



# European Powered Flying Union

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## EPFU News Flash No. 73, Mid-September 2019

### The President's Voice

Just after finalizing EPFU News Flash No. 72 relevant papers have been published by EASA. We add some information on these texts in this "special edition" in addition to the promised comments on NPA 2019-07.



### Commission Implementing Regulation (EU) 2019/1383

was published on 8/8/2019 amending and correcting Regulation (EU) No 1321/2014 as regards safety management systems in continuing airworthiness management organisations and **alleviations for general aviation aircraft** concerning maintenance and continuing airworthiness management (Text with EEA relevance.) (OJ L 228, 4/9/2019). The "link": [https://eur-lex.europa.eu/eli/reg\\_impl/2019/1383/oj](https://eur-lex.europa.eu/eli/reg_impl/2019/1383/oj)

Just here below you will find the corrections:

### Corrigendum to Commission Implementing Regulation (EU) 2019/1383

published 8/8/2019 amending and correcting Regulation (EU) No 1321/2014 as regards safety management systems in continuing airworthiness management organisations and **alleviations for general aviation aircraft** concerning maintenance and continuing airworthiness management (OJ L 228, 4.9.2019): **The former edition's articles 3 and 4 are replaced, a new article 7a is added.**

The adjusted Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union, thus on 24/9/2019. It shall apply from 24/3/2020. The "link":

[https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32019R1383R\(01\)&from=EN](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32019R1383R(01)&from=EN)

### Commission Implementing Regulation (EU) 2019/1384

published on 24/7/20189 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 (Text with EEA relevance.) (OJ L 228). The "link": [https://eur-lex.europa.eu/eli/reg\\_impl/2019/1384/oj](https://eur-lex.europa.eu/eli/reg_impl/2019/1384/oj)



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## Corrigendum to Commission Implementing Regulation (EU) 2019/1384

published on 24/7/2019 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 (OJ L 228, 4.9.2019). This is the correction:

On page 108, Article 1(3): *for*

(3) the following Article 9aa is inserted:

*“Article 9aa **Flight crew requirements for maintenance check flights** A pilot having acted, **before 20 August 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 20 August 2019 and the obligations provided in Sections 5 and 6 of Subpart E of Annex VII to this Regulation including those derived from the related procedures established by the operator.”;*

*read: “(3) the following Article 9aa is inserted: “Article 9aa **Flight crew requirements for maintenance check flights** A pilot having acted, **before 24 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 24 September 2019 and the obligations provided in Sections 5 and 6 of Subpart E of Annex VII to this Regulation including those derived from the related procedures established by the operator.”(OJ L 230, 6/9/2019). The “link”:*

[https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32019R1384R\(01\)&from=EN](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32019R1384R(01)&from=EN)

## Commission Implementing Regulation (EU) 2019/1387 of 1/8/2019 (OJ EU L229)

amends 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 and contains some new definitions. As it touches Part-ORO, CAT, SPA, NCC, **NCO**, and SPO no “shortcut” makes sense. It only counts 23 pages, to find out what is important for you is fairly easy. This is the “link”:

<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32019R1387&from=EN>

## Issue 2 of SC to CS-VLA for Aeroplanes with Maximum Take Off Mass more than 750 kg

EASA writes: “The applicability of CS-VLA is limited to aeroplanes with maximum take-off mass (MTOM) of not more than 750 Kg. In accordance with 21A.16B, this Special Condition establishes additional requirements for aeroplanes with MTOM up to 850 Kg. The CS-VLA is based on CS-23 small aircraft requirement. It intended to authorise certification of aircraft with a simpler design than the CS-23 and lighter weight. The MTOM of 750 Kg and the limit of 45 kts of stall speed in landing configuration are established so that aeroplanes meeting such criteria would have a lower energy at impact so that they do not need to meet the crashworthiness requirement (as in CS 23 through the CS 23.562).”



