

the applicable certification specification and having an individual CofA first issued before 28 October 2014;

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

In point CAT.IDE.A.230 (First-aid oxygen), paragraph (b) shall be amended, worded as follows:

"(b) The oxygen supply referred to in (a) shall be sufficient for the remainder of the flight after cabin depressurization when the cabin altitude exceeds 8 000 ft but does not exceed 15 000 ft, for at least 2% of the passengers carried, but in no case for less than one person."

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

"(d) The first-aid oxygen equipment shall be capable of generating a mass flow to each person."

In point CAT.IDE.A.245 (Crew protective breathing equipment), paragraph (d) shall be amended, worded as follows:

"(d) Aeroplanes shall be equipped with an additional portable PBE installed adjacent to the hand fire extinguisher referred to in points CAT.IDE.A.250 (b) and (c), or adjacent to the entrance of the cargo compartment, in case the hand fire extinguisher is installed in a cargo compartment.".

In point CAT.IDE.A.275 (Emergency lighting and marking), paragraphs (c) and (d) shall be amended, worded as follows:

"(c) For aeroplanes with an MOPSC of 19 or less and type certified on the basis of the Agency's certification specification, the emergency lighting system referred to in point (a) shall include the equipment referred to in points (1), (2) and (3) of point (b).

(d) For aeroplanes with an MOPS of 19 or less that are not certified on the basis of the Agency's certification specification, the emergency lighting system referred to in point (a) shall include the equipment referred to in point (b) (1).".

In point CAT.IDE.A.285 (Flight over water) paragraph (c) shall be amended, worded as follows:

"(c) Seaplanes operated over water shall be equipped with the following:

(1) a sea anchor and other equipment necessary to facilitate mooring, anchoring or manoeuvring the seaplane on water, appropriate to its size, mass and handling characteristics;

(2) equipment for making the sound signals as prescribed in the International Regulations for Preventing Collisions at Sea, where applicable."

Point CAT.IDE.A.345 shall be amended, worded as follows:

"**CAT.IDE.A.345 Communication, navigation and surveillance equipment for operations under IFR or under VFR over routes not navigated by reference to visual landmarks**

(a) Aeroplanes operated under IFR or under VFR over routes that cannot be navigated by reference to visual landmarks shall be equipped with radio communication, navigation and surveillance equipment in accordance with the applicable airspace requirements.

(b) Radio communication equipment shall include at least two independent radio communication systems necessary under normal operating conditions to communicate with an appropriate ground station from any point on the route, including diversions.

(c) Notwithstanding point (b), aeroplanes operated for short haul operations in the North Atlantic high-level (NAT HLA) airspace and not crossing the North Atlantic shall be equipped with at least one long range communication system, in case alternative communication procedures are published for the airspace concerned.

(d) Aeroplanes shall have sufficient navigation equipment to ensure that, in the event of the failure of one item of equipment at any stage of the flight, the remaining equipment shall allow safe navigation in accordance with the flight plan.

(e) Aeroplanes operated on flights in which it is intended to land in IMC shall be equipped with suitable equipment capable of providing guidance to a point from which a visual landing can be performed for each aerodrome at which it is intended to land in IMC and for any designated alternate aerodrome.

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

Article 30

In Addendum 1, Annex IV (Commercial air-transport (Part-CAT)), Subpart D (Instruments, data, equipment), Section 2 (Helicopters), point CAT.IDE.H.100 (Instruments and equipment- general), paragraphs (a) and (b) shall be amended, worded as follows:

"(a) Instruments and equipment required by this Subpart shall be approved in accordance with the applicable airworthiness requirements, except for the following items:

(1) independent portable lights;

(2) an accurate time piece;

(3) chart holder;

(4) first-aid kit;

(5) megaphones;

(6) survival and signalling equipment;

(7) sea anchors and equipment for mooring;

(8) child restraint devices.

(b) Instruments and equipment not required under this Annex (Part-CAT) as well as any other equipment which is not required under this Regulation, but carried on a flight, shall comply with the following requirements:

(1) the information provided by those instruments, equipment or accessories shall not be used by the flight crew members to comply with Annex II to Regulation (EU) 2018/1139 or points CAT.IDE.H.330, CAT.IDE.H.335, CAT.IDE.H.340 and CAT.IDE.H.345 of this Annex;

(2) the instruments and equipment shall not affect the airworthiness of the helicopter, even in the case of failures or malfunction.".

In point CAT.IDE.H.105 (Minimum equipment for flight), paragraph (b) shall be amended, worded as follows:

"(b) the operator is approved by the competent authority to operate the helicopter within the constraints of the MMEL in accordance with point ORO.MLR.105(j) of Annex III.".

After point CAT.IDE.H.190 (Flight data recorder), a new point CAT.IDE.H.191 shall be added, worded as follows:

"**CAT.IDE.H.191 Lightweight flight recorder**

(a) Turbine-engined helicopters with an MCTOM of 2 250 kg or more shall be equipped with a flight recorder if all of the following conditions are met:

(1) they are not within the scope of point CAT.IDE.H.190(a);

(2) they are first issued with an individual CofA on or after 5 September 2022.

(b) The flight recorder shall record, by means of flight data or images, information that is sufficient to determine the flight path and aircraft speed.

(c) The flight recorder shall be capable of retaining the flight data and the images recorded during at least the preceding 5 hours.

(d) The flight recorder shall automatically start to record prior to the helicopter being capable of moving under its own power and shall stop automatically after the helicopter is no longer capable of moving under its own power.

(e) If the flight recorder records images or audio of the flight crew compartment, then a function shall be provided which can be operated by the commander and which modifies image and audio recordings made before the operation of that function, so that those recordings cannot be retrieved using normal replay or copying techniques.".

In point CAT.IDE.H.315 (Helicopters certified for operating on water- miscellaneous equipment), point (a) word: "weight" shall be replaced by word: "mass".

Point CAT.IDE.H.320 shall be amended, worded as follows:

"**CAT.IDE.H.320 All helicopters on flights over water- ditching**

(a) Helicopters shall be designed for landing on water or certified for ditching in accordance with the relevant certification specification when operated in performance class 1 or 2 on a flight over water in a hostile environment at a distance from land corresponding to more than 10 minutes flying time at normal cruise speed.

(b) Helicopters shall be designed for landing on water or certified for ditching in accordance with the relevant certification specification or fitted with emergency flotation equipment when operated in:

(1) performance class 1 or 2 on a flight over water in a non-hostile environment at a distance from land corresponding to more than 10 minutes flying time at normal cruise speed;

(2) performance class 2, when taking off or landing over water, except in the case of helicopter emergency medical services ('HEMS') operations, where for the purpose of minimising

exposure, the landing or take-off at a HEMS operating site located in a congested environment is conducted over water;

(3) performance class 3 on a flight over water beyond safe forced landing distance from land.”

Title of point CAT.IDE.H.345 shall be amended, worded as follows:

“**CAT.IDE.H.345 Communication, navigation and surveillance equipment for operations under IFR or under VFR over routes not navigated by reference to visual landmarks**”.

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

“Helicopters operated under IFR or under VFR over routes that cannot be navigated by reference to visual landmarks shall be equipped with radio communication, navigation and surveillance equipment in accordance with the applicable airspace requirements.”

