



EUROPEAN AVIATION SAFETY AGENCY
AGENCE EUROPÉENNE DE LA SÉCURITÉ AÉRIENNE
EUROPÄISCHE AGENTUR FÜR FLUGSICHERHEIT

Helitech 2011

Part OPS EU – What has improved?

29 September 2011

**Bas van der Weide
o.b.o. EASA Rulemaking Directorate**

Your safety is our mission.
easa.europa.eu




Content

- ▶ Rulemaking process
- ▶ Consultation
- ▶ Principles for drafting OPS rules
- ▶ Rulemaking constraints
- ▶ The good, the bad and the ugly
- ▶ Timelines and next steps



Rulemaking Process

EASA



Phase 1
Planning

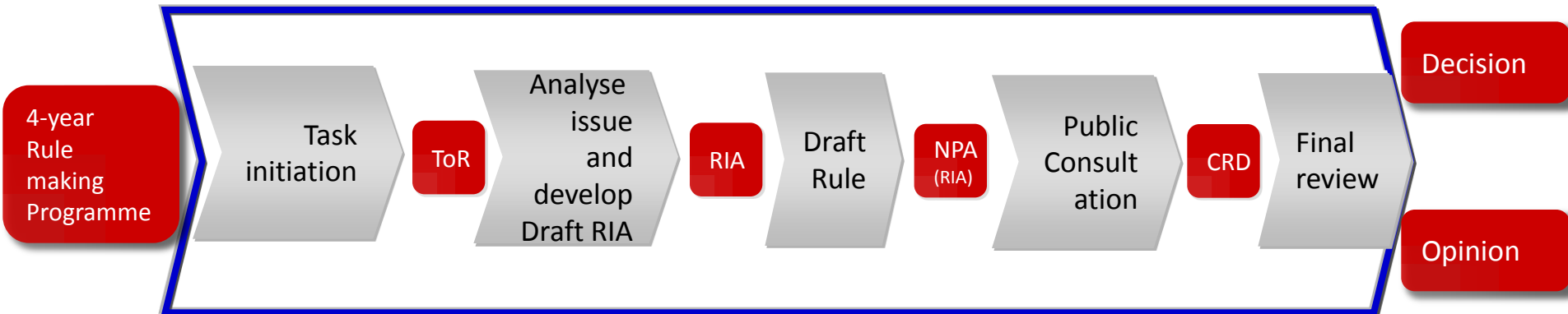
4-year
Rule
making
Programme

Phase 2
Rule development

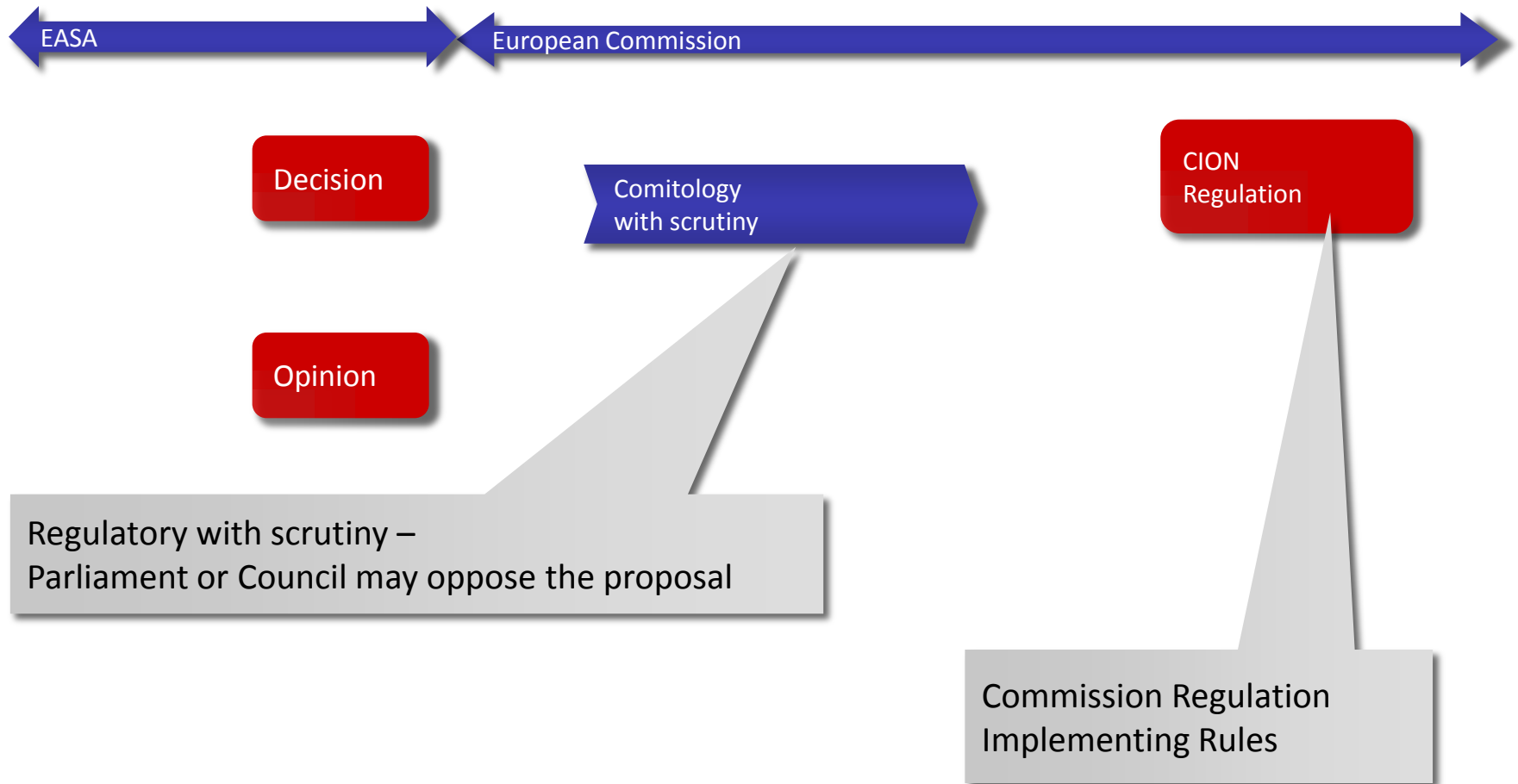
Opinion

Decision

Phase 2 - Rule development



Comitology



The EASA Opinions will be the result of an extensive consultation exercise

- ▶ NPA drafting with industry and NAA involvement
- ▶ NPA comment phase
- ▶ Development of the CRD documents with significant input from industry and NAA
- ▶ Several meetings with helicopter experts on various issues
- ▶ CRD reaction phase

Safety

- » Maintaining high level of safety

Flexibility and performance-based

- » Safety objective - IR
- » Method to comply with safety objective – AMC
- » Operator can develop its own means of compliance
- » Specific operational needs addressed, e.g. SPA approvals

Proportionality

- » Distinction between commercial and non-commercial operations
- » Risk based approach



Rulemaking constraints

- ▶ Political decision to harmonize rules on EU level; based on JAR-OPS 3 (and ICAO as far as feasible)
- ▶ Positive safety justification for any substance change to be provided
- ▶ Time



The good...

- ▶ Harmonised rules for all EASA States
- ▶ Free movement and mutual acceptance
- ▶ Provide for level playing field
- ▶ Allow for flexibility, as appropriate
- ▶ EU controlled process for exemptions and derogations to implementing rules
- ▶ Introduction of SMS



The bad...

- ▶ Non-implementation or different implementation of JAR-OPS 3 in EASA States
- ▶ Why have some implemented and others not?
- ▶ Insisting on national deviations doesn't help!
- ▶ We know that YOU see problems. We need YOUR input for finding solutions!
- ▶ Think out of the box! Harmonisation is a challenge for everyone!
- ▶ We should solve these issues on a technical level

 | ...the ugly?





