



**EASA extension of
scope:
Work in progress**



European Aviation Safety Agency

Extension of the Scope of the Agency

- Currently Regulation 1592/2002 establishes Community competence only for the regulation of the initial and continuing airworthiness and environmental compatibility of products

- Work is being done to **extend the scope** of this Regulation.



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Extension of the Scope of the Agency – OPS and FCL

- The Commission adopted a legislative proposal on 15 November 2005 [[COM\(2005\) 579 final](#)], for the extension of the EASA Regulation to **air operations, pilot licensing and third country aircraft**, based on the Agency Opinion [3/2004](#).
 - * [Annex](#)
- The Commission proposal is being discussed by the European Parliament and the Council, under the co-decision process. It is expected that the extension of the Basic regulation would be adopted by **end of 2007, beginning of 2008**.
- The adoption of the implementing rules (commitology) may last between 9 to 12 additional months (**end 2008**).



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Operations, Licensing and Third Countries Aircraft

→ Work in progress by the Agency:

* Implementing rules

- Regulation of non complex aircraft not involved in commercial activities (**MDM.032**) – Terms of reference adopted in Feb 2006 – Group started its work in March 2006.
- Operations implementing rules (**OPS.001**) – Terms of reference adopted in July 2006 – Group started its work end of August 2006.
- Flight crew licensing implementing rules (**FCL.001**) – Terms of reference adopted in July 2006 – Group started its work end of August 2006.
- Implementation rule for third country aircraft (**OPS.004**) – Terms of Reference adopted in May 2007



MDM.032

- In July 2006 an interim report on the concept for regulatory system and implementation measures was circulated as an A-NPA (**A-NPA 14/2006**). Comment period ended on 16 October 2006. The CRD took a long time to develop, due to amount of comments received, but it is being finalised.
- In 2007, a **Subgroup Licensing** was created to deal with the issue of the light aircraft pilot licence (**LAPL**). The group started its work in May, and has been working in coordination with the FCL.001 group.



MDM.032

→ **In September 2007 the group finished its work:**

- ✦ **Elements for NPA for light aircraft pilot licence rules – sent to FCL.001.**
- ✦ **Elements for NPA for general operational rules – sent to OPS.001.**



OPS.001

- ➔ **Objective is to develop rules for the implementation of the extended Basic Regulation as regards air operations. Should encompass requirements and related AMC/GM for:**
 - * **commercial air transport (EU-OPS/JAR-OPS 1 and 3);**
 - * **aerial work (draft of JAR-OPS 4);**
 - * **non-commercial operations with complex motor-powered aircraft (draft of JAR-OPS 2);**
 - * **non-commercial operations with non-complex motor-powered aircraft (input from task MDM.032);**
 - * **flight time limitations (EU-OPS);**
 - * **training and medical fitness of cabin crew (JAR-OPS 1/EU-OPS);**
 - * **competent authorities (JAA JIP's).**



OPS.001

→ **4 Subgroups were created, and started to work in November 2006:**

- ✧ **Subgroup commercial air transport**
- ✧ **Subgroup aerial work**
- ✧ **Subgroup non-commercial operations with complex motor-powered aircraft**
- ✧ **Subgroup Authority requirements and SMS**



FCL.001

- ➔ Objective is to develop rules for the implementation of the extended Basic Regulation as regards flight crew licensing. Should encompass requirements and related AMC/GM for:
 - * The licensing, training and medical certification of pilots involved in commercial and non-commercial activities
 - For pilots of aeroplanes and helicopter (JAR-FCL 1, 2 and 3, and JAR-STD)
 - For pilots of aircraft not included in JAR-FCL, such as balloons and gliders, (ICAO Annex 1 and existing national regulations).

One of the main issues to be assessed should be the need for a commercial licence for these types of aircraft.

- * Competent authorities (JAA JIP's)



FCL.001

→ **4 Subgroups were created, and started to work in November 2006:**

- ✦ **Subgroup JAR and powered-lift licences**
- ✦ **Subgroup medical requirements**
- ✦ **Subgroup non-JAR licences**
- ✦ **Subgroup Authority requirements and SMS**



OPS.001 & FCL.001

- Subgroups have delivered their work to the core groups and EASA at the end of June
- Since then EASA has been working on a consolidated draft:
 - ✦ **First drafts on FCL and OPS requirements have been sent to the groups**
- The OPS.001 group is meeting at the end of November, and the FCL.001 at the end of December. The objective is to revise the first drafts, and deal with outstanding issues.