Article 31

In Addendum 1, Annex V (Specific approvals (Part-SPA)), Subpart A (General requirements), point SPA.GEN.100 shall be amended, worded as follows:

“**SPA.GEN.100 Competent authority**

(a) The competent authority for issuing a specific approval shall be:

(1) for the commercial operator, the authority of the Member State in which the operator has its principal place of business;

(2) for the non-commercial operator, the authority of the State in which the operator has its principal place of business, is established or is residing.

(b) Notwithstanding point (a)(2), for the non-commercial operator using aircraft registered in a third country, the applicable requirements under this Annex for the approval of the following operations shall not apply if those approvals are issued by a third-country State of Registry:

(1) performance-based navigation (PBN);

(2) minimum operational performance specifications (MNPS);

(3) reduced vertical separation minima (RVSM) airspace;

(4) low visibility operations (LVO).”

Article 32

In Addendum 1, Annex V (Specific approvals (Part-SPA)), Subpart G (Transport of dangerous goods), point SPA.DG.110 point (e) shall be amended, worded as follows:

“ensure that a copy of the information to the pilot-in-command or the commander is retained on the ground that that copy, or the information contained in it, is readily accessible to the flight operations officer, flight dispatcher, or the designated ground personnel responsible for their part of the flight operations, until after the completion of the flight to which the information refers;”.

Article 33

In Addendum 1, Annex V (Specific approvals (Part-SPA)), Subpart I (Helicopter hoist operations), point SPA.HHO.110 shall be amended, worded as follows:

"**SPA.HHO.110 Equipment requirements for HHO**

(a) The installation of all helicopter hoist equipment other than a simple PCDS, including any radio equipment to comply with point SPA.HHO.115, and any subsequent modifications, shall have an airworthiness approval appropriate to the intended function. Ancillary equipment shall be designed and tested to the appropriate standard as required by the competent authority.

(b) Maintenance instructions for HHO equipment and systems shall be established by the operator in liaison with the manufacturer and included in the operator's helicopter maintenance programme as provided for by Regulation (EU) No 1321/2014."

Article 34

In Addendum 1, Annex V (Specific approvals (Part-SPA)), Subpart L (Single-engined turbine aeroplane operations at night or in instrument meteorological conditions (SET-IMC)), point SPA.SET-IMC.105 (SET-IMC operations approvals), paragraph (b) shall be amended, worded as follows:

"(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 Regulation (EU) No 1321/2014, including all of the following:

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

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

Article 35

In Addendum 1, Annex VI (Non-commercial air operations with complex motor-powered aircraft (Part-NCC)), Subpart A (General requirements), point NCC.GEN.100 shall be amended, worded as follows:

"**NCC.GEN.100 Competent authority**

The competent authority shall be the authority designated by the Member State in which the operator has its principal place of business, is established or is residing."

After point NCC.GEN.100 (Competent authority), a new point NCC.GEN.101, shall be added, worded as follows:

"**NCC.GEN.101 Additional requirements for flight training organisations**

Approved training organisations that are required to comply with this Annex shall also comply with:

(a) ORO.GEN.310, as applicable; and

(b) ORO.MLR.105.".

Point NCC.GEN.145 shall be amended, worded as follows:

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

(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 of the flight recorders for a period of 60 days or until otherwise directed by the investigating authority.

(b) The operator shall conduct operational checks and evaluations of recordings to ensure the continued serviceability of the flight recorders which are required to be carried.

(c) The operator shall ensure that the recordings of flight parameters and data link communication messages required to be recorded on flight recorders are preserved. However, for the purpose of testing and maintaining those flight recorders, up to 1 hour of the oldest recorded data at the time of testing may be erased.

(d) The operator shall keep and maintain up to date documentation that presents the necessary information to convert raw flight data into flight parameters expressed in engineering units.

(e) The operator shall make available any flight recorder recordings that have been preserved, if so determined by the competent authority.

(f) Without prejudice to Regulations (EU) No 996/2010 and (EU) 2016/679:

(1) Except for ensuring flight recorder serviceability, audio recordings from a flight recorder shall not be disclosed or used unless all of the following conditions are fulfilled:

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

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

(iii) such audio recordings are used only for maintaining or improving safety.

(1a) When flight recorder audio recordings are inspected for ensuring flight recorder serviceability, the operator shall protect the privacy of those audio recordings and make sure that they are not disclosed or used for purposes other than ensuring flight recorder serviceability.

(2) Flight parameters or data link messages recorded by a flight recorder shall not be used for purposes other than for the investigation of an accident or an incident which is subject to mandatory reporting, unless such recordings meet any of the following conditions:

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

(ii) are de-identified;

(iii) are disclosed under secure procedures.

(3) Except for ensuring flight recorder serviceability, images of the flight crew compartment that are recorded by a flight recorder shall not be disclosed or used unless all the following conditions are fulfilled:

(i) a procedure related to the handling of such image recordings is in place;

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

(iii) such image recordings are used only for maintaining or improving safety.

(3a) When images of the flight crew compartment that are recorded by a flight recorder are inspected for ensuring the serviceability of the flight recorder, then:

(i) those images shall not be disclosed or used for purposes other than for ensuring flight recorder serviceability;

(ii) if body parts of crew members are likely to be visible on the images, the operator shall ensure the privacy of those images.".

Article 36

In Addendum 1, Annex VI (Non-commercial air operations with complex motor-powered aircraft (Part-NCC), Subpart B (Operating procedures) point NCC.OP.225 shall be amended, worded as follows:

"**NCC.OP.225 Approach and landing conditions - aeroplanes**

Before commencing an approach to land, the pilot-in-command shall be satisfied that, according to the information available, the weather at the aerodrome or the operating site and the condition of the runway intended to be used would not prevent a safe approach, landing or missed approach.".

After point NCC.OP.225 (Approach and landing conditions- aeroplanes), a new point NCC.OP.226 shall be added, worded as follows:

"**NCC.OP.226 Approach and landing conditions - helicopters**

Before commencing an approach to land, the pilot-in-command shall be satisfied that, according to the information available, the weather at the aerodrome or the operating site and the condition of the final approach and take-off area (FATO) intended to be used would not prevent a safe approach, landing or missed approach.".

Article 37

In Addendum 1, Annex VI (Non-commercial air operations with complex motor-powered aircraft (Part-NCC), Subpart D (Instruments, data, equipment), Section 1 (Aeroplanes), point NCC.IDE.A.100 (Instruments and equipment - general) paragraph (c) shall be amended, worded as follows:

"(c) Instruments and equipment or accessories not required under this Annex as well as any other equipment which is not required under this Regulation, but carried on a flight, shall comply with the following requirements:

(1) the information provided by those instruments, equipment or accessories shall not be used by the flight crew members to comply with Annex II to Regulation (EU) 2018/1139 or points NCC.IDE.A.245 and NCC.IDE.A.250 of this Annex;

(2) the instruments and equipment shall not affect the airworthiness of the aeroplane, even in the case of failures or malfunction.".

In point NCC.IDE.A.105 (Minimum equipment for flight), point (b) shall be amended, worded as follows:

“(b) the operator is approved by the competent authority to operate the aeroplane within the constraints of the master minimum equipment list (‘MMEL’) in accordance with point ORO.MLR.105(j) of Annex III; or:”.