Timelines

Phases	CRDs	Opinions
Phase I <ul style="list-style-type: none">- Cover Regulation OPS- Annex I Definitions- Annex II Part-ARO- Annex III Part-ORO- Annex IV Part-CAT(A,H)- Annex V Part-SPA	November 2010	June 2011
Phase II <ul style="list-style-type: none">- Annex VI Part-NCC- Annex VII Part-NCO	August 2011 Closes 30.10.2011	1 st quarter 2012
Phase III <ul style="list-style-type: none">- Annex IV Part-CAT(S,B,A-to-A)- Annex VIII Part-SPO	End of Oct. 2011	2 nd quarter 2012



What next?

- ▶ Certain transition to adapt
 - » For helicopter CAT likely to be a 2 year opt-out
- ▶ This is not the end of the process...
- ▶ We take time to address these issues in separate rulemaking tasks, e.g.
 - » Public Interest Sites
 - » (HEMS) Performance
 - » Single-engine operations over hostile environment
 - » Offshore operations
- ▶ We need YOUR ideas



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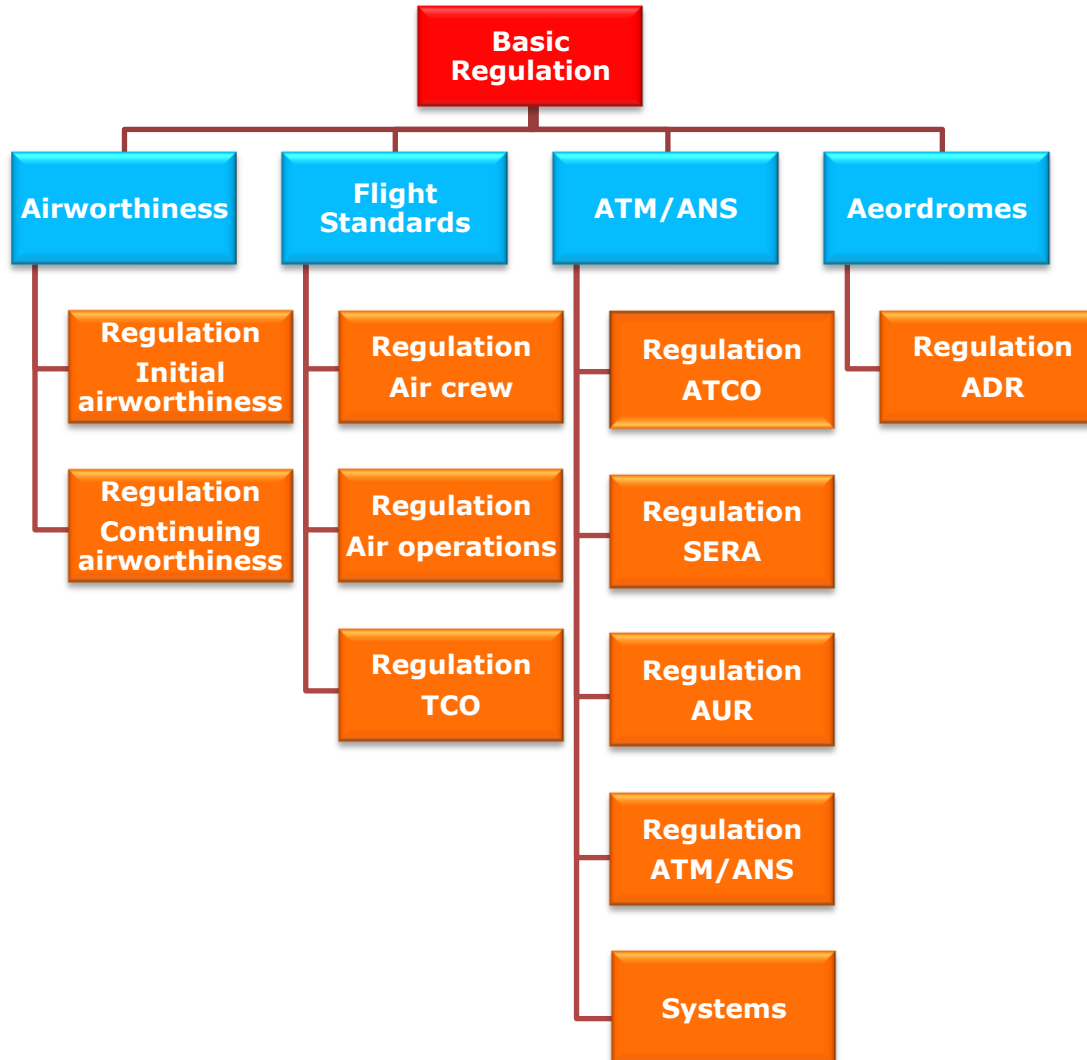
Thank you for your attention