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The deadline for comments is 23/9/2019. We propose not to send comments from our organisation. This is the "link" to the full text for your eventual individual comments:

<https://www.easa.europa.eu/document-library/product-certification-consultations/proposed-special-condition-sc-cvla01-issue-2-cs>

## **Repetition**

### **NPA 2019-07 Management of information security risks (RMT.0720)**

**Comment period ends on 27/9/2019.** This is the "link" to the text:

<https://www.easa.europa.eu/sites/default/files/dfu/NPA%202019-07.pdf>

Affected stakeholders are: Production and design organisations; air operators; maintenance organisations; continuing airworthiness management organisations (CAMOs); training organisations; aero-medical centres; operators of flight simulation training devices (FSTDs); ATM/ANS providers; aerodrome operators; apron management service providers; Member States, the latter will be heavily affected by the new provisions.

These proposed requirements apply to the competent authorities and to the following organisations:

- production organisations and design organisations that are required to comply with Subparts G and J respectively of Section A of Annex I (Part 21) to Regulation (EU) No 748/2012;
- maintenance organisations that are required to comply with Section A of Annex II (Part-145) to Regulation (EU) No 1321/2014;
- continuing airworthiness management organisations that are required to comply with Section A of Annex Vc (Part-CAMO) to Regulation (EU) No 1321/2014 (as per Opinion No 06/2016);
- air operators that are required to comply with Annex III (Part-ORO) to Regulation (EU) No 965/2012;
- aircrew training organisations (ATOs), aircrew aero-medical centres (AeMCs) and FSTD operators that are required to comply with Annex VII (Part-ORA) to Regulation (EU) No 1178/2011;
- ATCO training organisations (ATCO TOs) and ATCO aero-medical centres (AeMCs) that are required to comply with Annex III (Part ATCO.OR) to Regulation (EU) 2015/340;
- ATS, MET, AIS, DAT, CNS, ATFM and ASM providers and the Network Manager that are required to comply with Annex III (Part-ATM/ANS.OR) to Regulation (EU) 2017/373;
- aerodrome operators and apron management service providers(as per Opinion No 02/201424) that are required to comply with Annex III (Part-ADR.OR) to Regulation (EU) No 139/2014.

In order to ensure appropriate **proportionality** of the risks involved, the proposed requirements shall not apply to the following organisations:

- production organisations and design organisations that are required to comply with Subparts G and J respectively of Section A of Annex I (Part 21) to Regulation (EU) No 748/2012, if they are solely involved in the design and production of ELA2 aircraft;
- organisations that are covered by Subpart F of Section A of Annex I (Part 21) to Regulation (EU) No 748/2012 (production without production organisation approval (POA));
- organisations that demonstrate their design capability in accordance with alternative procedures to Subpart J of Section A of Annex I (Part 21) to Regulation (EU) No 748/2012;
- organisations that perform maintenance and continuing airworthiness activities in accordance with Annex Vd (Part-CAO) to Regulation (EU) No 1321/2014 (as per Opinion No 05/2016);
- organisations that are responsible for the training of maintenance certifying staff in accordance with Annex IV (Part-147) to Regulation (EU) No 1321/2014;
- **aircrew training organisations (ATOs) that are required to comply with Annex VII (Part-ORA) to**



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- Regulation (EU) No 1178/2011, if they are solely involved in theoretical training activities;
- aircrew training organisations (ATOs) that are required to comply with Annex VII (Part-ORA) to Regulation (EU) No 1178/2011, if they are solely involved in training activities of ELA2 aircraft;
- declared training organisations (DTOs) that are required to comply with Regulation (EU) No 1178/2011;
- air operators that are required to comply with Annex III (Part-ORO) to Regulation (EU) No 965/2012, if they are solely involved in the operation of ELA2 aircraft;
- air operators that are not required to comply with Annex III (Part-ORO) to Regulation (EU) No 965/2012;
- FSTD operators that are required to comply with Annex VII (Part-ORA) to Regulation (EU) No 1178/2011, if they are solely related to ELA2 aircraft;
- operators of unmanned aircraft systems (UASs) that belong to the 'open' and 'specific' categories (as per Opinion No 01/2018).