In point NCC.IDE.A.125 (Operations under IFR – flight and navigational instruments and associated equipment), point (h) shall be amended, worded as follows:

“(h) an emergency power supply, independent of the main electrical generating system, for the purpose of operating and illuminating an attitude indicating system for a minimum period of 30 minutes. The emergency power supply shall be automatically operative after the total failure of the main electrical generating system and clear indication shall be given on the instrument or on the instrument panel that the attitude indicator is being operated by emergency power.”.

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 number of required cabin crew members, two shoulder straps and a seat belt that may be used independently;

(3) on flight crew members seats and on any seat alongside a pilot's seat, either of the following:

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

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

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

(B) aeroplanes with an MCTOM of 5 700 kg or less and with an MOPSC of nine or less 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.250 (Navigation equipment) after paragraph (d), paragraph (e) shall be added, worded as follows:

“(e) Aeroplanes shall be equipped with surveillance equipment in accordance with the applicable airspace requirements.”.

Article 38

In Addendum 1, Annex VI (Non-commercial air operations with complex motor-powered aircraft (Part-NCC), Subpart D (Instruments, data, equipment), Section 2 (Helicopters), point NCC.IDE.H.100 (Instruments and equipment- general), paragraph (c) shall be amended, worded as follows:

“(c) Instruments and equipment or accessories not required under this Annex, as well as any other equipment which is not required under this Regulation, but carried on a flight, shall comply with the following requirements:

(1) the information provided by those instruments, equipment or accessories shall not be used by the flight crew members to comply with Annex II to Regulation (EU) 2018/1139 or points NCC.IDE.H.245 and NCC.IDE.H.250 of this Annex;

(2) the instruments and equipment shall not affect the airworthiness of the helicopter, even in the case of failures or malfunction.”.

In point NCC.IDE.H.105 (Minimum equipment for flight) point (b) shall be amended, worded as follows:

“(b) the operator is approved by the competent authority to operate the helicopter within the constraints of the master minimum equipment list (‘MMEL’) in accordance with point ORO.MLR.105(j) of Annex III; or”.

In point NCC.IDE.H.235 (All helicopters on flights over water - ditching), words: “airworthiness code” shall be replaced by “certification specifications”.

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

“Helicopters shall be equipped with surveillance equipment in accordance with the applicable airspace requirements.”.

Article 39

In Addendum 1, Annex VII (Non-commercial air operations with complex other-than motor-powered aircraft (Part-NCO)), Subpart A (General requirements), point NCO.GEN.100 shall be amended, worded as follows:

“**NCO.GEN.100 Competent authority**

(a) The competent authority shall be the authority designated by the Member State where the aircraft is registered.

(b) If the aircraft is registered in a third country, the competent authority shall be the authority designated by the Member State where the operator has its principal place of business, is established or is residing.”.

After point NCO.GEN.103 (Introductory flights), a new point NCO.GEN.104, shall be added, worded as follows:

“**NCO.GEN.104 Use of aircraft included in an AOC by an NCO operator**

(a) An NCO operator may use other than complex motor-powered aircraft listed on an operator's AOC to conduct non-commercial operations in accordance with this Annex.

(b) The NCO operator using the aircraft in accordance with point (a) shall establish a procedure:

(1) clearly describing how operational control of the aircraft is transferred between the AOC holder and the NCO operator, as referred to in point ORO.GEN.310 of Annex III;

(2) describing the handover procedure of the aircraft upon its return to the AOC holder.

That procedure shall be included in a contract between the AOC holder and the NCO operator.

The NCO operator shall ensure that the procedure is communicated to the relevant personnel.

(c) The continuing airworthiness of the aircraft used pursuant to point (a) shall be managed by organisation responsible for the continuing airworthiness for the aircraft included in the AOC, in accordance with Regulation (EU) No 1321/2014.

(d) The NCO operator using the aircraft in accordance with point (a) shall ensure the following:

(1) that every flight conducted under its operational control is recorded in the aircraft technical log system;

(2) that no changes to the aircraft systems or configuration are made;

(3) that any defect or technical malfunction occurring while the aircraft is under its operational control is reported to the organisation referred to in point (c) immediately after the flight;

(4) that the AOC holder receives a copy of any occurrence report related to the flights performed with the aircraft, completed in accordance with Regulation (EU) No 376/2014 and Regulation (EU) 2015/1018.".

Article 40

In Addendum 1, Annex VII (Non-commercial air operations with complex other-than motor-powered aircraft (Part-NCO)), Subpart B (Operating procedures), point NCO.OP.205 shall be amended, worded as follows:

"**NCO.OP.205 Approach and landing conditions – aeroplanes**

Before commencing an approach to land, the pilot-in-command shall be satisfied that, according to the information available, the weather at the aerodrome or the operating site and the condition of the runway intended to be used do not prevent a safe approach, landing or missed approach.".

After point NCO.OP.205 (Approach and landing conditions -aeroplanes), a new point NCO.OP.206 shall be added, worded as follows:

"**NCO.OP.206 Approach and landing conditions – helicopters**

Before commencing an approach to land, the pilot-in-command shall be satisfied that, according to the information available, the weather at the aerodrome or the operating site and the condition of the final approach and take-off area (FATO) intended to be used do not prevent a safe approach, landing or missed approach.".

Article 41

In Addendum 1, Annex VII (Non-commercial air operations with complex other-than motor-powered aircraft (Part-NCO)), Subpart D (Instruments, data, equipment), Section 1 (Aeroplanes), point NCO.IDE.A.100 (Instruments and equipment – general) paragraph (b) and (c) shall be amended, worded as follows:

“(b) The following items, when required under this Subpart, do not need an equipment approval:

(1) spare fuses;

(2) independent portable lights;

(3) an accurate time piece;

(4) first-aid kit;

(5) survival and signalling equipment;

(6) sea anchor and equipment for mooring;

(7) child restraint device;

(8) a simple PCDS used by a task specialist as a restraint device.

(c) Instruments and equipment not required under Annex VII (Part-NCO) as well as any other equipment that is not required under this Regulation, but is carried on a flight, shall comply with the following requirements:

(1) the information provided by those instruments or equipment shall not be used by the flight crew members to comply with Annex II to Regulation (EU) 2018/1139 or points NCO.IDE.A.190 and NCO.IDE.A.195 of Annex VII;

(2) the instruments and equipment shall not affect the airworthiness of the aeroplane, even in the case of failures or malfunction.”.

In point NCO.IDE.A.140 (Seats, seat safety belts, restraint systems and child restraint devices), paragraph (a) point (2) shall be amended, worded as follows:

“(2) a seat belt on each seat and restraining belts for each berth;”.

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

“(e) Aeroplanes shall be equipped with surveillance equipment in accordance with the applicable airspace requirements.”.

Article 42

In Addendum 1, Annex VII (Non-commercial flights with other-than complex motor-powered aircraft (Part-NCO)), Subpart D (Instruments, data, equipment), Section 2 (Helicopters), point NCO.IDE.H.100 (Instruments and equipment- general), paragraphs (b) and (c) shall be amended, worded as follows:

“(b) The following items, when required under this Subpart, do not need an equipment approval:

(1) independent portable lights;

(2) an accurate time piece;

(3) first-aid kit;

(4) survival and signalling equipment;

(5) sea anchor and equipment for mooring;

(6) child restraint device;

(7) a simple PCDS used by a task specialist as a restraint device.