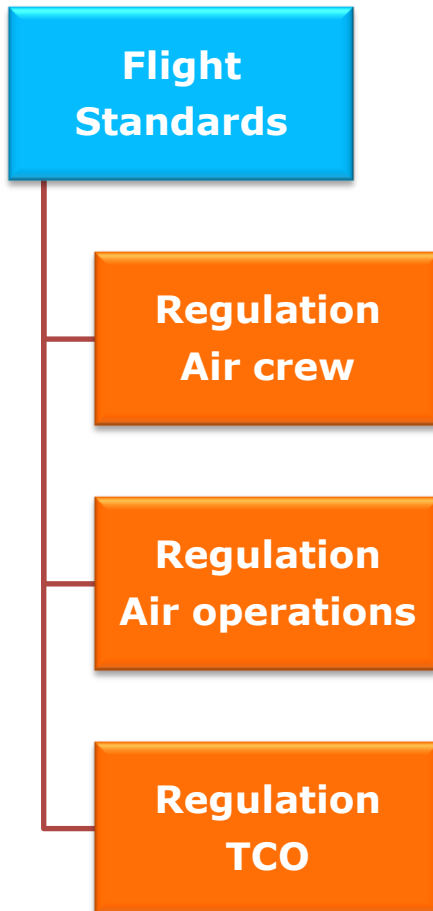
**EASA is looking forward to your participation
and input**

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Rule structure - concept





Air crew

- Opinions for all Annexes published

Air operations

- Opinion for Annexes I to V to be published in May
- Remaining Annexes published in coming months

TCO

- NPA published



Definitions

Definitions from the 'Basic Regulation' Regulation (EC) No 216/2008:

- ▶ **Commercial operation:** mean any operation of an aircraft, in return for remuneration or other valuable consideration, which is available to the public or, when not made available to the public, which is performed under a contract between an operator and a customer, where the latter has no control over the operator;

- ▶ **Complex motor-powered aircraft:**
 - › any aeroplane:
 - › with a maximum certificated take-off mass exceeding 5 700 kg, or
 - › certificated for a maximum passenger seating configuration of more than nineteen, or
 - › certificated for operation with a minimum crew of at least two pilots, or
 - › equipped with (a) turbojet engine(s) or more than one turboprop engine.
 - › any helicopter certificated:
 - › for a maximum take-off mass exceeding 3 175 kg, or
 - › for a maximum passenger seating configuration of more than nine, or
 - › for operation with a minimum crew of at least two pilots.
 - › any tilt rotor aircraft.

Useful links:

- › <http://eur-lex.europa.eu/en/index.htm> Access to European Union law
- › <http://easa.europa.eu/home.php>
- › <http://easa.europa.eu/rulemaking/docs/programme/Rulemaking%20Proposal%20Form.doc>
- › <http://www.easa.europa.eu/rulemaking/annual-programme-and-planning.php>