

## Considering Changes introduced by COMMISSION IMPLEMENTING REGULATION (EU) 2019/1384 of 24 July 2019 amending Regulations (EU) No 965/2012 and (EU) No 1321/2014

Sofema Aviation Services [www.sassofia.com](http://www.sassofia.com) considers the new regulation.

### **Subjects Covered:**

#### ***a) Aircraft listed on an air operator certificate (AOC) for non-commercial operations and specialised operations***

Introduces new rules to allow the change of use of the aircraft from CAT operations to non-commercial operations or specialised operations.

Flexible to enable the use of the same aircraft by operators performing non-commercial operations or specialised operations, without removing the aircraft from the air operator certificate ('AOC').

Based upon safety recommendations and feedback from the Member States and stakeholders, including from standardisation inspections, the Commission is of the opinion that Regulation (EU) No 965/2012 should be updated to reflect the state of the art and the best practices as regards various air operations requirements.

### **Continuing Airworthiness Implications**

Following a change of use of the aircraft from CAT operations to non-commercial operations or to specialised operations, [the responsibility for the continuing airworthiness of aircraft subject to that change should be kept at the AOC holder level].

Therefore Annexes I (Part-M) and Vb (Part-ML) to Commission Regulation (EU) No 1321/2014 should be amended accordingly.

#### ***b) The establishment of operational requirements for the conduct of maintenance check flights***

Addresses the exposure related to air accidents or incidents that have occurred in flights conducted with aircraft that had just undergone incomplete or inadequate maintenance or to flights conducted to verify whether the maintenance of the aircraft was adequate ('maintenance check flights').

Following the accident of Airbus A320-232 on 27 November 2008 off the coast of Canet-Plage (France), Regulation (EU) No 965/2012 should be amended in order to define accurately that category of flights and to set, where needed, the minimum requirements for flight crews and the procedures to be observed in the preparation and conduct of those flights.

***c) The establishment of rules on non-commercial operations with reduced cabin crew on board***

Provides for non-commercial operations with no operating cabin crew on board should be introduced for aircraft having a maximum operational passenger seating configuration (MOPSC) above 19 and with maximum 19 passengers, provided that certain conditions are fulfilled.

Operators should be allowed to apply those less rigorous requirements only together with appropriate measures mitigating the risks of such operations.

Regulation (EU) No 965/2012 requires CAT operators to brief passengers and to provide them with a safety briefing card containing picture-type instructions indicating the operation of emergency equipment and emergency exits likely to be used by passengers. Regulation (EU) No 965/2012 should contain a new definition of emergency exits.

The operator shall ensure that the pilot-in-command receives a briefing on any differences identified between the operating practices established before 20 August 2019 and the obligations required in the amended regulation.

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 is expected as defined in the aircraft flight manual or where it is required to prove the functioning of a backup system or other safety devices;

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

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

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