(c) Instruments and equipment or accessories not required under Annex VII (Part-NCO), as well as any other equipment that is not required under this Regulation, but carried on a flight, shall comply with the following requirements:

(1) the information provided by those instruments, equipment or accessories shall not be used by the flight crew members to comply with Annex II to Regulation (EU) 2018/1139 or points NCO.IDE.H.190 and NCO.IDE.H.195 of Annex VII;

(2) the instruments and equipment or accessories shall not affect the airworthiness of the helicopter, even in the case of failures or malfunction."

In point NCO.IDE.H.140 (Seats, seat safety belts, restraint systems and child restraint devices), paragraph (a), points (1) and (2) shall be amended, worded as follows:

"(1) a seat or berth for each person on board who is aged 24 months or more, or a station for each crew member or task specialist on board;

(2) a seat belt on each passenger seat and restraining belts for each berth, and restraint devices for each station.".

Point NCO.IDE.H.185 shall be amended, worded as follows:

"NCO.IDE.H.185 All helicopters on flights over water- ditching

Helicopters flying over water in a hostile environment beyond a distance of 50 NM from land shall be either of the following:

(a) designed for landing on water in accordance with the relevant certification specifications;

(b) certified for ditching in accordance with the relevant certification specifications;

(c) fitted with emergency flotation equipment.".

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

(e) Helicopters shall be equipped with surveillance equipment in accordance with the applicable airspace requirements.".

Article 43

In Addendum 1, Annex VII (Non-commercial air operations with other-than complex motor-powered aircraft (Part-NCO)), Subpart (E) (Specific requirements), Section 3 (Human external cargo operations (HEC)), point NCO.SPEC.HEC.105 (Specific HEC equipment), paragraph (b) shall be amended, worded as follows:

"(b) The installation of all hoist and cargo hook equipment other than a simple PCDS, and any subsequent modifications shall have an airworthiness approval appropriate to the intended function.".

Article (44)

In Addendum 1, Annex VII (Non-commercial air operations with other-than complex motor-powered aircraft (Part-NCO)), Subpart E (Specific requirements), Section 4 (Parachute operations (PAR)), the title of NCO.SPEC.PAR.120 shall be amended, worded as follows:

"**NCO.SPEC.PAR.120 Transport and release of dangerous goods**".

Article 45

In Addendum 1, Annex VII (Non-commercial air operations with other-than complex motor-powered aircraft (Part-NCO)), Subpart E (Specific requirements), after point NCO.SPEC.ABF.115 (Equipment), the title of new Section 6 and points NCO.SPEC.MCF.100 to NCO.SPEC.MCF.140 shall be added, worded as follows:

"SECTION 6

Maintenance check flights (MCFs)

NCO.SPEC.MCF.100 Levels of maintenance check flights

Before conducting a maintenance check flight, the operator shall determine the applicable level of the maintenance check flight as follows:

(a) a 'Level A' maintenance check flight for a flight where the use of abnormal or emergency procedures, as defined in the aircraft flight manual, is expected, or where a flight is required to prove the functioning of a backup system or other safety devices;

(b) a 'Level B' maintenance check flight for any maintenance check flight other than a 'Level A' maintenance check flight.

NCO.SPEC.MCF.105 Operational limitations

(a) By way of derogation from point NCO.GEN.105(a)(4) of this Annex, a maintenance check flight may be conducted with an aircraft that has been released to service with incomplete maintenance in accordance with points M.A.801(f) of Annex I (Part-M), 145.A.50(e) of Annex II (Part-145) or ML.A.801(f) of Annex Vb (Part-ML) to Commission Regulation (EU) No 1321/2014.

(b) By way of derogation from NCO.IDE.A.105 or NCO.IDE.H.105, pilot-in-command may carry out operations with any defective piece of equipment or item or functions, under a check list referred to in NCO.SPEC.MFC.110.

NCO.SPEC.MCF.110 Check list and safety briefing

(a) The checklist referred to in point NCO.SPEC.105 shall be updated as needed before each maintenance check flight and shall consider the operating procedures that are planned to be followed during the particular maintenance check flight.

(b) Notwithstanding point NCO.SPEC.125(b), a safety briefing of the task specialist shall be required before each maintenance check flight."

NCO.SPEC.MCF.120 Flight crew requirements

When selecting a flight crew member for a maintenance check flight, the operator shall consider the aircraft complexity and the level of the maintenance check flight as defined in point NCO.SPEC.MCF.100.

NCO.SPEC.MCF.125 Crew composition and persons on board

(a) The pilot-in-command shall identify the need for additional crew members or task specialists, or both, before each intended maintenance check flight, taking into consideration the expected flight crew member or task specialist workload and the risk assessment.

(b) The pilot-in-command shall not allow persons on board other than those required under point (a) during a 'Level A' maintenance check flight.

NCO.SPEC.MCF.130 Simulated abnormal or emergency procedures in flight

By way of derogation from point NCO.SPEC.145, a pilot-in-command may simulate situations that require the application of abnormal or emergency procedures with a task specialist on board if the simulation is required to meet the intention of the flight and if it has been identified in the check list referred to in point NCO.SPEC.MCF.110 or in operating procedures.

NCO.SPEC.MCF.140 Systems and equipment

When a maintenance check flight is intended to check the proper functioning of a system or equipment, that system or equipment shall be identified as potentially unreliable, and appropriate mitigation measures shall be agreed prior to the flight in order to minimise risks to flight safety.".

Article 46

In Addendum 1, Annex VIII (Specialised operations (Part-SPO)), in point SPO.GEN.005 (Scope) paragraph (a) shall be amended, worded as follows:

"This Annex applied to any specialised operation where the aircraft is used for specialised activities such as agriculture, construction, photography, surveying, observation and patrol, aerial advertisement or maintenance check flights."

Article 47

In Addendum 1, Annex VIII (Special air operations (Part-SPO)), Subpart A (General requirements), point SPO.GEN.100 shall be amended, worded as follows:

"**SPO.GEN.100 Competent authority**

The competent authority shall be the authority designated by the Member State in which the operator has its principal place of business, is established or is residing.".

In point SPO.GEN.140 (Documents, manuals and information to be carried), paragraph (a) point (10) shall be amended, worded as follows:

"(10) the aircraft technical log, in accordance with to Regulation (EU) No 1321/2014, if applicable;".

Point SPO.GEN.145 shall be amended, worded as follows:

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

(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 of the flight recorders for a period of 60 days or until otherwise directed by the investigating authority.

(b) The operator shall conduct operational checks and evaluations of recordings to ensure the continued serviceability of the flight recorders which are required to be carried.

(c) The operator shall ensure that the recordings of flight parameters and data link communication messages required to be recorded on flight recorders are preserved. However, for the purpose of testing and maintaining those flight recorders, up to 1 hour of the oldest recorded data at the time of testing may be erased.

(d) The operator shall keep and maintain up to date documentation that presents the necessary information to convert raw flight data into flight parameters expressed in engineering units.

(e) The operator shall make available any flight recorder recordings that have been preserved, if so determined by the competent authority.

(f) Without prejudice to Regulations (EU) No 996/2010 and (EU) 2016/679, and except for ensuring flight recorder serviceability:

(1) audio recordings from a flight recorder shall not be disclosed or used unless all the following conditions are fulfilled:

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

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

(iii) such audio recordings are used only for maintaining or improving safety.

(1a) When flight recorder audio recordings are inspected for ensuring flight recorder serviceability, the operator shall protect the privacy of those audio recordings and make sure that they are not disclosed or used for purposes other than ensuring flight recorder serviceability.