OPS.004

- ➔ Objective is to develop an opinion for a Commission implementing regulation and related AMC/GM material to regulate the issuance of an **authorisation to third-country operators engaged in commercial operations**, and as applicable, a **declaration for third-country operations of non-commercial complex motor-powered aircraft**. The opinion shall include how aircraft or crew, which do not hold a standard ICAO certificate of airworthiness or licence, may be authorised to operate into, within or out of the Community.



OPS.004

- EASA shall:
 - * review the Chicago Convention, Directive 2004/36/CE, Regulation (EC) No 2111/05, Regulation (EC) No. 768/2006, Title 14 CFR Part 129 and other reference material as appropriate,
 - * give due consideration to relevant ICAO initiatives **USOAP** and maintain contact with the **ICAO Task Force on the Improvement of the Air Operator Certificate** to ensure that the interoperability objectives contained in ICAO SARPS are taken into consideration

- EASA has been working in close cooperation with ICAO on this issue, as well as main third country partners, such as FAA and TCA



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Operations, Licensing and Third Countries Aircraft

→ Calendar

- ✧ The pace and the content of the drafting is being adapted to the pace and results of the legislative process.
- ✧ Objective: to publish an NPA immediately after the adoption of the extension of the scope (**1st quarter 2008**) so that implementing rules can be adopted by the end of 2008.



Extension of the Scope of the Agency – ATM and airports

→ Communication from the commission on ATM and Airport published on 15 November 2005

- ✦ Work on airport safety essential requirements
 - An NPA (**NPA 6/2006**) was published for comments in May 2006. The CRD was published in May 2007. The Agency is finishing the Opinion.
- ✦ Work on ATM safety and interoperability regulation
 - An NPA should be published for consultation by the end of the year.



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Annex

Summary of the EC Communication on the extension of scope to OPS, FCL and third country aircraft



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Summary of the EC Communication

→ Summary of the EC Communication -(1)

- ✦ Essential Requirements covering pilot licensing and air operations introduced as additional Annexes to the Basic Regulation

- ✦ Commercial operations in the Community by third country operators shall be subject to Community legislation



Summary of the EC Communication

→ Summary of the EC Communication -(2)

- ✧ Third country aircraft, more or less permanently based in the territory of MS shall be subject to the same rules as EU registered aircraft

- ✧ All third country aircraft operated by third country operators shall be subject to the same Community operational specifications as EU registered aircraft



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Summary of the EC Communication

→ Summary of the EC Communication -(3)

- ✦ All types of activities, encompassing commercial, corporate and recreational aviation shall be covered by Community legislation, except for the activities of aircraft listed in a slightly amended Annex II of regulation 1592/2002.



Summary of the EC Communication

→ Summary of the EC Communication –(4)

✧ Commercial activities shall be subject to implementing rules covering pilot licensing and air operations.

- Such rules shall be based on JAR-FCL and JAR-OPS 1, 3 and 4.
- Their implementation shall normally be carried out at national level.
- The Agency shall however be given some powers, i.e. to issue approvals to foreign organizations.



Summary of the EC Communication

→ Summary of the EC Communication -(5)

✧ For non-commercial activities involving complex motor-powered aircraft:

- existing material such as JAR-FCL and JAR-OPS 2 shall be used as a basis for implementing rules.
- Their implementation shall normally be carried out at national level, but air operators shall not be subject to a certification process, a simple declaration will suffice.



Summary of the EC Communication

→ Summary of the EC Communication –(6)

✧ For non-commercial activities involving non-complex motor-powered aircraft (mainly general aviation and recreational activities):

- a light aircraft pilot licence (LAPL) will be introduced as a “lighter” licence and the Essential Requirements for operations will be directly applicable.
- Light implementing rules based on JAR-OPS 0 shall however be developed to mandate operational specifications.