

Review of Commission Implementing Regulation (EU) 2019/1384 of 24 July 2019 amending Regulations (EU) No 965/2012 and (EU) No 1321/2014

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Concerning

- 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.

Detailed rules for commercial air transport ('CAT') operations, for non-commercial operations of complex motor-powered aircraft and other than complex motor-powered aircraft, for commercial specialised operations and non-commercial specialised operations, as well as for certain high risk commercial specialised operations.

Those rules do not take account of the fact that the same aircraft could carry out several types of operations during its service life.

- Therefore, for the change of use of the aircraft from CAT operations to non-commercial operations or specialised operations, new rules for the continuous use of such aircraft should be introduced.
 - Those rules should be sufficiently 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'). A number of air accidents or incidents have occurred in flights conducted with aircraft that had just undergone

Maintenance Check Flights

Incomplete or inadequate maintenance or to flights conducted to verify whether the maintenance of the aircraft was adequate ('maintenance check flights'). In view of the Airbus A320-232 accident 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.

- Furthermore, less rigorous requirements 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.

Note - 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 321/2014) should be amended accordingly.

Next Steps

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