(2) Flight parameters or data link messages recorded by a flight recorder shall not be used for purposes other than for the investigation of an accident or an incident that is subject to mandatory reporting. That limitation shall not apply, unless such recordings meet any of the following conditions:

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

(ii) are de-identified;

(iii) are disclosed under secure procedures.

(3) Except for ensuring flight recorder serviceability, images of the flight crew compartment that are recorded by a flight recorder shall not be disclosed or used unless all of the following conditions are fulfilled:

(i) a procedure related to the handling of such image recordings is in place;

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

(iii) such image recordings are used only for maintaining or improving safety.

(3a) When images of the flight crew compartment that are recorded by a flight recorder are inspected for ensuring the serviceability of the flight recorder, then:

(i) those images shall not be disclosed or used for purposes other than ensuring flight recorder serviceability;

(ii) if body parts of crew members are likely to be visible on the images, the operator shall ensure the privacy of those images.".

Article 48

In Addendum 1, Annex VIII (Specialised operations (Part-SPO)), Subpart B (Operational procedures), part SPO.OP.210 shall be amended, worded as follows:

"**SPO.OP.210 Approach and landing conditions- aeroplanes**

Before commencing an approach to land, the pilot-in-command shall be satisfied that, according to the information available, the weather at the aerodrome or the operating site and the condition of the runway intended to be used would not prevent a safe approach, landing or missed approach.".

After point SPO.OP.210 (Approach and landing conditions- aeroplanes), a new point SPO.OP.211 shall be added, worded as follows:

"**SPO.OP.211 Approach and landing conditions- helicopters**

Before commencing an approach to land, the pilot-on command shall be satisfied that, according to the information available, the weather at the aerodrome or the operating site and the condition of the final approach and take-off area (FATO) intended to be used would not prevent a safe approach, landing or missed approach.".

Article 49

In Addendum 1, Annex VIII (Specialised operations (Part-SPO)), Subpart C (Aircraft performance and operating limitations), point SPO.POL.110 (Mass and balance system-commercial operations with aeroplanes and helicopters and non-commercial operations with complex motor-powered aircraft), paragraph (a) shall be amended, worded as follows:

"(a) The operator shall establish a mass and balance system in order to determine for each flight or series of flights the following:

(a) aircraft dry operating mass;

(2) mass of the traffic load;

(3) mass of the fuel load;

(4) aircraft load and load distribution;

(5) take-off mass, landing mass and zero fuel mass;

(6) applicable aircraft CG positions.".

Article 50

In Addendum 1, Annex VIII (Specialised operations (Part-SPO)), Subpart D (Instruments, data, equipment), Section 1 (Aeroplanes), in point SPO.IDE.A.100 (Instruments and equioment-general), paragraphs (b) and (c) shall be amended, worded as follows:

"(b) The following items, when required under this Subpart, do not need an equipment approval:

(1) spare fuses;
(2) independent portable lights;
(3) an accurate time piece;
(4) chart holder;
(5) first aid kits;
(6) survival and signalling equipment;
(7) sea anchor and equipment for mooring;
(8) a simple PCDS used by a task specialist as a restraint device.

(c) Instruments, equipment or accessories not required under this Annex (Part-SPO) as well as any other equipment which is not required under this Regulation, but carried on a flight, shall comply with the following requirements:

(1) the information provided by those instruments, equipment or accessories shall not be used by the flight crew members to comply with Annex II to Regulation (EU) 2018/1139 or points SPO.IDE.A.215 and SPO.IDE.A.220 of this Annex;

(2) the instruments, equipment or accessories shall not affect the airworthiness of the aeroplane, even in the case of failures or malfunction.".

Point SPO.IDE.A.105 shall be amended, worded as follows:

"**SPO.IDE.A.105 Minimum equipment for flight**

A flight shall not be commenced when any of the aeroplane's instruments, items of equipment or functions required for the intended flight are inoperative or missing, unless either of the following conditions is fulfilled:

(a) the aeroplane is operated in accordance with the minimum equipment list (MEL);

(b) for complex motor-powered aeroplanes and for any aeroplane used in commercial operations, the operator is approved by the competent authority to operate the aeroplane within the constraints of the master minimum equipment list (MMEL) in accordance with point ORO.MLR.105(j) of Annex III;

(c) the aeroplane is subject to a permit to fly issued in accordance with the applicable airworthiness requirements.".

In point SPO.IDE.A.125 (Operations under IFR- flight and navigational instruments and associated equipment), in point (e) (4) shall be amended, worded as follows:

"(4) an emergency power supply, independent of the main electrical generating system, for the purpose of operating and illuminating an attitude indicating system for a minimum period of 30 minutes. The emergency power supply shall be automatically operative after the total failure of the main electrical generating system and clear indication shall be given on the instrument or on the instrument panel that the attitude indicator is being operated by emergency power.".

After point SPO.IDE.A.145 (Flight data recorder), a new point SPO.IDE.A.146 shall be added, worded as follows:

"**SPO.IDE.A.146 Lightweight flight recorder**

(a) Turbine-engined aeroplanes with an MCTOM of 2 250 kg or more and aeroplanes with an MOPSC of more than 9 shall be equipped with a flight recorder if all the following conditions are met:

(1) they are not within the scope of point SPO.IDE.A.145(a);

(2) they are used for commercial operations;

(3) they are first issued with an individual CofA on or after 5 September 2022.

(b) The flight recorder shall record, by means of flight data or images, information that is sufficient to determine the flight path and aircraft speed.

(c) The flight recorder shall be capable of retaining the flight data and the images recorded during at least the preceding 5 hours.

(d) The flight recorder shall automatically start to record prior to the aeroplane being capable of moving under its own power and shall stop automatically after the aeroplane is no longer capable of moving under its own power.

(e) If the flight recorder records images or audio of the flight crew compartment, then a function shall be provided which can be operated by the pilot-in-command and which modifies image and audio recordings made before the operation of that function, so that those recordings cannot be retrieved using normal replay or copying techniques.”.

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

“(e) The seat belt with upper torso restraint system required under point (d) shall have:

(1) a single point release;

(2) on flight crew members seats and on any seat alongside a pilot's seat, either of the following:

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

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

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

(B) aeroplanes with an MCTOM of 5 700 kg or less and with an MOPSC of nine or less 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.220 (Navigation equipment), after paragraph (d), paragraph (e) shall be added, worded as follows:

“(e) Aeroplanes shall be equipped with surveillance equipment in accordance with the applicable requirements.”.

Article 51

In Addendum 1, Annex VIII (Specialised operations (Part-SPO)), Subpart D (Instruments, data, equipment), Section 2 (Helicopters), point SPO.IDE.H.100 (Instruments and equipment-general), paragraphs (b) and (c) shall be amended, worded as follows:

“(b) The following items, when required by this Subpart, do not need an equipment approval:

(1) independent portable lights;

(2) an accurate time piece;

(3) first-aid kit;

(4) survival and signalling equipment;

(5) sea anchor and equipment for mooring;

(6) child restraint device;

(7) a simple PCDS used by a task specialist as a restraint device.

(c) Instruments, equipment or accessories not required under this Annex (Part-SPO), as well as any other equipment that is not required under this Regulation, but carried on a flight, shall comply with the following requirements:

(1) the information provided by those instruments, equipment or accessories shall not be used by the flight crew members to comply with Annex II to Regulation (EU) 2018/1139 or points SPO.IDE.H.215 and SPO.IDE.H.220 of this Annex;

(2) the instruments, equipment or accessories shall not affect the airworthiness of the helicopter, even in the case of failures or malfunction.”.