My conclusion after quite many hours working on the topic: Adding Information Security Risks provisions to the quite numerous existing regulations mentioned above by creating new chapters and paragraphs would be more helpful. And secondly: Keeping all "ELA2" flying machines and the lighter RPAS out of scope most probably is not a good idea considering what misguided persons could provoke by misguiding such aircraft. Please send your comments on this statement as early as possible to

[rene.meier2540@bluewin.ch](mailto:rene.meier2540@bluewin.ch)

## Repetition

### NPA 2019-08 Update of ORO.FC (RMT.0599)

The consultation period has been extended until 23/9/2019.

I propose not to comment as EPFU, there are other organisations which dispose of more thorough knowledge, but feel free to send your comments to the Agency. This is the "link" to the document:

<https://www.easa.europa.eu/sites/default/files/dfu/NPA%202019-08.pdf>

**Terms of Reference (ToR), Comment Response Documents (CRD), Opinions, Agency Decisions, and Public Consultations**, by 8/9/2019, titles in **bold characters** means texts are important for us:

Terms of Reference (ToR): 28/8/2019 Alignment of Part 21 of Regulation (EU) No 748/2012 with Regulation (EU) 2018/1139 **(including simple and proportionate rules for General Aviation)** (ToR RMT.0727). Here is the "link" to the document:

<https://www.easa.europa.eu/sites/default/files/dfu/ToR%20RMT.0727%20Issue%201.pdf>

CRD's: 29/8/2019: CRD 2019-03 Embodiment of the level of involvement acceptable means of compliance and guidance material in Part 21 (NPA 2019-03, RMT.0262 formerly MDM.060). The "link":

<https://www.easa.europa.eu/document-library/comment-response-documents/crd-2019-03>

Opinions: None

Agency Decisions: 28/8/2019 ED Decision 2019/017/R amending the AMC and GM to Part-FCL and Part-ARA of Commission Regulation (EU) No 1178/2011 'AMC & GM to



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Part-FCL — Amendment 8 | AMC & GM to Part-ARA — Amendment 8'. It adjusts titles and syllabi in **Part-FCL** and re-organises Subject 090 Communications of Part-ARA.

29/8/2019 ED Decision 2019/018/R amending the AMC and GM to Annex I (Part 21) to Commission Regulation (EU) No 748/2012 'AMC and GM to Part 21 — Issue 2, Amendment 9' does not affect us directly.

Public Consultations: EASA: **See above, SC-CVLA, published on 2/9/2019, comment period ending on 23/9/2019**  
European Commission: None

### **Repetition 2019 EASA Aircraft Maintenance Workshop**

will be held at Cologne at the EASA premises:

Day 1: 23/10/2019, 14:00 - 17:30

Day 2: 24/10/2019, 09:00 - 17:30

Day 3: 25/10/2019, 09:00 - 14:15

**A coordination within the EPFU Board will make sense. Please let the EPFU presidency know if you would like to attend this event as soon as possible, many thanks.**

**NOTE: for logistic reasons the participation in this workshop is by INVITATION ONLY.**

If you have interest in participation please contact:  
Mr Antonino LEVANTINO, [antonino.levantino@easa.europa.eu](mailto:antonino.levantino@easa.europa.eu)

### **Intermediate notice**

There are no new details of relevance to us on the following topic which we keep onboard for your information:

Terms of Reference (ToR) for rulemaking task RMT.0729 Regular update of Commission Implementing Regulation (EU) 2019/947 on the rules and procedures for the operation of unmanned aircraft and of Commission Delegated Regulation (EU) 2019/945 on unmanned aircraft systems and on third-country operators of unmanned aircraft systems.

The "link" to the full text:

<https://www.easa.europa.eu/sites/default/files/dfu/ToR%20RMT.0729%20Issue%201%20.pdf>

The **ToR for RMT.0730** covers the process of developing **future AMC/GM** and was published on the same day.

We shall keep you informed on both topics depending on intermediate results published.



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## European Powered Flying Union

Kind regards,

Antti Kääriäinen, President  
FI-16900 Lammi, 10 September 2019

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