Point SPO.IDE.H.105 shall be amended, worded as follows:

“**SPO.IDE.H.105 Minimum equipment for flight**

A flight shall not be commenced when any of the helicopter’s instruments, items of equipment or functions required for the intended flight is inoperative or missing, unless either of the following conditions is fulfilled:

(a) the helicopter is operated in accordance with the minimum equipment list (MEL);

(b) for complex motor-powered helicopters, and for any helicopters used in commercial operations, the operator is approved by the competent authority to operated the helicopter within the constraints of the master minimum equipment list (MMEL) in accordance with point ORO.MLR.105(j) of Annex III;

(c) the helicopter is subject to a permit to fly issued in accordance with the applicable airworthiness requirements.”.

After point SPO.IDE.H.145 (Flight data recorder), a new point shall be added SPO.IDE.H.146, worded as follows:

“**SPO.IDE.H.146 Lightweight flight data recorder**

(a) Turbine-engined helicopters with an MCTOM of 2 250 kg or more shall be equipped with a flight recorder if all the following conditions are met:

(1) they are within the scope of point SPO.IDE.H.145(a);

(2) they are used for commercial operations;

(3) they are first issued with an individual CofA on or after 5 September 2022.

(b) The flight recorder shall record, by means of flight data or images, information that is sufficient to determine the flight path and aircraft speed.

(c) The flight recorder shall be capable of retaining the flight data and the images recorded during at least the preceding 5 hours.

(d) The flight recorder shall automatically start to record prior to the helicopter being capable of moving under its own power and shall stop automatically after the helicopter is no longer capable of moving under its own power.

(e) If the flight recorder records images or audio of the flight crew compartment, then a function shall be provided which can be operated by the pilot-in-command and which modifies image and audio recordings made before the operation of that function, so that those recordings cannot be retrieved using normal replay or copying techniques.".

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

"(e) Helicopters shall be equipped with surveillance equipment in accordance with the applicable airspace requirements.".

Article 52

In Addendum 1, Annex VIII (Specialised operations (Part-SPO)), Subpart E (Specific requirements), Section 1 (Helicopter external sling load operations (HESLO)) point PO.SPEC.HESLO.100 shall be amended, worded as follows:

"**SPO.SPEC.HESLO.100 Standard operating procedures**

The standard operating procedures for HESLO shall specify:

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

(b) crew composition and experience requirements of crew members and task specialists;

(c) the relevant theoretical and practical training for crew members to perform their tasks, the relevant training for task specialists to perform their tasks, and the qualification and nomination of persons providing such training to crew members and task specialists;

(d) responsibilities and duties of crew members and task specialists;

(e) helicopter performance criteria necessary to be met to conduct HESLO operations;

(f) normal, abnormal and emergency procedures.".

Article 53

In Addendum 1, Annex VIII (Special operations (Part-SPO)), Subpart E (Specific requirements), Section 2 (Human external cargo operations (HEC)), point SPO.SPEC.HEC.100 shall be amended, worded as follows:

"**SPO.SPEC.HEC.100 Standard operating procedures**

The standard operating procedures for HEC shall specify:

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

(b) crew compositions and experience requirements of crew members and task specialists;

(c) the relevant theoretical and practical training for crew members to perform their tasks, the relevant training for task specialist to perform their tasks, and the qualification and nomination of persons providing such training to crew members and task specialists;

(d) responsibilities and duties of crew members and task specialists;

(e) helicopter performance criteria necessary to be met to conduct HEC operations;

(f) normal, abnormal and emergency procedures.”.

In point SPO.SPEC.HEC.105 (Specific HEC equipment), paragraph (b) shall be amended, worded as follows:

“(b)The installation of all hoist and cargo hook equipment other than a simple PCDS, and any subsequent modifications shall have an airworthiness approval appropriate to the intended function.”.

Article 54

In Addendum 1, Annex VIII (Specialised operations (Part-SPO)), Subpart E (Specific requirements), after point SPO.SPEC.ABF.115 (Equipment), the title of new Section 5 and points SPO.SPEC.MCF.100 to SPO.SPEC.MCF.145 shall be added, worded as follows:

“SECTION 5

Maintenance check flights (MCF)

SPO.SPEC.MCF.100 Levels of maintenance check flight

Before conducting a maintenance check flight, the operator shall determine the applicable level of the maintenance check flight as follows:

(a) ‘Level A’ maintenance check flight for a flight where the use of abnormal or emergency procedures, as defined in the aircraft flight manual, is expected, or where a flight is required to prove the functioning of a backup system or other safety devices;

(b) a ‘Level B’ maintenance check flight for any maintenance check flights other than a ‘Level A’ maintenance check flight.

SPO.SPEC.MCF.105 Flight programme for a ‘Level A’ maintenance check flight

Before conducting a Level A maintenance check flight with a complex motor-powered aircraft, the operator shall develop and document a flight programme.

SPO.SPEC.MCF.110 Maintenance check flight manual for a ‘Level A’ maintenance check flight

The operator conducting a ‘Level A’ maintenance check flight shall:

(a) describe those operations and associated procedures in the operations manual referred to in point ORO.MLR.100 of Annex III or in a dedicated maintenance check flight manual;

(b) update the manual when necessary;

(c) inform all affected personnel of the manual and of its changes that are relevant to their duties;

(d) provide the competent authority with the manual and its updates.

SPO.SPEC.MCF.115 Flight crew requirements for a ‘Level A’ maintenance check flight

(a) The operator shall select adequate flight crew members considering the aircraft complexity and the level of the maintenance check flight. When selecting flight crew members for

a ‘Level A’ maintenance check flight with a complex motor-powered aircraft, the operator shall ensure all of the following:

(1) that the pilot-in-command has followed a training course in accordance with point SPO.SPEC.MCF.120; if the training has been conducted in a simulator, the pilot shall conduct at least one ‘Level A’ maintenance check flight as a pilot monitoring or as an observer before flying as a pilot-in-command on a ‘Level A’ maintenance check flight;

(2) that the pilot-in-command has completed on aircraft of the same aircraft category as the aircraft to be flown a minimum of 1 000 flight hours, of which at least 400 hours as a pilot-in-command in a complex motor-powered aircraft and at least 50 hours on the particular aircraft type.

Notwithstanding point (2) of the first paragraph, if the operator introduces a new aircraft type to its operation and has assessed the pilot's qualifications in accordance with an established assessment procedure, the operator may select a pilot having less than 50 hours experience on the particular aircraft type.

(b) Pilots holding a flight test rating in accordance with Regulation (EU) No 1178/2011 shall be given full credit for the training course stipulated in point (a)(1) of this point, provided that the pilots holding a flight test rating have obtained the required initial and recurrent crew resource management training in accordance with points ORO.FC.115 and ORO.FC.215 of Annex III.

(c) A pilot-in-command shall not perform a ‘Level A’ maintenance check flight on a complex motor-powered aircraft unless the pilot-in-command has carried out a ‘Level A’ maintenance check flight within the preceding 36 months.

(d) Recency as pilot-in-command on a ‘Level A’ maintenance check flight is regained after performing a ‘Level A’ maintenance check flight as an observer or a pilot monitoring, or after acting as the pilot-in-command in a ‘Level A’ maintenance check flight in a simulator.

SPO.SPEC.MCF.120 Flight crew training course for Level A maintenance check flights

(a) The training course required for a ‘Level A’ maintenance check flight shall be conducted in accordance with a detailed syllabus.

(b) The flight instruction for the training course shall be conducted in either of the following ways:

(1) in a simulator which, for training purposes, adequately reflects the reaction of the aircraft and its systems to the checks being conducted;

(2) during a flight in an aircraft demonstrating maintenance check flight techniques.

(c) A training course followed on one aircraft category is considered valid for all aircraft types of that category.

(d) When considering the aircraft used for the training and the aircraft to be flown during the maintenance check flight, the operator shall specify whether differences or familiarisation training is required and describe the contents of such a training.

SPO.SPEC.MCF.125 Crew composition and persons on board

(a) The operator shall establish procedures to identify the need for additional task specialists.

(b) For a ‘Level A’ maintenance check flight, the operator shall define in its manual the policy for other persons on board.

(c) For a ‘Level A’ maintenance check flight, a task specialist or additional pilot is required in the flight crew compartment to assist the flight crew members, unless the aircraft configuration does not permit it or the operator can justify, considering the flight crew members workload based on the flight programme, that the flight crew members does not require additional assistance.

SPO.SPEC.MCF.130 Simulated abnormal or emergency procedures in flight

By way of derogation from point SPO.OP.185 a task specialist may be on board a ‘Level A’ maintenance check flight if the task specialist is required to meet the intention of the flight and has been identified in the flight programme.

SPO.SPEC.MCF.135 Flight time limitations and rest requirements

When assigning crew members to maintenance check flights, operators subject to Subpart FTL of Annex III (Part-ORO) shall apply the provisions of that Subpart.

SPO.SPEC.MCF.140 Systems and equipment

When a maintenance check flight is intended to check the proper functioning of a system or equipment, that system or equipment shall be identified as potentially unreliable and appropriate mitigation measures shall be agreed prior to the flight in order to minimise risks to flight safety.

SPO.SPEC.MCF.145 Cockpit voice recorder, flight data recorder and data link recording requirements for AOC holders

For a maintenance check flight of an aircraft otherwise used for CAT operations, the provisions for cockpit voice recorders (CVR), flight data recorders (FDR) and data link recorders (DLR) of Annex IV (Part-CAT) shall continue to apply.

Article 55

Aeroplane and helicopter operators shall comply with the provisions of this Regulation within the period of time of six months from the date of entry into force of this Regulation.

CAT operators who also hold approval for non-commercial operations, shall design and submit to the Civil Aviation Directorate, within the period of time referred to in paragraph 1, the procedure for the use of aircraft specified in air operator certificate for conducting non-commercial operations, harmonise provisions from operations manual, and upon that the appropriate change to the certificate shall be made *ex officio*.

Article 56

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

No: 5/1-01-0013/2022-0001

In Belgrade, 16 September 2022

Director

Mirjana Cizmarov

Addendum 1

Appendix I

<table>
<tr><td colspan="3">AIR OPERATOR CERTIFICATE
(Approval schedule for air transport operators)

Types of operation: Commercial air transport (CAT) ☐ Passengers; ☐ Cargo;
☐ Other ([1]): …….</td></tr>
<tr><td rowspan="2">([4])</td><td>State of the Operator ([2])</td><td rowspan="2">([5])</td></tr>
<tr><td>Issuing Authority ([3])</td></tr>
<tr><td>AOC # ([6]):</td><td rowspan="3">Operator Name ([7])
Dba Trading Name ([8])
Operator address ([10])
Telephone ([11])</td><td rowspan="3">Operational Points of Contact: ([9])
Contact detail at which operational management can be contacted</td></tr>
<tr><td></td></tr>
<tr><td></td></tr>
</table>

	Fax: Email:	without undue delay, are listed in …… ([12])
This certificate certifies that …….. (13) is authorised to perform commercial air operations, as defined in the attached operations specifications, in accordance with the operations manual, Annex V to Regulation (EU) 2018/1139 and its delegated and implementing acts.		
Date of issue ([14]):	Name and Signature ([15]):	
	Title:	

([1]) Other type of transportation to be specified.
([2]) Replaced by the name of the State of the operator.
([3]) Replaced by the identification of the issuing competent authority.
([4]) For use of the competent authority.
([5]) For use of the competent authority.
([6]) Approval reference, as issued by the competent authority.
([7]) Replaced by the operator's registered name.
([8]) Operator's trading name, if different. Insert 'Dba' (for 'Doing business as') before the trading name.
([9]) The contact details include the telephone and fax numbers, including the country code, and the email address (if available) at which operational management can be contacted without undue delay for issues related to flight operations, airworthiness, flight and cabin crew members' competency, dangerous goods and other matters as appropriate.
([10]) Operator's principal place of business address.
([11]) Operator's principal place of business telephone and fax details, including the country code. Email to be provided if available.
([12]) Insertion of the controlled document, carried on board, in which the contact details are listed, with the appropriate paragraph or page reference. E.g.: "Contact details … are listed in the operations manual, gen/basic, chapter 1, 1.1"; or "… are listed in the operations specifications, page 1"; or "… are listed in an attachment to this document".
([13]) Operator's registered name.
([14]) Date of latest issue of the AOC (dd-mm-yyyy). The date of the initial issue of the AOC could be added in a footnote to the date of latest issue.
([15]) Title, name and signature of the competent authority representative. In addition, an official stamp may be applied on the AOC.

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Appendix II

OPERATIONS SPECIFICATIONS **(subject to the approved conditions in the operations manual)**
Issuing authority contact details Telephone [(1)]: _____; Fax: _____; Email: _____
AOC [(2)] Operator name [(3)] Date [(4)]: Signature:
Dba trading name
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	☐	☐	CAT ([11]): m	
Approach and landing	☐	☐	RVR ([12]): m	
Operational credits	☐	☐	DA/H: ft RVR: m	
RSVM [13] ☐ N/A	☐	☐		
ETOPS [14] ☐ N/A	☐	☐	Maximum diversion time [15]: min.	
Complex navigation specifications for PBN operations [16]	☐	☐		[17]
Minimum navigation performance specification	☐	☐		
Operations of single-engined turbine aeroplanes 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]	☐	☐		
Use of type B EFB applications	☐	☐	[21]	
Continuing airworthiness	☐	☐	([22])	
Others [23]				

([1]) Telephone number of the competent authority, including the country code. Email to be provided, as well as fax if available.
([2]) Insertion of associated air operator 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 (for '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. Boeing-737-3K2 or Boeing-777-232).
([6]) The registration marks are listed either in the operations specifications or in the operations manual. In the latter case, the related operations specifications must make a reference to the related page in the operations manual. In case not all specific approvals apply to the aircraft model, the registration marks of the aircraft may be entered in the 'Remarks' 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 region or 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 specific 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. Insertion of minimum RVR in metres and DH in feet. One line is used per listed approach category.
([12]) Insertion of approved minimum take-off RVR in metres. One line per approval may be used if different approvals are granted.
([13]) The 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 to two-engined aircraft. Therefore, the Not Applicable (N/A) box may be checked if the aircraft model has less or more 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 used for each complex PBN specific approval (e.g. RNP AR APCH), with appropriate limitations listed in the 'Specifications' or 'Remarks' columns, or in both. Procedure-specific approvals of 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 or aerodromes, or both.
([18]) Insertion of the particular airframe or 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 conduct issue cabin crew attestations as specified in Annex V (Part-CC) to Regulation (EU) No 1178/2011.
([21]) Insertion of the list type B EFB applications together with the reference of the EFB hardware (for portable EFBs). This list is contained either in the operations specifications or in the operations manual. In the latter case, the related operations specifications must make a reference to the related page in the operations manual.
([22]) The name of the person or organisation responsible for ensuring that the continuing airworthiness of the aircraft is maintained and a reference to the regulation that requires the work, i.e. Subpart G of Annex I (Part-M) to Regulation (EU) No 1321/2014.
([23]) 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, reduced required landing distance, helicopter operations to or 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 bank angles, maximum distance from an adequate aerodrome for two-engined aeroplanes without an ETOPS approval).

Appendix III

List of specific approvals

Non-commercial operations

Specialised operations
(subject to the conditions specified in the approval and contained in the operations manual or pilot's operating handbook)

Issuing Authority [(1)]:
List of specific approvals # [(2)]: Name of operator: Date [(3)]: Signature:

Aircraft model and registration mark [4]:		
Types of specialised operation (SPO), if applicable: ☐ [5] …		
Specific approvals [6]:	Specification [7]:	Remarks:
…		
…		

[1] insertion of name and contact details of the competent authority.
[2] Insertion of the associated number.
[3] Issue date of the specific approval (dd-mm-yyyy) and signature of the representative of the competent authority.
[4] Insertion of the Commercial Aviation Safety Team (CAST)/ICAO designation of the aircraft make, model and series, or master series, if a series has been designated (e.g. Boeing-737-3K2 or Boeing-777-232). The CAST/ICAO taxonomy is available at: http://www.intlaviationstandards.org/.
[5] Specify the type of operation, e.g., agriculture, construction, photography, surveying, observation and patrol, aerial advertisement, maintenance check flights.
[6] List in this column any approved operations, e.g., dangerous goods, LVO, RVSM, PBN, MNPS, HOFO.
[7] List in this column the most permissive criteria for each approval, e.g. the decision height and RVR minima for CAT II.

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Appendix IV

AUTHORISATION OF HIGH RISK COMMERCIAL SPECIALISED OPERATIONS
Issuing Authority: [1] Authorisation no: [2]
Operator Name: [3] Operator address: [4] Telephone: [5] Fax: E-mail:
Aircraft model and Registration Marks: [6]
Authorised specialised operation: [7]
Authorised area or site of operation: [8]
Special limitations: [9]
This is to confirm that ……. Is authorised to perform high risk commercial specialised operation(s) in accordance with this authorisation, operator's Standard Operating Procedures, Annex V to Regulation (EC) No 2018/1139 and its implementing and delegated acts.

Date of issue [10]:	Name and Signature [11]: Title:

[(1)] Name and contact details of the competent authority.
[(2)] Insertion of associated authorisation number.
[(3)] Insertion of the operator's registered name and the operator's trading name, if different. Insert "Dba" before the trading name (for "Doing business as").
[(4)] Operator's principal place of business address.
[(5)] Operator's principal place of business telephone and fax details, including the country code. E-mail to be provided if available.
[(6)] Insertion of the Commercial Aviation Safety Team (CAST)/ICAO designation of the aircraft make, model and series, or master series, if a series has been designated (e.g. Boeing-737-3K2 or Boeing-777-232). The CAST/ICAO taxonomy is available at http://www.intlaviationstandards.org. The registration marks should be either listed in the List of Specific Approvals or in the operations manual. In the latter case the List of Specific Approvals shall refer to the related page in the operation manual.
[(7)] Specify the type of operation, e.g., agriculture, construction, photography, surveying, observation and patrol, aerial advertisement.
[(8)] Listing of geographical area(s) or site(s) of authorised operation (by geographical coordinates or flight information region on national or regional boundaries).
[(9)] Listing of applicable special limitations (e.g. VFR only, Day only, etc.).
[(10)] Issue date of the authorisation (dd-mm-yyyy).
[(11)] Title, name and signature of the competent authority representative. In addition, an official stamp may be applied on the authorisation.

EASA Form 151 Issue 2

Addendum 2.

Appendix 1.

DECLARATION in accordance with Commission Regulation (EU) No 965/2012 on air operations					
Operator Name: Place in which the operator has its principal place of business or, if the operator has no principal place of business, place in which the operator is established or residing and place from which the operations are directed: Name and contact details of the accountable manager:					
Aircraft operation					
Starting date of operation or applicability date of the change					
Information on aircraft, operation and continuing airworthiness management organisation [1]:					
Aircraft MSN	Aircraft type	Aircraft registration [2]	Main base	Type(s) of operation [3]	Organisation responsible for the continuing airworthiness management

Where applicable, details of approvals held (attach list of specific approvals, including specific approvals granted by a third-country, to the declaration, if applicable).
Where applicable, details of specialised operations authorisation held (attach authorisations, if applicable)
Where applicable, list of alternative means of compliance with references to the associated AMCs they replace (attach to declaration).
Statements
□ The operator complies, and will continue to comply, with the essential requirements set out in Annex V to Regulation (EU) 2018/1139 of the European Parliament and of the Council and with the requirements of Regulation (EU) No 965/2012.
□ The management system documentation, including the operations manual, comply with the requirements of Annex III (Part-ORO), Annex V (Part-SPA), Annex VI (Part-NCC), or Annex VIII (Part-SPO) to Regulation (EU) No 965/2012 and all flights will be carried out in accordance with the provisions of the operations manual as required by point ORO.GEN.110(b) of Annex III to that Regulation.
□ All aircraft operated hold a valid certificate of airworthiness in accordance with Commission Regulation (EU) No 748/2012 or meet the specific airworthiness requirements applicable to aircraft registered in a third country and subject to a lease agreement.
□ All flight crew members hold a licence in accordance with Annex I to Commission Regulation (EU) No 1178/2011 as required by point ORO.FC.100(c) of Annex III to Regulation (EU) No 965/2012 and cabin crew members, where applicable, are trained in accordance with Subpart CC of Annex III to Regulation (EU) No 965/2012.
□ (If applicable) The operator has implemented and demonstrated conformity to a recognised industry standard. Reference of the standard: Certification body: Date of the last conformity audit:
□ The operator will notify to the competent authority any changes in circumstances affecting its compliance with the essential requirements set out in Annex V to Regulation (EU) 2018/1139 and with the requirements of Regulation (EU) No 965/2012 as declared to the competent authority through this declaration and any changes to the information and lists of AltMoC included in and annexed to this declaration, as required by point ORO.GEN.120(a) of Annex III to Regulation (EU) No 965/2012.
□ The operator confirms that the information disclosed in this declaration is correct.
Date, name and signature of the accountable manager
(1) If there is not enough space to list the information in the space of declaration, the information shall be listed in a separate annex. The annex shall be dated and signed. (2) If the aircraft is also registered with an AOC holder, specify the AOC number of the AOC holder. (3) 'Type(s) of operation' refers to the type of operations conducted with this aircraft, e.g. non-commercial operations or specialised operations such as aerial photography flights, aerial advertising flights, news media flights, television and movie flights, parachute operations, skydiving, maintenance check flights. (4) Information about the organisation responsible for the continuing airworthiness management includes the name of the organisation, the address and the approval reference.